



**AGENDA
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
5803 THUNDERBIRD
LAGO VISTA, TX
MAY 1, 2025 AT 1:00 PM**

JOIN MEETING VIA VIDEO CONFERENCE

Please join my meeting from your computer, tablet or smartphone.
<https://meet.goto.com/242387805>

You can also dial in using your phone.
United States: +1 (646) 749-3122

Access Code: 242-387-805

CALL TO ORDER, CALL OF ROLL

Kevin Sullivan, Mayor
Rob Durbin, Mayor Pro-Tem, Place 3
Shane Saum, Council Member, Place 1
Adam Benefield, Council Member, Place 2

Norma Owen, Council Member, Place 4
Paul Roberts, Council Member, Place 5
Paul Prince, Council Member, Place 6

EXECUTIVE SESSION

Convene into a closed Executive Session pursuant to;

- A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071)
- B. Consultation with Legal Counsel concerning legal advice and consultation regarding short term rental regulation pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- C. Consultation with Legal Counsel concerning legal advice and consultation regarding petitions for release from the City's extraterritorial jurisdiction pursuant to the Texas Government Code Sec. 551.071, on pending litigation and a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- D. Consultation with Legal Counsel concerning legal advice and consultation regarding code enforcement matter and enforcement on Western Trails pursuant to Texas

Government Code Sec. 551.071, on pending litigation and a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- E. Consultation with Legal Counsel concerning legal advice and consultation regarding Pendora permits and enforcement pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- F. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 – possible contract with Public Works Director, and 551.071 - legal advice related thereto.
- G. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 – Exit interview with employee Katie Mikulak, and 551.071 - legal advice related thereto.
- H. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.
- I. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager interviews with potential candidates, and 551.071 - legal advice related thereto.

ACTION ON EXECUTIVE SESSION ITEMS (action and/or vote may be taken on the following agenda items):

Reconvene from Executive Session into open session to act as deemed appropriate in City Council's discretion regarding:

- A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071)
- B. Consultation with Legal Counsel concerning legal advice and consultation regarding short term rental regulation pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- C. Consultation with Legal Counsel concerning legal advice and consultation regarding petitions for release from the City's extraterritorial jurisdiction pursuant to the Texas Government Code Sec. 551.071, on pending litigation and a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- D. Consultation with Legal Counsel concerning legal advice and consultation regarding code enforcement matter and enforcement on Western Trails pursuant to Texas Government Code Sec. 551.071, on pending litigation and a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- E. Consultation with Legal Counsel concerning legal advice and consultation regarding Pendora permits and enforcement pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with

this chapter.

- F. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 – possible contract with Public Works Director, and 551.071 - legal advice related thereto.
- G. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 – Exit interview with employee Katie Mikulak, and 551.071 - legal advice related thereto.
- H. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.
- I. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager interviews with potential candidates, and 551.071 - legal advice related thereto.

INVOCATION

PLEDGE OF ALLEGIANCE, PLEDGE TO TEXAS FLAG

CITIZEN COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

To participate in the citizen comments portion of the meeting, you must submit a completed form. If you are attending the meeting in the City Council Chambers you must complete the form available at that location and provide it to the Mayor prior to the start of the meeting. If you will be participating using the online videoconferencing tool, you must complete the form and submit it by email in accordance with the instructions included within the form. It is found on the City's website at the link below. The Council will reconvene from executive session at or around 3:00 p.m.

[Citizen Participation Registration Form](#)

ITEMS OF COMMUNITY INTEREST

Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

- a. Expression of thanks, gratitude, and condolences.
- b. Information regarding holiday schedules.
- c. Recognition of individuals, i.e. Proclamations.
- d. Reminders regarding City Council events.
- e. Reminders regarding community events.
- f. Health and safety announcements.

STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City Staff

2. Routine Reports from City Council Board/Commission/Committee Liaisons.

- Charter Review Committee, Councilor Prince & Councilor Saum
- Building and Standards Commission, Councilor Benefield

- Keep Lago Vista Beautiful, Councilor Benefield
- Lago Vista Starry Skies, Councilor Benefield
- Airport Advisory Board, Councilor Saum
- Planning & Zoning Commission, Mayor Pro Tem Durbin
- Economic Development Advisory Committee, Councilor Owen
- Lago Vista Independent School District, Councilor Owen
- Lago Vista Property Owner's Association, Councilor Owen
- Turnback Canyon Trail Conservancy, Councilor Owen
- Golf Course Advisory Committee, Councilor Prince
- Library Advisory Board, Councilor Prince
- Parks & Recreation Advisory Committee, Councilor Prince
- Board of Adjustment, Councilor Roberts
- Governmental Affairs, Councilor Saum
- Water Issues; Lower Colorado River Authority Board, Texas Water Development Board, and other entities as appropriate, Councilor Saum
- Youth Advisory Committee, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan
- Cap Metro, Mayor Sullivan

WORK SESSION

3. Discussion regarding Cap Metro cost figures and potential request to audit.
4. Discussion regarding Council's wish-list and priority items for the 2025-2026 budget.

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

5. Approval of April 17, 2025, Regular City Council Meeting Minutes.

ACTION ITEMS

6. Discussion, consideration, and possible action approving and authorizing the City Manager to either purchase a new 2025 Ford PIU Interceptor with up-fitting in the amount of \$76,872 which was approved in FY-25's budget or to authorize City Manager to enter into lease fleet agreement with enterprise for City of Lago Vista Police vehicles.
7. Discussion, consideration, and possible action regarding **Ordinance No. 25-05-01-01**; an ordinance of the City Council of the City of Lago Vista, Texas Pursuant to the Texas Local Government Code Chapter 102, Sections 102.007(b) and 102.010, Providing for Amendments to Ordinance No. 24-09-19-01, Municipal Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; for the replacement of the non-functioning air conditioning unit at City Hall.
8. Discussion, consideration and possible action on adopting **Ordinance No. 25-05-01-02**; Providing for the vacation and conveyance of City Right-of-Way within Park
[PO Box 4727, Lago Vista, TX 78645 • 512.267.1155 • www.lagovistatexas.gov](mailto:info@lagovistatexas.gov)

Drive to Lago Vista Property Owners Association (LVPOA)

9. Discussion, consideration, and possible action regarding adoption of **Resolution No. 25-2124** Establishing the Citizen Bond Oversight and Transparency Committee. (CBOTC)
10. Discussion, consideration, and possible action regarding adopting an official newspaper for the City of Lago Vista.
11. Discussion, consideration and possible action on passing **Resolution No. 25-2126** to formally accept the public infrastructure within Fire Fly Cove Phases 1A and 1B.
12. Discussion, consideration and possible action regarding direction on Development Service's application backlog and support options.
13. Discussion, consideration and possible action on an amendment to the City of Lago Vista Code of Ordinances, to add a Chapter 15 Growth Management and/or to amend Chapter 14 "Zoning Ordinance", Section 13 "Zoning Changes and Ordinance Amendments" establishing various studies, documents, plans, maps, data or information requirements which must be included in an application to rezone property.
14. Discussion, consideration, and possible action on an amendment to the City of Lago Vista Code of Ordinances, to amend Chapter 14 "Zoning" Exhibit A, "Zoning Ordinance Section 3, Establishment of Districts" concerning eligibility to place items on an agenda and completeness of applications, to address required publication, posting, or notices including the posting of various materials on the City's website associated with a request for rezoning, and/or other requests for approval of site plans, permits, or design reviews.
15. Discussion, consideration, and possible action on an amendment to the City of Lago Vista Code of Ordinances, to amend Chapter 10 "Subdivision Regulation", Exhibit A, "Plat and Subdivision Ordinance Adopted", Section 2 "Processing of proposed subdivision, to establish standards of administrative completeness, and/or to require compliance with proposed growth management standards with the submittal of a preliminary plat.
16. Discussion, consideration and possible action on approving the installation of a third stop sign at the intersection of Boggy Ford Rd, Highland Lakes Drive, and Emerald Drive.
17. Discussion, consideration and possible action regarding the formation of a Finance Subcommittee to support financial reporting and planning during transition.
18. Discussion, consideration, and possible action on entering into a Master Services Interlocal Agreement with Texas State University to potentially work on future projects together.
19. Discussion, consideration, and possible action on recommendations provided to Council from the Irrigation System Sub-Committee.

20. Discussion, consideration and possible action regarding rescheduling July 3, 2025 City Council Regular Meeting due to City Hall being closed in observance of the July 4th Holiday.

ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board in accordance with Government Code section 551.041 located at all times in City Hall in said City by _____ on the 25th day of April 2025.

Maria Franco, City Secretary, TRMC

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071, 551.072, 551.073, 551.074, 551.075 OR 551.076.

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

AT THIS MEETING AT THE STATED LOCATION, A QUORUM OF THE CITY COUNCIL WILL BE PHYSICALLY PRESENT, AND THIS NOTICE SPECIFIES THE INTENT TO HAVE A QUORUM PRESENT THERE, AND THE MEMBER OF THE CITY COUNCIL PRESIDING OVER THE MEETING WILL BE PHYSICALLY PRESENT AT THAT LOCATION. ONE OR MORE MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE IN THIS MEETING REMOTELY, AND IF SO, VIDEOCONFERENCE EQUIPMENT PROVIDING TWO-WAY AUDIO AND VIDEO DISPLAY AND COMMUNICATION WITH EACH MEMBER WHO IS PARTICIPATING BY VIDEOCONFERENCE CALL WILL BE MADE AVAILABLE.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Mayor Sullivan, City Council

SUBJECT: Discussion regarding Cap Metro cost figures and potential request to audit.

BACKGROUND: Below is a recap of a conversation had between the Mayor and CapMetro on April, 18th, 2025:

1. You will follow up and send information you shared about the amount of the Point-to-Point expenses that can be traced to trips to and from the ISD campuses. I believe you discussed preliminary findings that showed the amount was in the \$300K to \$350K range.
2. You mentioned that Manor had a similar issue with the Point-to-Point service being used for trips to ISD campuses and they instituted some policies that curtailed use by students dramatically. You were going to speak with the Manor mayor or others to find out about those policy changes for me or introduce me to the mayor or other staff that can talk to me about this subject.
3. You were going to set up a meeting with your operational staff and me to discuss the implementation of the Point-to-Point service so we can have some discussions about how to make the service more efficient/cost effective.

FINANCIAL IMPACT: Unknown



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Taylor Whichard, City Manager
SUBJECT:	Discussion regarding Council's wish-list and priority items for the 2025-2026 budget.
BACKGROUND:	This item was originally brought forward at the April 17th Council meeting. During this discussion, the Council provided staff with an extensive list of wish-list items, along with formatting and material they desired. At the conclusion of the discussion, Council came to a consensus that they were going to be posting on the Council Discussion Board to reduce the list to more practical items.
FINDINGS:	This item is a continuation of the original discussion had at the April 17th meeting.
FINANCIAL IMPACT:	Unknown at this time.
RECOMMENDATION:	Provide staff with guidance and input on the upcoming budget.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Maria Franco, City Secretary

SUBJECT: Approval of April 17, 2025, Regular City Council Meeting Minutes.

FINANCIAL IMPACT: n/a

ATTACHMENTS:
[2025-0417 Draft Minutes Regular Council Meeting \(2\).pdf](#)

MINUTES

City of Lago Vista
City Council Meeting
April 17, 2025
Page 1 of 9

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code. Video recordings of most City meetings can be obtained at <https://www.lagovistatexas.gov/249/Watch-Meetings>

City of Lago Vista, Texas
Regular City Council Meeting
April 17, 2025
Meeting Duration: 1:00 PM to 9:03 PM

BE IT REMEMBERED that on the **17th day of April A.D., 2025**, the City Council held a Regular meeting at 1:00 PM in City Council Chambers, 5803 Thunderbird, Lago Vista, Texas 78645, and via videoconference, there being present and acting the following:

00:00-00:03

CALL TO ORDER, CALL OF ROLL

Members of City Council Present:

Kevin Sullivan, Mayor
Shane R. Saum, Council Member; Place 1
Adam Benefield, Council Member; Place 2
Rob Durbin, Mayor Pro Tem; Place 3
Norma Owen, Council Member; Place 4
Paul Roberts, Council Member; Place 5
Paul Prince, Council Member; Place 6

Members of City Council Absent:

None

Mayor Sullivan called the meeting to order at 1:00 PM and announced that all Council members are present.

City Staff Present: Interim City Manager, Taylor Whichard, City Attorney, Brad Bullock, Chief of Police Gary Boshears(Virtual), City Secretary Maria Franco, Economic Development Director Eric Zeno, H.R. Director, Procurement Manager Eric De La Cruz(Virtual), Tiffany Sparks, Parks & Recreation Asst. Director Katie Mikulak, I.T. Staff Stan Heston.

00:19-04:08

EXECUTIVE SESSION

At 1:01 PM the Council convened into a closed Executive Session pursuant to:

- A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071).
- B. Consultation with Legal Counsel concerning legal advice and consultation regarding development agreement related to Turnback Ranch Dodge Trail Extension pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the

Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- C. Consultation with Legal Counsel concerning legal advice and consultation regarding Lago Vista Police Department, Texas Public Information Act and related legal issues concerning scene investigation and threat of contemplated litigation by B Heckendorf, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (Texas Government Code Section 551.071)
- D. Consultation with Legal Counsel concerning legal questions and advice related to dormant PDD's pursuant to Texas Government Code Section 551.071 - on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- E. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning employment-related claims of J. Bartholomew, pursuant to Texas Government Code Section 551.071.
- F. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duinick, Inc. d/b/a Duinick Golf pursuant to Texas Government Code Section 551.071.
- G. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager interviews with potential candidates, and 551.071 - legal advice related thereto.

04:08–18:22

ACTION ON EXECUTIVE SESSION ITEMS

(Action and/or vote may be taken on the following items):

AT **3:00** PM Council reconvened from Executive Session into Open Session to act as deemed appropriate in City Council's discretion regarding:

- A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071)

No action taken.

- B. Consultation with Legal Counsel concerning legal advice and consultation regarding development agreement related to Turnback Ranch Dodge Trail Extension pursuant to Texas Government Code Sec. 551.071, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

MOTION: Councilor Prince made a motion seconded by Councilor Roberts to instruct the City Attorney to amend the development agreement as discussed in the Executive Session and further that the Council authorize the City Attorney to describe what that amendment would entail. Motion carried six (6) ayes, to one (1) nay. Councilor Durbin being the dissenting vote.

City Attorney Mr. Bullock explained the agreement regarding 253.001, that should be 272.001B4, proper reference that should have been included, this would be the only amendment to the agreement.

- C. Consultation with Legal Counsel concerning legal advice and consultation regarding Lago Vista Police Department, Texas Public Information Act and related legal issues concerning scene investigation and threat of contemplated litigation by B. Heckendorf, on a matter in which the duty of the attorney to the governing body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (Texas Government Code Section 551.071)

Mayor Sullivan recognized Benjamin Heckendorf regarding citizen's comment:

Benjamin Heckendorf addressed the Council regarding his incident involving the Lago Vista Police.

No action taken.

- D. Consultation with Legal Counsel concerning legal questions and advice related to dormant PDD's pursuant to Texas Government Code Section 551.071 - on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

No action taken.

- E. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning employment-related claims of J. Bartholomew, pursuant to Texas Government Code Section 551.071.

No action taken.

- F. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.

No action taken.

- G. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager interviews with potential candidates, and 551.071 - legal advice related thereto.

MOTION: Councilor Prince made a motion seconded by Councilor Benefield to authorize Mayor to negotiate and execute a contract with the New City Manager with the perimeters discussed in the Executive Session. Motion carried unanimously seven (7) ayes to zero (0) nays.

- H. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.

No action taken.

PLEDGE OF ALLEGIANCE, PLEDGE TO THE TEXAS FLAG

Mayor Sullivan led the Pledge of Allegiance and the Pledge to the Texas Flag.

INVOCATION

Councilor Owen requested a minute of silence.

18:22– 35:30

CITIZEN COMMENTS

Mayor Sullivan opened the citizens' comment period and recognized those that signed up to speak:

Lynda Aird addressed the Council regarding the City's Park land fund.

Stanley Miller addressed the Council regarding his property on Boggy Ford.

Sandra Miller addressed the Council regarding her property on Boggy Ford.

35:30 – 2:18:35

ITEMS OF COMMUNITY INTEREST

Mayor Sullivan informed the public of the following:

1. **Spring Texas Trash-Off**

Join us for the **Spring Texas Trash-Off** this **Saturday, April 19**, from **8:00 AM to 5:00 PM** at **5901 Municipal Court Way**, next to the Police Station.

For more details on items we can or cannot accept, visit the **City's website**.

2. **Lago Fest 2025**

The countdown is on—**Lago Fest 2025** is almost here! Join us on **Saturday, April 26th, from 1:00 PM to 8:00 PM** for an unforgettable day of music, food, art, and fun.

Enjoy live performances from headliner **Roger Creager**, along with special guests **American Gypsy Band** and **Departure ATX**.

For more information, visit www.lagofest.com.

We can't wait to see you there!

3. **Lago Fest VIP Tickets Are STILL Available!**

VIP tickets are going fast—don't miss out!

Please note: **There is no will call**. All tickets must be picked up from **City Hall by Thursday, April 17th at 5 PM**.

If you provided a mailing address, your VIP package was sent out as soon as payment was received.

4. **Hazardous Household Waste Pickup**

The next hazardous household waste pickup will be on **Monday, April 28th**. To schedule your pickup, please do so by **Saturday, April 26th**. For more details, visit the City's website.

5. **The Green Center Hours** The Green Center will be open on: **Thursday, May 1st: 7:00 AM - 4:00 PM and Saturday, May 3rd: 10:00 AM - 4:00 PM.**

Location: 21155 FM 1431 (1/4 mile west of Lago Vista Middle School).

Note: Please bring a copy of your City of Lago Vista utility bill and a photo ID for verification. For details, check the City's website.

Councilor Owen informed the Council that the Lion Club is hosting the Cactus and Cask event on June 7, 2025, at 6:00 PM, and said it is a Whiskey and Tequila tasting event.

26:19 – 1:02:30

STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City Staff.

Mr. Whichard announced that the City has successfully implemented a new payroll system which will make it easier for staff.

Mr. Whichard stated that the city audit is scheduled for Monday.

2. Routine Reports from City Council Liaison.

- Charter Review Committee. Councilmembers Saum & Prince
- Building and Standards Commission, Councilor Benefield Keep Lago Vista Beautiful, Councilor Benefield
- Lago Vista Starry Skies, Councilor Benefield Airport Advisory Board, Mayor Pro Tem Durbin
- Planning & Zoning Commission, Mayor Pro Tem Durbin
- Economic Development Advisory Committee, Councilor Owen
- Lago Vista Independent School District, Councilor Owen
- Lago Vista Property Owner's Association, Councilor Owen
- Turnback Canyon Trail Conservancy, Councilor Owen
- Golf Course Advisory Committee, Councilor Prince
- Library Advisory Board, Councilor Prince
- Parks & Recreation Advisory Committee, Councilor Prince
- Board of Adjustment, Councilor Roberts
- Governmental Affairs, Councilor Saum
- Water Issues; Lower Colorado River Authority Board, Texas
- Water Development Board, and other entities as appropriate, Councilor Saum
- Youth Advisory Committee, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- CapMetro, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan

WORK SESSION

2:18:35– 2:48:02

3. Discussion regarding the Private use of Publicly dedicated City-owned Park land.

The Council asked the City Attorney to review the Council's decision dashboard and advise the Council what they can or cannot do regarding the city-owned Park land. The Council also asked staff to come back with a solution.

RECESS

At 5:45 PM. Mayor Sullivan called for a 5-minute recess

At 5:58 PM. the Council reconvened.

2:48:02 – 3:24:25

4. Discussion regarding the Irrigation System Sub-Committee Report.

The Council asked for the item to be brought back to the next Council meeting as an action item for directions from the Council.

3:24:28 – 4:14:57

5. Discussion regarding the Council's wish-list and priority items for the 2025-2026 budget.

I.T. staff Stan Heston addressed the Council and stated that the City has a Document Management software called DocuWare for staff to use. The council asked that staff start using the software.

The Council asked that the discussions on the Councils dashboard be reviewed to prioritize the wishlist and bring forth at the next Council meeting on May 1, 2025.

4:14:57 – 2:08:54

6. Discussion on the possible adoption of an official newspaper for the City of Lago, Vista.

The Council asked that the City's most recent resolution adopting the official newspaper be emailed to the Council for review.

The Council asked that this item be brought back to the next Council meeting on May 1, 2025, as an action item.

4:28:48 – 4:41:46

7. Discussion regarding establishing enhanced reporting requirements for the City Manager's Weekly Report.

Mr. Whichard provided the Council with a template for a detailed report that the departments will use for their weekly report.

2:08:53 –4:28:48

CONSENT AGENDA

The Consent Agenda Items Are Self-Explanatory by The City Council or Have Been Previously Discussed and Will Be Enacted with One Motion. There Will Be No Separate Discussion of These Items Unless a Council Member Requests. The Consent Agenda Is for Consideration by The City Council Only and Not Subject to Public Discussion.

8. Consider approval of April 9, 2025, Special Called City Council Meeting minutes.
9. Consider approval of April 3, 2025, Regular City Council Meeting minutes.
10. Consider approval of **Ordinance No. 25-04-17-01** amending the Fee Schedule for Public Pool Use.
11. Discussion, consideration and possible action on passing **Resolution No. 25-2123** formally adopting an updated City Council Work Plan.

Councilor Saum asked to have Item #10 pulled from the Consent Agenda for discussion.

MOTION: Councilor Prince made a motion seconded by Councilor Durbin to approve Items No. 8, 9, and 11 from the Consent Agenda. The motion carried unanimously seven (7) ayes to zero (0) nays.

MOTION: Councilor Prince made a motion seconded by Councilor Roberts to approve Ordinance No. 25-04-17-01 amending the Fee Schedule for Public Pool Use. Motion carried with four (4) ayes to three (3) nays. Councilors Durbin, Saum and Benefield having the dissenting votes.

ACTION ITEM

4:41:46 - 3:12:36

12. Discussion, consideration, and possible action awarding Bennett Paving's bid for RFP 25-04 in the amount of \$2,917,882.45 to repave over 47 City streets and authorize the Interim City Manager to execute the contract.

MOTION: Councilor Roberts made a motion seconded by Councilor Durbin to award Bennett Paving's bid for RFP25-04 in the amount of \$2,917,882.45 to repave over 47 City streets and authorize the Interim City Manager to execute the contract. The motion carried unanimously seven (7) ayes to zero (0) nays.

4:04:57 – 3:20:13

13. Discussion, consideration, and possible action to approve an alternate art piece for Keep Lago Vista Beautiful.

MOTION: Councilor Benefield made a motion seconded by Councilor Owen to approve the alternate art piece for Keep Lago Vista Beautiful. The motion carried unanimously seven (7) ayes to zero (0) nay.

4:31:18 – 4:43:24

14. Discussion, consideration and possible action on approving the City Facility Naming/Renaming application submitted by the Friends of the Library to re-name the greenspace as "Library Friends Park".

Library staff Jan Steele addressed the Council regarding the donation made to the library and said on a side note that the city took over the Library October 1, 2001.

MOTION: Councilor Prince made a motion seconded by Councilor Owen to approve the City Facility Naming application submitted by the Friends of the Library to re-name the greenspace as “Library Friends Park” motion carried, unanimously seven (7) ayes to zero (0) nays.

4:43:24 – 4:46:40

15. Discussion, consideration and possible action on the development of a policy framework for reviewing and evaluating Dormant Planned Development Districts (PDDs).

Mayor Sullivan read a statement submitted as a citizens comment by James Wuerth regarding the property owned by The Island Lot 8, LLC on Lake Travis, stating his disagreement with changing the zoning status of this property.

Mayor Sullivan recognized those that signed up to speak on this item:

Bruce Melton addressed the Council regarding the developer’s activity on The Island, Lot 8.

David Vonohlerking addressed the Council regarding the PDDs.

MOTION: Councilor Roberts made a motion seconded by Councilor Owen to refer Item No. 15 as presented in the referral to the Planning and Zoning Commission on the City’s message board with the caveat that the P & Z take the request of Council Benefield as noted on the video when they come back and watch it. Prince asked for an amendment to remove three bullet points. Councilor Roberts accepted the amendment and added to his motion to remove the 3 bullet points under section 3 of the draft policy under the evaluation criteria, motion carried with six (6) ayes to one (1) nay. Mayor Sullivan being the dissenting vote.

4:46:44 – 4:50:55

16. Discussion, consideration, and possible action on **Ordinance No. 25-04-17-02** amending the speed limit on Lohman Ford Rd.

MOTION: Councilor Benefield made a motion seconded by Councilor Roberts to approve Ordinance No. 25-04-17-02 amending the speed limit on Lohman Ford Rd with amendments stated. The motion carried unanimously seven (7) ayes to zero (0) nays.

4:50:55 – 5:16:37

17. Discussion, consideration, and possible action on **Ordinance No. 25-04-17-03** amending the speed limit on Boggy Ford Rd.

MOTION: Councilor Benefield made a motion seconded by Councilor Roberts to table Item No. 17 indefinitely. The motion carried with six (6) ayes to one (1) nay. Councilor Durbin has the dissenting vote.

5:16:37 – 5:20:16

18. Discussion, consideration and possible action on approving the installation of a third stop sign at the intersection of Boggy Ford Rd, Highland Lakes Drive, and Emerald Drive.

MOTION: Councilor Benefield made a motion seconded by Councilor Saum to install a third stop sign at the intersection of Boggy Ford Rd, Highland Lakes Drive, and Emerald Drive. The motion fails with (3) ayes to four (4) nays. Councilors Durbin, Saum, Prince and Mayor Sullivan having the dissenting votes.

MOTION: Councilor Roberts made a motion seconded by Councilor Prince to table Item No. 18 until Mr. Whichard collects the necessary data and for the City Attorney to review the message board. Motion carried with six (6) ayes to one (1) nay. Councilor Durbing being the dissenting vote.

5:27:49 – 5:23:29

- 19.** Discussion, consideration and possible action on passing **Resolution 25-2124** adopting the City of Lago Vista Sunshine Policy.

The Council directed staff to explore the NextRequest software features and to see if the City can mimic the City of Round Rock's Records Request Webpage format and bring back to Council.

No action was taken.

5:20:16 – 5:27:49

- 20.** Discussion, consideration and possible action to reschedule June 19, 2025, Regular City Council Meeting due to City Hall being closed in observance of the Juneteenth holiday.

MOTION: Councilor Benefield made a motion seconded by Councilor Roberts to reschedule June 19, 2025, Regular City Council Meeting to Thursday, June 26, 2025. The motion carried unanimously seven (7) ayes to zero (0) nays.

5:23:29

ADJOURNMENT

Mayor Sullivan adjourned the meeting at 9:03 PM.

Respectfully submitted,

ATTEST:

CITY OF LAGO VISTA, TEXAS

Maria Franco
City Secretary, TRMC

Kevin Sullivan, Mayor

On a motion by Councilor _____, seconded by Councilor _____, the above and foregoing instrument was passed and approved this 1st day of May 2025.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Gary Bosherars, Police Department

SUBJECT: Discussion, consideration, and possible action approving and authorizing the City Manager to either purchase a new 2025 Ford PIU Interceptor with up-fitting in the amount of \$76,872 which was approved in FY-25's budget or to authorize City Manager to enter into lease fleet agreement with enterprise for City of Lago Vista Police vehicles.

BACKGROUND: This is being brought back up in front of council from previous meeting. At the March 20th Meeting council asked to look into a lease option for all COLV PD vehicles. There will be a presentation from Kirby Watson (Enterprise Fleet Management) to give a presentation on the leasing option for council consideration.

FINDINGS: A BuyBoard quote was obtained for this vehicle in the amount of \$76,872 which was approved in the FY25 Budget. This includes purchase price of \$55,200 with up-fitting for police services in the amount of \$21,672.

When buying equipment through a purchasing Co-Op such as BuyBoard, only one quote is needed to satisfy both our purchasing policy as well as state law.

FINANCIAL IMPACT: A BuyBoard quote was obtained for this vehicle in the amount of \$76,872.

Budget Line Item: 10-520-9760

RECOMMENDATION: Approval.

ATTACHMENTS:
[TURN KEY QUOTE PATROL VEHICLE.pdf](#)
[Abbreviated Presentation - City of Lago Vista.pdf](#)

SEWELL

FAMILY OF COMPANIES

SEWELL CHEVROLET		QUOTE #:	2500157BH
COOP:	BUYBOARD 724-23	DATE:	13-Mar
PRODUCT DESCRIPTION:	2025 FORD PIU INTERCEPTOR	SALES PERSON:	BILLY HUGHES
END USER:	CITY OF LAGO VISTA POLICE DEPARTMENT	EMAIL:	billy.hughes@teamsewell.com
ADDRESS:		CONTACT:	
		PHONE #:	
		EMAIL:	

BID SERIES:			BASE PRICE:	\$ 55,200.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
K8A	25 FORD INTERCEPTOR PPV AWD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.0L ECOBOOST V6	INCL.		POWER WINDOWS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
67H	READY FOR THE ROAD PACKAGE	INCL.		BACK UP CAMERA	INCL.
68G	REAR DOOR HANDLE/LOCKS INOP	INCL.		BLUETOOTH	INCL.
17A	AUXILARY CLIMATE CONTROL	INCL.			
47A	POLICE ENGINE IDLE FEATURE	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	FLEET STOCK UNIT RGA51280
EQUIPMENT VENDOR:	PRO-FIT PATROL BUILD 166
EQUIPMENT VENDOR:	PRO-FIT LAGO VISTA BUILD 00386
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:	
DELIVERY COST \$1.75 PER MILE	0 MILES
SUB TOTAL:	
QUANTITY:	1
CO OP FEE:	BUYBOARD. 724-23
TOTAL:	

\$	-
\$	16,899.00
\$	4,373.00
INCLUDED	
	0
\$	76,472.00
\$	76,472.00
\$	400
\$	76,872.00



ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

Sewell Ford
4400 Parks Legado Road
Odessa TX 79765
United States

Order # S00062

Order Date:
06/13/2024

Salesperson:
Bary Bedford

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
PREBUILT SEWELL PIU PATROL INCLUDES READY FOR THE RAOD PACKAGE				
Subtotal				\$ 0.00
WHITE 2024 PIU ECOBOOST V6 1FM5K8AC9RGA51441-COMPLETE				
Subtotal				\$ 0.00
CONOLE-TROY				
[CC-20-UV10-L8] 2020-24 PI Utility 18" Sloped console, 10" slope, 8" level (no floor plate needed, mounts directly to floor)	1.00 Units	437.00	No Sales Tax (Sales)	\$ 437.00
[AC-INBHG] 4" internal dual beverage holder. Includes rubber fingers to keep cup stabilized.	1.00 Units	47.00	No Sales Tax (Sales)	\$ 47.00
FP-USB-2DC	1.00 Units	62.00	No Sales Tax (Sales)	\$ 62.00
[FP-SGTRAY] 4" face plate shallow tray w/sloped floor; holds smartphone, keys, wallet, sunglasses, etc. 1.75" H.	1.00 Units	37.00	No Sales Tax (Sales)	\$ 37.00

Remit to; P.O. Box 735, Millican, Texas 77866



ProFit Outfitters
22424 FM 159
Navasota TX 77868

United States

[AC-MIC-Z-FPI] Height adjustable, no-holes-drilled L-slot microphone clip plate assembly	2.00 Units	24.00	No Sales Tax (Sales)	\$ 48.00
[CM-SDMT-SL-LED] Console side ht. adj. mount w/slide arm for docking station	1.00 Units	429.00	No Sales Tax (Sales)	\$ 429.00
[AC-TB-ARMMNT-XL] Console mounted height adjustable arm rest w/5x10 pad.	1.00 Units	163.00	No Sales Tax (Sales)	\$ 163.00
[FP-MXTL2500] 3" XTL2500/5000/APX6500 remote 05/07	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
[FP-WCENCOM-JD] 4" Control/Cencom (Sapphire, Carbide)/295 SA,DA	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
[FP-BLNK1] 1" Blank filler plate	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
[FP-BLNK2] 2" Blank filler plate	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
Subtotal				\$ 1,223.00
EMERGENCY LIGHTING				
EB2SP3JT	1.00 Units	3,900.00	No Sales Tax (Sales)	\$ 3,900.00

Remit to; P.O. Box 735, Millican, Texas 77866



ProFit Outfitters
22424 FM 159
Navasota TX 77868

United States

STPKT105 LIGHTBAR STRAP KIT 105	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
[CCP] CORE CONTROL POINT	1.00 Units	222.00	No Sales Tax (Sales)	\$ 222.00
[I3JC] TRIO ION R/B W/ WHT OVERRIDE	2.00 Units	185.00	No Sales Tax (Sales)	\$ 370.00
DS AND PS CARGO SIDE WINDOWS LOW				
[TLI3JC] ION T-SERIES LINEAR TRIO R/B/W	2.00 Units	169.00	No Sales Tax (Sales)	\$ 338.00
DS AND PS OF LP OVERRIDE WHITE ON REVERSE AND SCENE				
[LINSV2R] SURFACE MT LINZ V-SERIES RED	1.00 Units	237.00	No Sales Tax (Sales)	\$ 237.00
[LINSV2B] SURFACE MT LINZ V-SERIES BLUE	1.00 Units	237.00	No Sales Tax (Sales)	\$ 237.00
[LSVBKT50] LINSV MIRROR MT KIT 20 UTILITY	1.00 Units	27.00	No Sales Tax (Sales)	\$ 27.00
RED- DS BLUE- PS				
218016-0002	1.00 Units	282.00	No Sales Tax (Sales)	\$ 282.00

Remit to; P.O. Box 735, Millican, Texas 77866



ProFit Outfitters
22424 FM 159
Navasota TX 77868

United States

218017-0002	1.00 Units	282.00	No Sales Tax (Sales)	\$ 282.00
				Subtotal \$ 5,895.00
EXTERIOR				
PB47UINT20HD	1.00 Units	512.00	No Sales Tax (Sales)	\$ 512.00
				Subtotal \$ 512.00
PRISONER SECTION				
[KIT-TP-SL6U-BB-SS] 2020-24 PI Utility 2020-24 Explorer Civilian US Partition Kit (TP-E-SL6-US-SS, SAB-20-FDUV-BB, KP-UV20-DAP-SS)	1.00 Units	938.00	No Sales Tax (Sales)	\$ 938.00
[TP-20-FDUV-R] 2020-24 PI Utility 2020-24 Explorer Civilian rear partition, square-hole window, square-hole side panels.	1.00 Units	482.00	No Sales Tax (Sales)	\$ 482.00
[WG-UV20-225-SET] 2020-24 PI Utility 2020-24 Explorer Civilian window guard; 2.25" spaced vertical welded bars; driver and passenger side	1.00 Units	266.00	No Sales Tax (Sales)	\$ 266.00
				Subtotal \$ 1,686.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR	1.00 Units	5,563.00	No Sales Tax (Sales)	\$ 5,563.00
SHIPPING	1.00 Units	800.00	No Sales Tax (Sales)	\$ 800.00

Remit to; P.O. Box 735, Millican, Texas 77866



ProFit Outfitters
22424 FM 159
Navasota TX 77868

United States

SHOP SUPPLIES	1.00 Units	285.00	No Sales Tax (Sales)	\$ 285.00
WIRING HARNESS	1.00 Units	385.00	No Sales Tax (Sales)	\$ 385.00
PROGRAMMING FEE	1.00 Units	200.00	No Sales Tax (Sales)	\$ 200.00
DISPOSAL OF OEM PARTS	1.00 Units	0.00	No Sales Tax (Sales)	\$ 0.00
INSPECT	1.00 Units	200.00	No Sales Tax (Sales)	\$ 200.00
DEALER PREP DEALER PREP	1.00 Units	150.00	No Sales Tax (Sales)	\$ 150.00
Subtotal				\$ 7,583.00

Untaxed Amount	\$ 16,899.00
Tax	\$ 0.00
Total	\$ 16,899.00

Payment terms: 30 Days

Remit to; P.O. Box 735, Millican, Texas 77866



FLEET MANAGEMENT

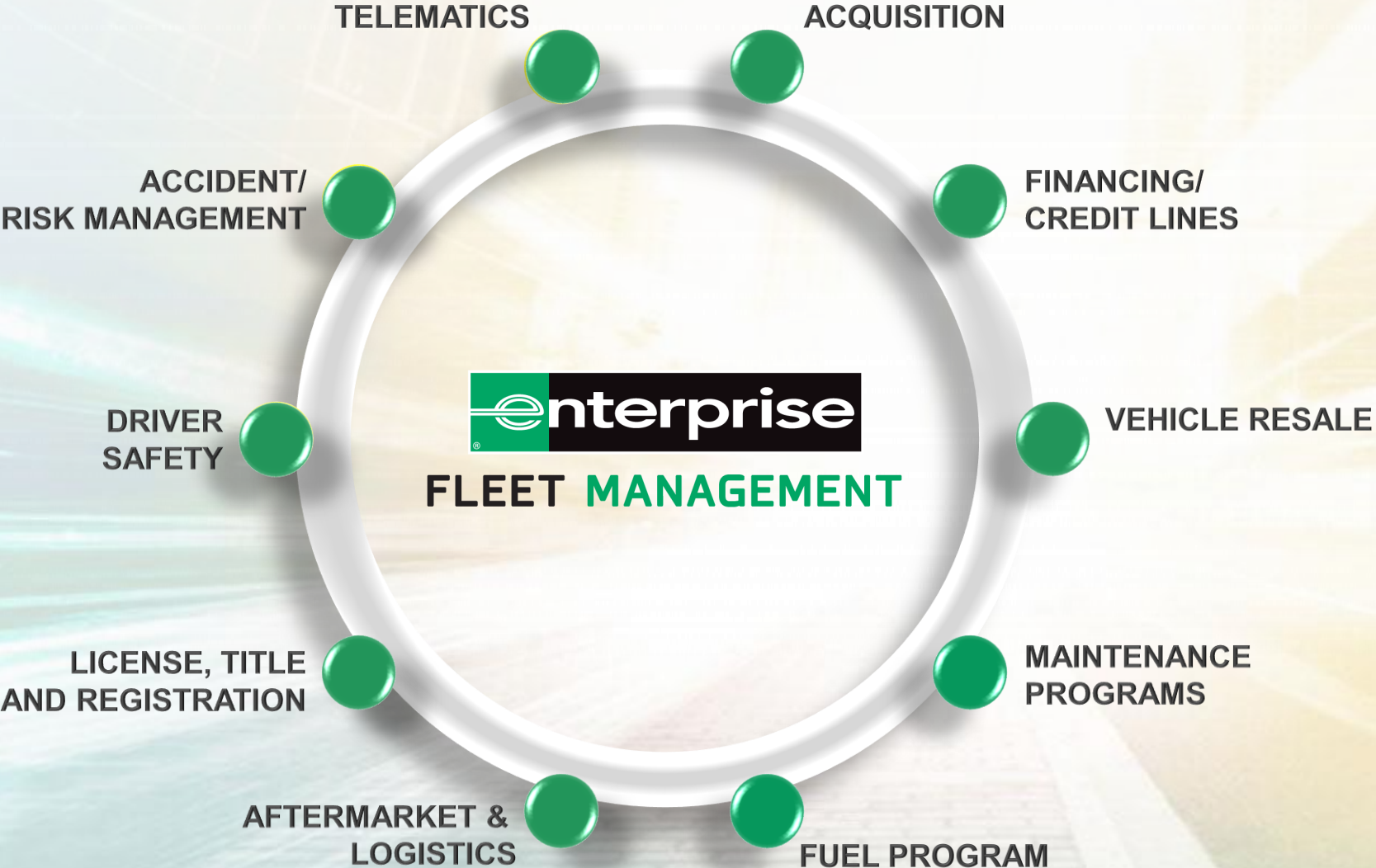
City of Lago Vista

Kirby Watson – Senior Consultant

Cell: 512-659-8403 e-mail: Kirby.watson@efleets.com



DELIVERING SOLUTIONS. DRIVING RESULTS.



Impact of Partnership

Situation

- Current fleet's age is negatively impacting the overall budget and fleet operations.
 - 6 vehicles in the fleet are currently older than 10 years
 - 5.6 years is the average age of the fleet.
 - ~ 7 years is the time it would take to cycle the entire fleet at current acquisition rates
 - Older vehicles have higher fuel costs, maintenance costs and tend to be unreliable

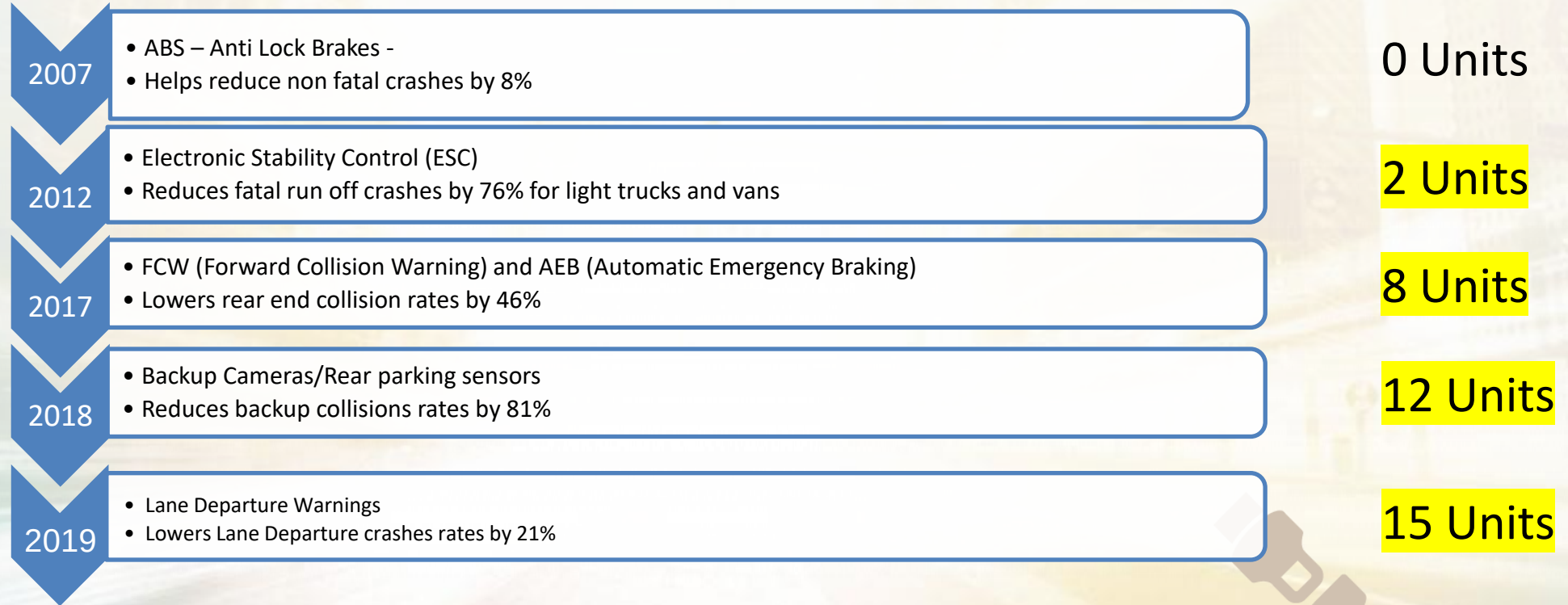
Objectives

- Identify an effective vehicle life cycle that maximizes potential equity at time of resale creating a conservative savings of \$450,963+ over 10 years
 - Shorten overall cycle from 7 years to 5 years
 - Proposed average maintenance cost at \$71.38 per month per vehicle vs. current average \$117.17 equaling \$11,537+ in annual savings once the full Non-ERV fleet is all with Enterprise.
 - Anticipated reduction of fuel expense through Federal Cafe Standards
- Increase employee safety with newer vehicles
 - See next slide for quantities

Long Term Sustainability

- Quarterly Review and Annual year over year assessments to ensure results are achieved
- Five-year implementation

34% Less Accidents And 25% Less Fatalities per 100,000 Drivers Since 2005 Due To Improved Safety Features



City of Lago Vista

Fleet Profile and Replacement Schedule

Fleet Profile			
Vehicle Type	Count	Average Age (years)	Average Annual Mileage
15 Vehicle Types	43	5.6	8,000
Compact SUV 4x4	1	2.2	4,300
1/2 Ton Pickup Reg 4x2	2	9.3	3,600
1/2 Ton Pickup Ext 4x2	1	8.3	10,700
1/2 Ton Pickup Ext 4x4	2	4.3	6,600
1/2 Ton Pickup Quad 4x2	3	1.9	5,600
1/2 Ton Pickup Quad 4x4	3	3.9	7,600
3/4 Ton Pickup Reg 4x2	4	10.1	10,500
3/4 Ton Pickup Ext 4x2	2	6.3	7,900
3/4 Ton Pickup Ext 4x4	1	10.3	11,300
3/4 Ton Pickup Quad 4x2	2	1.2	5,200
1 Ton Cab Chassis	1	4.3	8,400
1 1/2 Ton Cab Chassis	1	3.3	1,300
Med Duty Cab Chassis	1	3.3	1,400
Full-size Sedan-ERV	5	5.0	10,900
Mid Size SUV 4x4-ERV	14	6.1	8,700

Fleet Replacement Schedule						
2025	2026	2027	2028	2029	Under-Utilized	Excluded
8	6	3	11	12	0	3
0	0	0	0	1	0	0
1	0	0	0	1	0	0
0	1	0	0	0	0	0
0	0	0	2	0	0	0
0	0	0	0	3	0	0
0	0	0	2	1	0	0
2	1	1	0	0	0	0
0	0	2	0	0	0	0
1	0	0	0	0	0	0
0	0	0	0	2	0	0
0	0	0	0	0	0	1
0	0	0	0	0	0	1
0	0	0	0	0	0	1
0	2	0	2	1	0	0
4	2	0	5	3	0	0

Replacement Criteria

* Fiscal Year 2025 = 10 years old and older, or odometer over 100,000

* Fiscal Year 2026 = 8 years old and older, or odometer over 60,000

* Fiscal Year 2027 = 6 years old and older, or odometer over 40,000

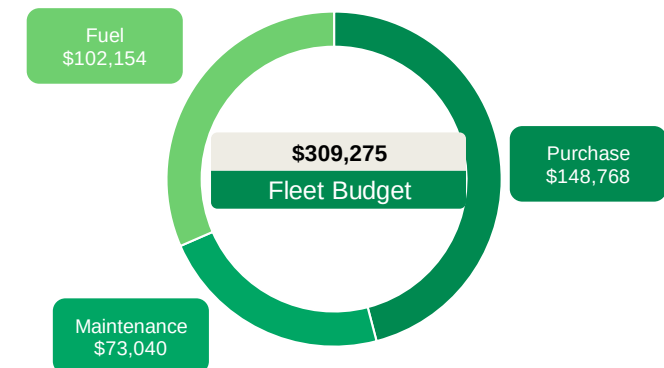
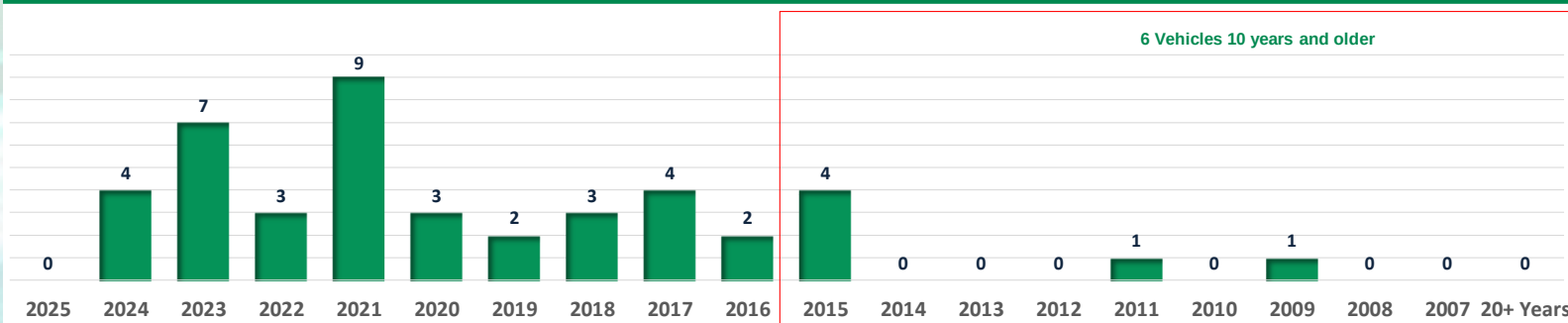
* Fiscal Year 2028 = 4 years old and older, or odometer over 20,000

* Fiscal Year 2029 = Remaining Vehicles

* Underutilized = Annual Mileage less than 1,000

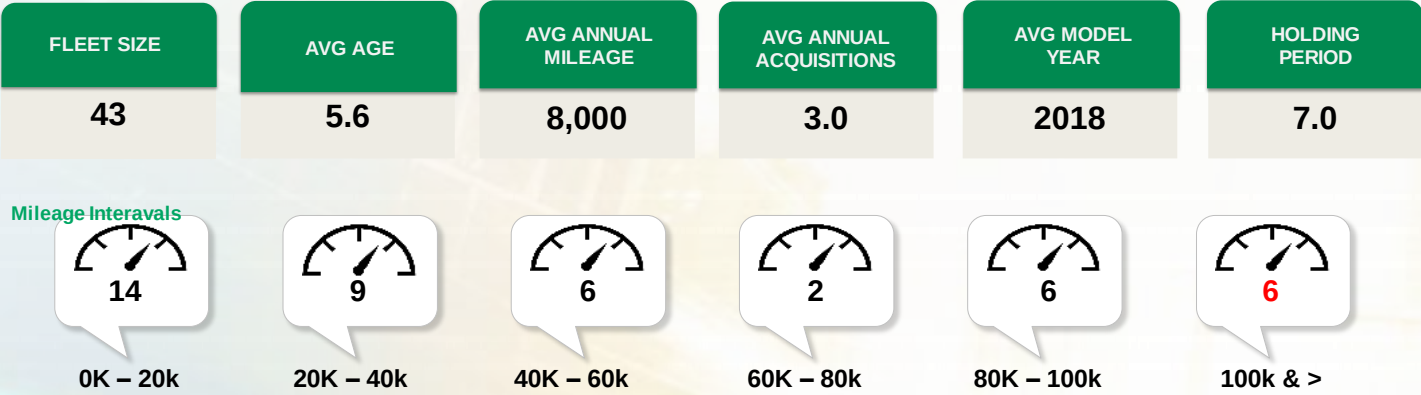
Vehicle Type	Quantity	Avg Age	Avg Annual
TRUCK	23	5.6	7,015
SUV	15	5.8	8,416
CAR	5	5.0	10,871
VAN	0		
Totals/Averages:	43	5.6	8,000

MODEL YEAR ANALYSIS



City of Lago Vista

Fleet Profile

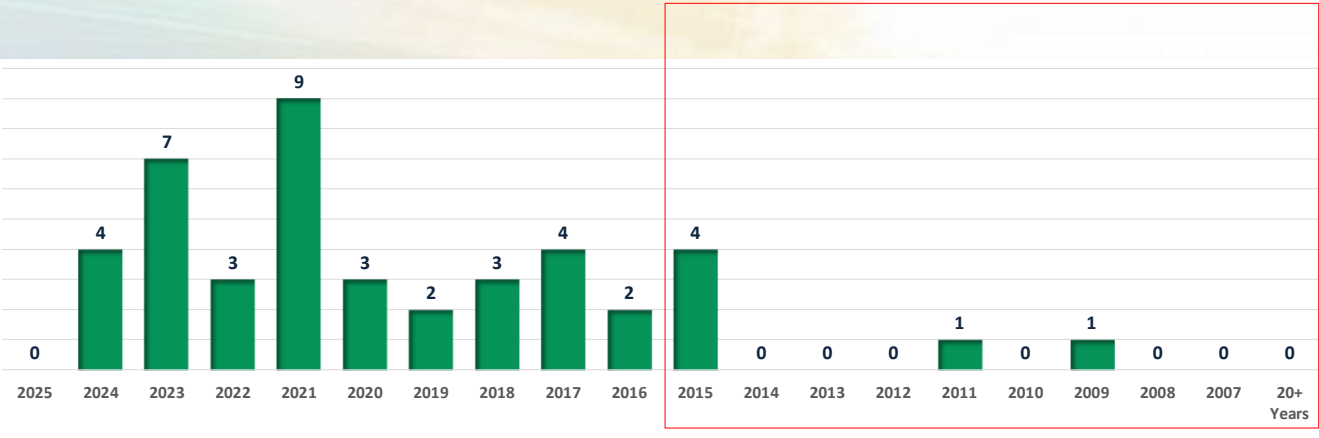


Vehicle Type	Quantity	Avg Age	Avg Annual Mileage
TRUCK	23	5.6	7,015
SUV	15	5.8	8,416
CAR	5	5.0	10,871
VAN	0	#DIV/0!	#DIV/0!
Totals/Averages:	43	5.6	8,000

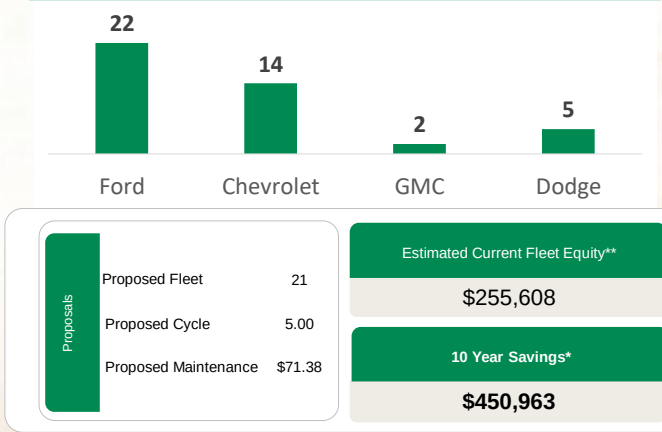
Vehicle Classes
3

Average Odometer
47,393

MODEL YEAR ANALYSIS



Manufacturer Profile



**Estimated Current Fleet Equity is based on the current fleet "sight unseen"

*includes total unrealized equity of \$108,878

City of Lago Vista

Fleet Planning Analysis

Assumptions	Fleet Analyzed	21	Fleet Growth	0.00%
	Current Cycle	7.00	Annual Miles	7,400
	Current Maintenance	\$117.17	Current MPG	14
	Maint. Cents Per Mile	\$0.19	Price/Gallon	\$3.25
Proposals	Proposed Fleet	21		
	Proposed Cycle	5.00		
	Proposed Maintenance	\$71.38		

Fleet Mix					Fleet Cost						Annual	
Fiscal Year	Fleet Size	Annual Needs	Owned	Leased	Purchase	Lease*	Equity (Owned)	Equity (Leased)	Maintenance	Fuel	Fleet Budget	Net Cash
Average	21	3.0	21	0	125,326	0	-26,400		29,526	36,075	164,527	0
Year 1 ('25)	21	4	17	4	0	36,974	-26,663		27,328	35,617	73,257	91,269
Year 2 ('26)	21	2	15	6	0	54,143	-16,256		26,230	35,388	99,504	65,023
Year 3 ('27)	21	3	12	9	0	83,934	-30,634		24,581	35,044	112,926	51,601
Year 4 ('28)	21	4	8	13	0	119,798	-52,761		22,384	34,586	124,007	40,520
Year 5 ('29)	21	8	0	21	0	187,002	-129,294	-63,564	17,989	33,670	45,802	118,724
Year 6 ('30)	21	4	0	21	0	187,002		-29,488	17,989	33,670	209,172	-44,645
Year 7 ('31)	21	2	0	21	0	187,002		-51,120	17,989	33,670	187,540	-23,014
Year 8 ('32)	21	3	0	21	0	187,002		-71,632	17,989	33,670	167,028	-2,502
Year 9 ('33)	21	4	0	21	0	187,002		-129,812	17,989	33,670	108,848	55,678
Year 10 ('34)	21	8	0	21	0	187,002		-63,564	17,989	33,670	175,097	-10,570

SAVINGS

10 Year Savings*
Net Sustainable Impact*

\$450,963
\$12,209

*includes total unrealized equity of \$108,878

Projected Fleet Equity Analysis						
YEAR	2025	2026	2027	2028	2029	Under-Utilized
QTY	4	2	3	4	8	0
Est \$	\$6,666	\$8,128	\$10,211	\$13,190	\$16,162	\$0
TOTAL	\$26,663	\$16,256	\$30,634	\$52,761	\$129,294	\$0
\$255,608						
Estimated Current Fleet Equity**						

* Lease Rates are conservative estimates

**Estimated Projected Fleet Equity is based on the current fleet "sight unseen" based on replacement year and can be adjusted after physical inspection and may change based on market factors, these are not guaranteed values

Lease Maintenance costs are exclusive of tires unless noted on the lease rate quote.

Key Objectives

Lower average age of the fleet
14% of the current light and medium duty fleet is over 10 years old
Resale of the aging fleet is significantly reduced

Reduce operating costs
Newer vehicles have a significantly lower maintenance expense
Newer vehicles have increased fuel efficiency with new technology implementations

Maintain a manageable vehicle budget
Challenged by inconsistent yearly budgets
Currently vehicle budget is underfunded

Example Menu Pricing

City of Lago Vista Menu Pricing Sheet

Year 1 Costs*

Annual Lease Cost	\$136,513.69
Annual Full Maint Cost	\$4,611.75
Total Annual Cost	\$141,125.44
Estimated Equity from sale of existing vehicles	???
Total Year 1 Qty	10

ESTIMATED Equity Lease Menu Pricing

Vehicle Type	Year	Make	Model	Trim Level/specs	Year 1 Qty	Term	Depreciation %	Annual Mileage	Monthly Cost (Lease Rate)*	Full Maintenance**	Annual Cost Including Maintenance	Lease Cost Year 1	Full Maint Cost Year 1	Cost of Aftermarket Per Unit (Capped into Lease)
1/2 Ton Pickup Ext 4x2	2025	Toyota	Tundra Double Cab	8242-SR 4x2 Double Cab 6.5 ft. box 145.7 in. WB	1	60	1.35%	10700	\$ 680.97	\$ 87.97	\$ 9,227.25	\$ 8,171.65	\$ 1,055.60	\$ -
3/4 Ton Pickup Reg 4x2	2025	RAM	2500 Regular Cab	DJ2L62-Tradesman 4x2 Regular Cab 8 ft. box 140.5 in. WB	2	60	1.35%	10500	\$ 749.71	\$ 96.30	\$ 10,152.11	\$ 17,993.03	\$ 2,311.20	\$ 3,000.00
3/4 Ton Pickup Ext 4x4	2025	GMC	Sierra 2500HD Double Cab	TK20753-Pro 4x4 Double Cab 6.75 ft. box 149 in. WB	1	60	1.35%	11300	\$ 900.81	\$ 103.75	\$ 12,054.67	\$ 10,809.72	\$ 1,244.95	\$ 3,000.00
Mid Size SUV 4x4-ERV	2025	Ford	Interceptor PIU	PPV AWD	6	60	1.67%	11000	\$ 1,382.49	#N/A	\$ 16,589.88	\$ 99,539.28	\$ -	\$ 16,889.00

Total Requested Units

10

***Lease rates are based upon factory order pricing and miles per year**

****Maintenance rates do not include brakes or tires**

Pricing does not include any applicable taxes

Pricing does not include expected return on equity at end of lease

*****Menu Pricing is credit pending, based off 2025 Factory Orders. Manufacturers can cut-off production any time and that may result in price changes. ERV pricing is based on Sewell Ford's quote 2500196BH provided by Chief.**

OPERATING EXPENSES *Maintenance*

Maintenance



23 MAINTENANCE AND REPAIR LOCATIONS NEAR "78645"

Not what you're looking for? [Search again](#)

SHOWING: ☒ Preferred Partner (23) ☒ Partner (0)

Search Service Locations



PHOENIX AUTOMOTIVE

7506 Lohmans Ford Road

Lago Vista, Texas 78645

Telephone: 512-267-6300



SUN AUTO 74

1206 Ranch Rd. 620 N.

Lakeway, Texas 78734

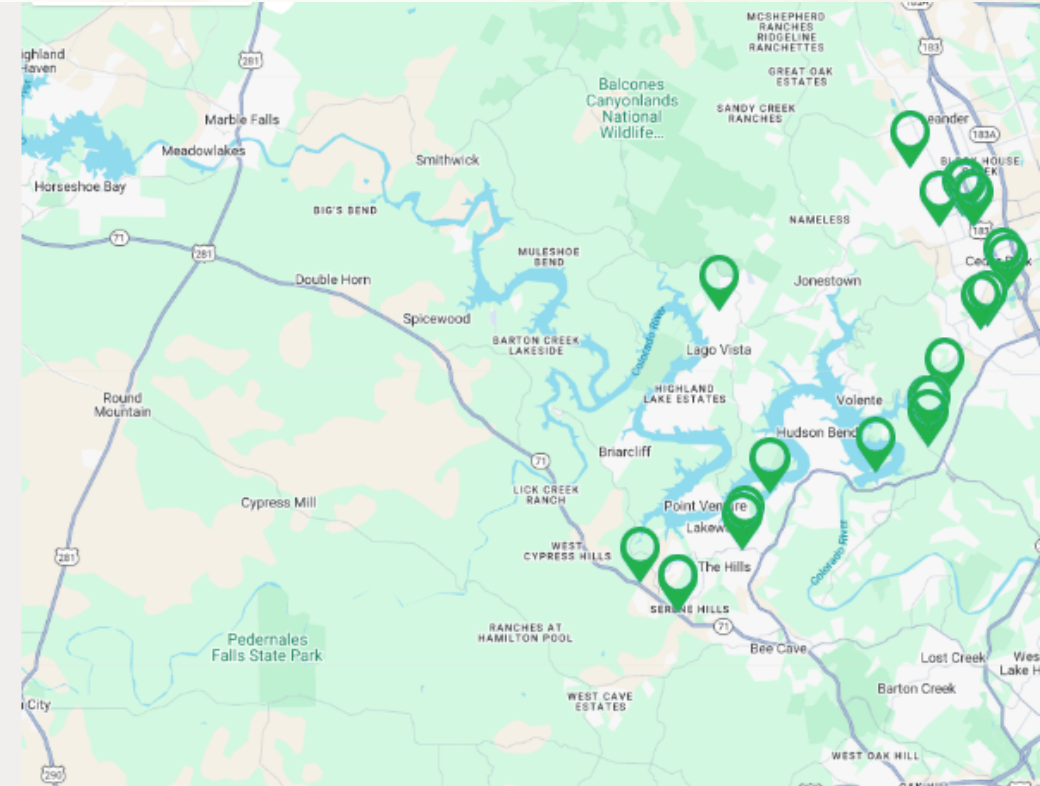
Telephone: 512-225-6330



STEINER RANCH FIRESTONE

5145 Ranch Rd 620 N Bldg E

Austin, Texas 78732



Enterprise can add local shops to our network if the city prefers a vendor you already work with.

OPERATING EXPENSES

Fuel

EFM Fuel Card

- Track and enforce fleet policy
- Control abuse/unauthorized purchases

Key Payoffs

- EFM fuel card accepted at 99% of US retail fuel locations
- Lower fuel expenses by up to 15%
- Driver access to virtually all stations
- Simple access to “Level III” data with web tools
- 3 Level of Savings
 - \$.05/gallon discount at all certain locations
 - No monthly card fee
 - Monthly Discounting





FLEET MANAGEMENT

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Eric DeLaCruz, Finance

SUBJECT: Discussion, consideration, and possible action regarding **Ordinance No. 25-05-01-01**; an ordinance of the City Council of the City of Lago Vista, Texas Pursuant to the Texas Local Government Code Chapter 102, Sections 102.007(b) and 102.010, Providing for Amendments to Ordinance No. 24-09-19-01, Municipal Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; for the replacement of the non-functioning air conditioning unit at City Hall.

BACKGROUND: On March 17, heating & air company came out to troubleshoot and fix an AC unit that was not cooling. The fix lasted to April 3, 2025 and they were called back out to repair. That repair lasted till April 18, 2025. At this time, the company verified the unit needed to be replaced. This unit is old, malfunctioning and past its useful life.

Staff has been subject to temperatures up to 85 degrees with stagnant air and will only get hotter during the upcoming summer months.

After receiving 3 quotes, building maintenance budget was determined not to have enough to cover replacement cost. It was found that there was feasibility study under the non departmental professional services budget that was approved under budget.

This amendment is to move that surplus to cover the replacement of the AC unit at City Hall.

FINDINGS: The feasibility study was budgeted in the amount of \$200,000. Contract was signed in the amount of \$119,471 (This was at councils direction for reduced scope of the feasibility study). Surplus in the amount of \$80,529.

FINANCIAL IMPACT: None as this is moving budgeted money from one department

to another and does not affect the overall budget amount.

Department	Account Number	Cu
Non Departmental		
Professional Services	10-511-6100	\$

Department	Account Number	Cu
Building Maintenance		
Maintenance & Repairs	10-532-4700	\$

RECOMMENDATION: Approve

ATTACHMENTS:

[25-05-01-01_Budget_Amendment - AC Unit at City Hall.pdf](#)

ORDINANCE NO. 25-05-01-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS PURSUANT TO VERNON'S TEXAS CODES ANNOTATED, LOCAL GOVERNMENT CODE, CHAPTER 102, SECTION 102.007(b) PROVIDING FOR AMENDMENTS TO ORDINANCE NO. 24-09-19-01, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; AMENDMENTS TO SAID BUDGET BY DEPARTMENT ARE SET FORTH IN "EXHIBIT A" ATTACHED TO THIS ORDINANCE.

WHEREAS, The City of Lago Vista has identified a surplus in the budget line item designated for the feasibility study, as the project was awarded under budget; and

WHEREAS, The City of Lago Vista needs to allocate funds to address urgent maintenance issues, specifically the replacement of the non-functioning air conditioning unit at City Hall;

WHEREAS, it is in the best interest of the City to amend the current budget to reflect these reallocations to ensure proper maintenance and operational efficiency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. AMENDING BUDGET. **THAT**, pursuant to Vernon's Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) the City Council of the City of Lago Vista, Texas hereby amends the City Budget by Department for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025, with said amendments being as set forth in "Exhibit A" attached to this ordinance.

SECTION 2. SAVINGS CLAUSE. **THAT**, any ordinance, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 3. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity,

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the Texas Local Government Code.

SECTION 8. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 1st day of May 2025 by a vote of the City Council of the City of Lago Vista, Texas.

CITY OF LAGO VISTA, TEXAS

Kevin Sullivan, Mayor

ATTEST:

Maria Franco, City Secretary

On a motion by Councilor _____, seconded by Councilor _____ the above and foregoing ordinance was passed and approved.

EXHIBIT “A”

**City of Lago Vista
2024-2025 Budget**

<u>Department</u>	<u>Account Number</u>	<u>Current Budget</u>	<u>Amending to Add or Subtract</u>	<u>Ending Budget</u>
<u>Non Departmental</u>				
Professional Services	10-511-6100	\$ 316,800.00	\$ (40,000.00)	\$ 276,800.00

Net Changes: The City budgeted \$200,000 for a feasibility study to be done on the expansion of City Hall. We have signed the contract and are issuing a PO soon. It is only going to cost \$119,471. There is a large savings there that we will use to purchase a new AC unit much needed in City Hall.

<u>Department</u>	<u>Account Number</u>	<u>Current Budget</u>	<u>Amending to Add or Subtract</u>	<u>Ending Budget</u>
<u>Building Maintenance</u>				
Maintenance & Repairs	10-532-4700	\$ 7,350.00	\$ 40,000.00	\$ 47,350.00

Net Changes: City hall had a AC unit fail and it needs to be replaced as soon as possible. There was not hardly any money budgeted for any major repairs in the building maintenance budget. There was money found in another budget that we would like to move to this budget to cover the purchase and install of a new AC unit.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Taylor Whichard, City Manager

SUBJECT: Discussion, consideration and possible action on adopting **Ordinance No. 25-05-01-02**; Providing for the vacation and conveyance of City Right-of-Way within Park Drive to Lago Vista Property Owners Association (LVPOA)

BACKGROUND: The Lago Vista Property Owners Association (LVPOA) submitted a formal request for the City of Lago Vista to vacate and abandon approximately 0.162 acres (7,065 square feet) of public right-of-way (ROW) located within Park Drive. The subject ROW is adjacent to property owned entirely by the LVPOA.

Per Section 2.06 of the City Charter, the City Council has the authority to alter, abandon, or vacate municipal rights-of-way. After a detailed review, City staff concluded that the subject ROW is no longer necessary for public transportation use or municipal utility services.

FINDINGS:

- The ROW has no current or foreseeable necessity for public transportation infrastructure or City utility service.
- The ROW is entirely bordered by LVPOA-owned property.
- Vacating the ROW will support improved access control and enhance emergency response operations in the surrounding area.
- The ordinance authorizes the conveyance of the abandoned ROW to LVPOA via quitclaim deed, with appropriate reservations for any necessary utility easements and compliance with all applicable City regulations.

FINANCIAL IMPACT: N/A

RECOMMENDATION: Approve

ATTACHMENTS:

[2025-05-01 _ Ord No 25-05-01-02 _ CoLV ROW Convey to LVPOA.pdf](#)

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 25-05-01-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, VACATING AND ABANDONING APPROXIMATELY 0.162 ACRES (7,065 SQUARE FEET) OF RIGHT-OF-WAY LOCATED WITHIN PARK DRIVE, AS DESCRIBED IN THE ATTACHED EXHIBITS; PROVIDING FOR THE CONVEYANCE OF THE ABANDONED RIGHT-OF-WAY TO THE LAGO VISTA PROPERTY OWNERS ASSOCIATION (LVPOA); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lago Vista (the "City") is a home-rule municipality duly incorporated and operating under the laws of the State of Texas; and

WHEREAS, Section 2.06 of the City Charter grants the City Council the authority to alter, abandon, or vacate City rights-of-way ("ROW"); and

WHEREAS, the City has received a request from the Lago Vista Property Owners Association, Inc. ("LVPOA") to abandon and vacate a portion of the City's ROW within Park Drive, consisting of approximately 0.162 acres (7,065 square feet), as legally described and depicted in the attached **Exhibits A and B**; and

WHEREAS, LVPOA owns all property abutting the ROW; and

WHEREAS, the subject ROW has been reviewed by City staff and determined to no longer be necessary for public transportation purposes and is not required for existing or future City utilities; and

WHEREAS, the City Council finds that the abandonment of this ROW is in the best interest of the City and its residents, as it will facilitate improved access control and emergency response capabilities within the affected area; and

WHEREAS, the City wishes to convey the ROW to the LVPOA by a quitclaim deed, reservation of necessary utility easements, and compliance with all applicable City regulations and requirements,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

SECTION 1. The City Council of the City of Lago Vista hereby vacates and abandons the approximate 0.162 acres (7,065 square feet) of ROW within Park Drive, as legally described in **Exhibit A** and depicted in **Exhibit B**.

SECTION 2. The City Manager is authorized to execute all necessary documents to convey the abandoned ROW to the Lago Vista Property Owners Association, Inc. by a quitclaim deed,

reservation of necessary utility easements, and subject to compliance with all applicable laws, regulations, and conditions set forth by the City.

SECTION 3. If any section, paragraph, clause, or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect immediately upon its passage and publication as required by law.

AND IT IS SO ORDERED.

PASSED AND APPROVED on this 1st day of May, 2025.

ATTEST:

Kevin Sullivan, Mayor

Maria Franco, City Secretary

On a motion by Councilmember _____, seconded by Councilmember _____,
the above and foregoing ordinance was passed and approved.

EXHIBIT “A”

METES & BOUNDS DESCRIPTION

BEING 0.162 OF AN ACRE (7065 SQ.FT.) OF LAND OUT OF PARK DRIVE AS SHOWN ON PLAT OF LAGO VISTA, SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY RECORDED IN VOLUME 8, PAGE 85, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID .0162 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron pipe found at the most western corner of Lot 17A, Amended Plat of Lots 16 & 17, Lago Vista, Section One, as shown on plat recorded in Document No. 201000117, Official Public Records of Travis County, Texas, at the most northeast or easterly corner hereof;

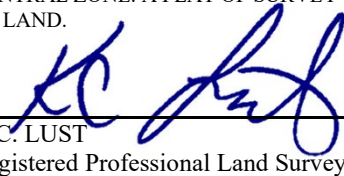
THENCE South 33°42'44" West, across said Park Lane as shown on plat recorded in Volume 8, Page 85, Plat Records of Travis County, Texas, a distance of 50.36' to a 60d nail found at the most northerly corner of Lot 15A, Resubdivision of Lot 15, Lago Vista, Section One, Block A, as shown on plat recorded in Volume 50, Page 88, Plat Records of Travis County, Texas, at the southwest corner hereof;

THENCE North 50°20'24" West, along the south right-of-way line of said Park Drive, a distance of 49.53' to a 1/2" iron pin found at the beginning of a curve to the right;

THENCE along the curving right-of-way line of said Park Drive, and along said curve to the right having a radius of 40.00', an arc length of 197.20', a chord bearing of North 40°08'40" East, and a chord length of 50.09' to a 1/2" iron pipe found at the end of said curve;

THENCE South 50°20'24" East, along the north right-of-way line of said Park Drive, a distance of 43.89' to the **POINT OF BEGINNING**, containing 0.162 acres (7065 square feet), more or less.

I HEREBY CERTIFY TO THE LAGO VISTA P.O.A. THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2025, CUPLIN & ASSOCIATES, INC. ©. BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. A PLAT OF SURVEY OF EVEN DATE WAS PREPARED AND IS INTENDED TO ACCOMPANY THE ABOVE DESCRIBED TRACT OF LAND.


K.C. LUST
Registered Professional Land Surveyor No. 5273

Dated: 2/26/2025

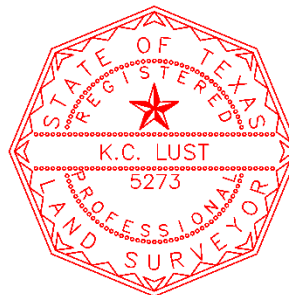
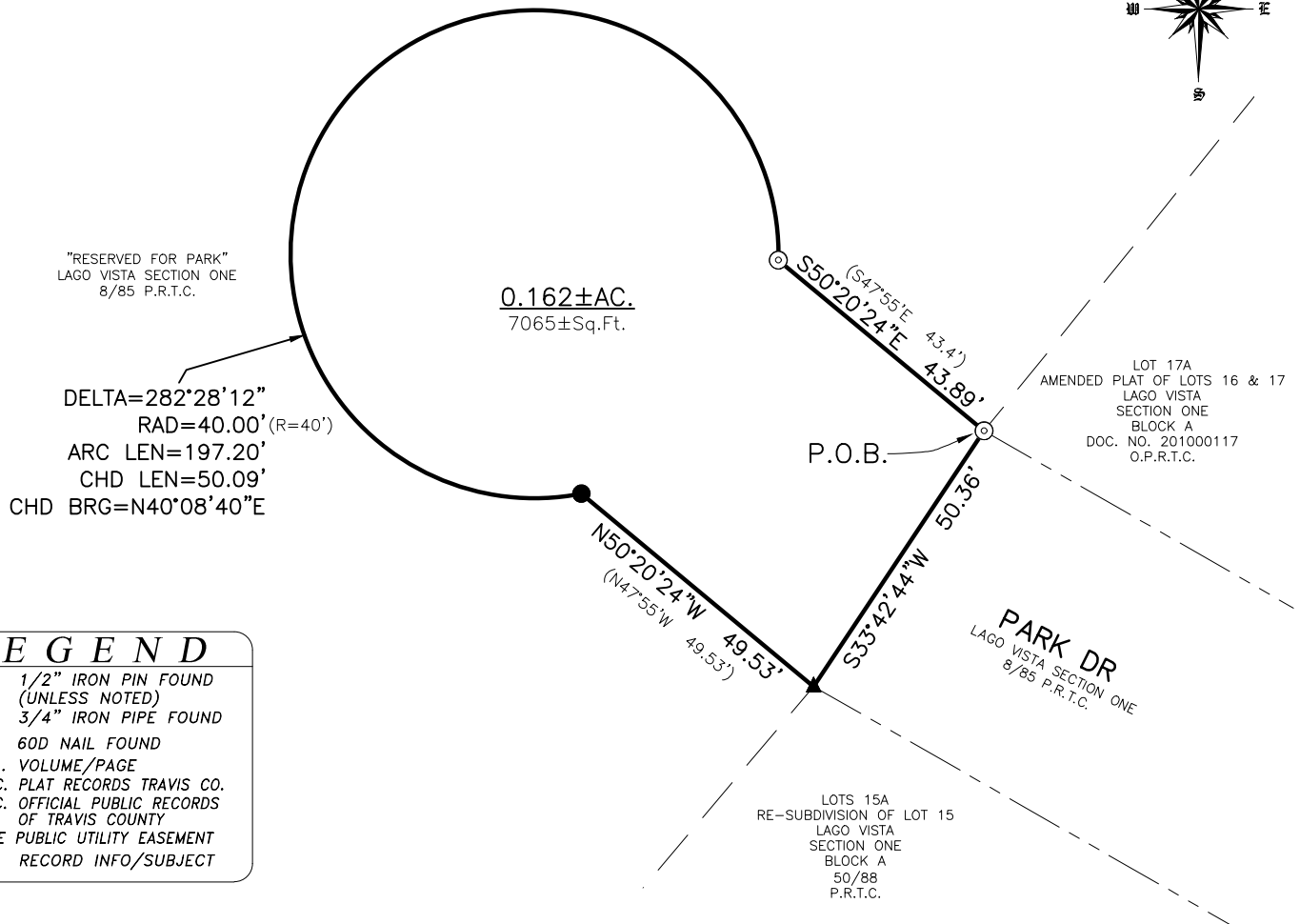
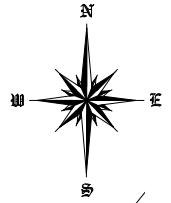


EXHIBIT “B”

MAP OF ROW



LEGEND

- 1/2" IRON PIN FOUND (UNLESS NOTED)
- ⊙ 3/4" IRON PIPE FOUND
- ▲ 60D NAIL FOUND
- .../... VOLUME/PAGE
- P.R.T.C. PLAT RECORDS TRAVIS CO.
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- P.U.E PUBLIC UTILITY EASEMENT
- () RECORD INFO/SUBJECT

NOTES:

- 1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

BOUNDARY EXHIBIT

LEGAL DESCRIPTION: BEING 0.162 OF AN ACRE (7065 SQ.FT.) OF LAND OUT OF PARK DRIVE AS SHOWN ON PLAT OF LAGO VISTA, SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY RECORDED IN VOLUME 8, PAGE 85, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID .0162 OF AND ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS OF EVEN DATE TO ACCOMPANY THIS PLAT.

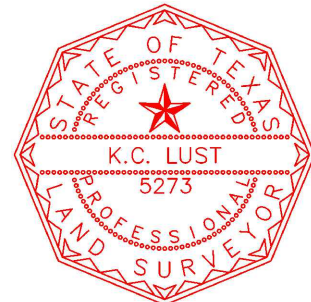
SUBJECT TO CURRENT TERMS AND CONDITIONS OF LAND USE AND SUBDIVISION REGULATIONS OF LAGO VISTA, TEXAS.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY HAVE ADDITIONAL ENCUMBRANCES, SURVEYOR NOT RESPONSIBLE FOR ANY ENCUMBRANCES THAT A TITLE COMMITMENT MAY DISCLOSE.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF LAGO VISTA THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2025, CUPLIN & ASSOCIATES, INC. ©.

K.C. LUST
K.C. LUST, R.P.L.S. NO. 5273

DATED 02/26/2025



1 of 2	PROJ NO. 22180
	PREPARED FOR: LAGO VISTA P.O.A.
	TECH: KCL
	APPROVED: K.C. LUST
	FIELDWORK PERFORMED ON: 8/29/22
	COPYRIGHT: 2025
	PROFESSIONAL FIRM NO: 10126900

1500 OLLIE LANE
MARBLE FALLS, TX. 78654
PH. 325-388-3300/830-693-8815
WWW.CUPLINASSOCIATES.COM

SCALE 1" = 30'
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	2	
	1	
DATE	NO.	DESCRIPTION
REVISIONS		



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Councilor Owen, City Council
SUBJECT:	Discussion, consideration, and possible action regarding adoption of Resolution No. 25-2124 Establishing the Citizen Bond Oversight and Transparency Committee. (CBOTC)
BACKGROUND:	On April 8, 2025, the Economic Development Advisory Committee (EDAC) met to discuss initiatives aimed at enhancing economic development, community identity, and citizen engagement. A key recommendation that emerged from the meeting was the formation of a new standing committee: the Citizen Bond Oversight & Transparency Committee (CBOTC). This proposed committee builds upon the foundational idea of a Bond Oversight Committee, expanding its scope to include public education, economic development advisory functions, and broader oversight of key city initiatives. CBOTC is envisioned as a vital tool for ensuring transparency, improving citizen access to digestible information about city projects, and fostering partnerships that support Lago Vista's long-term development.
FINDINGS:	• Broader Oversight Needed: EDAC acknowledged that while bond oversight remains important, additional city projects and issues require consistent citizen-facing transparency and engagement. • Transparency & Public Education: The committee will coordinate public education campaigns and maintain an open line of communication with residents. • Support for Economic Development: CBOTC will serve as a thought partner in advising on how the city presents itself to potential businesses and residents. • Alignment with City Policy: This proposal aligns with the City's FY 2024–2025 Fiscal and Budgetary Policy.
FINANCIAL IMPACT:	n/a

RECOMMENDATION:

1. Approve the creation of the Citizen Bond Oversight & Transparency Committee (CBOTC) as outlined in the attached draft resolution and committee charter.
2. Direct city staff to support the committee's launch and return with any necessary amendments for charter ratification.

ATTACHMENTS:

[2025-05-01 _ Resolution No. 25-2124 _ Citizen Bond Oversight _ Councilor Owen.pdf](#)

RESOLUTION NO. 25-2124

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS,
ESTABLISHING THE CITIZEN BOND OVERSIGHT AND TRANSPARENCY
COMMITTEE (CBOTC) AND SETTING FORTH ITS PURPOSE, SCOPE, AND INITIAL
STRUCTURE.**

WHEREAS, the City Council recognizes the importance of transparency, citizen engagement, and informed decision-making; and

WHEREAS, the Economic Development Advisory Committee (EDAC) has recommended the formation of a committee to provide oversight, improve communication, and advise on economic development priorities; and

WHEREAS, the proposed Community Insight & Accountability Committee will enhance trust, transparency, and community alignment with strategic city goals;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

1. The Citizen Bond Oversight & Transparency Committee (CBOTC) is hereby created as a standing advisory committee.
2. CBOTC shall:
 - a. Provide oversight of city projects and initiatives
 - b. Improve public understanding through outreach and communication.
3. The Interim City Manager shall support and begin recruiting members.
4. A formal charter is adopted concurrently to establish CBOTC's initial framework.

PASSED AND APPROVED on this 1ST day of MAY 2025.

ATTEST:

CITY OF LAGO VISTA, TEXAS

Maria Franco, City Secretary

Kevin Sullivan, Mayor

On a motion by Councilor _____, and seconded by Councilor _____, the above and forgoing Resolution was passed and approved.

Attachment B – Draft Committee Charter

Community Insight & Accountability Committee (CIAC)

Section 1. Name

The name of this body shall be the Community Insight & Accountability Committee (CIAC).

Section 2. Purpose

CIAC serves as an advisory body to the Lago Vista City Council. Its purpose is to:

- Ensure transparent and accountable reporting.
- Educate and engage the public.
- Support Lago Vista's identity and economic growth.

Section 3. Scope and Responsibilities

- Monitor and review city projects.
- Organize education events.
- Maintain communication platforms.
- Provide economic development feedback.
- Collaborate with local organizations.

Section 4. Membership

- 7 voting members appointed by City Council.
- Staggered two-year terms.
- May include non-voting liaisons.

Section 5. Officers and Meetings

- Elect Chair and Vice-Chair.
- Meet quarterly or as needed.
- Quorum is a majority of voting members.

Section 6. Subcommittees

- Public education and outreach
- Economic development advisory
- Community identity and partnerships

Section 7. Reporting

- Present annual report.

Proposal from the Economic Development Advisory Committee to Expand the Scope of the Bond Oversight Committee in Lago Vista, Texas

Introduction:

The Bond Oversight Committee in Lago Vista as brought forward to Council by Councilmember Saum on promoting transparency and information for city bond projects. To further strengthen the committee's impact and better serve the community's evolving needs, this proposal recommends expanding its scope. The expanded focus will address broader city issues, integrate public education efforts, and foster conditions conducive to attracting businesses to Lago Vista.

Purpose:

The aim of this proposal is to widen the committee's responsibilities from solely overseeing bond-funded projects to encompassing other critical city issues and engaging in public education. This expanded focus will create a comprehensive framework that supports economic development, strengthens community ties, and ensures residents are well-informed about the city's initiatives and growth strategies.

Rationale:

1. **Comprehensive Community Development:** Lago Vista's future growth relies on strategic planning that considers a variety of factors, such as infrastructure, public services, and education. A well-rounded committee can guide these efforts while maintaining transparency.
2. **Enhanced Public Engagement:** Educating the public about city projects, development plans, and economic initiatives ensures community involvement and builds trust. Knowledgeable residents are more likely to support and participate in city efforts.
3. **Business Attraction Strategy:** Businesses look for cities with robust infrastructure, a well-informed and engaged community, and strong educational systems. An expanded committee can support these elements, making Lago Vista a more attractive option for relocation and investment.

Proposed Expanded Responsibilities:

- **Oversight of Broader City Initiatives:** Include oversight of critical non-bond-funded projects such as road maintenance, utility improvements, and public safety enhancements.

- **Community Education and Outreach Programs:** Develop workshops, town halls, and informational campaigns that educate residents on city operations, growth plans, and their role in supporting these initiatives.
- **Economic Development Advisory Role:** Advise on strategies that enhance Lago Vista's appeal to businesses, including infrastructure upgrades, technology access, and public amenities.
- **Educational Partnerships and Advocacy:** Collaborate with local schools and education-focused organizations to strengthen educational programs, aligning with workforce development goals that benefit local businesses and families.
- **Feedback and Transparency Mechanisms:** Create opportunities for residents to provide input on city projects and economic initiatives, ensuring that their voices are heard and considered.

Public Education Strategy:

1. **Workshops and Seminars:** Host regular events to inform residents about city projects, financial transparency, and upcoming development plans.
2. **Online Resources:** Develop a user-friendly section on the city's website where residents can access updates, reports, and educational content related to city growth and projects.
3. **Collaborative Programs:** Partner with local schools and community organizations to integrate city-focused education into local curricula or extracurricular programs, raising awareness among younger residents and fostering civic responsibility.

Expected Benefits:

- **Stronger Community Ties:** Residents who are informed and engaged are more likely to support city projects and initiatives, fostering a sense of community ownership.
- **Enhanced Economic Appeal:** A well-educated public, robust infrastructure, and clear communication about city growth contribute to an environment where businesses feel welcomed and supported.
- **Increased Public Trust:** Transparency and educational outreach help maintain public confidence in city leadership and the responsible use of public funds.

Implementation Plan:

1. City Council Approval: Present the proposal to the city council for review and approval.
2. Amendment of the Committee Charter: Update the committee's official charter to include new responsibilities related to public education, community development, and business growth strategy.
3. Formation of Subcommittees: Establish subcommittees focused on public outreach, economic advisory, and educational partnerships.
4. Initial Outreach Efforts: Kick off the new scope with a series of public meetings to inform residents about the committee's expanded role and gather feedback.
5. Partnership Development: Collaborate with local educational institutions, business leaders, and community groups to align on shared goals and create joint programs.

Conclusion:

The proposed expansion of the City Bond Oversight and Transparency Committee's scope aims to enhance Lago Vista's community development, public engagement, and business attraction strategy. By integrating public education efforts and addressing a range of city issues, this committee will help build a resilient and well-informed community ready to support sustainable growth and investment.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Maria Franco, City Secretary
SUBJECT:	Discussion, consideration, and possible action regarding adopting an official newspaper for the City of Lago Vista.
BACKGROUND:	Texas Government Code Section 52.013(b) requires publication of ordinances in the municipality's official newspaper if the City's Charter does not provide another method for such publication. Both the publishers of the Hill Country News, and Austin American Statesman meet the criteria to be the official newspaper for the City of Lago Vista. This item was originally presented at the April 17th Council Meeting. During the discussion, City Council wanted to see the last resolution passed which designated the Hill Country News as the official newspaper.
FINDINGS:	According to the discussion, there are several possible options which are as follows: • Proceed with a new resolution repealing Resolution No. 21-1898 and designating a different official newspaper. • Repeal Resolution No. 21-1898 leaving it open for staff to determine which newspaper to publish advertisements in which allows for operational flexibility. • Continue utilizing Hill Country News as the official newspaper.
FINANCIAL IMPACT:	n/a
RECOMMENDATION:	Provide staff with direction on how Council would like to proceed.
ATTACHMENTS:	21-1898 Adopt official newspaper for the City.pdf

CITY OF LAGO VISTA, TEXAS

RESOLUTION No. 21-1898

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS
ADOPTING AN OFFICIAL NEWSPAPER FOR THE CITY OF LAGO VISTA**

WHEREAS, on March 3, 2005, the City Council of the City of Lago Vista designated the North Lake Travis Log as the official newspaper of the City of Lago Vista, Texas; and

WHEREAS, the North Lake Travis Log is no longer in operation; and

WHEREAS, Texas Government Code Section 52.013(b) requires publication of ordinances in the municipality's official newspaper if the City's Charter does not provide another method for such publication.

WHEREAS, the Texas Government Code Section 2051.044(a) provides that a newspaper used to convey official notices must as a general matter:

- (1) devote not less than 25 percent of its total column lineage to general interest items;
- (2) be published at least once each week;
- (3) be entered as second-class postal matter in the county where published; and
- (4) have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice.

WHEREAS, the publisher of the Hill Country News has provided confirmation that the paper meets these criteria.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LAGO VISTA, TEXAS:**

THAT, the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

THAT, the City Council of the City of Lago Vista, Texas does hereby adopt the Hill Country News as the official newspaper of the City of Lago Vista, Texas.

THAT it is hereby officially found and determined that the meeting at which this resolution passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

AND IT IS SO RESOLVED.

PASSED AND APPROVED this 16th day of September 2021.





Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Councilmember Williams, seconded by Councilmember Sullivan, the above and foregoing instrument was passed and approved.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Taylor Whichard, City Manager
SUBJECT:	Discussion, consideration and possible action on passing Resolution No. 25-2126 to formally accept the public infrastructure within Fire Fly Cove Phases 1A and 1B.
BACKGROUND:	This item is to consider adoption of Resolution No. 25-2126, formally accepting the public infrastructure associated with Firefly Cove Phases 1A and 1B. The infrastructure includes streets, storm drainage, water, and sewer improvements, as constructed in accordance with the approved engineering plans and specifications. All required documents including as-built drawings, engineer certifications, and a maintenance bond have been submitted and reviewed. Inspections and functionality tests performed by the City confirm that the improvements are complete and in good working condition, meeting City codes and standards.
FINDINGS:	The only outstanding item remaining is the execution of a Bill of Sale between the City and Firefly Cove. Upon passage of this resolution, the Bill of Sale will be signed.
FINANCIAL IMPACT:	Unknown at this time.
RECOMMENDATION:	Approve
ATTACHMENTS:	Firefly Cove PDD _ Ord No. 21-09-02-01.pdf 07-10-04 Rezone 281 Acres (Tusikanni Cove).pdf 2025-05-01 _ Resolution 25-2126 _ Firefly Cove Ph 1a and 1b _ Infrastructure Acceptance.pdf

ORDINANCE NO. 21-09-02-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP REGARDING THE CURRENT “PLANNED DEVELOPMENT DISTRICT” (PDD) KNOWN AS “FIREFLY COVE” AND PREVIOUSLY DESCRIBED AS “TUSIKANNI COVE” IN ORDINANCE NUMBER 07-10-04-04, TO APPROVE AN AMENDED CONCEPT PLAN FOR THE ENTIRE DEVELOPMENT CONSISTING OF APPROXIMATELY 281.45 ACRES AND TO APPROVE A DETAIL PLAN FOR EVERYTHING EXCEPT THE AREA DESIGNATED AS THE LOCATION OF APPROXIMATELY 45 ESTATE LOTS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, Firefly Cove, LLC, the owner of approximately 281.45 acres of land, as more particularly described in the attached Exhibit “A” (described hereinafter as the “Property”), have requested that the Property be zoned as a PDD to be known as the “Firefly Cove Planned Development District,” and

WHEREAS, the Property currently resides within the corporate limits of the City of Lago Vista;

WHEREAS, the conceptual and detail plans for the Property is set forth in this “Firefly Cove Planned Development District” Zoning Ordinance (the “Ordinance”) and in Exhibit “C” attached hereto (the “Land Use Plan”), which identifies and designates various land uses for the Property as further described below;

WHEREAS, after giving ten (10) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearings, the Planning and Zoning Commission and City Council each held separate public hearings on the proposed rezoning of the Property included in this Ordinance; and

WHEREAS, the Planning and Zoning Commission at its public hearing held on August 12, 2021 and the City Council at its public hearing held on September 2, 2021, have both reviewed the request and the circumstances of the Property, and find that a substantial change in the circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

WHEREAS, the City, by and through its legislative discretion, has adopted a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning approved herein is consistent with the comprehensive plan which shall not be interpreted as inconsistent with this rezoning; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future

citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the Property, protect third party property owners in the City, and to ensure the benefits of planned development and an enhanced tax base that are achieved through rezoning the Property; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Lago Vista to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Planning and Zoning Commission and City Council find that this Ordinance satisfies the requirements of Section 6.105, Section 10 and Section 13 of the City of Lago Vista Zoning Ordinance, codified under Ordinance No. 98-04-27-03, as amended (the "Zoning Code").

Section 2. Enactment. The Zoning Code and other applicable ordinances are hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Code is hereby amended by zoning the Property being the approximately 281.45-acre tract of land described in **Exhibit "A"** attached to this Ordinance, as a PDD zoning district. The Property is hereby zoned as the "Firefly Cove Point Planned Development District" with the uses of individual land areas as set forth in this Ordinance.

Section 4. Amendment of Applicable Zoning Ordinances. The zoning requirements established in this Ordinance shall apply to the Property. The comprehensive zoning requirements of the Zoning Code and all other applicable ordinances, as they may be amended by this Ordinance, shall apply to the Property. Should any conflict appear between the requirements of the zoning and development ordinances of the City of Lago Vista as compared with the requirements for the Property set forth in this Ordinance, the requirements set forth in this Ordinance shall control.

Section 5. Phasing within the PDD. The Property shall be developed in three phases in accordance with the Land Use Plans in **Exhibit "C"** attached hereto and incorporated herein for all purposes. The phases were created largely based on their location within the development relative to project infrastructure requirements and the topography of the Property. However, at

the discretion of the owner, the Property may be developed in fewer phases, or any of the phases depicted within the Land Use Plans may be further divided into smaller segments within any phase, provided the infrastructure required for each phase or segment of a phase is sufficient for the lots being developed. Connectivity requirements to the limits of the Property for any specific phase and all proposed future phases shall be determined and approved in accordance with the required subdivision construction plans.

Section 6. Zoning Requirements. The following use and development requirements established herein shall apply to the Property:

1. Zoning. The use and development of the Property shall comply with the zoning requirements and development standards of the City of Lago Vista, except as specifically described below.
 - A. Use and development of the Property designated as “SF-A” within the Land Use Plans in **Exhibit “C”** shall consist of a maximum of 280 single-family residential lots and comply with the zoning requirements and development standards for “R-1D Single-Family Residential” zoning district, except as hereinafter modified.
 - i. The minimum width of any “SF-A” single-family residential lot shall be forty feet, except those that front on cul-de-sacs. The minimum width of any “SF-A” single-family residential lot fronting on a cul-de-sac shall be 33 feet at the property line and 40 feet at the front building line (setback).
 - ii. The impervious surfaces on any individual “SF-A” single-family residential lot shall not exceed 65 percent, while the total cumulative impervious surfaces for all “SF-A” single-family residential lots shall not exceed 38 percent.
 - iii. The minimum living area for any “SF-A” single-family residence shall be 1,100 square feet, but no more than twenty-five percent of the maximum 280 units shall include less than 1,500 square feet of living area.
 - iv. The minimum setbacks for any “SF-A” single-family residential lot shall be as follows:
 - a. The minimum front or corner lot side yard setback for residences that include a garage facing a right-of-way is 20 feet.
 - b. The minimum front or corner lot side yard setback for residences that do not include a garage facing a right-of-way is 15 feet.
 - c. Covered porches (columns and overhangs) are allowed to encroach up to 5 feet into a front yard setback.
 - d. The minimum rear yard setback is 15 feet.

- e. Covered porches or patios (columns and overhangs) are allowed to encroach up to 8 feet into a rear yard setback.
 - f. The minimum side yard setback is 5 feet (10 feet cumulative).
 - g. A maximum encroachment of 6 inches shall be allowed in all setbacks to accommodate exterior wall finish changes (i.e. siding to masonry).
 - h. Below grade foundation elements (such as spread footings or counter forts) may encroach into required setbacks, but not dedicated easements.
 - i. Notwithstanding the provisions above, no building line shall allow an encroachment that obstructs a minimum 15 foot vision triangle adjacent to any garage or driveway.
- B. Use and development of the Property designated as “SF-Estate” within the Land Use Plans in **Exhibit “C”** shall consist of a maximum of 45 single-family residential lots and comply with the zoning requirements and development standards for “R-1G Single-Family Residential” zoning district, except as hereinafter modified.
- i. The minimum width of any “SF-Estate” single-family residential lot shall be eighty feet, except those that front on cul-de-sacs. The minimum width of any “SF-Estate” single-family residential lot fronting on a cul-de-sac shall be 30 feet at the property line and 45 feet at the front building line (setback).
 - ii. The minimum area of any “SF-Estate” lot shall be 11,000 square feet.
 - iii. The impervious surfaces on any individual “SF-Estate” single-family residential lot shall not exceed 60 percent.
 - iv. The minimum living area for any “SF-Estate” single-family residence shall be 1,800 square feet.
 - v. The minimum setbacks for any “SF-A” single-family residential lot shall be as follows:
 - a. The minimum front or corner lot side yard setback for residences that include a garage facing a right-of-way is 25 feet.
 - b. The minimum front or corner lot side yard setback for residences that do not include a garage facing a right-of-way is 15 feet.

- c. Covered porches (columns and overhangs) are allowed to encroach up to 15 feet into a front yard setback, but shall maintain a minimum front yard setback of 10 feet.
 - d. The minimum rear yard setback is 15 feet.
 - e. Covered porches or patios (columns and overhangs) are allowed to encroach up to 8 feet into a rear yard setback.
 - f. The minimum side yard setback is 5 feet (10 feet cumulative).
 - g. A maximum encroachment of 6 inches shall be allowed in all setbacks to accommodate exterior wall finish changes (i.e. siding to masonry).
 - h. Below grade foundation elements (such as spread footings or counter forts) may encroach into required setbacks, but not dedicated easements.
 - i. Notwithstanding the provisions above, no building line shall allow an encroachment that obstructs a minimum 15 foot vision triangle adjacent to any garage or driveway.
- C. Use and development of the Property designated as “Open Space” within the Land Use Plans in **Exhibit “C”** shall consist of land reserved for the benefit and use of the residents of the development and that meets the parkland requirements of the Lago Vista subdivision regulations, a portion of which shall be publicly dedicated to meet that obligation. This area shall comply with the zoning requirements and development standards for “P-2 Park and Greenbelt District (Passive)” zoning district, except that it may include, but not be limited to the following types of uses and similar structures: restroom facilities, sports courts, public utility easements, public utilities, mountain bike trails, nature trails, detention facilities and water quality facilities.
- D. Use and development of the Property designated as the “Amenities Area” within the Land Use Plans in **Exhibit “C”** (the areas formerly designated as CA-2 and CA-3 in Ordinance Number 07-10-04-04) shall consist of land reserved for the benefit and use of the residents of the development, except in accordance with a private agreement between the owner and others. This area shall comply with the zoning requirements and development standards for “P-1B Developed Park District (Active)” zoning district, except that it shall be limited to the following types of uses and similar structures: playground structures, a community beach, a community boat ramp, a community swimming pool, bathrooms and/or locker rooms, covered pavilions, sports courts, public utility easements, public utilities, mountain bike trails, nature trails, detention facilities and water quality facilities.
2. Other Development Standards and Provisions.

A. Streets / Traffic Improvements / Subdivision Design.

- i. The owner shall be responsible from the improvements identified as their responsibility in the approved final version of the Traffic Impact Analysis (TIA) issued by Alliance Transportation Group, and initially dated February 2021.
- ii. Except as required to improve the intersection at Boggy Ford Road to AASHTO and local ordinance prescribed design standards, Drapers Cove Road shall substantially follow the existing alignment remain classified as a local street. Even after the improvements to comply with local design standards, some portions of Drapers Cove Road may remain a private street at the discretion of the owner and designated on the approved subdivision plats. Lots in Phase 3 of the development shall be permitted to have single-family driveway access directly onto Drapers Cove Road in accordance with local design requirements.
- iii. Driveway Connections at Boggy Ford Road. Connections to Boggy Ford Road shall be publicly dedicated streets to the intersection of the first local street or a minimum of 150 linear feet with code-compliant emergency vehicle provisions, whichever is less and meet the design criteria for a “collector.” The locations shall be limited as depicted within the Land Use Plans in **Exhibit “C”** and as follows:
 - a. the main entry drive, shall be located near the northeast corner of the property and as described in the approved traffic impact analysis (TIA);
 - b. the secondary entry drive shall be located at the intersection of Drapers Cove Road, as realigned to comply with local design standards;
 - c. the remaining two driveways connecting to Boggy Ford Road between these two that are located near the east and west extremes of the Property shall be designated for emergency use only. The portion within the existing Boggy Ford Road right-of-way shall be constructed to local standards, but the portion between the Boggy Ford Road right-of-way and the first intersecting local street may be constructed using any approved all-weather forms of construction including those that do not consist of asphalt or concrete surfaces. At the discretion of the owners, an emergency access gate in accordance with emergency services requirements may be installed at these locations.
- iv. Traffic Calming. The owner will design and construct streets to calm traffic and reduce vehicle speeds in a manner that is compatible with the natural features and topography of the Property and conserves unique environmental assets such as protected trees and desirable open space. Permissible design and construction elements or parameters shall include:

- a. except as provided for elsewhere herein, streets that are completely within the interior of the developments shall be classified as “local streets” and may be designed on the basis of a speed as low as 20 miles-per-hour;
 - b. “local streets” completely within the interior of the development may include a sustained grade of up to a maximum of twelve percent; and
 - c. “local street” intersections completely within the interior of the of development may be designed as “stop-controlled intersections” with intersection curb returns not to exceed a starting slope of eight percent.
- v. Subdivision Design Criteria.
 - a. The maximum permitted length of a cul-de-sac shall be 750 feet when complaint when all applicable requirements of the locally adopted version of the International Fire Code.
 - b. Block lengths may be interrupted open space to provide access to trails and other similar uses permitted in that designated area of the development.
- B. Sidewalks. Sidewalks are not required anywhere on the property, except as otherwise required by the Americans with Disabilities Act. Other sidewalks shall be provided throughout the Property at the discretion of the owner.
- C. Impervious Cover. The impervious area shall comply with requirements of the Highland Lakes Watershed Ordinance and shall not exceed thirty-eight (38) percent of the gross area of the Property.
- D. Parkland Dedication. Parkland dedication will occur intermittently throughout the life of the project in accordance with the requirements of the subdivision regulations. Dedicated parklands may include land used to meet the mitigation requirements of the Endangered Species Act, specifically included the habitat of the golden-cheeked warbler.
- E. Exterior Lighting. Street lights shall not be required and the owner may instead provide alternate types of exterior and outdoor lighting consistent with minimum best safety practices and compliant with Article 3.800, the Lago Vista “dark sky” ordinance.
- F. Maximum Building Heights. The height of any building or residence within the Property shall be limited to a maximum of 35 feet measured from the highest existing nature grade on the property to the peak or ridge line of the roof, exclusive of chimneys or other similar appurtenances.
- G. Exterior Finishes. In accordance with Texas HB 2439 of 2019, there are no minimum requirements related to exterior finishes except as otherwise required by the current Building Codes adopted by the City of Lago Vista.

- H. Signage. All signage shall be in accordance with the applicable requirements (including lighting) of the City of Lago Vista, except as follows:
- i. The owner will be permitted to have three monument subdivision signs at the following locations:
 - a. at the entry designated as Driveway 1 within the Land Use Plans (**Exhibit “C”**);
 - b. at the modified intersection of Drapers Cove Road and Boggy Ford Road; and
 - c. at the northeast corner of the property along the Boggy Ford Road right-of-way.
 - ii. The owner will be permitted up to ten additional freestanding wayfinding signs within the subdivision to facilitate individuals seeking the location of the community sales offices and amenities.
3. The appropriate departments of the City, the Planning & Zoning Commission and the City Council hereby find and agree that this Ordinance and the project contemplated herein complies with and satisfies the requirements of Section 6.105, Section 10.20, and Section 13.20 of the Zoning Ordinance as well as the Comprehensive Master Plan of the City of Lago Vista. The City Council finds that this Ordinance serves as both a concept plan and a detail plan approval, except as it relates to the development of the SF-Estate lots (See **Exhibit “B”**) and that no additional detail plans are required by the Section 10.20(e) of the Zoning Ordinance for the remaining portions of the Property.
4. Land Use Plan. The depiction of the “Firefly Cove Planned Development District” in **Exhibit “C”** is not intended to reflect the level of detail and finality associated with construction permit documents. Non-substantive changes which do not alter the basic relationship of the proposed development to adjacent property, which do not alter the uses permitted, increase the density, height, or impervious surface coverage of the site, which do not decrease the off-street parking ratio or reduce the required setbacks within the boundary of the site and which do not decrease any buffers shown on the approved detail plan shall be administratively authorized in writing by the Development Services Director. Conversely, substantive changes in the detail plan shall be considered in accordance with the requirements of Section 10 of the Zoning Ordinance.

Section 7. Repealer. The Zoning Ordinance and all other applicable portions of the Lago Vista Code of Ordinances are amended as required to incorporate the “Nature’s Point Planned Development District” as described herein. Any portion of the Zoning Ordinance, Comprehensive Master Plan or any applicable ordinance in conflict with this Ordinance is hereby repealed or amended to the extent of such conflict only.

Section 8. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and

remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 9. Penalty. Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances, Section 1.109 General Penalty for Violations of Code; Continuing Violations of the City of Lago Vista, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

Section 10. Publication Clause. The City Secretary of the City of Lago Vista is hereby directed to publish in the Official Newspaper of the City of Lago Vista the Caption, and Effective Date Clause of this Ordinance as required by Section 52.013 of the *Texas Local Government Code*.

Section 11. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below in accordance with the provisions of the *Texas Local Government Code* and the City's Charter.

Section 12. Change of Zoning Map. The City Manager is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Lago Vista, Texas.

Section 13. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Local Government Code*.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 2nd day of September 2021.


Ed Tidwell, Mayor



ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Sullivan, seconded by Councilman Williams, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

Legal Description

METES AND BOUNDS DESCRIPTION OF 286.85 ACRES, MORE OR LESS, SAVE AND EXCEPT 2.504 ACRES AND 2.899 ACRES, LEAVING 281.45 ACRES, MORE OR LESS,

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 286.85 ACRES OF LAND, MORE OR LESS, A PORTION OF THE FOLLOWING SURVEYS: D. & W. R.R. CO. SURVEY NO. 99, ABSTRACT NO. 246; RICHARD CRAIG SURVEY NO. 1867, ABSTRACT NO. 2754; C.E.P.I. & M. CO. SURVEY NO. 173, ABSTRACT NO. 2191; MALINDA SETTLE SURVEY NO. 49, ABSTRACT NO. 2126; W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587; LEWIS LINDSAY SURVEY NO. 265, ABSTRACT NO. 2171; AND THE W. A. COOK SURVEY NO. 100, ABSTRACT NO. 2605, IN TRAVIS COUNTY, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING A PORTION OF THAT 289.40 ACRE TRACT OF LAND, A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AND OTHERS IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO TRAVIS MEADOW, LP IN DOCUMENT NO. 2006125525, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING ALL OR A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: BEING ALL OF THAT 0.413 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 2714, PAGE 315, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.44 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 3223, PAGE 513, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT TRACT OF LAND CALLED TO BE 278.36 ACRES, SAVE AND EXCEPT 19.27 ACRES OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND OTHERS, DESIGNATED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 5554, PAGE 1469, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 22.97 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100 AND A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED TO GEORGE LARRY VINSON AND WIFE, JEAN VINSON IN VOLUME 6021, PAGE 178, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 16.08 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND A PORTION OF THE SAID LEWIS LINDSAY SURVEY NO. 265, AS DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 6561, PAGE 242, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 785 SQUARE FOOT TRACT OF LAND OR 0.018 OF ONE ACRE OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L. VINSON IN VOLUME 10321, PAGE 422, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT 12.611 ACRE TRACT OF LAND, MORE OR LESS, A PORTION OF THE SAID MALINDA SETTLE SURVEY NO. 49, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L. VINSON IN VOLUME 11949, PAGE 88, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 2.393 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100 AND A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 12092, PAGE 1825, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 23.276 ACRE TRACT OF LAND, A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO G. L. VINSON AND WIFE, JEAN VINSON IN VOLUME 12627, PAGE 676, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.337 OF ONE

ACRE OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 12667, PAGE 479, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING ALL OF THAT 2.036 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L. VINSON IN VOLUME 12717, PAGE 693, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AS PREPARED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" steel pin with plastic cap set in rock in the south line of Boggy Ford Road for the northeast corner of that 2.393 acre tract of land, a portion of the W. A. Cook Survey No. 100, Abstract No. 2605 and a portion of the D. & W. R.R. Co. Survey No. 99, Abstract No. 246, in Travis County, Texas, as described in a Warranty Deed to George L. Vinson and wife, Jean Vinson in Volume 12092, Page 1825, Real Property Records of Travis County, Texas, for the POINT OF BEGINNING and northeast corner of the herein described tract;

(1) THENCE with the east line of the said Vinson 2.393 acre tract, S 29°17'38" W 115.71 feet to a 1/2" steel pin found at the southeast corner of the said Vinson 2.393 acre tract and the northeast corner of that 22.97 acre tract of land, a portion of the said W. A. Cook Survey No. 100 and a portion of the said D. & W. R.R. Co. Survey No. 99, as described in a Warranty Deed to George Larry Vinson and wife, Jean Vinson in Volume 6021, Page 178, Deed Records of Travis County, Texas, said 1/2" steel pin found being also an angle point in the west line of that 169.54 acre tract, a portion of the said D. & W. R.R. Co. Survey No. 99 and a portion of the Richard Craig Survey No. 1867, Abstract No. 2754, in Travis County, Texas, as described in Special Warranty Deed to Luna Groseclose, Ltd. in Volume 13237, Page 1233, Real Property Records of Travis County, Texas, said 1/2" steel pin found being also a corner of that approximately 100 acres of land, a portion of the said D. & W. R.R. Co. Survey No. 99, and others in Travis County, Texas, as conveyed in a Special Warranty Deed to Linda L. Groseclose, Trustee of the Linda Groseclose 1998 Intervives Trust in Document No. 2002229115, Official Public Records of Travis County, Texas;

(2) THENCE with the east line of the said Vinson 22.97 acre tract and along or near the west line of the said Luna Groseclose, Ltd. 169.54 acre tract, S 28°30'09" W 715.19 feet to a 1/2" steel pin found at the southeast corner of the said Vinson 22.97 acre tract and the northeast corner of that 23.276 acre tract of land, a portion of the said D. & W. R.R. Co. Survey No. 99, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to G. L. Vinson in Volume 12627, Page 676, Real Property Records of Travis County, Texas;

THENCE with the east line of the said Vinson 23.276 acre tract and being along or near the west line of the said Luna-Groseclose, Ltd. 169.54 acre tract, courses numbered 3 through 6 inclusive as follows:

(3) S 28°20'51" W 1360.82 feet to a 5/8" steel pin found;
 (4) S 29°00'46" W 290.69 feet to a 1/2" steel pin found;
 (5) S 27°42'20" W 622.13 feet to a cedar hub and rock mound found (cedar hub replaced with a 1/2" steel pin with plastic cap) at the southeast corner of the said Vinson 23.276 acre tract and in an east line of that 278.36 acre tract of land, save and except 19.27 acres of land, a portion of the said W. A. Cook Survey No. 100, and others, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to G. L. Vinson in Volume 5554, Page 1469, Deed Records of Travis County, Texas;

THENCE with the east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being along or near the west line of the said Luna Groseclose Ltd. 169.54 acre tract, courses numbered 6 through 8 inclusive as follows:

(6) S 27°42'20" W 36.85 feet to a 1/2" steel pin with plastic cap set in rock;
 (7) S 29°28'32" W 349.04 feet to a 60d nail found in rock;
 (8) S 27°59'05" W 335.17 feet to a 3/4" iron pipe found in or near the south line of the said Richard Craig Survey No. 1867 and in or near the north line of the C. E. P. I. & M. Co. Survey No. 173, Abstract No. 2191, at an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being at or near the southwest corner of the said Luna Groseclose, Ltd. 169.54 acre tract, for an interior corner of the herein described tract;

(9) THENCE along or near the south line of the said Richard Craig Survey No. 1867 and along or near the north line of the said C. E. P. I. & M Co. Survey No. 173, and being also with a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being along or near the south line of the said Luna Groseclose Ltd. 169.54 acre tract, S 62°03'05"E 43.51 feet to a calculated point in the center of Cox Hollow, for a northeast corner of the herein described tract;

THENCE with the centerline of Cox Hollow, said centerline being the thread of the stream when dry, and being along or near the east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and along the west line of that 68.20 acre tract of land, a portion of the said C. E. P. I. & M. Co. Survey No. 173, as described in a deed to Old Farm Development Corporation in Volume 3779, Page 2098, Deed Records of Travis County, Texas, courses numbered 10 through 27 inclusive as follows:

- (10) S 17°08'50" E 103.86 feet to a calculated point;
- (11) S 23°47'44" W 130.00 feet to a 100d nail set;
- (12) S 37°06'25" W 143.81 feet to a 100d nail set;
- (13) S 23°35'56" W 177.70 feet to a 100d nail set;
- (14) S 24°31'28" W 206.37 feet to a calculated point, now submerged by the waters of Lake Travis;
- (15) S 7°46'47" W 92.45 feet to a calculated point, now submerged by the waters of Lake Travis;
- (16) S 0°54'56" E 72.78 feet to a calculated point, now submerged by the waters of Lake Travis;
- (17) S 13°18'04" W 138.43 feet to a calculated point, now submerged by the waters of Lake Travis;
- (18) S 6°48'27" W 128.00 feet to a calculated point, now submerged by the waters of Lake Travis;
- (19) S 10°17'54" W 62.36 feet to a calculated point, now submerged by the waters of Lake Travis;
- (20) S 29°06'52" W 65.69 feet to a calculated point, now submerged by the waters of Lake Travis;
- (21) S 4°52'46" E 45.22 feet to a calculated point, now submerged by the waters of Lake Travis;
- (22) S 28°47'39" E 51.37 feet to a calculated point, now submerged by the waters of Lake Travis;
- (23) S 38°38'14" E 99.83 feet to a calculated point, now submerged by the waters of Lake Travis;
- (24) S 46°39'26" E 38.86 feet to a calculated point, now submerged by the waters of Lake Travis;
- (25) S 31°33'27" E 56.88 feet to a calculated point, now submerged by the waters of Lake Travis;
- (26) S 19°46'23" W 70.23 feet to a calculated point, now submerged by the waters of Lake Travis;
- (27) S 50°06'51" W 226.38 feet to a calculated point, now submerged by the waters of Lake Travis, in the west line of the said C. E. P. I. & M. Co. Survey No. 173 and the east line of the Malinda Settle Survey No. 49, Abstract No. 2126, said calculated point being a southwest corner of the said Vinson

278.36 acre tract of land, save and except 19.27 acres of land and in the east line of that 100 acre tract of land, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, designated as First Tract and described in a deed to the Lower Colorado River Authority in Volume 630, Page 91, Deed Records of Travis County, Texas, for a south corner of the herein described tract;

(28) THENCE with the west line of the said C. E. P. I. & M. Co. Survey No. 173 and the east line of the said Malinda Settle Survey No. 49, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and the east line of the said Lower Colorado River Authority First Tract of 100 acres, N 1°23'48" W 202.69 feet to a 1/2" steel pin with plastic cap set in the 670 mean sea level contour line for the southeast corner of that 12.611 acre tract, more or less, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 11949, Page 88, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the south line of the said Vinson 12.611 acre tract, more or less, said line being the 670 mean sea level contour line, courses numbered 29 through 45 inclusive as follows:

(29) S 53°56'05" W 39.99 feet to a 1/2" steel pin with plastic cap set;
 (30) S 70°14'23" W 26.18 feet to a 1/2" steel pin with plastic cap set;
 (31) S 74°58'16" W 55.31 feet to a 1/2" steel pin with plastic cap set;
 (32) S 82°39'15" W 86.13 feet to a 1/2" steel pin with plastic cap set;
 (33) N 74°05'46" W 127.57 feet to a 1/2" steel pin with plastic cap set;
 (34) N 81°46'22" W 131.95 feet to a 1/2" steel pin with plastic cap set;
 (35) N 49°10'30" W 32.48 feet to a 1/2" steel pin with plastic cap set;
 (36) N 37°33'32" W 201.96 feet to a 1/2" steel pin with plastic cap set;
 (37) N 16°31'49" W 41.94 feet to a 1/2" steel pin with plastic cap set;
 (38) N 24°31'07" W 82.63 feet to a 1/2" steel pin with plastic cap set;
 (39) N 1°48'54" E 50.84 feet to a 1/2" steel pin with plastic cap set;
 (40) S 66°09'31" W 39.52 feet to a 1/2" steel pin with plastic cap set;
 (41) N 77°35'09" W 36.64 feet to a 1/2" steel pin with plastic cap set;
 (42) N 88°48'29" W 39.29 feet to a 1/2" steel pin with plastic cap set;
 (43) N 51°26'09" W 26.84 feet to a 1/2" steel pin with plastic cap set;
 (44) N 24°38'44" W 23.04 feet to a 1/2" steel pin with plastic cap set;
 (45) N 62°20'22" W 48.41 feet to a 1/2" steel pin with plastic cap set in the centerline of Drapers Cove, said centerline being the thread of the stream when dry, for the southwest corner of the said Vinson 12.611 acre tract, more or less, and in an east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

THENCE with the centerline of Drapers Cove and with an east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 46 through 53 inclusive as follows:

(46) S 48°19'25" E 25.38 feet to a calculated point;
 (47) S 20°39'30" E 51.32 feet to a calculated point;
 (48) S 40°07'29" E 40.37 feet to a calculated point;
 (49) S 86°55'38" E 84.58 feet to a calculated point, now submerged by the waters of Lake Travis;
 (50) S 12°50'07" E 64.32 feet to a calculated point, now submerged by the waters of Lake Travis;
 (51) S 16°08'21" E 95.68 feet to a calculated point, now submerged by the waters of Lake Travis;
 (52) S 3°50'31" E 104.89 feet to a calculated point, now submerged by the waters of Lake

Travis;

(53) S 19°56'11" E 83.45 feet to a calculated point, now submerged by the waters of Lake Travis, for a southeast corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(54) THENCE with a south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, S 88°47'25" W at 80.44 feet passing a 1/2" steel pin with plastic cap set, in all 149.40 feet to a 1/2" steel pin with plastic cap set in the 670 mean sea level contour line for an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for an interior corner of the herein described tract;

THENCE with an east and south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said line being the 670 mean sea level contour line, courses numbered 55 through 59 inclusive as follows:

(55) S 10°10'52"E 28.02 feet to a 1/2" steel pin with plastic cap set;
 (56) S 86°28'21" W 116.94 feet to a 1/2" steel pin with plastic cap set;
 (57) S 79°18'44" W 153.36 feet to a 1/2" steel pin with plastic cap set;
 (58) S 38°14'07" W 57.81 feet to a 1/2" steel pin with plastic cap set;
 (59) S 71°13'56" W 90.90 feet to a calculated point at the intersection of the southerly extension of the east line of that 0.29 of one acre tract, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Warranty Deed to Robert L. Bullock and Debra M. Bullock in Document No. 2002181885, Official Public Records of Travis County, Texas, for a southwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for a southwest corner of the herein described tract;

THENCE with the southerly extension of the east line of the said Bullock 0.29 of one acre tract and with the east line of the said Bullock 0.29 of one acre tract, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 60 through 61 inclusive as follows:

(60) N 0°47'42" W at 13.99 feet passing a 1/2" iron pipe found, in all 244.09 feet to a 5/8" steel pin found;

(61) N 0°19'50" W 261.39 feet to a 1/2" steel pin with plastic cap set for the northeast corner of the said Bullock 0.29 of one acre tract, for an interior corner of the herein described tract;

THENCE with the northeast line of the said Bullock 0.29 of one acre tract and the northeast line of that 0.974 of one acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Warranty Deed to Dianne E. Greig in Document No. 2002095894, Official Public Records of Travis County, Texas, and being also with a northeast line of that 0.86 of one acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Warranty Deed With Vendor's Lien to Gary L. Lipscomb in Volume 12492, Page 886, Real Property Records of Travis County, Texas, and with a southwest line of the Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 62 through 64 inclusive as follows:

(62) N 55°27'12" W 30.61 feet to a 1/2" steel pin with plastic cap found (B:MI) at the north or northwest corner of the said Bullock 0.29 of one acre tract and the northeast corner of the said Greig 0.974 of one acre tract;

(63) N 49°59'45" W 100.40 feet to a PK nail set in concrete in a southwest line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for the north or northwest corner of the said Greig 0.974 of one acre tract and the northeast corner of the said Lipscomb 0.86 of one acre tract;

(64) N 57°05'48" W 90.63 feet to a 3/4" iron pipe found in a southeast line of a private street,

locally known as Drapers Cove at the north corner of the said Lipscomb 0.86 of one acre tract and an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for a west corner of the herein described tract;

(65) THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, with an east line of Drapers Cove, N 19°06'38"E 43.84 feet to a PK nail set in concrete for the west corner of that 1.43 acre tract, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Robert L. Bullock et ux, Debra M. Bullock in Volume 12698, Page 3161, Real Property Records of Travis County, Texas, for a north corner of the herein described tract;

THENCE with the southwest and south line of the said Bullock 1.43 acre tract, courses numbered 66 through 68 inclusive as follows:

(66) S 50°13'56" E 234.77 feet to a 3/4" steel pin found;
 (67) N 81°39'34" E 100.80 feet to a 1/2" iron pipe found;
 (68) N 76°19'43" E 190.91 feet to a 1/2" steel pin found in or near the centerline of Draper Cove at the southeast corner of the said Bullock 1.43 acre tract, for an interior corner of the herein described tract;

(69) THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, N 20°16'36"W 168.19 feet to a 1/2" steel pin found at the south corner of that 0.403 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141 and a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Warranty Deed to Andrea Claire Williams Scott, et al in Volume 8644, Page 666, Deed Records of Travis County, Texas;

(70) THENCE with the east line of the said Scott et al 0.403 of one acre tract, N 5°39'06" W at 70.92 passing the intersection of the east line of the said Scott, et al 0.403 of one acre tract with the west line of the said Vinson 12.611 acre tract, at 77.09 passing a 3/4" iron pipe found 0.13 of one foot west of line, in all 163.86 feet to a 3/4" iron pipe in concrete found in the north line of the said Vinson 12.611 acre tract, said 3/4" iron pipe found in concrete being in or near the south line of the said W. A. Cook Survey No. 141 and in or near the north line of the said Malinda Settle Survey No. 49;

(71) THENCE with the east line of the said Scott, et al 0.403 of one acre tract and the northerly extension of the east line of the said Scott, et al 0.403 of one acre tract, N 5°38'12" W at 48.35 feet passing a 1/2" steel pin found at the northeast corner of the said Scott, et al 0.403 of one acre tract, in all 58.40 feet to 1/2" steel pin with plastic cap set for at the intersection of a line thirty (30) feet southwest of the occupied northeast line of Drapers Cove;

THENCE with said line thirty (30) feet west and southwest of the occupied east line of Drapers Cove, courses numbered 72 through 77 inclusive as follows:

(72) N 47°40'45" W 21.11 feet to a 1/2" steel pin with plastic cap set;
 (73) N 37°59'27" W 35.85 feet to a 1/2" steel pin with plastic cap set;
 (74) N 34°34'18" W 65.60 feet to a 1/2" steel pin with plastic cap set;
 (75) N 27°02'45" W 64.76 feet to a 1/2" steel pin with plastic cap set;
 (76) N 23°52'32" W 22.26 feet to a 1/2" steel pin with plastic cap set;
 (77) N 36°08'40" W 13.08 feet to a 1/2" steel pin with plastic cap set in the east line of that 0.384 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 10591, Page 503, Real Property Records of Travis County, Texas;

(78) THENCE with the east line of the said Vinson 0.384 of one acre tract, N 7°08'31" W 6.39 to a 1/2" steel pin found in a southwest line of Drapers Cove at the northeast corner of the said Vinson 0.384 of one acre tract, for an interior corner of the herein described tract;

(79) THENCE with the south line of Drapers Cove and the north line of the said Vinson 0.384 of one acre tract, N 57°38'24" W 61.01 feet to a 1/2" steel pin with plastic cap set for the northwest corner of the said Vinson 0.384 of one acre tract and the northeast corner of that 0.366 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to James Burnett and wife, Margie Burnett in Volume 4185, Page 157, Deed Records of Travis County, Texas, said tract now shown by the Travis Central Appraisal District to be in the name of Travis Duncan and Nikki Perrotta by virtue of a Contract of Sale;

(80) THENCE with the south line of Drapers Cove and the north line of the said Burnett 0.366 of one acre tract, N 69°34'19" W 102.62 feet to a 5/8" steel pin found at the northwest corner of the said Burnett 0.366 of one acre tract, for an interior corner of the herein described tract;

(81) THENCE with the west line of the said Burnett 0.366 of one acre tract, S 16°07'25" W 171.81 feet to a 5/8" steel pin found leaning west at the southwest corner of the said Burnett 0.366 of one acre tract and at a corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(82) THENCE with a southwest line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, S 37°05'29"E 5.09 feet to a 1/2" steel pin with plastic cap set for the northeast corner of that 0.583 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Michael David O'Cooley in Volume 13367, Page 1876, Real Property Records of Travis County, Texas, for a southeast corner of the herein described tract;

(83) THENCE with the north line of the said O'Cooley 0.583 of one acre tract, N 72°46'09" W 145.42 feet to a 1/2" steel pin found in an east line of Drapers Cove at the northwest corner of the said O'Cooley 0.583 of one acre tract, for a southwest corner of the herein described tract;

THENCE with an east and south line of Drapers Cove, courses numbered 84 through 87 inclusive as follows:

(84) N 25°44'52" W 154.57 feet to a 1/2" steel pin found;

(85) N 10°42'26" W 52.06 feet to a calculated point at a non-tangent point of curve;

(86) with a curve to the right an arc distance of 26.06 feet, said curve having a radius of 30.41 feet, a central angle of 49°06'20", and a chord of which bears N 12°51'30" E 25.27 feet to a calculated point at a non-tangent point of compound curve;

(87) with a curve to the right an arc distance of 48.12 feet, said curve having a radius of 42.26 feet, a central angle of 65°14'01", and a chord of which bears N 70°00'00" E 45.56 feet to a calculated point, for an interior corner of the herein described tract;

(88) THENCE crossing Drapers Cove N 12°37'00"E 30.00 feet to 1/2" steel pin found in the curving north line of Drapers Cove at the most northerly southeast corner of that 7.63 acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed with Vendor's Lien to Herbert J. Wasson and Emilie V. Harris in Document No. 1999081472, Official Public Records of Travis County, Texas;

THENCE with the east, northeast and east line of the said Wasson and Harris 7.63 acre tract, courses numbered 89 through 93 inclusive as follows:

(89) N 21°37'12"W 153.07 feet to a 1/2" steel pin found;

(90) N 50°48'26"W 110.62 feet to a 1/2" steel pin found;
 (91) N 50°47'24"W 183.14 feet to a 1/2" steel pin found;
 (92) N 50°52'55" W 200.07 feet to a 1/2" steel pin with plastic cap found (RPLS1847);
 (93) N 4°53'49" W 90.39 feet to a cotton gin spindle found at the southwest corner of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in a General Warranty Deed to Betty A Melcher in Volume 13009, Page 2433, Real Property Records of Travis County, Texas, for a northwest corner of the herein described tract;

THENCE with the south line of the said Melcher Second Tract of 0.34 of one acre and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in said General Warranty Deed to Betty A Melcher in Volume 13009, Page 2433, Real Property Records of Travis County, Texas, and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Betty A Melcher in Volume 11067, Page 480, Real Property Records of Travis County, Texas, courses numbered 94 through 96 inclusive as follows:

(94) S 79°18'15" E 99.97 feet to a 1/2" steel pin found at the southeast corner of the said Melcher Second Tract of 0.34 of one acre and the southwest corner of the said Melcher First Tract of 0.34 of one acre;

(95) S 55°24'46"E 100.05 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Melcher First Tract of 0.34 of one acre and the southwest corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas;

(96) S 64°50'42" E 99.98 feet to a 1/2" steel pin found in concrete at the southeast corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(97) THENCE with the east line of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, N 4°34'46" E 149.70 feet to a 1/2" steel pin found in the south line of a private street, locally known as Draper Mountain Trail at the northeast corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, for a northwest corner of the herein described tract;

(98) THENCE with a south line of Draper Mountain Trail, S 68°33'57" E 199.43 feet to a 1/2" steel pin found at the northwest corner of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Helen E. Melcher in Document No. 2002101212, Official Public Records of Travis County, Texas, for a northeast corner of the herein described tract;

(99) THENCE with the west line of the said Helen E. Melcher 0.33 of one acre tract, S 4°33'00" W 149.18 feet to a 5/8" steel pin found at the southwest corner of the said Helen E. Melcher 0.33 of one acre tract, for an interior corner of the herein described tract;

THENCE with the south line of the said Helen E. Melcher 0.33 of one acre and the south line of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to J. E. Laird and wife, Ruby Lee Laird in Volume 9709, Page 693, Real Property Records of Travis County, Texas, courses numbered 100 through 101 inclusive as follows:

(100) S 68°48'30"E 99.46 feet to a 5/8" steel pin found at the southeast corner of the said Helen Melcher 0.34 of one acre tract and the southwest corner of the said Laird 0.33 of one acre tract of record in Volume 9709, Page 693, Real Property Records of Travis County, Texas;

(101) S 66°52'33"E 97.19 feet to a 5/8" steel pin found at the southeast corner of the said Laird 0.33 of one acre tract of record in Volume 9709, Page 693, Real Property Records of Travis County, Texas, and the southwest corner of the said 0.17 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit C in an Owner Finance Warranty Deed With Vendor's Lien to Joseph Edgar Laird and wife, Ruby Lee Laird in Volume 8402, Page 362, Deed Records of Travis County, Texas;

THENCE with the south line of the said Laird 0.17 of one acre tract as described in Exhibit C and with the south line of that 0.17 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit Bin said deed of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit A in said deed to Laird of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, and with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit Din said deed to Laird of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, courses numbered 102 through 105 inclusive as follows:

(102) S 72°37'18" E 50.11 feet to a 5/8" steel pin found at the southeast corner of the said Laird 0.17 of one acre tract as described in Exhibit C and the southwest corner of the said Laird 0.17 of one acre tract as described in Exhibit B;

(103) S 78°57'21" E 52.29 feet to a 1/2" steel pin found at the southeast corner of the said Laird 0.17 of one acre tract as described in Exhibit C and the southwest corner of the said Laird 0.34 of one acre tract as described in Exhibit A;

(104) S 73°16'24" E 99.86 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird 0.34 of one acre tract as described in Exhibit A and the southwest corner of the said Laird 0.34 of one acre tract as described in Exhibit D;

(105) S 80°03'24" E 100.14 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird 0.34 of one acre tract as described in Exhibit D and the southwest corner of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in a Warranty Deed to Joseph Edgar Laird and wife, Ruby Lee Laird in Volume 10897, Page 889, Real Property Records of Travis County, Texas;

THENCE with the south line of the said Laird Second Tract of 0.34 of one acre and with the southwest line of that 0.31 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in said Warranty Deed to Laird of record in Volume 10897, Page 889, Real Property Records of Travis County, Texas, courses numbered 106 through 107 inclusive as follows;

(106) S 68°03'24" E 99.72 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird Second Tract of 0.34 of one acre and the southwest corner of the said Laird First Tract of 0.31 of one acre;

(107) S 57°28'24" E 100.07 feet to a 3/4" steel pin found at the southeast corner of the said Laird First Tract of 0.31 of one acre and the southwest corner of that 0.30 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Harold J. Nelson and Ann Marie Gibbs St. Martin in Document No. 2003123239, Official Public Records of Travis County, Texas;

(108) THENCE with the south or southwest line of the said Nelson and St. Martin 0.30 of one acre tract, S 53°34'00" E 100.52 feet to a 3/4" steel pin found in the west line of that 1.002 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty

Deed to Stephen K. Nagl and Gay F. Nagl in Document No. 2004187346, Official Public Records of Travis County, Texas, and at the southeast corner of the said Nelson and St. Martin 0.30 of one acre tract, for a northeast corner of the herein described tract;

(109) THENCE with the west line of the said Nagl 1.002 acre tract, S 4°56'14" W 99.70 feet to a 1/2" steel pin with plastic cap set for the southwest corner of the said Nagl 1.002 acre tract, for an interior corner of the herein described tract;

(110) THENCE with the south line of the said Nagl 1.002 acre tract, S 77°09'46" E 192.14 feet to a 1/2" steel pin found in the west line of that 1.462 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in an Assumption Warranty Deed With Vendor's Lien to Michael K. Temple and Marcia Temple in Volume 10505, Page 588, Real Property Records of Travis County, Texas, and at the southeast corner of the said Nagl 1.002 acre tract, for a northeast corner of the herein described tract;

(111) THENCE with the west line of the said Temple 1.462 acre tract, S 4°54'33" W 95.90 feet to a 1/2" steel pin found at the southwest corner of the said Temple 1.462 acre tract, for an interior corner of the herein described tract;

(112) THENCE with the south line of the said Temple 1.462 acre tract, S 85°06'26" E 199.92 feet to a 1/2" steel pin found at the southeast corner of the said Temple 1.462 of one acre tract, for an interior corner of the herein described tract;

(113) THENCE with the east line of the said Temple 1.462 acre tract, N 4°55'09" E 318.00 feet to a 1/2" steel pin found in the south line of Draper Mountain Trail at the northeast corner of the said Temple 1.462 acre tract;

(114) THENCE crossing Draper Mountain Trail and the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, N 36°27'01" W 155.00 feet to a calculated point on the north side of Draper Mountain Trail, for an interior corner of the herein described tract;

THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being along or near the north line of Draper Mountain Trail, courses numbered 115 through 118 inclusive as follows:

(115) S 62°21'16" W 116.00 to a calculated point;

(116) S 89°19'49" W 88.20 to a calculated point;

(117) N 62°35'36" W 95.48 to a calculated point;

(118) N 54°41'26" W 49.09 to a 1/2" steel pin with plastic cap set for the southeast corner of that 2,512 square foot tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Harold Nelson in Volume 12603, Page 162, Real Property Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the east line of the said Nelson 2,512 square foot tract and the east line of the 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Tract 1 and described in a Corrected Warranty Deed to Harold J. Nelson in Volume 12059, Page 75, Real Property Records of Travis County, Texas, courses numbered 119 through 120 inclusive as follows:

(119) N 2°21'38" E 41.40 feet to a 1/2" steel pin found at the northeast corner of the said Nelson 2,512 square foot tract and the southeast corner of the said Nelson Tract 1 of 0.32 of one acre;

(120) N 2°21'38" E 62.09 feet to a calculated point for a northwest corner of the herein described

tract;

THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 121 through 123 inclusive as follows:

(121) S 87°38'22"E 86.44 feet to a calculated point for an interior corner of the herein described tract;

(122) N 8°25'55"E 58.35 feet to a calculated point for an interior corner of the herein described tract;

(123) N 69°50'17" W 97.27 feet to a 1/2" steel pin found at the northeast corner of the said Nelson Tract I of 0.32 of one acre;

THENCE with the north line of the said Nelson Tract I of 0.32 of one acre and the north line of that 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Tract II and described in a said Corrected Warranty Deed to Harold J. Nelson in Volume 12059, Page 75 Real Property Records of Travis County, Texas, and being also with the north line of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Harold Nelson in Volume 12666, Page 143, Real Property Records of Travis County, Texas, courses numbered 124 through 126 inclusive as follows:

(124) N 69°50'17" W 99.93 feet to a 1/2" steel pin found at the northwest corner of the said Nelson Tract I of 0.32 of one acre and the northeast corner of the said Nelson Tract II of 0.32 of one acre;

(125) N 69°49'01" W 99.75 feet to a 1/2" steel pin found at the northwest corner of the said Nelson Tract II of 0.32 of one acre and the northeast corner of the said Nelson 0.33 of one acre;

(126) N 69°49'32" W 99.96 feet to a 1/2" steel pin found at the northwest corner of the said Nelson 0.33 of one acre and the northeast corner of that 0.337 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 12667, Page 479, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(127) THENCE with the west line of the said Nelson 0.33 of one acre and the east line of the said Vinson 0.337 of one acre, S 2°25'41" W 149.75 feet to a 1/2" steel pin found in the north line of Draper Mountain Trail at the southwest corner of the said Nelson 0.33 of one acre and the southeast corner of the said Vinson 0.337 of one acre, for a southeast corner of the herein described tract;

THENCE along or near the north line of Draper Mountain Trail, courses numbered 128 through 130 inclusive as follows:

(128) N 73°11'00" W 99.95 feet to a 1/2" steel pin found;

(129) N 73°13'38" W 99.89 feet to a 1/2" steel pin found;

(130) N 72°29'39" W 299.84 feet to a 1 1/2" iron pipe found in the north line of Draper Mountain Trail at the southeast corner of that 0.689 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to Jeffrey Press and wife, Kimberly Press in Document No. 2005052503, Official Public Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the east, north and west line of the said Press 0.689 of one acre, courses numbered 131 through 133 inclusive as follows:

(131) N 3°38'16"E 310.87 feet to a 1/2" steel pin found at the northeast corner of the said Press 0.689 of one acre, for an interior corner of the herein described tract;

(132) N 72°00'09"W 99.95 feet to a 1/2" steel pin found at the northwest corner of the said Press 0.689 of one acre, for an interior corner of the herein described tract;

(133) S 3°34'26" W 309.22 feet to a 1/2" steel pin found at the southwest corner of the said Press 0.689 of one acre, for a southeast corner of the herein described tract

THENCE along or near the north line of Draper Mountain Trail, courses numbered 134 through 136 inclusive as follows:

(134) N 64°43'09"W 132.92 feet to a calculated point;

(135) N 53°40'31" W 93.64 feet to a 1/2" steel pin found;

(136) N 80°04'01" W 71.03 feet to a 1/2" steel pin found in the north line of Draper Mountain Trail at the southeast corner of that 6.908 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Special Warranty Deed to Jeffrey C. Nieland in Volume 12456, Page 1740, Real Property Records of Travis County, Texas, for a southwest corner of the herein described tract;

(137) THENCE with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and the east line of the said Nieland 6.908 acre tract, N 22°25'20" W 509.97 feet to a 112" steel pin found in the east line of the said Nieland 6.908 acre tract at a northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 112" steel pin found being also the southwest corner of that 10.26 acre tract, a portion of the said W. A. Cook Survey No. 141 and the Lewis Lindsey Survey No. 265, Abstract No. 2171, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to William G. McHugh in Document No. 2002035207, Official Public Records of Travis County, Texas, for a northwest corner of the herein described tract;

(138) THENCE with a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and with the south line of the said McHugh 10.26 acre tract, N 73°24'11"E 388.72 feet to a 112" steel pin found at the southeast corner of the said McHugh 10.26 acre tract and a southwest or west corner of that 16.08 acre tract, a portion of the said W. A. Cook Survey No. 141 and the said Lewis Lindsey Survey No. 265, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 6561, Page 242, Deed Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the west line of the said Vinson 16.08 acre tract and the east line of the said McHugh 10.26 acre tract, courses numbered 139 through 140 inclusive as follows:

(139) N 28°15'50" E 176.77 feet to a 1/2" steel pin found;

(140) N 22°33'24" W 990.27 feet to a 1/2" steel pin found at the northwest corner of the said Vinson 16.08 acre tract and a northeast corner of the said McHugh 10.26 acre tract, said 1/2" steel pin found being the southwest corner of that 12.28 acre tract, a portion of the said Lewis Lindsey Survey No. 265, in Travis County, Texas, as described in a Warranty Deed to Charles D. Van Cleave and wife, Gloria J. Van Cleave in Volume 3483, Page 1915, Deed Records of Travis County, Texas, for a northwest corner of the herein described tract;

THENCE with the north line of the said Vinson 16.08 acre tract and the south line of the said Van Cleave 12.28 acre tract, courses numbered 141 through 143 inclusive as follows:

(141) S 60°43'10" E 10.08 feet to a 112" steel pin found;

(142) S 62°17'30" E 243.12 feet to a 1/2" steel pin found;

(143) S 66°41'16" E 892.77 feet to a 1/2" steel pin found in a west line of a private road, locally known as Drapers Cove and in a west line of the said Vinson 278.36 acre tract of land, save and except

19.27 acres of land, said 1/2" steel pin found being the northeast corner of the said Vinson 16.08 acre tract and the southeast corner of the said Van Cleave 12.28 acre tract, for an interior corner of the herein described tract;

THENCE with the west, southwest and south line of Drapers Cove and a west, southwest and south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being also with the east, northeast and north line of the said Van Cleave 12.28 acre tract, courses numbered 144 through 149 inclusive as follows;

- (144) N 3°51'52" E 360.05 feet to a 1/2" steel pin found;
- (145) N 3°57'18" W 99.86 feet to a 1/2" steel pin found;
- (146) N 32°37'26" W 99.98 feet to a 1/2" steel pin found;
- (147) N 58°16'12" W 229.98 feet to a 1/2" steel pin found;
- (148) N 64°47'35" W 359.96 feet to a 1/2" steel pin found;
- (149) N 58°26'35" W 64.23 feet to a 1/2" steel pin with plastic cap set in asphalt for a southwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and a southeast corner of that unplatted tract of land, a portion of the said Lewis Lindsey Survey No. 265 and the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Other and conveyed in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the west line of Drapers Cove and the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 150 through 152 inclusive as follows:

- (150) N 15°13'35" W 8.15 feet to a 1/2" steel pin found;
- (151) N 15°22'02" W 46.75 feet to a 1/2" steel pin found;
- (152) N 7°16'06" E 37.39 feet to a 1/2" steel pin found near corner offence at an angle point in the west line of Drapers Cove and at an angle point in the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being also in or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas;

THENCE with the west line of Drapers Cove and crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 153 through 154 inclusive as follows:

- (153) N 27°22'59" E 41.77 feet to a 1/2" steel pin with plastic cap set near corner of fence;
- (154) N 44°25'04" E 255.79 feet to a 1/2" steel pin found near corner offence in the west line of Drapers Cove and at an angle point in the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being also in or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas;

THENCE with the west line of Drapers Cove and the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 155 through 175 inclusive as follows:

- (155) N 42°31'20" E 71.53 feet to a 1 1/2" steel pin found;

(156) N 30°29'16" E 138.99 feet to a 3/4" steel pin found;
 (157) N 23°45'46" E 31.51 feet to a 3/4" steel pin found;
 (158) N 9°35'18" E 66.85 feet to a 3/4" steel pin found;
 (159) N 0°26'11" E 77.65 feet to a 3/4" steel pin found;
 (160) N 12°19'05" W 48.11 feet to a 1/2" steel pin found;
 (161) N 20°19'58" W 53.72 feet to a 1/2" steel pin found;
 (162) N 25°57'16" W 142.29 feet to a mag nail in concrete found;
 (163) N 30°27'22" W 168.99 feet to a 1/2" steel pin found;
 (164) N 9°59'50" W 46.13 feet to a 1/2" steel pin found;
 (165) N 12°16'16" E 53.36 feet to a 1/2" steel pin found;
 (166) N 33°12'28" E 86.45 feet to a 1 1/2" steel pin found;
 (167) N 39°14'08" E 61.65 feet to a 1/2" steel pin found;
 (168) N 46°15'39" E 125.89 feet to a 1/2" steel pin found;
 (169) N 49°18'43" E 172.95 feet to a 1/2" steel pin found;
 (170) N 40°09'23" E 67.97 feet to a 1/2" steel pin found;
 (171) N 35°08'07" E 76.10 feet to a 1/2" steel pin found;
 (172) N 30°26'05" E 75.81 feet to a 1/2" steel pin found;
 (173) N 22°03'18" E 54.10 feet to a 1/2" steel pin found;
 (174) N 16°46'39" E 441.15 feet to a 1/2" steel pin found;
 (175) N 1°34'56" W 35.01 feet to a 1/2" steel pin with plastic cap set in or near the east line of that 4.349 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Substitute Trustee's Deed to Hugh Beadles in Volume 13019, Page 990, Real Property Records of Travis County, Texas, for the northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin with plastic cap set being at or near the north corner of the said unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, for the northwest corner of the herein described tract;

THENCE crossing Drapers Cove with the north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and with the south line of that 2.399 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Robert S. Blackburn and Ruth S. Blackburn, Trustees in Document No. 2002024812, Official Public Records of Travis County, Texas, and being also with the south line of that 1.055 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to the Christian Science Society in Volume 9086, Page 678, Real Property Records of Travis County, Texas, courses numbered 176 through 179 inclusive as follows:

(176) N 86°39'51" E 156.01 feet to a PK nail found in top of a wood fence post;
 (177) S 61°15'09" E 485.79 feet to a 1/2" steel pin with plastic cap found (RPLS 1847);
 (178) S 63°02'26" E 51.54 feet to a 1/2" steel pin found at the southeast corner of the said Blackburn 2.399 acre tract and at the southwest corner of the said Christian Science Society 1.055 acre tract;

(179) S 62°57'16" E 241.25 feet to a 1/2" steel pin found at the southeast corner of the said Christian Science Society 1.055 acre tract and at the southwest corner of that 2.036 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 12717, Page 693, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(180) THENCE with the west line of the said Vinson 2.036 acre tract and with the east line of the said Christian Science Society 1.055 acre tract, N 31°28'45" E 196.07 feet to a 1/2" steel pin found in the south line of Boggy Ford Road at the northwest corner of the said Vinson 2.036 acre tract and the

northeast corner of the said Christian Science Society 1.055 acre tract, for a northwest corner of the herein described tract;

THENCE with south and southwest line of Boggy Ford Road and with the north and northeast line of the said Vinson 2.035 acre tract, courses numbered 181 through 182 inclusive as follows:

(181) S 65°33'05"E 316.18 feet to a 1/2" steel pin with plastic cap set at point of curve;
 (182) with a curve to the right, an arc distance of 175.77 feet, said curve having a radius of 291.06 feet, a central angle of 34°36'02" and a chord of which bears S 48°15'27" E 173.11 feet to a 1/2" steel pin found at the east corner of the said Vinson 2.035 acre tract and the north corner of that 1.00 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a General Warranty Deed to Travis Oaks Baptist Church in Volume 4788, Page 1033, Deed Records of Travis County, Texas, for an east corner of the herein described tract;

(183) THENCE with the south line of the said Vinson 2.035 acre tract and the north line of the said Travis Oaks Baptist Church 1.00 acre tract, S 63°09'53"W 205.60 feet to a 1/2" steel pin with plastic cap set in a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land for the southeast corner of the said Vinson 2.035 acre tract and the west corner of the said Travis Oaks Baptist Church 1.00 acre tract, said a 1/2" steel pin with plastic cap set being also set for the north corner of that 1.712 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Travis Oaks Baptist Church in Document No. 2000050175, Official Public Records of Travis County, Texas, and the northwest corner of that 2.00 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to Travis Oaks Baptist Church in Volume 9007, Page 882, Real Property Records of Travis County, Texas;

(184) THENCE with the north line of the said Travis Oaks Baptist Church 1.712 acre tract, S 63°01'58" W 464.04 feet to a 1/2" steel pin found at the west corner of the said 1.712 acre tract, for an interior corner of the herein described tract;

THENCE with the south line of the said Travis Oaks Baptist Church 1.712 acre tract and the south line of the said Travis Oaks Baptist Church 2.000 acre tract, courses numbered 185 through 186 inclusive as follows:

(185) S 57°24'26"E 373.77 feet to a 1/2" steel pin found at the southeast corner of the said Travis Oaks 1.712 acre tract and the southwest corner of the said Travis Oaks 2.000 acre tract;

(186) S 57°24'03"E 160.48 feet to a 1/2" steel pin with plastic cap set for the northwest corner of a 2.000 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Susan Montana in Document No. 2006113603, Official Public Records of Travis County, Texas, for a northeast corner of the herein described tract;

THENCE with the west and southwest line of the said Montana 2.000 acre tract, courses numbered 187 through 191 inclusive as follows:

(187) S 35°12'33"W 181.07 feet to a 1/2" steel pin with plastic cap set;
 (188) S 21°39'36" W 154.09 feet to a 1/2" steel pin with plastic cap set;
 (189) S 11°48'20" E 85.36 feet to a 1/2" steel pin with plastic cap set;
 (190) S 33°00'20" E 72.52 feet to a 1/2" steel pin with plastic cap set in rock;
 (191) S 53°37'26"E 260.49 feet to a 1/2" steel pin with plastic cap set in the west line of that 1.479 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to Jack Montana and wife, Susan Koerner in Document No. 1999084833, Official Public Records of Travis County, Texas;

THENCE with the west line of the said Montana Tract I of 1.479 acres and the west line of that 0.400 of one acre of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract I and described in a Warranty Deed to Michael Brasel and Kathleen Brasel in Document No. 2004038445, Official Public Records of Travis County, Texas, courses numbered 192 through 193 inclusive as follows:

(192) S 23°25'28"E 145.00 feet to a 1/2" steel pin with plastic cap found (West 4188) at the southwest corner of the said Montana Tract 1 of 1.479 acres and the northwest corner of the said Brasel Tract I of 0.400 of one acre;

(193) S 34°32'32"E 217.75 feet to a cotton gin spindle found at the southwest corner of the said Brasel Tract 1 of 0.400 of one acre, for an interior corner of the herein described tract;

(194) THENCE with the south line of the said Brasel Tract 1 of 0.400 of one acre, N 55°26'29"E 80.15 feet to a 1/2" steel pin found at the southeast corner of the said Brasel Tract 1 of 0.400 of one acre and the southwest corner of that 0.500 of one acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a General Warranty Deed to Michael D. Brasel and spouse, Kathleen D. Brasel in Volume 11866, Page 1344, Real Property Records of Travis County, Texas, and being also the west corner of that 0.099 of one acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 2 and described in said Warranty Deed to Brasel in Document No. 2004038445, Official Public Records of Travis County, Texas;

(195) THENCE with the south line of the said Brasel Tract 2 of 0.099 of one acre, S 83°35'51"E 132.11 feet to a 1/2" steel pin found at the southeast corner of the said Brasel Tract 2 of 0.099 of one acre, for an interior corner of the herein described tract;

THENCE with the east line of the said Brasel Tract 2 of 0.099 of one acre and the east line of the said Brasel Tract 1 of 0.500 of one acre, and being also with the east line of the said Montana Tract I of 1.479 acres and the east line of that 1.142 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to Jack L. Koerner (Montana) and wife, Susan Koerner in Volume 11798, Page 1397, Real Property Records of Travis County, Texas, courses numbered 196 through 199 inclusive as follows:

(196) N 34°31'57"W 86.57 feet to a 1/2" steel pin with plastic cap found (West 4188) at the northeast corner of the said Brasel Tract 2 of 0.099 of one acre and the southeast corner of the said Brasel Tract 1 of 0.500 of one acre;

(197) N 34°29'31"W 343.45 feet to a 1/2" steel pin found at an angle point in the east line of the said Montana Tract 1 of 1.479 acres;

(198) N 13°14'52"E 187.34 feet to a 1/2" steel pin found at northeast corner of the said Montana Tract 1 of 1.479 acres and the southeast corner of the said Koerner Tract 1 of 1.142 acres;

(199) N 13°20'20"E 137.24 feet to a 1" iron pipe found at the northeast corner of the said Koerner Tract 1 of 1.142 acres and the southeast corner of that 0.986 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Travis Oaks Baptist Church in Volume 12105, Page 295, Real Property Records of Travis County, Texas;

THENCE with the east line of the said Travis Oaks Baptist Church 0.986 of one acre tract and the east line of that 0.945 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Deed of Gift to Travis Oaks Baptist Church in Volume 4649, Page 1788, Deed Records of Travis County, Texas, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 200 through 201 inclusive as follows:

(200) N 13°34'51"E 217.53 feet to a 1/2" steel pin with plastic cap set at the northeast corner of

the said Travis Oaks Baptist Church 0.986 of one acre tract and the southeast corner of the said Travis Oaks Baptist Church 0.945 of one acre tract, said 1" iron pipe found being also an interior -corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(201) N 13°32'39" E 208.70 feet to a 1/2" steel pin set (no plastic cap) for the northeast corner of the said Travis Oaks Baptist Church 0.945 of one acre tract and the southeast corner of that 1.00 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a General Warranty Deed to Travis Oaks Baptist Church in Volume 4788, Page 1033, Deed Records of Travis County, Texas, said 1/2" steel pin set (no plastic cap) being also set for a northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and the southwest corner of that 0.018 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 10321, Page 422, Real Property Records of Travis County, Texas;

(202) THENCE with the east line of the said Travis Oaks Baptist Church 1.00 acre tract and the west line of the said Vinson 0.018 of one acre tract, N 13°32'39" E 30.72 feet to a cotton gin spindle set in asphalt in the curving south line of Boggy Ford Road for the northeast corner of the said Travis Oaks Baptist Church 1.00 acre tract and the northwest corner of the said Vinson 0.018 of one acre tract, for a northwest corner of the herein described tract;

THENCE with the south line of Boggy Ford Road and the north line of the said Vinson 0.018 of one acre tract and with the north line of the said Vinson 2.393 acre tract, courses numbered 203 through 208 inclusive as follows:

(203) with a curve to the left, an arc distance of 26.25 feet, said curve having a radius of 510.06 feet, a central angle of 2°56'56" and a chord of which bears S 60°52'15" E 26.25 feet to a 1/2" steel pin with plastic cap set for the northeast corner of the said Vinson 0.018 of one acre tract and the northwest corner of the said Vinson 2.393 acre tract;

(204) with a curve to the left, an arc distance of 135.29 feet, said curve having a radius of 510.06 feet, a central angle of 15°11'49" and a chord of which bears S 69°56'38" E 134.89 feet to a 60d nail set in top of a wood fence post at point of tangency;

(205) S 76°43'38" E 226.75 feet to a 1/2" steel pin with plastic cap set;

(206) S 72°05'38" E 746.24 feet to a 1/2" steel pin found;

(207) S 69°16'12" E 112.32 feet to a 1/2" steel pin with plastic cap set at point of curve;

(208) with a curve to the left, an arc distance of 109.03 feet, said curve having a radius of 348.81 feet, a central angle of 17°54'31" and a chord of which bears S 78°10'37" E 108.58 feet to the POINT OF BEGINNING of the herein described tract, containing 286.85 acres of land, more or less, SAVE AND EXCEPT the following tracts of land located within the boundaries of the above 286.85 acre metes and bounds description: 2.504 acres and 2.899 acres as described in the accompanying metes and bounds descriptions, leaving 281.45 acres of land, more or less.

Note: The plastic caps on the 1/2" steel pins set are inscribed with "M & S 1838."

DESCRIPTION FOR 2.504 ACRES - SAVE AND EXCEPT TRACT

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 2.504 ACRES OF LAND, A PORTION OF THE W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587, AND A PORTION OF THE C. E. P. I. & M. CO. SURVEY NO. 173, ABSTRACT NO. 2191, BOTH BEING IN TRAVIS COUNTY, TEXAS, SAID 2.504 ACRES OF LAND BEING ALL OR A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: , BEING ALL OF THAT 18,184 SQUARE FOOT TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN

A WARRANTY DEED TO RUTH OLIVER IN VOLUME 7727, PAGE 752, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.34 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO CAROL LOU TREAT IN VOLUME 4892, PAGE 260, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.34 OF ONE ACRE TRACT, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141 AND A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS CONVEYED IN A WARRANTY DEED TO MARK T. ALGER IN DOCUMENT NO. 2001126699, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.415 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS CONVEYED IN A ONE-HALF INTEREST GIFT DEED TO VERNON G. HAFERNIK IN DOCUMENT NO. 2001171314, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.397 OF ONE ACRE OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO JEROME URBANEK IN DOCUMENT NO. 1999050669, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING A PORTION OF THAT TRACT OF LAND CALLED TO BE 278.36 ACRES, SAVE AND EXCEPT 19.27 ACRES OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND OTHERS, DESIGNATED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 5554, PAGE 1469, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED FOR G. L. VINSON AND REVISED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 2.504 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 5/8" steel pin found in the east line of a private street, locally known as Treat Trail, at the southwest corner of that 0.34 of one acre tract, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587 and a portion of the said C. E. P. I. & M. Co. Survey No. 173, Abstract No. 2191, in Travis County, Texas, as described in a Warranty Deed to Carol Lou Treat in Volume 4892, Page 260, Deed Records of Travis County, Texas, for the POINT OF BEGINNING for an interior corner of the herein described tract, and from which 5/8" steel pin found, a 1/2" steel pin found at an angle point in Treat Trail at the southeast corner of that 18,184 square foot tract of land, a portion of the said W. A. Cook Survey No. 141, as described in a Warranty Deed to Ruth Oliver in Volume 7727, Page 752, Deed Records of Travis County, Texas, bears N 87°20'53" W 60.73 feet;

(1) THENCE crossing Treat Trail and a portion of that tract of land called to be 278.36 acres, save and except 19.27 acres of land, a portion of the said W. A. Cook Survey No. 141, and others, designated as Tract 1 and described in a Warranty Deed to G. L. Vinson in Volume 5554, Page 1469, Deed Records of Travis County, Texas, S 2°15'09" E 31.24 feet to a calculated point in a south line of the said Vinson 278.36 acres, save and except 19.27 acres of land and in the north line of that 12.611 acre tract of land, a portion of the Malinda Settle Survey No. 49, Abstract No. 2126, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 11949, Page 88, Real Property Records of Travis County, Texas, said calculated point being in or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, for a southeast corner of the herein described tract;

(2) THENCE with the south line of Treat Trail and a south line of the said Vinson 278.36 acres, save and except 19.27 acres of land, and being also with the north line of the said Vinson 12.611 acre tract and being along or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, S 87°44'51" W 229.80 feet to a calculated point, for the southwest corner of the herein described tract;

(3) THENCE crossing Treat Trail with the southerly extension of the west line of the said Oliver 18,184 square foot tract of land and also crossing a portion of the said Vinson 278.36 acres, save and except 19.27 acres of land, N 30°25'48"E 35.56 feet to a 1/2" steel pin found at the intersection of the north line of Treat Trail and the east line of private street, locally known as Drapers Cove, said 1/2" steel pin found being the southwest corner of the said Oliver 18,184 square foot tract;

(4) THENCE with the east line of Drapers Cove and the west line of the said Oliver 18,184 square foot tract, N 30°25'48" E 187.84 feet to a 1/2" steel pin found at the northwest corner of the said Oliver 18,184 square foot tract, for the most southerly northwest corner of the herein described tract, and from which 1/2" steel pin found, a 1/2" steel pin found at the southeast corner of that 1.462 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in an Assumption Warranty Deed With Vendor's Lien to Michael K. Temple and Marcia Temple in Volume 10505, Page 588, Real Property Records of Travis County, Texas, bears N 62°55'35"W 86.37 feet;

(5) THENCE with the north line of the said Oliver 18,184 square foot tract, S 56°46'12"E 127.22 feet to a 1/2" steel pin found in the west line of Treat Trail at the northeast corner of the said Oliver 18,184 square foot tract, for an interior corner of the herein described tract;

THENCE crossing a portion of the said Vinson 278.36 acres, save and except 19.27 acres of land and being along or near the west line of Treat Trail, courses numbered 6 through 8 inclusive as follows:

(6) N 25°38'44" E 148.00 feet to a 1/2" steel pin found;
 (7) N 24°20'53" E 107.77 feet to a calculated point;
 (8) N 19°43'42" E 95.35 feet to a calculated point at the intersection of the west line of Treat Trail with the westerly prolongation of the north line of that 0.397 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a Warranty Deed With Vendor's Lien to Jerome Urbanek in Document No. 1999050669, Official Public Records of Travis County, Texas, and the westerly prolongation of the south line of that 0.413 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as described in a Warranty Deed to George L. Vinson and wife, Jean Vinson in Volume 2714, Page 315, Deed Records of Travis County, Texas, for the most northerly northwest corner of the herein described tract;

(9) THENCE crossing Treat Trail with the westerly prolongation of the north line of the said Urbanek 0.397 of one acre tract and the westerly prolongation of the said Vinson 0.413 of one acre tract, N 88°16'47"E 32.23 feet to a 1/2" iron pipe found in the east line of Treat Trail at the northwest corner of the said Urbanek 0.397 of one acre tract and the southwest corner of the said Vinson 0.413 of one acre tract;

(10) THENCE with the north line of the said Urbanek 0.397 of one acre tract and the south line of the said Vinson 0.413 of one acre tract, N 88°16'47"E 167.26 feet to a 1/2" steel pin found at the northeast corner of the said Urbanek 0.397 of one acre tract and the southeast corner of the said Vinson 0.413 of one acre tract, for the northeast corner of the herein described tract;

THENCE with the east line of the said Urbanek 0.397 of one acre tract and the east line of that 0.415 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a One-Half Interest Gift Deed to Vernon G. Hafemik in Document No. 2001171314, Official Public Records of Travis County, Texas, and being also with the east line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141 and a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a Warranty Deed to Mark T. Alger in Document No. 2001126699, Official Public Records of Travis County, Texas, and the east line of the said Treat 0.34 of one acre tract, courses numbered 11 through 14 inclusive as follows:

(11) S 14°18'30"W 104.29 feet to a 5/8" steel pin found at the southeast corner of the said Urbanek 0.397 of one acre tract and the northeast corner of the said Hafernik 0.415 of one acre tract;

(12) S 21°56'55"W 108.72 feet to a 5/8" steel pin found at the southeast corner of the said Hafemik 0.415 of one acre tract and the northeast corner of the said Alger 0.34 of one acre tract;

(13) S 28°38'34"W 115.84 feet to a 5/8" steel pin found at the southeast corner of the said Alger 0.34 of one acre tract and the northeast corner of the said Treat 0.34 of one acre tract;

(14) S 29°40'52" W 117.63 feet to a 5/8" steel pin found at the southeast corner of the said Treat 0.34 of one acre tract, for the most easterly southeast corner of the herein described tract;

(15) THENCE with the south line of the said Treat 0.34 of one acre tract, S 88°23'07" W 151.13 feet to the POINT OF BEGINNING of the herein described tract, containing 2.504 acres of land.

DESCRIPTION FOR 2.899 ACRES - SAVE AND EXCEPT TRACT

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 2.899 ACRES OF LAND, A PORTION OF THE W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587, IN TRAVIS COUNTY, TEXAS, SAID 2.899 ACRES OF LAND BEING A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: BEING ALL OF THAT 0.30 OF ONE ACRE TRACT OF LAND DESIGNATED AS TRACT 1 AND ALL OF THAT 0.29 OF ONE ACRE TRACT OF LAND DESIGNATED AS TRACT 2, BOTH BEING A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND BOTH BEING DESCRIBED IN A WARRANTY DEED TO KATHERAN ACMORSONI IN VOLUME 11592, PAGE 982, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO DAVID N. McCREA AND WIFE, ARLIS J. McCREA IN VOLUME 5257, PAGE 1283, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.36 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO THERESA S. WILSON IN VOLUME 6802, PAGE 41, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT 0.37 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS CONVEYED IN A SPECIAL WARRANTY DEED TO ANN MARIE ST. MARTIN IN VOLUME 11225, PAGE 885, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.03 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN DEED TO PATRICK G. ST. MARTIN AND WIFE ANN M. ST. MARTIN IN VOLUME 10270, PAGE 851, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.32 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN GENERAL WARRANTY DEED WITH VENDOR'S LIEN IN FAVOR OF THIRD PARTY TO JOSPEH K. MOXLEY IN VOLUME 13360, PAGE 528, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.36 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO JOSEPH K. MOXLEY IN DOCUMENT NO. 2003029501, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING ALL OF THAT 0.296 OF ONE ACRE TRACT OF LAND DESIGNATED AS FIRST TRACT AND ALL OF THAT 0.282 OF ONE ACRE TRACT OF LAND DESIGNATED AS SECOND TRACT, BOTH BEING A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND BOTH BEING DESCRIBED IN A WARRANTY DEED TO TRAVIS DUNCAN AND SPOUSE, NIKKI DUNCAN IN DOCUMENT NO. 2003203432, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AS SURVEYED FOR G. L. VINSON AND REVISED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 2.899 ACRES OF LAND BEING MORE

PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" steel pin found at an angle point in a north line of a private street, locally known as Drapers Cove, at the southeast corner of that 0.29 of one acre tract, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, designated as Tract 2 and described in a Warranty Deed to Katheran Acmorsoni in Volume 11592, Page 982, Real Property Records of Travis County, Texas, for the POINT OF BEGINNING and most easterly southeast corner of the herein described tract, and from which 1/2" steel pin found, a 1/2" steel pin found at the intersection of the southeast line of Drapers Cove and the north line of a private street, locally known as Treat Trail, at the southwest corner of that 18,184 square foot tract of land, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed to Ruth Oliver in Volume 7727, Page 752, Deed Records of Travis County, Texas, bears S 81°46'41"E 119.70 feet;

(1) THENCE with the north line of Drapers Cove and the south line of the said Acmorsoni Tract 2 of 0.29 of one acre of land and with the south line of that 0.30 of one acre tract, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, designated as Tract 1 and described in said Warranty Deed to Katheran Acmorsoni in Volume 11592, Page 982, Real Property Records of Travis County, Texas, and being also with the south line of that tract of land, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to David N. McCrea and wife, Arlis J. McCrea in Volume 5257, Page 1283, Deed Records of Travis County, Texas, S 87°57'47" W 299.23 feet to a 1/2" steel pin with plastic cap set in the east line of that 0.36 of one acre tract, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed to Theresa S. Wilson in Volume 6802, Page 41, Deed Records of Travis County, Texas, for an angle point in the north line of Drapers Cove, for the southwest corner of the said McCrea tract of land, and for an interior corner of the herein described tract;

(2) THENCE with a line of Drapers Cove and the east line of the said Wilson 0.36 of one acre tract, S 1°59'59"E 20.00 feet to a 1/2" steel pin found at an angle point in the north line of Drapers Cove and at the occupied southeast corner of the said Wilson 0.36 of one acre tract, for a southeast corner of the herein described tract;

(3) THENCE with the north line of Drapers Cove and the south line of the said Wilson 0.36 of one acre tract as occupied on the ground, courses numbered 3 through 4 inclusive as follows:

(4) S 89°20'22"W 79.47 feet to a hilti nail set in rock found;

(5) N 85°14'22"W 37.84 feet to a 1/2" steel pin found in concrete at an angle point in the north line of Drapers Cove and at the southwest corner of the said Wilson 0.36 of one acre tract, for a southwest corner of the herein described tract;

(6) THENCE with a line of Drapers Cove and the west line of the said Wilson 0.36 of one acre tract, N 5°38'51" E 11.96 feet to a 1/2" steel pin with plastic cap set for an angle point in the north line of Drapers Cove and the southeast corner of that 0.37 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as conveyed in that Special Warranty Deed to Ann Marie St. Martin in Volume 11225, Page 885, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the north, northeast and east line of Drapers Cove and with the south, southwest and west line of the said Ann Marie St. Martin 0.37 of one acre tract and being also with the west line of that 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as

conveyed in that General Warranty Deed With Vendor's Lien in Favor of Third Party to Joseph K. Moxley in Volume 13360, Page 528, Real Property Records of Travis County, Texas, and being also with the west line of that 0.36 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in that Warranty Deed With Vendor's Lien to Joseph K. Moxley in Document No. 2003029501, Official Public Records of Travis County, Texas, courses numbered 6 through 12 inclusive as follows:

- (6) S 86°51'15" W 36.50 feet to a 5/8" steel pin found, and from which 5/8" steel pin found, a 3/4" iron pipe found in concrete in the south line of Drapers Cove and in the north line of that 12.611 acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Special Warranty Deed to G. L. Vinson in Volume 11919, Page 88, Real Property Records of Travis County, Texas, and being also in or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, bears S 40°18'53"W 69.15 feet;
- (7) N 47°40'45" W 59.52 feet to a 1/2" steel pin found in rock;
- (8) N 37°59'26"W 32.41 feet to a 1/2" steel pin with plastic cap set;
- (9) N 34°34'18"W 62.74 feet to a 1/2" steel pin found in the west line of the said Moxley 0.32 of one acre tract;
- (10) N 27°02'45" W 61.96 feet to a 1/2" steel pin found;
- (11) N 23°52'32" W 24.66 feet to a 1/2" steel pin found at the west or northwest corner of the said Moxley 0.32 of one acre tract and the southwest or south corner of the said Moxley 0.36 of one acre tract;
- (12) N 36°08'40" W 59.68 feet to 1 1/2" steel pin found at the west or southwest corner of the said Moxley 0.36 of one acre and the south or southeast corner of that 0.296 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in a Warranty Deed to Travis Duncan and spouse, Nikki Duncan in Document No. 2003203432, Official Public Records of Travis County, Texas;

THENCE with the north line of Drapers Cove and the south line of the said Duncan First Tract of 0.296 of one acre and being also with the south line of that 0.282 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in said Warranty Deed to Travis Duncan and spouse, Nikki Duncan in Document No. 2003203432, Official Public Records of Travis County, Texas, courses numbered 13 through 14 inclusive as follows:

- (13) N 70°18'29" W 144.77 feet to a 1/2" steel pin found;
- (14) N 63°41'32"W 34.74 feet to a 1/2" steel pin found at the southwest corner of the said Duncan Second Tract of 0.282 of one acre, for the most westerly southwest corner of the herein described tract;
- (15) THENCE with the west line of the said Duncan Second Tract of 0.282 of one acre, N 26°35'08" E 129.88 feet to a hilti nail found set in rock at the northwest corner of the said Duncan Second Tract of 0.282 of one acre, for the northwest corner of the herein described tract;

THENCE with the north line of the said Duncan Second Tract of 0.282 of one acre and the north line of the said Duncan First Tract of 0.296 of one acre, courses numbered 16 through 17 inclusive as follows:

- (16) S 76°33'10" E 89.67 feet to a 3/8" steel pin found at the northeast corner of the said Duncan Second Tract of 0.282 of one acre and the northwest corner of the said Duncan First Tract of 0.296 of one acre;
- (17) S 76°51'39"E 86.61 feet to a 1/2" steel pin found at the northeast corner of the said Duncan First Tract of 0.296 of one acre and the northwest or north corner of the said Moxley 0.36 of one acre tract;

THENCE with the northeast and east line of the said Moxley 0.36 of one acre tract and the east line of the said Moxley 0.32 of one acre tract, courses numbered 18 through 22 inclusive as follows:

- (18) S 52°51'17" E 73.98 feet to a 1/2" steel pin found;
- (19) S 39°20'17" E 24.61 feet to a 1/2" steel pin with plastic cap set;
- (20) S 26°19'35" E 50.05 feet to a 1/2" steel pin found at the east or southeast corner of the said Moxley 0.36 of one acre tract and the northeast corner of the said Moxley 0.32 of one acre tract;
- (21) S 20°27'58" E 60.43 feet to a cotton gin spindle found;
- (22) S 27°31'15" E 15.02 feet to a 1/2" steel pin found at the southeast corner of the said Moxley 0.32 of one acre tract and the north or northeast corner of that 0.03 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a deed to Patrick G. St. Martin and wife, Ann M. St. Martin in Volume 10270, Page 851, Real Property Records of Travis County, Texas;

THENCE with the east line of the said St. Martin 0.03 of one acre tract and the east and northeast line of the said Ann Marie St. Martin 0.37 of one acre tract, courses numbered 23 through 24 inclusive as follows:

- (23) S 27°19'51" E 32.44 feet to a 1 1/2" steel pin found at the southeast corner of the said St. Martin 0.03 of one acre tract and the northeast corner of the said Ann Marie St. Martin 0.37 of one acre tract;
- (24) S 43°26'50" E 32.34 feet to a 1/2" steel pin found at the northeast corner of the said Ann Marie St. Martin 0.37 of one acre tract and the northwest corner of the said Wilson 0.36 of one acre tract;

THENCE with the north line of the said Wilson 0.36 of one acre tract and the north line of the said McCrea tract of land, and being also with the north line of the said Acmorsoni Tract 1 of 0.30 of one acre and being also with the north line of the said Acmorsoni Tract 2 of 0.29 of one acre, courses numbered 25 through 28 inclusive as follows:

- (25) S 73°25'35" E 32.24 feet to a 1 1/2" steel pin with plastic cap set;
- (26) S 89°55'40" E 64.83 feet to a 1/2" steel pin found at the northeast corner of the said Wilson 0.36 of one acre tract and the northwest corner of the said McCrea tract of land;
- (27) S 89°59'25" E 99.86 feet to a 1/2" steel pin found at the northeast corner of the said McCrea tract of land and the northwest corner of the said Acmorsoni Tract 1 of 0.30 of one acre;
- (28) S 89°47'42" E 200.20 feet to a 1/2" steel pin found at the northeast corner of the said Acmorsoni Tract 2 of 0.29 of one acre, for the northeast corner of the herein described tract of land;

- (29) THENCE with the east line of the said Acmorsoni Tract 2 of 0.29 of one acre, S 1°42'50" E 123.73 feet to the POINT OF BEGINNING of the herein described tract, containing 2.899 acres of land.

Note: The plastic caps on the 1/2" steel pins set are inscribed with "M & S 1838."

EXHIBIT “B”**Conditions**

The Property shall be included in the “Firefly Cove Planned Development District,” subject to compliance with the following conditions:

1. that all portions of the application be deemed to meet the requirements of a concept approval;
2. that all portions of the application except the SF-Estate Lots be deemed to meet the requirements of a detail plan approval;
3. development standards for SF-Estate Lots are subject to modification for consistency as part of the future required detail plan approval; and
4. the approval incorporates by reference a satisfactory resolution to the remaining minor comments of the City Engineer related to the required traffic impact analysis (TIA).

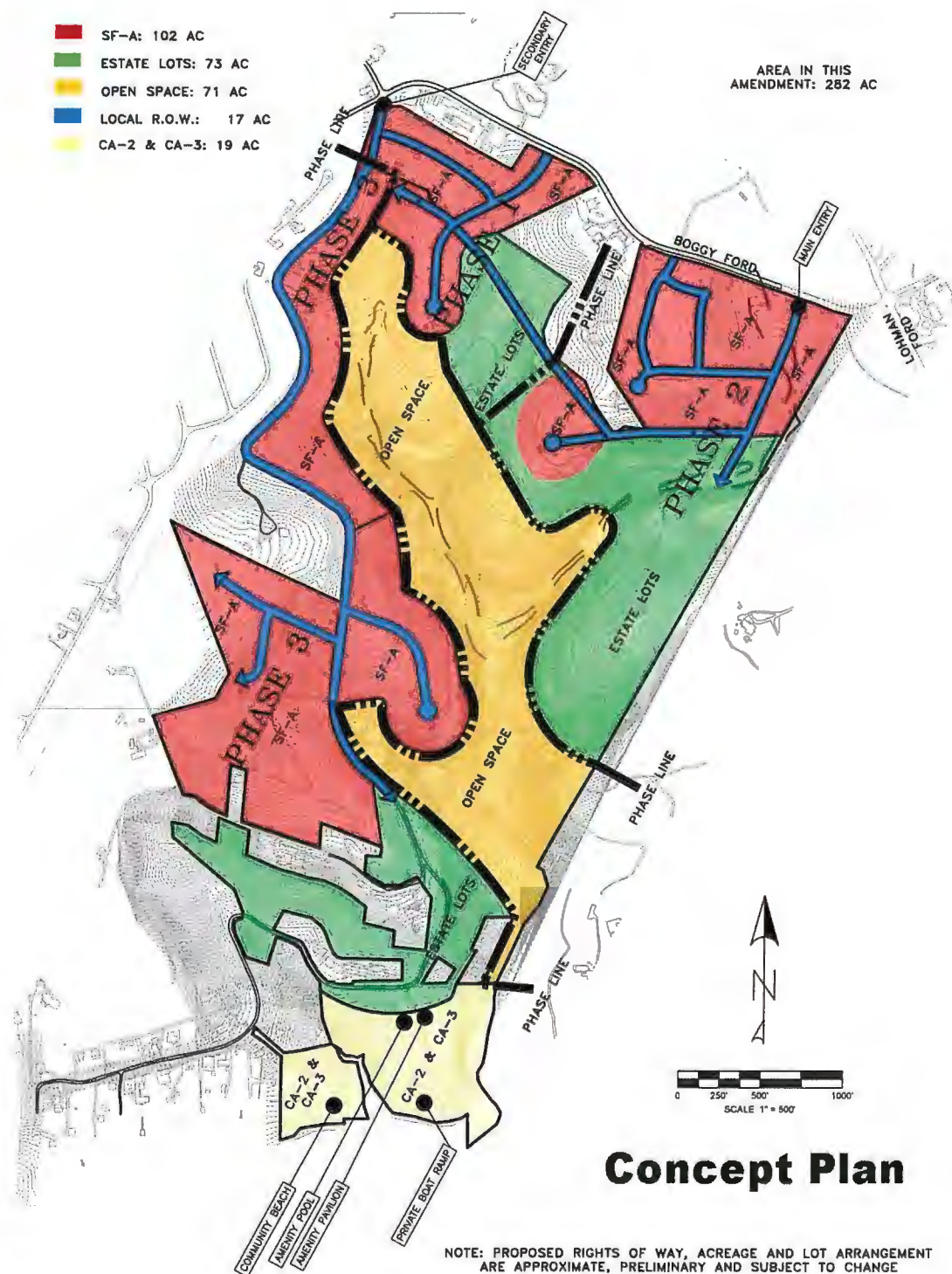
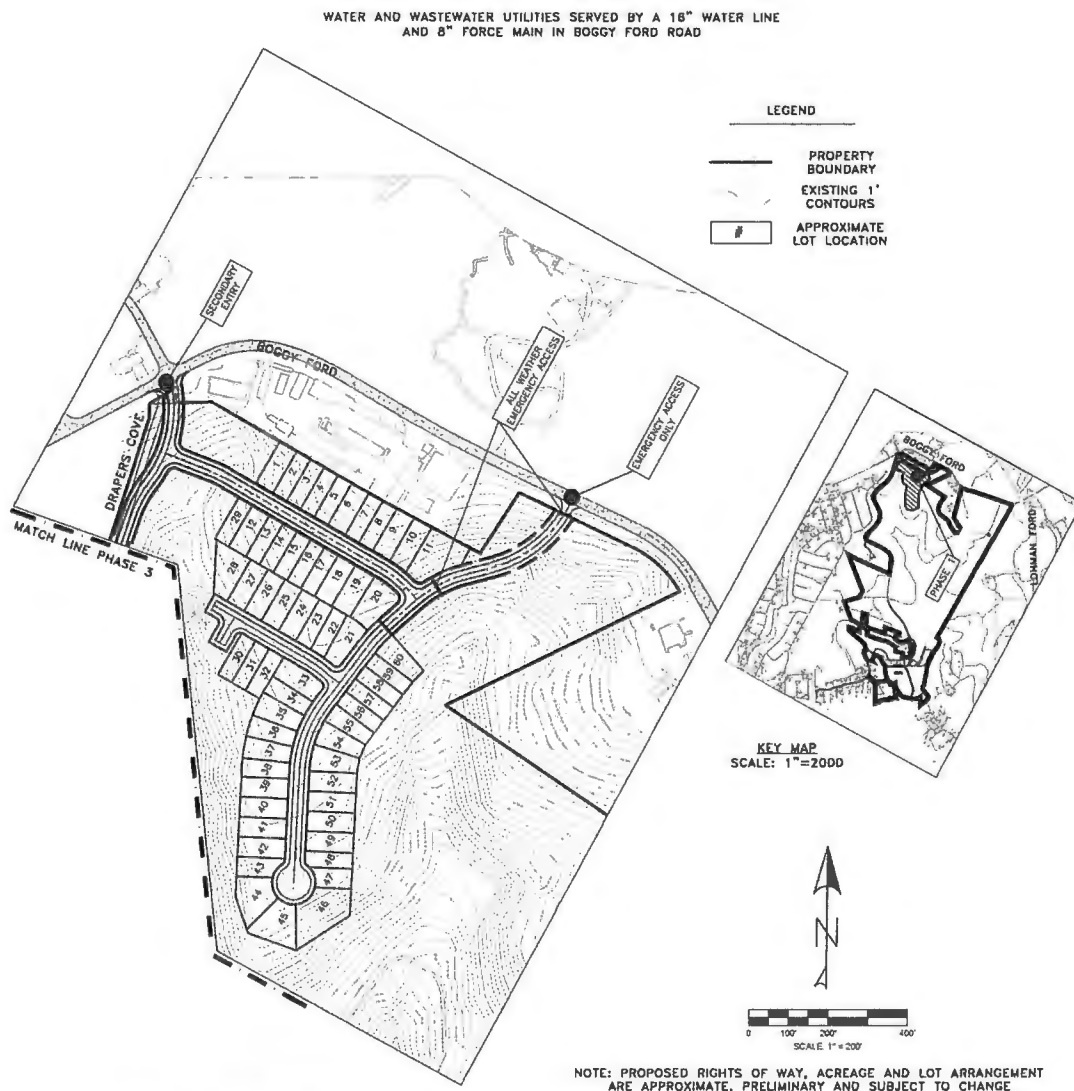
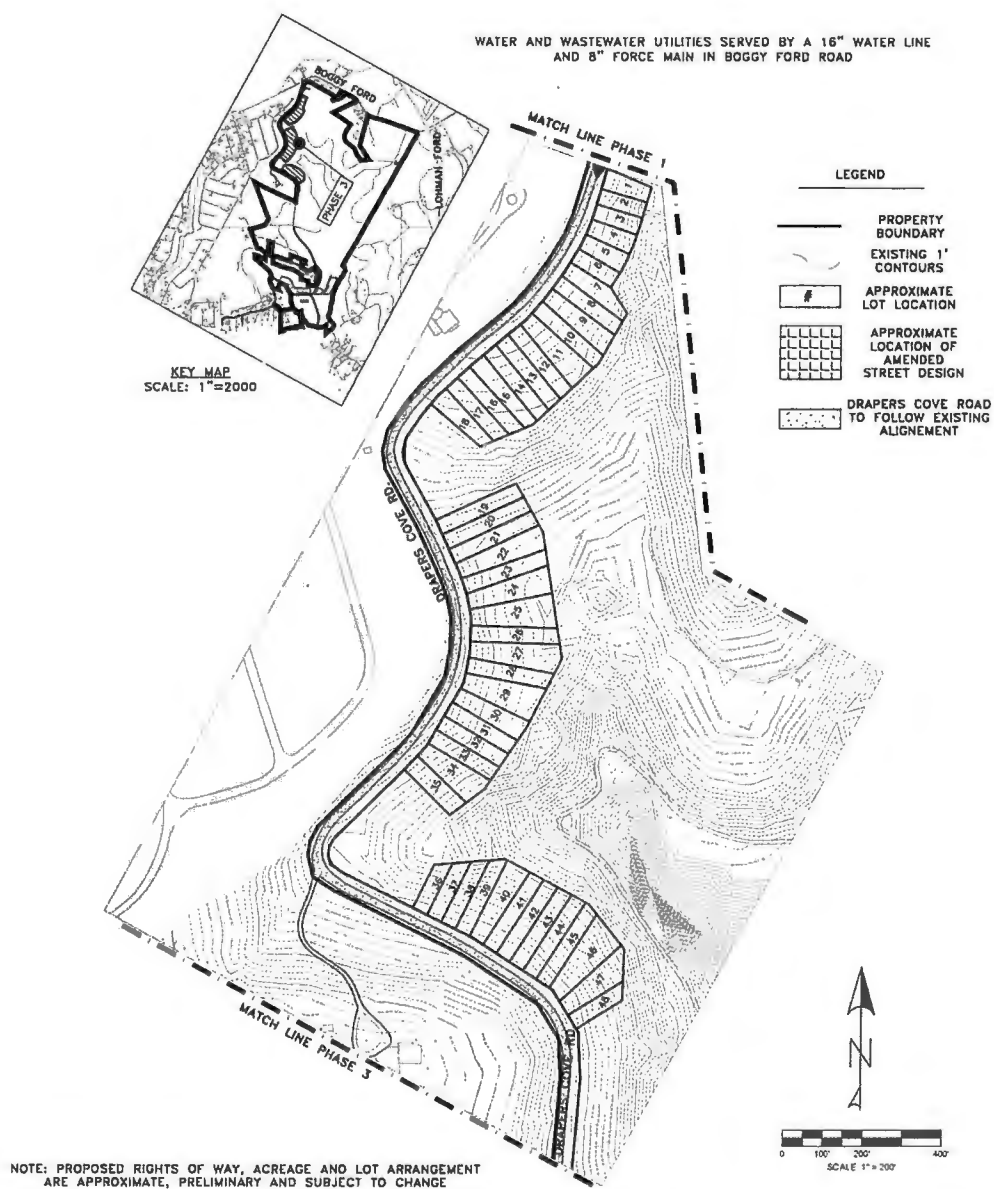
EXHIBIT "C"**Land Use Plan**

EXHIBIT "C"

Land Use Plan



Phase 1 Detail Plan

EXHIBIT "C"**Land Use Plan**

Phase 3 Detail Plan (1 of 2)

EXHIBIT "C"

Land Use Plan

Phase 3 Detail Plan (2 of 2)

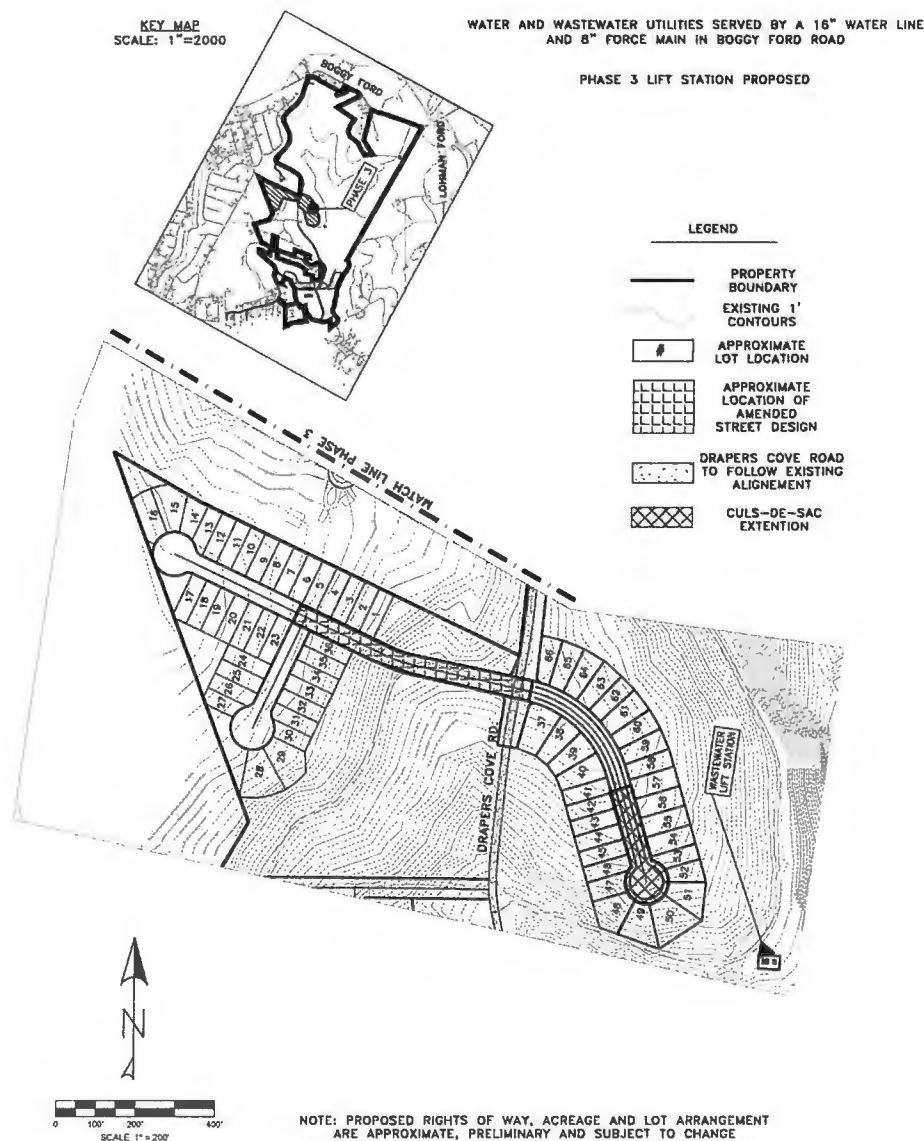


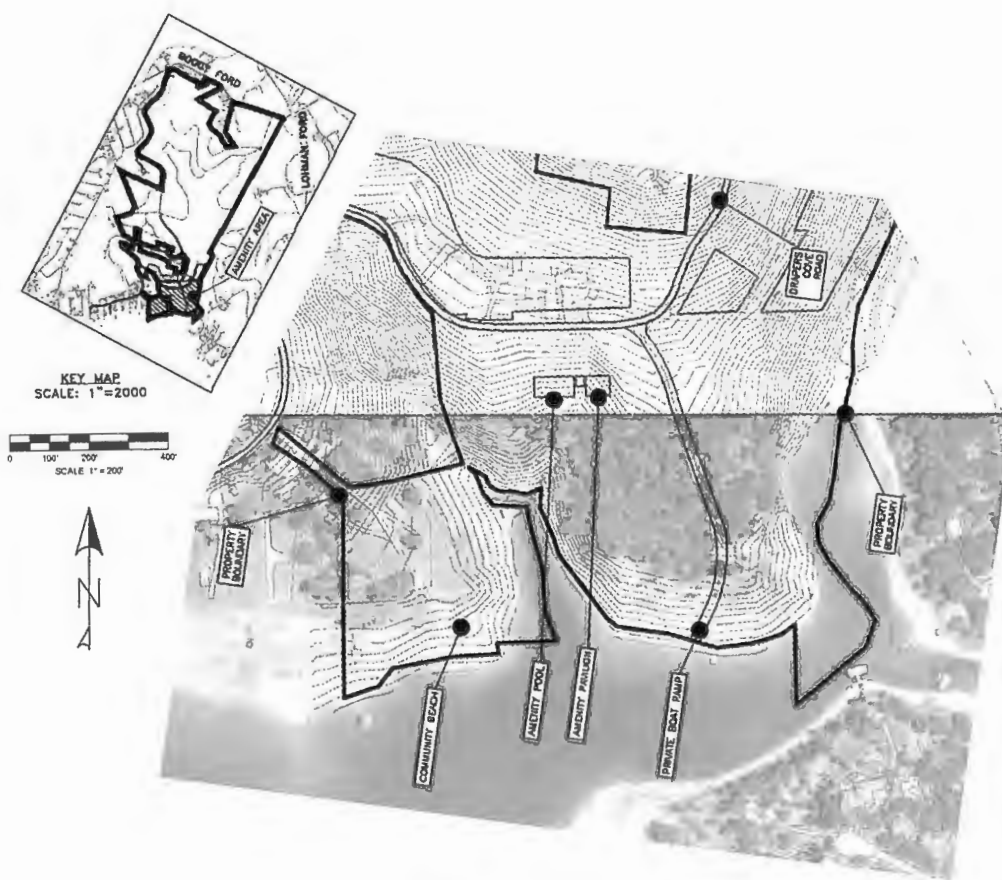
EXHIBIT "C"**Land Use Plan****Amenities Area
Detail Plan**

EXHIBIT "C"

Land Use Plan

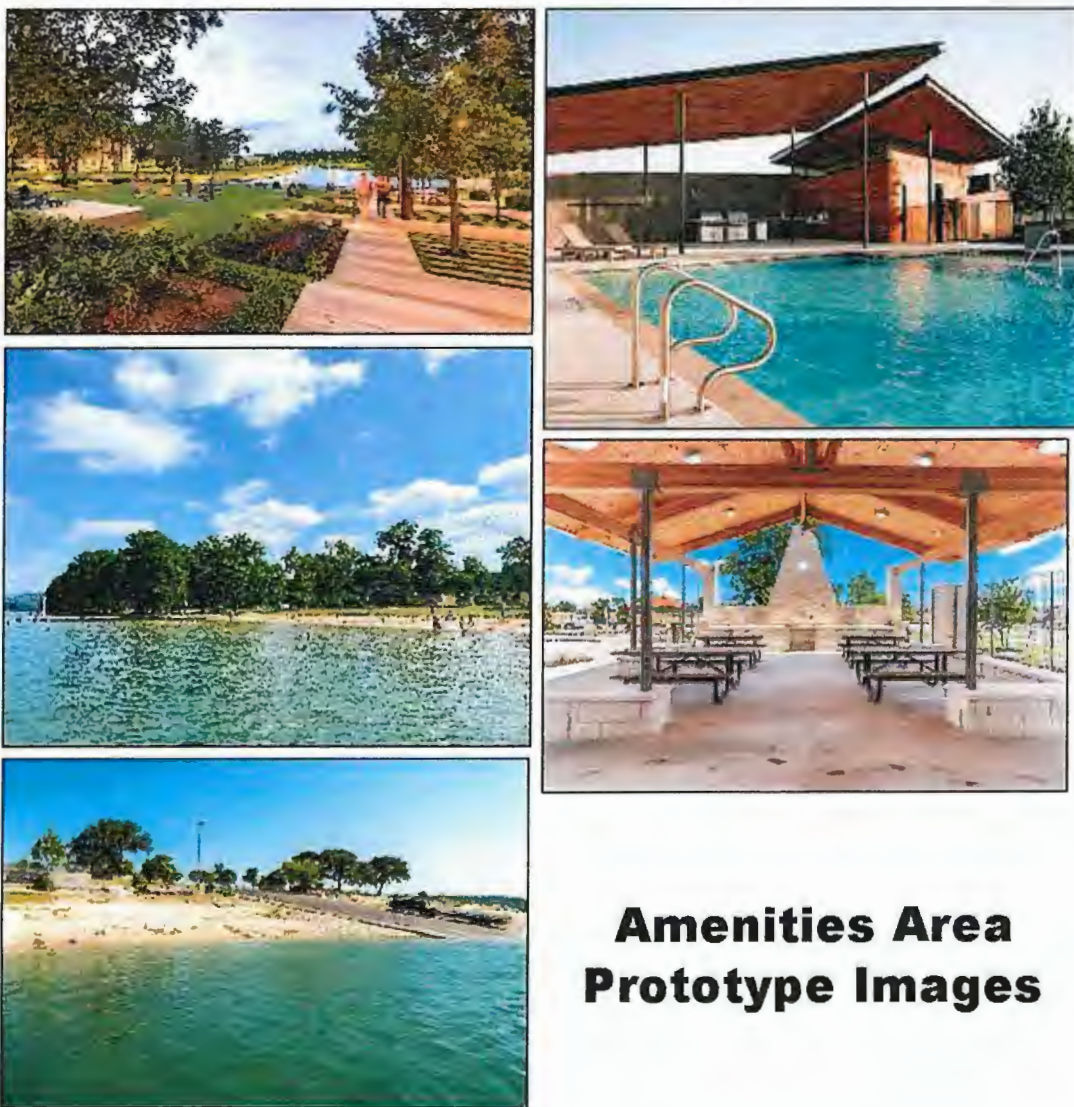
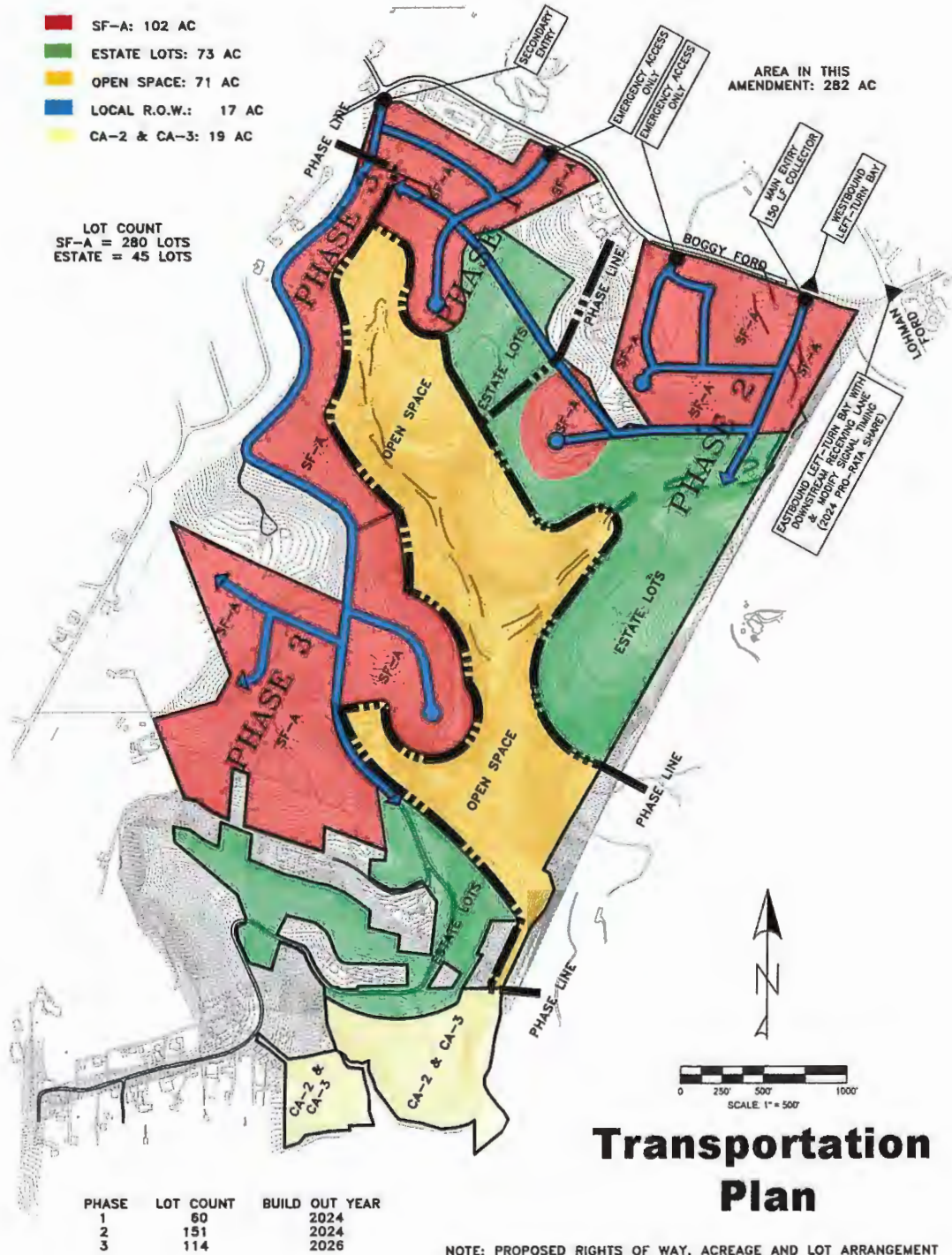


EXHIBIT "C" **Land Use Plan**



CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 07-10-04-04

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 14, ZONING, REZONING 281 ACRES, MORE OR LESS FROM TEMPORARY ZONING TO ESTABLISH THE TUSIKANNI COVE PLANNED DEVELOPMENT DISTRICT ("PDD"); ESTABLISHING THE ZONING REQUIREMENTS FOR THE PLANNED DEVELOPMENT DISTRICT; MAKING FINDINGS OF FACT AND PROVIDING FOR RELATED MATTERS.

WHEREAS, Travis Meadows, L.P., owner of approximately 281 acres of land described by metes and bounds in the attached Exhibit "A" (the "Property"), has requested annexation and zoning of the Property that will authorize the development of 315 single-family lots, 54 multi-family units, community amenity centers and support facilities, a marina and a retail village (the "Project"), hereinafter referred to as the "Tusikanni Cove PDD"; and

WHEREAS, the City has completed the annexation of the Property and adopted temporary zoning thereon;

WHEREAS, after giving fifteen (15) days written notice to the owners of land within 200-feet of the Property, the Planning and Zoning Commission held a public hearing on the proposed re-zoning and forwarded its recommendations on the proposed Tusikanni Cove PDD Zoning Ordinance to the City Council; and

WHEREAS, after publishing notice to the public at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the requests and circumstances of the Property and finds that a substantial change in circumstances of the Property is sufficient to warrant a change in the zoning of the Property as provided below has transpired; and,

WHEREAS, the City, by and through its legislative discretion has adopted and may amend a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning approved herein is consistent with the comprehensive plan which shall not be interpreted as inconsistent with this rezone; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the Property and protect third party property owners in the city and/or abutting said Property,

and to ensure the benefits of planned development and enhanced tax base that are achieved through rezoning the Property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings: The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that the PDD in this Ordinance satisfies the requirements of Section 10.20 of the City of Lago Vista Zoning Ordinance, codified under Ordinance No. 98-04-27-03, as amended (“the Zoning Code”).

Section 2. Amendment of Zoning Ordinance. Ordinance No. 98-04-27-03, as amended, the City of Lago Vista Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3. Further, this Zoning Ordinance amends and replaces Ordinance No. 07-09-06-01, as amended, amending the zoning applicable to the Property and establishing permanent zoning. Provided, that should any conflict appear between the requirements in the comprehensive zoning ordinance and the requirements set forth herein and as depicted on the map exhibits attached hereto as Exhibit “B” and incorporated herein by reference, the requirements set forth herein shall control.

Section 3. Zoning Requirements: The zoning requirements established for the Property (hereinafter referred to as “Tusikanni Cove PDD”) shall be those as established and adopted by Ordinance No. 98-04-27-03, as amended, except as specifically set forth below.

1. Zoning for the Single-Family Area – Type I
 - A. The residential lot areas identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “SF-I Lots” shall comply with the zoning requirements and development standards for Single Family Zoning “R-1(C)”, except as hereinafter modified.
 - B. Total number of SF-I Lots shall not exceed 180.
 - C. Minimum lot frontage: Each single family lot within SF-I shall have a minimum width of one hundred feet (100’) along the front property line, with the exception of cul-de-sac lots, which shall have a minimum width of sixty feet (60’) along the front property line and a minimum width of seventy-five feet (75’) at the front setback line.
 - D. Lot coverage shall not exceed 50%.
 - E. Minimum Living Area Square Footage: 1,800 square feet.
2. Zoning for the Single-Family Area – Type II
 - A. The residential lot areas identified on The Tusikanni Cove PDD Map

Exhibit “B” attached hereto and incorporated herein by reference, identified as “SF-II Lots” shall comply with the zoning requirements and development standards for Single Family Zoning “R-1(B)”, except as hereinafter modified

- B. Total number of SF-II Lots shall not exceed 50.
 - C. Minimum lot frontage: Each single family lot within SF-II shall have a minimum width of fifty feet (50’) along the front property line, with the exception of cul-de-sac lots, which shall have a minimum width of thirty-five feet (35’) along the front property line and a minimum width of forty-five feet (45’) at the front setback line.
 - D. Lot coverage shall not to exceed 70%.
 - E. Minimum Living Area Square Footage: 1,400 square feet.
 - F. Minimum side yard set back: zero feet (0’) for common courtyard area between lots (one side of lot only). Total side yard setback: five feet (5’) with a minimum ten feet (10’) between structures.
3. Zoning for the Single-Family Area – Type III
- A. The residential lot areas identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “SF-III Lots” shall comply with the zoning requirements and development standards for Single Family Zoning “R-1(C)”, except as hereinafter modified.
 - B. Total number of SF-III Lots shall not exceed 85 lots.
 - C. Minimum lot frontage: Each single family lot within SF-III shall have a minimum width of seventy-five feet (75’) along the front property line, with the exception of cul-de-sac lots, which shall have a minimum width of fifty feet (50’) along the front property line and a minimum width of sixty-five feet (65’) at the front setback line.
 - D. Lot coverage shall not exceed 60%.
 - E. Minimum Living Area Square Footage: 1,700 square feet.
4. Zoning for the Community Amenity – Entry Feature
- A. The community amenity lot identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “CA-1”, shall comply with the zoning requirements and development standards for Commercial Low Density “C-1C”, except as hereinafter modified.
 - B. Lot CA-1 uses shall serve as entry feature to community and house common community services. Lot CA-1 shall be used for such services as sales office, security office, community meeting, post office box center and similar uses; provided all community buildings and features shall be maintained on private property by a funded home owners association.
 - C. Lot coverage shall not exceed 60%.
 - D. Building Setbacks are as follows:
 - i. front yard setback is twenty feet (20’);
 - ii. rear yard setback is twenty feet (20’);
 - iii. side yard setback is ten feet (10’).

- E. Off-street parking for Lot CA-1 is to be 1 spot per every 300 square feet of gross floor area.
5. Zoning for the Community Amenity – Marina and Lake Access
- A. The community amenity lot identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “CA-2”, shall comply with the zoning requirements and development standards for Commercial Marina “C-3”, except as hereinafter modified.
 - B. Lot CA-2 shall serve as a community amenity to provide access to Lake Travis. Uses permitted on Lot CA-2 include, but are not limited to: marina, day docks, courtesy slips, boat launch facilities and associated parking. In addition Lot CA-2 may include recreational uses such as outdoor barbeque grills, picnic enclosures, playground, and other similar uses.
 - C. The lot coverage shall not exceed 60%.
 - D. Off street parking shall be provided at the ratio of one (1) parking spot per two (2) slips.
 - E. Boat launch operations shall be restricted to times between the hours of 6:00 am and 10:00 pm
6. Zoning for the Community Amenity – Community Club and Recreation
- A. The community amenity lot identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “CA-3”, shall comply with the zoning requirements and development standards for Commercial Low Density “C-1C”, except as hereinafter modified.
 - B. Lot CA-3 shall serve as a community amenity and provide for community recreational activities. Uses permitted on Lot CA-3 include, but are not limited to: community meeting rooms, exercise rooms, post office box center, banquet facilities, pool and spa facilities, dining areas, outdoor barbeque, picnic shelters, tennis courts, playground, other active / passive recreational uses, sales office, security office and other similar uses.
 - C. The lot coverage shall not exceed 60%.
 - D. Off street parking shall be provided at the following ratios:
 - i. one (1) parking spot per one hundred (100) square feet of restaurant / banquet facilities;
 - ii. one (1) parking spot per three hundred (300) square feet of all other air conditioned space.
7. Zoning for the Community Amenity – Lake Services
- A. The community amenity lot identified on The Tusikanni Cove PDD Map Exhibit “B” attached hereto and incorporated herein by reference, identified as “CA-4”, shall comply with the zoning requirements and development standards for Commercial Marina “C-3”, except as hereinafter modified.
 - B. Lot CA-4 shall serve as a community amenity and provide public services

in support of lake access and water recreation. Uses permitted on Lot CA-4 include, but are not limited to: watercraft storage, watercraft trailer storage, RV storage, watercraft sales and rentals, watercraft repair and service and other similar uses.

- C. Parking shall be determined at the time of site plan preparation considering exact use(s), access (public or private), and Lago Vista zoning ordinance parking requirement in effect at the time of site plan submittal.

8. Zoning for the Retail/Community Village

- A. The retail community village lot identified on The Tusikanni Cove PDD Map Exhibit "B" attached hereto and incorporated herein by reference, identified as "RV", shall comply with the zoning requirements and development standards for Commercial Intense "C-2", except as hereinafter modified.
- B. Lot RV shall serve as a community retail village and multi-family housing. Uses permitted on Lot RV include, but are not limited to: retail / shopping, services such as dry cleaners / florists / etc and multi-family housing in the form of condominiums (not to exceed 54 units) and other similar uses permitted under R-4 and C-2.
- C. Minimum average living square footage of condominiums: 1,200 square feet with absolute minimum of 1,000 square feet for any unit.
- D. Any sales of alcohol or liquor on this tract shall comply with all existing City of Lago Vista and Texas Alcoholic Beverage Commission rules for setback from churches, schools, etc.
- E. The lot coverage maximum is 70%.
- F. All structures will have a 75 foot setback from Boggy Ford Road.

9. Common Area-OS

- A. The open space lots identified on The Tusikanni Cove PDD Map Exhibit "B" attached hereto and incorporated herein by reference, identified as "OS", shall comply with the zoning requirements and development standards for Park and Greenbelt District "P-1A", except as hereinafter modified.
- B. Open Space shall serve as a community amenity and preserve open space. Uses permitted in the OS lots shall include, but are not limited to: walking / biking trails, picnic shelters, gazebos, scenic overlook pavilions, park benches, observation towers, etc.
- C. Home Owners Association must be funded to maintain the Open Space.

- 10. The aggregate impervious cover for the entire development shall not exceed 30% and shall be in accordance with the Highland Lakes Watershed Ordinance and the Technical Manual.

- 11. Building height for all zones within the Tusikanni Cove PDD is limited to a maximum of 35 ft as measured from the highest existing ground elevation on the lot.

12. The City of Lago Vista shall have a public safety and utility easement over all private streets and roadways and all easements and green belts dedicated for general community use by the Tusikanni Cove Subdivision.
13. Each developed lot within the Tusikanni Cove PDD shall be served by the City of Lago Vista water and wastewater utility services. Wastewater utilities located within this Subdivision are public utilities up to the point of connection at each lot's lot line. Water utilities are part of the public system up to the point of construction to a private service meter.
14. No sidewalks shall be required for any lots.
15. All signage will comply with the City of Lago Vista Sign Ordinance.
16. Street lighting shall not be required. All exterior lighting to be installed in the subdivision or along the entrance to subdivision shall be low level, down casting lighting. Such lighting fixtures shall have dimming capabilities and will be dimmed to one-half (1/2) of its normal wattage after 11:00 PM.
17. All development shall be in compliance with the LCRA Highland Lakes Watershed Ordinance as adopted by the LCRA on the date this PDD is approved by this ordinance.
18. Cut and fill shall be limited to a maximum of four feet (4') from existing grade. Staff may approve variances from this requirement allowing up to eight feet (8') cut or fill if the cut or fill is sloped or is terraced to control erosion and sedimentation or retaining wall as provided. Exception: this standard shall not apply to roadway construction within ROW or slope easements for street / utility construction or features to create lake access (i.e. boat launch facilities, marinas, etc).
19. No oil drilling, extraction or removal of stone, gravel, caliche, minerals, earth or other natural material for commercial purposes shall be permitted.
20. Use and development of all lots in the Tusikanni Cove PDD shall be in accordance with all applicable provisions of the Water Utility Agreement executed effective _____, 2007 by and between the City of Lago Vista and LV Water, LLC, a Texas limited partnership and the Wastewater Utility Agreement executed effective _____, 2007 by and between the City of Lago Vista and LV Water, LLC, a Texas limited partnership.
21. No building or other structure, except a marina facility structure including a boat launch ramp necessary access and appurtenances, may be constructed below the CWQZ.
22. Except for conditions specifically set forth in this ordinance, the Zoning

Ordinance 98-04-27-03 and other City ordinances, as amended from time to time, shall apply.

23. Residential structures shall have exterior facades constructed of 75% masonry. Masonry shall be defined herein to include stone, brick, stucco and similar materials approved by the City.
24. Commercial structures shall have exterior facades constructed of a minimum 75% masonry.
25. Cul-de-sac length will be allowed up to a maximum of 2,000 lineal feet with “turn-a-rounds bubbles” having a radius of 60’ shall be provided at intervals not to exceed every 1,000 linear feet.
26. Private street rights-of-way classified as “minor” shall be allowed to be fifty feet (50’) wide and have a minimum paved width of twenty-four feet (24’) with eighteen inch (18”) concrete ribbon curb each side.
27. Shared access private driveways and alleys serving a maximum of three single-family homes shall have a minimum 30-ft easement and pavement width of at least twenty feet (20’) wide. Withstanding provisions of other sections, flag lots served by shared access driveways shall have a minimum frontage to a Right of Way of thirty feet (30’). Minimum lot widths at the building line shall be per respective single family lot type above.
28. The Project, as part of its first phase of lot development, will construct a dedicated left turn lane on Boggy Ford Road into the subdivision. This dedicated left turn lane shall include not more than 75-ft of queuing length and 350-ft deceleration lane / taper. [Dimensions to be updated based upon recommendations from traffic consultant]
29. Fences will comply with fencing provisions of the Zoning ordinance except chain link or barbed wire fences shall be prohibited.
30. No boats or recreational vehicles may be parked on any residential lots in the Tusikanni Cove PDD unless fully enclosed and not visible from the street.
31. The Property within the Tusikanni Cove PDD shall be platted subject to compliance with City subdivision and development regulations.
32. The Developer agrees to convey to the City of Lago Vista fifteen feet (15’) Right of Way along Boggy Ford Road.
33. Residential lots shall contain a building site of at least two thousand square feet (2000 sq. ft.) of contiguous land with a slope not greater than 35%. The minimum building site area shall not include any utility easements, drainage easements, ponds / detention basins, land within the CWQZ or land within the building

setback line.

34. The Property, as a condition of approval of plats, must have a funded Home Owners Association obligated to maintain within the boundaries of the Property all open space, roads and community amenities.
35. It is the intention of both parties, the City of Lago Vista and Travis Meadows, that overlap areas of the Draper Estate CCN and the Tusikanni Cove PDD be released from the Draper Estate CCN. The City of Lago Vista will not extend any water or wastewater service into areas covered by the Draper Estate CCN until such time as the area to be served is released from the Draper Estate CCN.

Section 5. Special Exception and Variance. To the extent any authorization or approval of this Tusikanni Cove PDD is in conflict with the water quality requirements of any agreement entered into between the City of Lago Vista and any other city, such authorization or approval shall be deemed to have been granted by special exception and variance by a finding of public necessity through the duly adopted governing body of the City of Lago Vista.

Section 6. Amendment of Ordinances. Ordinance number 98-04-27-03 is hereby amended to add the above described Tusikanni Cove Planned Development District. Any portion of the Zoning Code, Comprehensive Plan or any applicable ordinance in conflict herewith is hereby repealed to the extent of such conflict only.

Section 7. Severability. Should any section of part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section of part shall in no way affect, impair or invalidate the remaining portion of portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

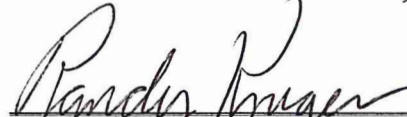
Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Tex. Gov't. Code.

PASSED AND APPROVED on this 4th day of October, 2007.

ATTEST:

THE CITY OF LAGO VISTA, TEXAS


Christina Buckner, City Secretary


Randy Kruger, Mayor

On a motion by Mike Thornton, seconded by Susan Euresti, the above and foregoing instrument was passed and approved.

EXHIBIT “A”
Property Description

METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

METES AND BOUNDS DESCRIPTION OF 286.85 ACRES, MORE OR LESS,
SAVE AND EXCEPT 2.504 ACRES AND 2.899 ACRES,
LEAVING 281.45 ACRES, MORE OR LESS, FOR ANNEXATION

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 286.85 ACRES OF LAND, MORE OF LESS, A PORTION OF THE FOLLOWING SURVEYS: D. & W. R.R. CO. SURVEY NO. 99, ABSTRACT NO. 246; RICHARD CRAIG SURVEY NO. 1867, ABSTRACT NO. 2754; C. E. P. I. & M. CO. SURVEY NO. 173, ABSTRACT NO. 2191; MALINDA SETTLE SURVEY NO. 49, ABSTRACT NO. 2126; W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587; LEWIS LINDSAY SURVEY NO. 265, ABSTRACT NO. 2171; AND THE W. A. COOK SURVEY NO. 100, ABSTRACT NO. 2605, IN TRAVIS COUNTY, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING A PORTION OF THAT 289.40 ACRE TRACT OF LAND, A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AND OTHERS IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO TRAVIS MEADOW, LP IN DOCUMENT NO. 2006125525, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING ALL OR A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: BEING ALL OF THAT 0.413 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 2714, PAGE 315, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.44 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 3223, PAGE 513, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT TRACT OF LAND CALLED TO BE 278.36 ACRES, SAVE AND EXCEPT 19.27 ACRES OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND OTHERS, DESIGNATED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 5554, PAGE 1469, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 22.97 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100 AND A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED TO GEORGE LARRY VINSON AND WIFE, JEAN VINSON IN VOLUME 6021, PAGE 178, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 16.08 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND A PORTION OF THE SAID LEWIS LINDSAY SURVEY NO. 265, AS DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 6561, PAGE 242, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 785 SQUARE FOOT TRACT OF LAND OR 0.018 OF ONE ACRE OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L. VINSON IN VOLUME 10321, PAGE 422, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT 12.611 ACRE TRACT OF LAND, MORE OR LESS, A PORTION OF THE SAID MALINDA SETTLE SURVEY NO. 49, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L.

VINSON IN VOLUME 11949, PAGE 88, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 2.393 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100 AND A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO GEORGE L. VINSON AND WIFE, JEAN VINSON IN VOLUME 12092, PAGE 1825, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 23.276 ACRE TRACT OF LAND, A PORTION OF THE SAID D. & W. R.R. CO. SURVEY NO. 99, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO G. L. VINSON AND WIFE, JEAN VINSON IN VOLUME 12627, PAGE 676, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.337 OF ONE ACRE OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 12667, PAGE 479, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING ALL OF THAT 2.036 ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 100, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO G. L. VINSON IN VOLUME 12717, PAGE 693, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AS PREPARED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 286.85 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" steel pin with plastic cap set in rock in the south line of Boggy Ford Road for the northeast corner of that 2.393 acre tract of land, a portion of the W. A. Cook Survey No. 100, Abstract No. 2605 and a portion of the D. & W. R.R. Co. Survey No. 99, Abstract No. 246, in Travis County, Texas, as described in a Warranty Deed to George L. Vinson and wife, Jean Vinson in Volume 12092, Page 1825, Real Property Records of Travis County, Texas, for the POINT OF BEGINNING and northeast corner of the herein described tract;

(1) THENCE with the east line of the said Vinson 2.393 acre tract, S 29°17'38" W 115.71 feet to a 1/2" steel pin found at the southeast corner of the said Vinson 2.393 acre tract and the northeast corner of that 22.97 acre tract of land, a portion of the said W. A. Cook Survey No. 100 and a portion of the said D. & W. R.R. Co. Survey No. 99, as described in a Warranty Deed to George Larry Vinson and wife, Jean Vinson in Volume 6021, Page 178, Deed Records of Travis County, Texas, said 1/2" steel pin found being also an angle point in the west line of that 169.54 acre tract, a portion of the said D. & W. R.R. Co. Survey No. 99 and a portion of the Richard Craig Survey No. 1867, Abstract No. 2754, in Travis County, Texas, as described in Special Warranty Deed to Luna-Groseclose, Ltd. in Volume 13237, Page 1233, Real Property Records of Travis County, Texas, said 1/2" steel pin found being also a corner of that approximately 100 acres of land, a portion of the said D. & W. R.R. Co. Survey No. 99, and others in Travis County, Texas, as conveyed in a Special Warranty Deed to Linda L. Groseclose, Trustee of the Linda Groseclose 1998 Intervives Trust in Document No. 2002229115, Official Public Records of Travis County, Texas;

(2) THENCE with the east line of the said Vinson 22.97 acre tract and along or near the west line of the said Luna-Groseclose, Ltd. 169.54 acre tract, S 28°30'09" W 715.19 feet to a 1/2" steel pin found at the southeast corner of the said Vinson 22.97 acre tract and the northeast

corner of that 23.276 acre tract of land, a portion of the said D. & W. R.R. Co. Survey No. 99, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to G. L. Vinson in Volume 12627, Page 676, Real Property Records of Travis County, Texas;

THENCE with the east line of the said Vinson 23.276 acre tract and being along or near the west line of the said Luna-Groseclose, Ltd. 169.54 acre tract, courses numbered 3 through 6 inclusive as follows:

- (3) S 28°20'51" W 1360.82 feet to a 5/8" steel pin found;
- (4) S 29°00'46" W 290.69 feet to a 1/2" steel pin found;
- (5) S 27°42'20" W 622.13 feet to a cedar hub and rock mound found (cedar hub replaced with a 1/2" steel pin with plastic cap) at the southeast corner of the said Vinson 23.276 acre tract and in an east line of that 278.36 acre tract of land, save and except 19.27 acres of land, a portion of the said W. A. Cook Survey No. 100, and others, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to G. L. Vinson in Volume 5554, Page 1469, Deed Records of Travis County, Texas;

THENCE with the east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being along or near the west line of the said Luna-Groseclose Ltd. 169.54 acre tract, courses numbered 6 through 8 inclusive as follows:

- (6) S 27°42'20" W 36.85 feet to a 1/2" steel pin with plastic cap set in rock;
- (7) S 29°28'32" W 349.04 feet to a 60d nail found in rock;
- (8) S 27°59'05" W 335.17 feet to a 3/4" iron pipe found in or near the south line of the said Richard Craig Survey No. 1867 and in or near the north line of the C. E. P. I. & M. Co. Survey No. 173, Abstract No. 2191, at an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being at or near the southwest corner of the said Luna-Groseclose, Ltd. 169.54 acre tract, for an interior corner of the herein described tract;

- (9) THENCE along or near the south line of the said Richard Craig Survey No. 1867 and along or near the north line of the said C. E. P. I. & M. Co. Survey No. 173, and being also with a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being along or near the south line of the said Luna-Groseclose Ltd. 169.54 acre tract, S 62°03'05" E 43.51 feet to a calculated point in the center of Cox Hollow, for a northeast corner of the herein described tract;

THENCE with the centerline of Cox Hollow, said centerline being the thread of the stream when dry, and being along or near the east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and along the west line of that 68.20 acre tract of land, a portion of the said C. E. P. I. & M. Co. Survey No. 173, as described in a deed to Old Farm Development Corporation in Volume 3779, Page 2098, Deed Records of Travis County, Texas, courses numbered 10 through 27 inclusive as follows:

- (10) S 17°08'50" E 103.86 feet to a calculated point;
- (11) S 23°47'44" W 130.00 feet to a 100d nail set;
- (12) S 37°06'25" W 143.81 feet a 100d nail set;
- (13) S 23°35'56" W 177.70 feet to a 100d nail set;
- (14) S 24°31'28" W 206.37 feet to a calculated point, now submerged by the waters of Lake Travis;

(15) S 7°46'47" W 92.45 feet to a calculated point, now submerged by the waters of Lake Travis;
(16) S 0°54'56" E 72.78 feet a calculated point, now submerged by the waters of Lake Travis;
(17) S 13°18'04" W 138.43 feet to a calculated point, now submerged by the waters of Lake Travis;
(18) S 6°48'27" W 128.00 feet to a calculated point, now submerged by the waters of Lake Travis;
(19) S 10°17'54" W 62.36 feet to a calculated point, now submerged by the waters of Lake Travis;
(20) S 29°06'52" W 65.69 feet a calculated point, now submerged by the waters of Lake Travis;
(21) S 4°52'46" E 45.22 feet to a calculated point, now submerged by the waters of Lake Travis;
(22) S 28°47'39" E 51.37 feet a calculated point, now submerged by the waters of Lake Travis;
(23) S 38°38'14" E 99.83 feet to a calculated point, now submerged by the waters of Lake Travis;
(24) S 46°39'26" E 38.86 feet to a calculated point, now submerged by the waters of Lake Travis;
(25) S 31°33'27" E 56.88 feet to a calculated point, now submerged by the waters of Lake Travis;
(26) S 19°46'23" W 70.23 feet a calculated point, now submerged by the waters of Lake Travis;
(27) S 50°06'51" W 226.38 feet to a calculated point, now submerged by the waters of Lake Travis, in the west line of the said C. E. P. I. & M. Co. Survey No. 173 and the east line of the Malinda Settle Survey No. 49, Abstract No. 2126, said calculated point being a southwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and in the east line of that 100 acre tract of land, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, designated as First Tract and described in a deed to the Lower Colorado River Authority in Volume 630, Page 91, Deed Records of Travis County, Texas, for a south corner of the herein described tract;

(28) THENCE with the west line of the said C. E. P. I. & M. Co. Survey No. 173 and the east line of the said Malinda Settle Survey No. 49, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and the east line of the said Lower Colorado River Authority First Tract of 100 acres, N 1°23'48" W 202.69 feet to a 1/2" steel pin with plastic cap set in the 670 mean sea level contour line for the southeast corner of that 12.611 acre tract, more or less, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 11949, Page 88, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the south line of the said Vinson 12.611 acre tract, more or less, said line being the 670 mean sea level contour line, courses numbered 29 through 45 inclusive as follows:

(29) S 53°56'05" W 39.99 feet to a 1/2" steel pin with plastic cap set;

- (30) S 70°14'23" W 26.18 feet a 1/2" steel pin with plastic cap set;
- (31) S 74°58'16" W 55.31 feet to a 1/2" steel pin with plastic cap set;
- (32) S 82°39'15" W 86.13 feet to a 1/2" steel pin with plastic cap set;
- (33) N 74°05'46" W 127.57 feet to a 1/2" steel pin with plastic cap set;
- (34) N 81°46'22" W 131.95 feet a 1/2" steel pin with plastic cap set;
- (35) N 49°10'30" W 32.48 feet to a 1/2" steel pin with plastic cap set;
- (36) N 37°33'32" W 201.96 feet a 1/2" steel pin with plastic cap set;
- (37) N 16°31'49" W 41.94 feet to a 1/2" steel pin with plastic cap set;
- (38) N 24°31'07" W 82.63 feet to a 1/2" steel pin with plastic cap set;
- (39) N 1°48'54" E 50.84 feet to a 1/2" steel pin with plastic cap set;
- (40) S 66°09'31" W 39.52 feet a 1/2" steel pin with plastic cap set;
- (41) N 77°35'09" W 36.64 feet a 1/2" steel pin with plastic cap set;
- (42) N 88°48'29" W 39.29 feet to a 1/2" steel pin with plastic cap set;
- (43) N 51°26'09" W 26.84 feet to a 1/2" steel pin with plastic cap set;
- (44) N 24°38'44" W 23.04 feet to a 1/2" steel pin with plastic cap set;
- (45) N 62°20'22" W 48.41 feet a 1/2" steel pin with plastic cap set in the centerline of

Drapers Cove, said centerline being the thread of the stream when dry, for the southwest corner of the said Vinson 12.611 acre tract, more or less, and in an east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

THENCE with the centerline of Drapers Cove and with an east line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 46 through 53 inclusive as follows:

- (46) S 48°19'25" E 25.38 feet to a calculated point;
- (47) S 20°39'30" E 51.32 feet to a calculated point;
- (48) S 40°07'29" E 40.37 feet to a calculated point;
- (49) S 86°55'38" E 84.58 feet to a calculated point, now submerged by the waters of Lake Travis;
- (50) S 12°50'07" E 64.32 feet to a calculated point, now submerged by the waters of Lake Travis;
- (51) S 16°08'21" E 95.68 feet to a calculated point, now submerged by the waters of Lake Travis;
- (52) S 3°50'31" E 104.89 feet to a calculated point, now submerged by the waters of Lake Travis;
- (53) S 19°56'11" E 83.45 feet to a calculated point, now submerged by the waters of Lake Travis, for a southeast corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(54) THENCE with a south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, S 88°47'25" W at 80.44 feet passing a 1/2" steel pin with plastic cap set, in all 149.40 feet to a 1/2" steel pin with plastic cap set in the 670 mean sea level contour line for an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for an interior corner of the herein described tract;

THENCE with an east and south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said line being the 670 mean sea level contour line, courses numbered 55 through 59 inclusive as follows:

- (55) S 10°10'52" E 28.02 feet to a 1/2" steel pin with plastic cap set;
- (56) S 86°28'21" W 116.94 feet to a 1/2" steel pin with plastic cap set;
- (57) S 79°18'44" W 153.36 feet to a 1/2" steel pin with plastic cap set;
- (58) S 38°14'07" W 57.81 feet to a 1/2" steel pin with plastic cap set;
- (59) S 71°13'56" W 90.90 feet to a calculated point at the intersection of the southerly extension of the east line of that 0.29 of one acre tract, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Warranty Deed to Robert L. Bullock and Debra M. Bullock in Document No. 2002181885, Official Public Records of Travis County, Texas, for a southwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for a southwest corner of the herein described tract;

THENCE with the southerly extension of the east line of the said Bullock 0.29 of one acre tract and with the east line of the said Bullock 0.29 of one acre tract, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 60 through 61 inclusive as follows:

- (60) N 0°47'42" W at 13.99 feet passing a 1/2" iron pipe found, in all 244.09 feet to a 5/8" steel pin found;
- (61) N 0°19'50" W 261.39 feet to a 1/2" steel pin with plastic cap set for the northeast corner of the said Bullock 0.29 of one acre tract, for an interior corner of the herein described tract;

THENCE with the northeast line of the said Bullock 0.29 of one acre tract and the northeast line of that 0.974 of one acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Warranty Deed to Dianne E. Greig in Document No. 2002095894, Official Public Records of Travis County, Texas, and being also with a northeast line of that 0.86 of one acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Warranty Deed With Vendor's Lien to Gary L. Lipscomb in Volume 12492, Page 886, Real Property Records of Travis County, Texas, and with a southwest line of the Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 62 through 64 inclusive as follows:

- (62) N 55°27'12" W 30.61 feet to a 1/2" steel pin with plastic cap found (BMI) at the north or northwest corner of the said Bullock 0.29 of one acre tract and the northeast corner of the said Greig 0.974 of one acre tract;
- (63) N 49°59'45" W 100.40 feet to a PK nail set in concrete in a southwest line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for the north or northwest corner of the said Greig 0.974 of one acre tract and the northeast corner of the said Lipscomb 0.86 of one acre tract;
- (64) N 57°05'48" W 90.63 feet to a 3/4" iron pipe found in a southeast line of a private street, locally known as Drapers Cove at the north corner of the said Lipscomb 0.86 of one acre tract and an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, for a west corner of the herein described tract;

- (65) THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, with an east line of Drapers Cove, N 19°06'38" E 43.84 feet to a PK nail set

in concrete for the west corner of that 1.43 acre tract, a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Robert L. Bullock et ux, Debra M. Bullock in Volume 12698, Page 3161, Real Property Records of Travis County, Texas, for a north corner of the herein described tract;

THENCE with the southwest and south line of the said Bullock 1.43 acre tract, courses numbered 66 through 68 inclusive as follows:

(66) S 50°13'56" E 234.77 feet to a 3/4" steel pin found;

(67) N 81°39'34" E 100.80 feet to a 1/2" iron pipe found;

(68) N 76°19'43" E 190.91 feet to a 1/2" steel pin found in or near the centerline of Draper Cove at the southeast corner of the said Bullock 1.43 acre tract, for an interior corner of the herein described tract;

(69) THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, N 20°16'36" W 168.19 feet to a 1/2" steel pin found at the south corner of that 0.403 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141 and a portion of the said Malinda Settle Survey No. 49, in Travis County, Texas, as described in a Warranty Deed to Andrea Claire Williams Scott, et al in Volume 8644, Page 666, Deed Records of Travis County, Texas;

(70) THENCE with the east line of the said Scott et al 0.403 of one acre tract, N 5°39'06" W at 70.92 passing the intersection of the east line of the said Scott, et al 0.403 of one acre tract with the west line of the said Vinson 12.611 acre tract, at 77.09 passing a 3/4" iron pipe found 0.13 of one foot west of line, in all 163.86 feet to a 3/4" iron pipe in concrete found in the north line of the said Vinson 12.611 acre tract, said 3/4" iron pipe found in concrete being in or near the south line of the said W. A. Cook Survey No. 141 and in or near the north line of the said Malinda Settle Survey No. 49;

(71) THENCE with the east line of the said Scott, et al 0.403 of one acre tract and the northerly extension of the east line of the said Scott, et al 0.403 of one acre tract, N 5°38'12" W at 48.35 feet passing a 1/2" steel pin found at the northeast corner of the said Scott, et al 0.403 of one acre tract, in all 58.40 feet to 1/2" steel pin with plastic cap set for at the intersection of a line thirty (30) feet southwest of the occupied northeast line of Drapers Cove;

THENCE with said line thirty (30) feet west and southwest of the occupied east line of Drapers Cove, courses numbered 72 through 77 inclusive as follows:

(72) N 47°40'45" W 21.11 feet to a 1/2" steel pin with plastic cap set;

(73) N 37°59'27" W 35.85 feet to a 1/2" steel pin with plastic cap set;

(74) N 34°34'18" W 65.60 feet to a 1/2" steel pin with plastic cap set;

(75) N 27°02'45" W 64.76 feet to a 1/2" steel pin with plastic cap set;

(76) N 23°52'32" W 22.26 feet to a 1/2" steel pin with plastic cap set;

(77) N 36°08'40" W 13.08 feet to a 1/2" steel pin with plastic cap set in the east line of that 0.384 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 10591, Page 503, Real Property Records of Travis County, Texas;

(78) THENCE with the east line of the said Vinson 0.384 of one acre tract, N 7°08'31" W 6.39 to a 1/2" steel pin found in a southwest line of Drapers Cove at the northeast corner of the said Vinson 0.384 of one acre tract, for an interior corner of the herein described tract;

(79) THENCE with the south line of Drapers Cove and the north line of the said Vinson 0.384 of one acre tract, N 57°38'24" W 61.01 feet to a 1/2" steel pin with plastic cap set for the northwest corner of the said Vinson 0.384 of one acre tract and the northeast corner of that 0.366 of one acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to James Burnett and wife, Margie Burnett in Volume 4185, Page 157, Deed Records of Travis County, Texas, said tract now shown by the Travis Central Appraisal District to be in the name of Travis Duncan and Nikki Perrotta by virtue of a Contract of Sale;

(80) THENCE with the south line of Drapers Cove and the north line of the said Burnett 0.366 of one acre tract, N 69°34'19" W 102.62 feet to a 5/8" steel pin found at the northwest corner of the said Burnett 0.366 of one acre tract, for an interior corner of the herein described tract;

(81) THENCE with the west line of the said Burnett 0.366 of one acre tract, S 16°07'25" W 171.81 feet to a 5/8" steel pin found leaning west at the southwest corner of the said Burnett 0.366 of one acre tract and at a corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(82) THENCE with a southwest line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, S 37°05'29" E 5.09 feet to a 1/2" steel pin with plastic cap set for the northeast corner of that 0.583 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Michael David O'Cooley in Volume 13367, Page 1876, Real Property Records of Travis County, Texas, for a southeast corner of the herein described tract;

(83) THENCE with the north line of the said O'Cooley 0.583 of one acre tract, N 72°46'09" W 145.42 feet to a 1/2" steel pin found in an east line of Drapers Cove at the northwest corner of the said O'Cooley 0.583 of one acre tract, for a southwest corner of the herein described tract;

THENCE with an east and south line of Drapers Cove, courses numbered 84 through 87 inclusive as follows:

(84) N 25°44'52" W 154.57 feet to a 1/2" steel pin found;

(85) N 10°42'26" W 52.06 feet to a calculated point at a non-tangent point of curve;

(86) with a curve to the right an arc distance of 26.06 feet, said curve having a radius of 30.41 feet, a central angle of 49°06'20", and a chord of which bears N 12°51'30" E 25.27 feet to a calculated point at a non-tangent point of compound curve;

(87) with a curve to the right an arc distance of 48.12 feet, said curve having a radius of 42.26 feet, a central angle of 65°14'01", and a chord of which bears N 70°00'00" E 45.56 feet to a calculated point, for an interior corner of the herein described tract;

(88) THENCE crossing Drapers Cove N 12°37'00" E 30.00 feet to 1/2" steel pin found in the curving north line of Drapers Cove at the most northerly southeast corner of that 7.63 acre tract of land, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed with Vendor's Lien to Herbert J. Wasson and Emilie V. Harris in Document No. 1999081472, Official Public Records of Travis County, Texas;

THENCE with the east, northeast and east line of the said Wasson and Harris 7.63 acre tract, courses numbered 89 through 93 inclusive as follows:

- (89) N 21°37'12" W 153.07 feet to a 1/2" steel pin found;
- (90) N 50°48'26" W 110.62 feet to a 1/2" steel pin found;
- (91) N 50°47'24" W 183.14 feet to a 1/2" steel pin found;
- (92) N 50°52'55" W 200.07 feet to a 1/2" steel pin with plastic cap found (RPLS 1847);
- (93) N 4°53'49" W 90.39 feet to a cotton gin spindle found at the southwest corner of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in a General Warranty Deed to Betty A. Melcher in Volume 13009, Page 2433, Real Property Records of Travis County, Texas, for a northwest corner of the herein described tract;

THENCE with the south line of the said Melcher Second Tract of 0.34 of one acre and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in said General Warranty Deed to Betty A. Melcher in Volume 13009, Page 2433, Real Property Records of Travis County, Texas, and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Betty A. Melcher in Volume 11067, Page 480, Real Property Records of Travis County, Texas, courses numbered 94 through 96 inclusive as follows:

- (94) S 79°18'15" E 99.97 feet to a 1/2" steel pin found at the southeast corner of the said Melcher Second Tract of 0.34 of one acre and the southwest corner of the said Melcher First Tract of 0.34 of one acre;
- (95) S 55°24'46" E 100.05 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Melcher First Tract of 0.34 of one acre and the southwest corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas;
- (96) S 64°50'42" E 99.98 feet to a 1/2" steel pin found in concrete at the southeast corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(97) THENCE with the east line of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, N 4°34'46" E 149.70 feet to a 1/2" steel pin found in the south line of a private street, locally known as Draper Mountain Trail at the northeast corner of the said Melcher 0.34 of one acre tract of record in Volume 11067, Page 480, Real Property Records of Travis County, Texas, for a northwest corner of the herein described tract;

(98) THENCE with a south line of Draper Mountain Trail, S 68°33'57" E 199.43 feet to a 1/2" steel pin found at the northwest corner of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Helen E. Melcher in Document No. 2002101212, Official Public Records of Travis County, Texas, for a northeast corner of the herein described tract;

(99) THENCE with the west line of the said Helen E. Melcher 0.33 of one acre tract, S 4°33'00" W 149.18 feet to a 5/8" steel pin found at the southwest corner of the said Helen E. Melcher 0.33 of one acre tract, for an interior corner of the herein described tract;

THENCE with the south line of the said Helen E. Melcher 0.33 of one acre and the south line of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to J. E. Laird and wife, Ruby Lee Laird in Volume 9709, Page 693, Real Property Records of Travis County, Texas, courses numbered 100 through 101 inclusive as follows:

(100) S 68°48'30" E 99.46 feet to a 5/8" steel pin found at the southeast corner of the said Helen Melcher 0.34 of one acre tract and the southwest corner of the said Laird 0.33 of one acre tract of record in Volume 9709, Page 693, Real Property Records of Travis County, Texas;

(101) S 66°52'33" E 97.19 feet to a 5/8" steel pin found at the southeast corner of the said Laird 0.33 of one acre tract of record in Volume 9709, Page 693, Real Property Records of Travis County, Texas, and the southwest corner of the said 0.17 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit C in an Owner Finance Warranty Deed With Vendor's Lien to Joseph Edgar Laird and wife, Ruby Lee Laird in Volume 8402, Page 362, Deed Records of Travis County, Texas;

THENCE with the south line of the said Laird 0.17 of one acre tract as described in Exhibit C and with the south line of that 0.17 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit B in said deed of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, and being also with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit A in said deed to Laird of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, and with the south line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in Exhibit D in said deed to Laird of record in Volume 8402, Page 362, Deed Records of Travis County, Texas, courses numbered 102 through 105 inclusive as follows:

(102) S 72°37'18" E 50.11 feet to a 5/8" steel pin found at the southeast corner of the said Laird 0.17 of one acre tract as described in Exhibit C and the southwest corner of the said Laird 0.17 of one acre tract as described in Exhibit B;

(103) S 78°57'27" E 52.29 feet to a 1/2" steel pin found at the southeast corner of the said Laird 0.17 of one acre tract as described in Exhibit C and the southwest corner of the said Laird 0.34 of one acre tract as described in Exhibit A;

(104) S 73°16'24" E 99.86 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird 0.34 of one acre tract as described in Exhibit A and the southwest corner of the said Laird 0.34 of one acre tract as described in Exhibit D;

(105) S 80°03'24" E 100.14 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird 0.34 of one acre tract as described in Exhibit D and the southwest corner

of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in a Warranty Deed to Joseph Edgar Laird and wife, Ruby Lee Laird in Volume 10897, Page 889, Real Property Records of Travis County, Texas;

THENCE with the south line of the said Laird Second Tract of 0.34 of one acre and with the southwest line of that 0.31 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in said Warranty Deed to Laird of record in Volume 10897, Page 889, Real Property Records of Travis County, Texas, courses numbered 106 through 107 inclusive as follows;

(106) S 68°03'24" E 99.72 feet to a 1/2" steel pin with plastic cap set for the southeast corner of the said Laird Second Tract of 0.34 of one acre and the southwest corner of the said Laird First Tract of 0.31 of one acre;

(107) S 57°28'24" E 100.07 feet to a 3/4" steel pin found at the southeast corner of the said Laird First Tract of 0.31 of one acre and the southwest corner of that 0.30 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty Deed With Vendor's Lien to Harold J. Nelson and Ann Marie Gibbs St. Martin in Document No. 2003123239, Official Public Records of Travis County, Texas;

(108) THENCE with the south or southwest line of the said Nelson and St. Martin 0.30 of one acre tract, S 53°34'00" E 100.52 feet to a 3/4" steel pin found in the west line of that 1.002 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a General Warranty Deed to Stephen K. Nagl and Gay F. Nagl in Document No. 2004187346, Official Public Records of Travis County, Texas, and at the southeast corner of the said Nelson and St. Martin 0.30 of one acre tract, for a northeast corner of the herein described tract;

(109) THENCE with the west line of the said Nagl 1.002 acre tract, S 4°56'14" W 99.70 feet to a 1/2" steel pin with plastic cap set for the southwest corner of the said Nagl 1.002 acre tract, for an interior corner of the herein described tract;

(110) THENCE with the south line of the said Nagl 1.002 acre tract, S 77°09'46" E 192.14 feet to a 1/2" steel pin found in the west line of that 1.462 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in an Assumption Warranty Deed With Vendor's Lien to Michael K. Temple and Marcia Temple in Volume 10505, Page 588, Real Property Records of Travis County, Texas, and at the southeast corner of the said Nagl 1.002 acre tract, for a northeast corner of the herein described tract;

(111) THENCE with the west line of the said Temple 1.462 acre tract, S 4°54'33" W 95.90 feet to a 1/2" steel pin found at the southwest corner of the said Temple 1.462 acre tract, for an interior corner of the herein described tract;

(112) THENCE with the south line of the said Temple 1.462 acre tract, S 85°06'26" E 199.92 feet to a 1/2" steel pin found at the southeast corner of the said Temple 1.462 of one acre tract, for an interior corner of the herein described tract;

(113) THENCE with the east line of the said Temple 1.462 acre tract, N 4°55'09" E 318.00 feet to a 1/2" steel pin found in the south line of Draper Mountain Trail at the northeast corner of the said Temple 1.462 acre tract;

(114) THENCE crossing Draper Mountain Trail and the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, N 36°27'01" W 155.00 feet to a calculated point on the north side of Draper Mountain Trail, for an interior corner of the herein described tract;

THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being along or near the north line of Draper Mountain Trail, courses numbered 115 through 118 inclusive as follows:

(115) S 62°21'16" W 116.00 to a calculated point;

(116) S 89°19'49" W 88.20 to a calculated point;

(117) N 62°35'36" W 95.48 to a calculated point;

(118) N 54°41'26" W 49.09 to a 1/2" steel pin with plastic cap set for the southeast corner of that 2,512 square foot tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Harold Nelson in Volume 12603, Page 162, Real Property Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the east line of the said Nelson 2,512 square foot tract and the east line of the 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Tract I and described in a Corrected Warranty Deed to Harold J. Nelson in Volume 12059, Page 75, Real Property Records of Travis County, Texas, courses numbered 119 through 120 inclusive as follows:

(119) N 2°21'38" E 41.40 feet to a 1/2" steel pin found at the northeast corner of the said Nelson 2,512 square foot tract and the southeast corner of the said Nelson Tract I of 0.32 of one acre;

(120) N 2°21'38" E 62.09 feet to a calculated point for a northwest corner of the herein described tract;

THENCE crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 121 through 123 inclusive as follows:

(121) S 87°38'22" E 86.44 feet to a calculated point for an interior corner of the herein described tract;

(122) N 8°25'55" E 58.35 feet to a calculated point for an interior corner of the herein described tract;

(123) N 69°50'17" W 97.27 feet to a 1/2" steel pin found at the northeast corner of the said Nelson Tract I of 0.32 of one acre;

THENCE with the north line of the said Nelson Tract I of 0.32 of one acre and the north line of that 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Tract II and described in a said Corrected Warranty Deed to Harold J. Nelson in Volume 12059, Page 75, Real Property Records of Travis County, Texas, and being also with the north line of that 0.33 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to Harold Nelson in Volume 12666, Page 143, Real Property Records of Travis County, Texas, courses numbered 124

through 126 inclusive as follows:

(124) N 69°50'17" W 99.93 feet to a 1/2" steel pin found at the northwest corner of the said Nelson Tract I of 0.32 of one acre and the northeast corner of the said Nelson Tract II of 0.32 of one acre;

(125) N 69°49'01" W 99.75 feet to a 1/2" steel pin found at the northwest corner of the said Nelson Tract II of 0.32 of one acre and the northeast corner of the said Nelson 0.33 of one acre;

(126) N 69°49'32" W 99.96 feet to a 1/2" steel pin found at the northwest corner of the said Nelson 0.33 of one acre and the northeast corner of that 0.337 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 12667, Page 479, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(127) THENCE with the west line of the said Nelson 0.33 of one acre and the east line of the said Vinson 0.337 of one acre, S 2°25'41" W 149.75 feet to a 1/2" steel pin found in the north line of Draper Mountain Trail at the southwest corner of the said Nelson 0.33 of one acre and the southeast corner of the said Vinson 0.337 of one acre, for a southeast corner of the herein described tract;

THENCE along or near the north line of Draper Mountain Trail, courses numbered 128 through 130 inclusive as follows:

(128) N 73°11'07" W 99.95 feet to a 1/2" steel pin found;

(129) N 73°13'38" W 99.89 feet to a 1/2" steel pin found;

(130) N 72°29'39" W 299.84 feet to a 1/2" iron pipe found in the north line of Draper Mountain Trail at the southeast corner of that 0.689 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to Jeffrey Press and wife, Kimberly Press in Document No. 2005052503, Official Public Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the east, north and west line of the said Press 0.689 of one acre, courses numbered 131 through 133 inclusive as follows:

(131) N 3°38'16" E 310.87 feet to a 1/2" steel pin found at the northeast corner of the said Press 0.689 of one acre, for an interior corner of the herein described tract;

(132) N 72°00'09" W 99.95 feet to a 1/2" steel pin found at the northwest corner of the said Press 0.689 of one acre, for an interior corner of the herein described tract;

(133) S 3°34'26" W 309.22 feet to a 1/2" steel pin found at the southwest corner of the said Press 0.689 of one acre, for a southeast corner of the herein described tract

THENCE along or near the north line of Draper Mountain Trail, courses numbered 134 through 136 inclusive as follows:

(134) N 64°43'09" W 132.92 feet to a calculated point;

(135) N 53°40'31" W 93.64 feet to a 1/2" steel pin found;

(136) N 80°04'01" W 71.03 feet to a 1/2" steel pin found in the north line of Draper Mountain Trail at the southeast corner of that 6.908 acre tract, a portion of the said W. A. Cook

Survey No. 141, in Travis County, Texas, as described in a Special Warranty Deed to Jeffrey C. Nieland in Volume 12456, Page 1740, Real Property Records of Travis County, Texas, for a southwest corner of the herein described tract;

(137) THENCE with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and the east line of the said Nieland 6.908 acre tract, N 22°25'20" W 509.97 feet to a 1/2" steel pin found in the east line of the said Nieland 6.908 acre tract at a northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being also the southwest corner of that 10.26 acre tract, a portion of the said W. A. Cook Survey No. 141 and the Lewis Lindsey Survey No. 265, Abstract No. 2171, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to William G. McHugh in Document No. 2002035207, Official Public Records of Travis County, Texas, for a northwest corner of the herein described tract;

(138) THENCE with a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and with the south line of the said McHugh 10.26 acre tract, N 73°24'11" E 388.72 feet to a 1/2" steel pin found at the southeast corner of the said McHugh 10.26 acre tract and a southwest or west corner of that 16.08 acre tract, a portion of the said W. A. Cook Survey No. 141 and the said Lewis Lindsey Survey No. 265, in Travis County, Texas, as described in a Warranty Deed to G. L. Vinson in Volume 6561, Page 242, Deed Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the west line of the said Vinson 16.08 acre tract and the east line of the said McHugh 10.26 acre tract, courses numbered 139 through 140 inclusive as follows:

(139) N 28°15'50" E 176.77 feet to a 1/2" steel pin found;

(140) N 22°33'24" W 990.27 feet to a 1/2" steel pin found at the northwest corner of the said Vinson 16.08 acre tract and a northeast corner of the said McHugh 10.26 acre tract, said 1/2" steel pin found being the southwest corner of that 12.28 acre tract, a portion of the said Lewis Lindsey Survey No. 265, in Travis County, Texas, as described in a Warranty Deed to Charles D. Van Cleave and wife, Gloria J. Van Cleave in Volume 3483, Page 1915, Deed Records of Travis County, Texas, for a northwest corner of the herein described tract;

THENCE with the north line of the said Vinson 16.08 acre tract and the south line of the said Van Cleave 12.28 acre tract, courses numbered 141 through 143 inclusive as follows:

(141) S 60°43'10" E 10.08 feet to a 1/2" steel pin found;

(142) S 62°17'30" E 243.12 feet to a 1/2" steel pin found;

(143) S 66°41'16" E 892.77 feet to a 1/2" steel pin found in a west line of a private road, locally known as Drapers Cove and in a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being the northeast corner of the said Vinson 16.08 acre tract and the southeast corner of the said Van Cleave 12.28 acre tract, for an interior corner of the herein described tract;

THENCE with the west, southwest and south line of Drapers Cove and a west, southwest and south line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and being also with the east, northeast and north line of the said Van Cleave 12.28 acre tract, courses numbered 144 through 149 inclusive as follows;

(144) N 3°51'52" E 360.05 feet to a 1/2" steel pin found;
(145) N 3°57'18" W 99.86 feet to a 1/2" steel pin found;
(146) N 32°37'26" W 99.98 feet to a 1/2" steel pin found;
(147) N 58°16'12" W 229.98 feet to a 1/2" steel pin found;
(148) N 64°47'35" W 359.96 feet to a 1/2" steel pin found;
(149) N 58°26'35" W 64.23 feet to a 1/2" steel pin with plastic cap set in asphalt for a southwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land and a southeast corner of that unplatted tract of land, a portion of the said Lewis Lindsey Survey No. 265 and the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Other and conveyed in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, for a southwest corner of the herein described tract;

THENCE with the west line of Drapers Cove and the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 150 through 152 inclusive as follows:

(150) N 15°13'35" W 8.15 feet to a 1/2" steel pin found;
(151) N 15°22'02" W 46.75 feet to a 1/2" steel pin found;
(152) N 7°16'06" E 37.39 feet to a 1/2" steel pin found near corner of fence at an angle point in the west line of Drapers Cove and at an angle point in the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being also in or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas;

THENCE with the west line of Drapers Cove and crossing the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 153 through 154 inclusive as follows:

(153) N 27°22'59" E 41.77 feet to a 1/2" steel pin with plastic cap set near corner of fence;
(154) N 44°25'04" E 255.79 feet to a 1/2" steel pin found near corner of fence in the west line of Drapers Cove and at an angle point in the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin found being also in or near the east line of the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas;

THENCE with the west line of Drapers Cove and the west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and being also along or near the unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, courses numbered 155 through 175 inclusive as follows:

(155) N 42°31'20" E 71.53 feet to a 1/2" steel pin found;
(156) N 30°29'16" E 138.99 feet to a 3/4" steel pin found;
(157) N 23°45'46" E 31.51 feet to a 3/4" steel pin found;

(158) N 9°35'18" E 66.85 feet to a 3/4" steel pin found;
 (159) N 0°26'11" E 77.65 feet to a 3/4" steel pin found;
 (160) N 12°19'05" W 48.11 feet to a 1/2" steel pin found;
 (161) N 20°19'58" W 53.72 feet to a 1/2" steel pin found;
 (162) N 25°57'16" W 142.29 feet to a mag nail in concrete found;
 (163) N 30°27'22" W 168.99 feet to a 1/2" steel pin found;
 (164) N 9°59'50" W 46.13 feet to a 1/2" steel pin found;
 (165) N 12°16'16" E 53.36 feet to a 1/2" steel pin found;
 (166) N 33°12'28" E 86.45 feet to a 1/2" steel pin found;
 (167) N 39°14'08" E 61.65 feet to a 1/2" steel pin found;
 (168) N 46°15'39" E 125.89 feet to a 1/2" steel pin found;
 (169) N 49°18'43" E 172.95 feet to a 1/2" steel pin found;
 (170) N 40°09'23" E 67.97 feet to a 1/2" steel pin found;
 (171) N 35°08'07" E 76.10 feet to a 1/2" steel pin found;
 (172) N 30°26'05" E 75.81 feet to a 1/2" steel pin found;
 (173) N 22°03'18" E 54.10 feet to a 1/2" steel pin found;
 (174) N 16°46'39" E 441.15 feet to a 1/2" steel pin found;
 (175) N 1°34'56" W 35.01 feet to a 1/2" steel pin with plastic cap set in or near the east line of that 4.349 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Substitute Trustee's Deed to Hugh Beadles in Volume 13019, Page 990, Real Property Records of Travis County, Texas, for the northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, said 1/2" steel pin with plastic cap set being at or near the north corner of the said unplatted tract designated as Other in said Deed Without Warranty of record in Document No. 2003204418, Official Public Records of Travis County, Texas, for the northwest corner of the herein described tract;

THENCE crossing Drapers Cove with the north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and with the south line of that 2.399 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Robert S. Blackburn and Ruth S. Blackburn, Trustees in Document No. 2002024812, Official Public Records of Travis County, Texas, and being also with the south line of that 1.055 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to the Christian Science Society in Volume 9086, Page 678, Real Property Records of Travis County, Texas, courses numbered 176 through 179 inclusive as follows:

(176) N 86°39'51" E 156.01 feet to a PK nail found in top of a wood fence post;
 (177) S 61°15'09" E 485.79 feet to a 1/2" steel pin with plastic cap found (RPLS 1847);
 (178) S 63°02'26" E 51.54 feet to a 1/2" steel pin found at the southeast corner of the said Blackburn 2.399 acre tract and at the southwest corner of the said Christian Science Society 1.055 acre tract;
 (179) S 62°57'16" E 241.25 feet to a 1/2" steel pin found at the southeast corner of the said Christian Science Society 1.055 acre tract and at the southwest corner of that 2.036 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 12717, Page 693, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

(180) THENCE with the west line of the said Vinson 2.036 acre tract and with the east line of the said Christian Science Society 1.055 acre tract, N 31°28'45" E 196.07 feet to a 1/2" steel pin found in the south line of Boggy Ford Road at the northwest corner of the said Vinson 2.036 acre tract and the northeast corner of the said Christian Science Society 1.055 acre tract, for a northwest corner of the herein described tract;

THENCE with south and southwest line of Boggy Ford Road and with the north and northeast line of the said Vinson 2.035 acre tract, courses numbered 181 through 182 inclusive as follows:

(181) S 65°33'05" E 316.18 feet to a 1/2" steel pin with plastic cap set at point of curve;
(182) with a curve to the right, an arc distance of 175.77 feet, said curve having a radius of 291.06 feet, a central angle of 34°36'02" and a chord of which bears S 48°15'27" E 173.11 feet to a 1/2" steel pin found at the east corner of the said Vinson 2.035 acre tract and the north corner of that 1.00 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a General Warranty Deed to Travis Oaks Baptist Church in Volume 4788, Page 1033, Deed Records of Travis County, Texas, for an east corner of the herein described tract;

(183) THENCE with the south line of the said Vinson 2.035 acre tract and the north line of the said Travis Oaks Baptist Church 1.00 acre tract, S 63°09'53" W 205.60 feet to a 1/2" steel pin with plastic cap set in a north line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land for the southeast corner of the said Vinson 2.035 acre tract and the west corner of the said Travis Oaks Baptist Church 1.00 acre tract, said a 1/2" steel pin with plastic cap set being also set for the north corner of that 1.712 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Travis Oaks Baptist Church in Document No. 2000050175, Official Public Records of Travis County, Texas, and the northwest corner of that 2.00 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to Travis Oaks Baptist Church in Volume 9007, Page 882, Real Property Records of Travis County, Texas;

(184) THENCE with the north line of the said Travis Oaks Baptist Church 1.712 acre tract, S 63°01'58" W 464.04 feet to a 1/2" steel pin found at the west corner of the said 1.712 acre tract, for an interior corner of the herein described tract;

THENCE with the south line of the said Travis Oaks Baptist Church 1.712 acre tract and the south line of the said Travis Oaks Baptist Church 2.000 acre tract, courses numbered 185 through 186 inclusive as follows:

(185) S 57°24'26" E 373.77 feet to a 1/2" steel pin found at the southeast corner of the said Travis Oaks 1.712 acre tract and the southwest corner of the said Travis Oaks 2.000 acre tract;

(186) S 57°24'03" E 160.48 feet to a 1/2" steel pin with plastic cap set for the northwest corner of a 2.000 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Susan Montana in Document No. 2006113603, Official Public Records of Travis County, Texas, for a northeast corner of the herein described tract;

THENCE with the west and southwest line of the said Montana 2.000 acre tract, courses numbered 187 through 191 inclusive as follows:

(187) S 35°12'33" W 181.07 feet to a 1/2" steel pin with plastic cap set;
(188) S 21°39'36" W 154.09 feet to a 1/2" steel pin with plastic cap set;
(189) S 11°48'20" E 85.36 feet to a 1/2" steel pin with plastic cap set;
(190) S 33°00'20" E 72.52 feet to a 1/2" steel pin with plastic cap set in rock;
(191) S 53°37'26" E 260.49 feet to a 1/2" steel pin with plastic cap set in the west line of that 1.479 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to Jack Montana and wife, Susan Koerner in Document No. 1999084833, Official Public Records of Travis County, Texas;

THENCE with the west line of the said Montana Tract 1 of 1.479 acres and the west line of that 0.400 of one acre of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to Michael Brasel and Kathleen Brasel in Document No. 2004038445, Official Public Records of Travis County, Texas, courses numbered 192 through 193 inclusive as follows:

(192) S 23°25'28" E 145.00 feet to a 1/2" steel pin with plastic cap found (West 4188) at the southwest corner of the said Montana Tract 1 of 1.479 acres and the northwest corner of the said Brasel Tract 1 of 0.400 of one acre;

(193) S 34°32'32" E 217.75 feet to a cotton gin spindle found at the southwest corner of the said Brasel Tract 1 of 0.400 of one acre, for an interior corner of the herein described tract;

(194) THENCE with the south line of the said Brasel Tract 1 of 0.400 of one acre, N 55°26'29" E 80.15 feet to a 1/2" steel pin found at the southeast corner of the said Brasel Tract 1 of 0.400 of one acre and the southwest corner of that 0.500 of one acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a General Warranty Deed to Michael D. Brasel and spouse, Kathleen D. Brasel in Volume 11866, Page 1344, Real Property Records of Travis County, Texas, and being also the west corner of that 0.099 of one acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 2 and described in said Warranty Deed to Brasel in Document No. 2004038445, Official Public Records of Travis County, Texas;

(195) THENCE with the south line of the said Brasel Tract 2 of 0.099 of one acre, S 83°35'51" E 132.11 feet to a 1/2" steel pin found at the southeast corner of the said Brasel Tract 2 of 0.099 of one acre, for an interior corner of the herein described tract;

THENCE with the east line of the said Brasel Tract 2 of 0.099 of one acre and the east line of the said Brasel Tract 1 of 0.500 of one acre, and being also with the east line of the said Montana Tract 1 of 1.479 acres and the east line of that 1.142 acre tract, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, designated as Tract 1 and described in a Warranty Deed to Jack L. Koerner (Montana) and wife, Susan Koerner in Volume 11798, Page 1397, Real Property Records of Travis County, Texas, courses numbered 196 through 199 inclusive as follows:

(196) N 34°31'57" W 86.57 feet to a 1/2" steel pin with plastic cap found (West 4188) at the northeast corner of the said Brasel Tract 2 of 0.099 of one acre and the southeast corner of the said Brasel Tract 1 of 0.500 of one acre;

(197) N 34°29'31" W 343.45 feet to a 1/2" steel pin found at an angle point in the east line of the said Montana Tract 1 of 1.479 acres;

(198) N 13°14'52" E 187.34 feet to a 1/2" steel pin found at northeast corner of the said Montana Tract 1 of 1.479 acres and the southeast corner of the said Koerner Tract 1 of 1.142 acres;

(199) N 13°20'20" E 137.24 feet to a 1" iron pipe found at the northeast corner of the said Koerner Tract 1 of 1.142 acres and the southeast corner of that 0.986 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Warranty Deed to Travis Oaks Baptist Church in Volume 12105, Page 295, Real Property Records of Travis County, Texas;

THENCE with the east line of the said Travis Oaks Baptist Church 0.986 of one acre tract and the east line of that 0.945 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Deed of Gift to Travis Oaks Baptist Church in Volume 4649, Page 1788, Deed Records of Travis County, Texas, and being also with a west line of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, courses numbered 200 through 201 inclusive as follows:

(200) N 13°34'51" E 217.53 feet to a 1/2" steel pin with plastic cap set at the northeast corner of the said Travis Oaks Baptist Church 0.986 of one acre tract and the southeast corner of the said Travis Oaks Baptist Church 0.945 of one acre tract, said 1" iron pipe found being also an interior corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land;

(201) N 13°32'39" E 208.70 feet to a 1/2" steel pin set (no plastic cap) for the northeast corner of the said Travis Oaks Baptist Church 0.945 of one acre tract and the southeast corner of that 1.00 acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a General Warranty Deed to Travis Oaks Baptist Church in Volume 4788, Page 1033, Deed Records of Travis County, Texas, said 1/2" steel pin set (no plastic cap) being also set for a northwest corner of the said Vinson 278.36 acre tract of land, save and except 19.27 acres of land, and the southwest corner of that 0.018 of one acre tract of land, a portion of the said W. A. Cook Survey No. 100, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 10321, Page 422, Real Property Records of Travis County, Texas;

(202) THENCE with the east line of the said Travis Oaks Baptist Church 1.00 acre tract and the west line of the said Vinson 0.018 of one acre tract, N 13°32'39" E 30.72 feet to a cotton gin spindle set in asphalt in the curving south line of Boggy Ford Road for the northeast corner of the said Travis Oaks Baptist Church 1.00 acre tract and the northwest corner of the said Vinson 0.018 of one acre tract, for a northwest corner of the herein described tract;

THENCE with the south line of Boggy Ford Road and the north line of the said Vinson 0.018 of one acre tract and with the north line of the said Vinson 2.393 acre tract, courses numbered 203 through 208 inclusive as follows:

(203) with a curve to the left, an arc distance of 26.25 feet, said curve having a radius of 510.06 feet, a central angle of 2°56'56" and a chord of which bears S 60°52'15" E 26.25 feet to a

1/2" steel pin with plastic cap set for the northeast corner of the said Vinson 0.018 of one acre tract and the northwest corner of the said Vinson 2.393 acre tract;

(204) with a curve to the left, an arc distance of 135.29 feet, said curve having a radius of 510.06 feet, a central angle of $15^{\circ}11'49''$ and a chord of which bears S $69^{\circ}56'38''$ E 134.89 feet to a 60d nail set in top of a wood fence post at point of tangency;

(205) S $76^{\circ}43'38''$ E 226.75 feet to a 1/2" steel pin with plastic cap set;

(206) S $72^{\circ}05'38''$ E 746.24 feet to a 1/2" steel pin found;

(207) S $69^{\circ}16'12''$ E 112.32 feet to a 1/2" steel pin with plastic cap set at point of curve;

(208) with a curve to the left, an arc distance of 109.03 feet, said curve having a radius of 348.81 feet, a central angle of $17^{\circ}54'31''$ and a chord of which bears S $78^{\circ}10'37''$ E 108.58 feet to the POINT OF BEGINNING of the herein described tract, containing 286.85 acres of land, more or less, SAVE AND EXCEPT the following tracts of land located within the boundaries of the above 286.85 acre metes and bounds description: 2.504 acres and 2.899 acres as described in the accompanying metes and bounds descriptions, leaving 281.45 acres of land, more or less, for annexation.

Note: The plastic caps on the 1/2" steel pins set are inscribed with "M & S 1838".

Metes and Bounds Description
Revised June 1, 2007 From A
Prepared April 25, 2007.
Survey Completed May 5, 2006

METCALFE & SANDERS, INC.
Land Surveyors



By:

A handwritten signature in black ink, appearing to read "George L. Sanders", written over a horizontal line.

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

Ref Plan 9891
FB 905, P 1-51 & DC
FB 904, P 1-63 & DC
FB 225, P 1-40 & DC (Loomis)

Job No. 07024.01

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METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

ANNEXATION DESCRIPTION FOR 2.899 ACRES - SAVE AND EXCEPT TRACT

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 2.899 ACRES OF LAND, A PORTION OF THE W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587, IN TRAVIS COUNTY, TEXAS, SAID 2.899 ACRES OF LAND BEING A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: BEING ALL OF THAT 0.30 OF ONE ACRE TRACT OF LAND DESIGNATED AS TRACT 1 AND ALL OF THAT 0.29 OF ONE ACRE TRACT OF LAND DESIGNATED AS TRACT 2, BOTH BEING A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND BOTH BEING DESCRIBED IN A WARRANTY DEED TO KATHERAN ACMORSONI IN VOLUME 11592, PAGE 982, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO DAVID N. McCREA AND WIFE, ARLIS J. McCREA IN VOLUME 5257, PAGE 1283, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.36 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A SPECIAL WARRANTY DEED TO THERESA S. WILSON IN VOLUME 6802, PAGE 41, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT 0.37 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS CONVEYED IN A SPECIAL WARRANTY DEED TO ANN MARIE ST. MARTIN IN VOLUME 11225, PAGE 885, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.03 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN DEED TO PATRICK G. ST. MARTIN AND WIFE ANN M. ST. MARTIN IN VOLUME 10270, PAGE 851, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.32 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN GENERAL WARRANTY DEED WITH VENDOR'S LIEN IN FAVOR OF THIRD PARTY TO JOSPEH K. MOXLEY IN VOLUME 13360, PAGE 528, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.36 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO JOSEPH K. MOXLEY IN DOCUMENT NO. 2003029501, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING ALL OF THAT 0.296 OF ONE ACRE TRACT OF LAND DESIGNATED AS FIRST TRACT AND ALL OF THAT 0.282 OF ONE ACRE TRACT OF LAND DESIGNATED AS SECOND TRACT, BOTH BEING A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND BOTH BEING DESCRIBED IN A WARRANTY DEED TO TRAVIS DUNCAN AND SPOUSE, NIKKI DUNCAN IN DOCUMENT NO. 2003203432, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AS SURVEYED FOR G. L. VINSON AND REVISED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS

AVENUE, AUSTIN, TEXAS, SAID 2.899 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" steel pin found at an angle point in a north line of a private street, locally known as Drapers Cove, at the southeast corner of that 0.29 of one acre tract, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, designated as Tract 2 and described in a Warranty Deed to Katheran Acmorsoni in Volume 11592, Page 982, Real Property Records of Travis County, Texas, for the POINT OF BEGINNING and most easterly southeast corner of the herein described tract, and from which 1/2" steel pin found, a 1/2" steel pin found at the intersection of the southeast line of Drapers Cove and the north line of a private street, locally known as Treat Trail, at the southwest corner of that 18,184 square foot tract of land, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed to Ruth Oliver in Volume 7727, Page 752, Deed Records of Travis County, Texas, bears S 81°46'41" E 119.70 feet;

(1) THENCE with the north line of Drapers Cove and the south line of the said Acmorsoni Tract 2 of 0.29 of one acre of land and with the south line of that 0.30 of one acre tract, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, designated as Tract 1 and described in said Warranty Deed to Katheran Acmorsoni in Volume 11592, Page 982, Real Property Records of Travis County, Texas, and being also with the south line of that tract of land, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed With Vendor's Lien to David N. McCrea and wife, Arlis J. McCrea in Volume 5257, Page 1283, Deed Records of Travis County, Texas, S 87°57'47" W 299.23 feet to a 1/2" steel pin with plastic cap set in the east line of that 0.36 of one acre tract, a portion of the said W. A. Cook Survey No. 141, Abstract No. 2587, in Travis County, Texas, as described in a Warranty Deed to Theresa S. Wilson in Volume 6802, Page 41, Deed Records of Travis County, Texas, for an angle point in the north line of Drapers Cove, for the southwest corner of the said McCrea tract of land, and for an interior corner of the herein described tract;

(2) THENCE with a line of Drapers Cove and the east line of the said Wilson 0.36 of one acre tract, S 1°59'59" E 20.00 feet to a 1/2" steel pin found at an angle point in the north line of Drapers Cove and at the occupied southeast corner of the said Wilson 0.36 of one acre tract, for a southeast corner of the herein described tract;

THENCE with the north line of Drapers Cove and the south line of the said Wilson 0.36 of one acre tract as occupied on the ground, courses numbered 3 through 4 inclusive as follows:

(3) S 89°20'22" W 79.47 feet to a hilti nail set in rock found;
(4) N 85°14'22" W 37.84 feet to a 1/2" steel pin found in concrete at an angle point in the north line of Drapers Cove and at the southwest corner of the said Wilson 0.36 of one acre tract, for a southwest corner of the herein described tract;

(5) THENCE with a line of Drapers Cove and the west line of the said Wilson 0.36 of one acre tract, N 5°38'51" E 11.96 feet to a 1/2" steel pin with plastic cap set for an angle point in the north line of Drapers Cove and the southeast corner of that 0.37 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as conveyed in that Special

Warranty Deed to Ann Marie St. Martin in Volume 11225, Page 885, Real Property Records of Travis County, Texas, for an interior corner of the herein described tract;

THENCE with the north, northeast and east line of Drapers Cove and with the south, southwest and west line of the said Ann Marie St. Martin 0.37 of one acre tract and being also with the west line of that 0.32 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as conveyed in that General Warranty Deed With Vendor's Lien in Favor of Third Party to Joseph K. Moxley in Volume 13360, Page 528, Real Property Records of Travis County, Texas, and being also with the west line of that 0.36 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in that Warranty Deed With Vendor's Lien to Joseph K. Moxley in Document No. 2003029501, Official Public Records of Travis County, Texas, courses numbered 6 through 12 inclusive as follows:

(6) S 86°51'15" W 36.50 feet to a 5/8" steel pin found, and from which 5/8" steel pin found, a 3/4" iron pipe found in concrete in the south line of Drapers Cove and in the north line of that 12.611 acre tract, a portion of the said Malinda Settle Survey No. 49, as described in a Special Warranty Deed to G. L. Vinson in Volume 11919, Page 88, Real Property Records of Travis County, Texas, and being also in or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, bears S 40°18'53" W 69.15 feet;

(7) N 47°40'45" W 59.52 feet to a 1/2" steel pin found in rock;

(8) N 37°59'26" W 32.41 feet to a 1/2" steel pin with plastic cap set;

(9) N 34°34'18" W 62.74 feet to a 1/2" steel pin found in the west line of the said Moxley 0.32 of one acre tract;

(10) N 27°02'45" W 61.96 feet to a 1/2" steel pin found;

(11) N 23°52'32" W 24.66 feet to a 1/2" steel pin found at the west or northwest corner of the said Moxley 0.32 of one acre tract and the southwest or south corner of the said Moxley 0.36 of one acre tract;

(12) N 36°08'40" W 59.68 feet to 1/2" steel pin found at the west or southwest corner of the said Moxley 0.36 of one acre and the south or southeast corner of that 0.296 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as First Tract and described in a Warranty Deed to Travis Duncan and spouse, Nikki Duncan in Document No. 2003203432, Official Public Records of Travis County, Texas;

THENCE with the north line of Drapers Cove and the south line of the said Duncan First Tract of 0.296 of one acre and being also with the south line of that 0.282 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, designated as Second Tract and described in said Warranty Deed to Travis Duncan and spouse, Nikki Duncan in Document No. 2003203432, Official Public Records of Travis County, Texas, courses numbered 13 through 14 inclusive as follows:

(13) N 70°18'29" W 144.77 feet to a 1/2" steel pin found;

(14) N 63°41'32" W 34.74 feet to a 1/2" steel pin found at the southwest corner of the said Duncan Second Tract of 0.282 of one acre, for the most westerly southwest corner of the herein described tract;

(15) THENCE with the west line of the said Duncan Second Tract of 0.282 of one acre, N 26°35'08" E 129.88 feet to a hilti nail found set in rock at the northwest corner of the

said Duncan Second Tract of 0.282 of one acre, for the northwest corner of the herein described tract;

THENCE with the north line of the said Duncan Second Tract of 0.282 of one acre and the north line of the said Duncan First Tract of 0.296 of one acre, courses numbered 16 through 17 inclusive as follows:

(16) S 76°33'10" E 89.67 feet to a 3/8" steel pin found at the northeast corner of the said Duncan Second Tract of 0.282 of one acre and the northwest corner of the said Duncan First Tract of 0.296 of one acre;

(17) S 76°51'39" E 86.61 feet to a 1/2" steel pin found at the northeast corner of the said Duncan First Tract of 0.296 of one acre and the northwest or north corner of the said Moxley 0.36 of one acre tract;

THENCE with the northeast and east line of the said Moxley 0.36 of one acre tract and the east line of the said Moxley 0.32 of one acre tract, courses numbered 18 through 22 inclusive as follows:

(18) S 52°51'17" E 73.98 feet to a 1/2" steel pin found;

(19) S 39°20'17" E 24.61 feet to a 1/2" steel pin with plastic cap set;

(20) S 26°19'35" E 50.05 feet to a 1/2" steel pin found at the east or southeast corner of the said Moxley 0.36 of one acre tract and the northeast corner of the said Moxley 0.32 of one acre tract;

(21) S 20°27'58" E 60.43 feet to a cotton gin spindle found;

(22) S 27°31'15" E 15.02 feet to a 1/2" steel pin found at the southeast corner of the said Moxley 0.32 of one acre tract and the north or northeast corner of that 0.03 of one acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in a deed to Patrick G. St. Martin and wife, Ann M. St. Martin in Volume 10270, Page 851, Real Property Records of Travis County, Texas;

THENCE with the east line of the said St. Martin 0.03 of one acre tract and the east and northeast line of the said Ann Marie St. Martin 0.37 of one acre tract, courses numbered 23 through 24 inclusive as follows:

(23) S 27°19'51" E 32.44 feet to a 1/2" steel pin found at the southeast corner of the said St. Martin 0.03 of one acre tract and the northeast corner of the said Ann Marie St. Martin 0.37 of one acre tract;

(24) S 43°26'50" E 32.34 feet to a 1/2" steel pin found at the northeast corner of the said Ann Marie St. Martin 0.37 of one acre tract and the northwest corner of the said Wilson 0.36 of one acre tract;

THENCE with the north line of the said Wilson 0.36 of one acre tract and the north line of the said McCrea tract of land, and being also with the north line of the said Acmorsoni Tract 1 of 0.30 of one acre and being also with the north line of the said Acmorsoni Tract 2 of 0.29 of one acre, courses numbered 25 through 28 inclusive as follows:

(25) S 73°25'35" E 32.24 feet to a 1/2" steel pin with plastic cap set;

(26) S 89°55'40" E 64.83 feet to a 1/2" steel pin found at the northeast corner of the said Wilson 0.36 of one acre tract and the northwest corner of the said McCrea tract of land;

(27) S 89°59'25" E 99.86 feet to a 1/2" steel pin found at the northeast corner of the said McCrea tract of land and the northwest corner of the said Acmorsoni Tract 1 of 0.30 of one acre;

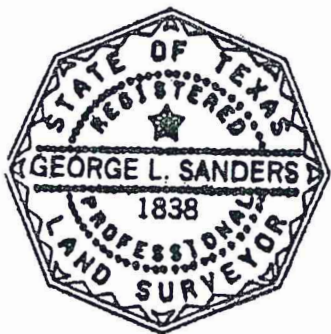
(28) S 89°47'42" E 200.20 feet to a 1/2" steel pin found at the northeast corner of the said Acmorsoni Tract 2 of 0.29 of one acre, for the northeast corner of the herein described tract of land;

(29) THENCE with the east line of the said Acmorsoni Tract 2 of 0.29 of one acre, S 1°42'50" E 123.73 feet to the POINT OF BEGINNING of the herein described tract, containing 2.899 acres of land.

Note: The plastic caps on the 1/2" steel pins set are inscribed with "M & S 1838".

Metes and Bounds Description
Revised June 1, 2007 From A
Survey Completed May 5, 2006

METCALFE & SANDERS, INC.
Land Surveyors



By:

A handwritten signature in black ink, appearing to read "George L. Sanders".

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

Ref Plan 9891
FB 905, P 1-51 & DC
FB 904, P 1-63 & DC
FB 225, P 1-40 & DC (Loomis)

Job No. 07024.01

c:\project\06031\doc\2_9acfn.doc

METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

ANNEXATION DESCRIPTION FOR 2.504 ACRES - SAVE AND EXCEPT TRACT

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 2.504 ACRES OF LAND, A PORTION OF THE W. A. COOK SURVEY NO. 141, ABSTRACT NO. 2587, AND A PORTION OF THE C. E. P. I. & M. CO. SURVEY NO. 173, ABSTRACT NO. 2191, BOTH BEING IN TRAVIS COUNTY, TEXAS, SAID 2.504 ACRES OF LAND BEING ALL OR A PORTION OF THE FOLLOWING TRACTS OF LAND, ALL BEING IN TRAVIS COUNTY, TEXAS: , BEING ALL OF THAT 18,184 SQUARE FOOT TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AS DESCRIBED IN A WARRANTY DEED TO RUTH OLIVER IN VOLUME 7727, PAGE 752, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.34 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED TO CAROL LOU TREAT IN VOLUME 4892, PAGE 260, DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.34 OF ONE ACRE TRACT, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141 AND A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS CONVEYED IN A WARRANTY DEED TO MARK T. ALGER IN DOCUMENT NO. 2001126699, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.415 OF ONE ACRE TRACT OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS CONVEYED IN A ONE-HALF INTEREST GIFT DEED TO VERNON G. HAFFERNIK IN DOCUMENT NO. 2001171314, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING ALL OF THAT 0.397 OF ONE ACRE OF LAND, A PORTION OF THE SAID C. E. P. I. & M. CO. SURVEY NO. 173, AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO JEROME URBANEK IN DOCUMENT NO. 1999050669, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING A PORTION OF THAT TRACT OF LAND CALLED TO BE 278.36 ACRES, SAVE AND EXCEPT 19.27 ACRES OF LAND, A PORTION OF THE SAID W. A. COOK SURVEY NO. 141, AND OTHERS, DESIGNATED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED TO G. L. VINSON IN VOLUME 5554, PAGE 1469, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED FOR G. L. VINSON AND REVISED FOR TRAVIS MEADOW, LP BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 2.504 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 5/8" steel pin found in the east line of a private street, locally known as Treat Trail, at the southwest corner of that 0.34 of one acre tract, a portion of the W. A. Cook Survey No. 141, Abstract No. 2587 and a portion of the said C. E. P. I. & M. Co. Survey No. 173, Abstract No. 2191, in Travis County, Texas, as described in a Warranty Deed to Carol Lou Treat in Volume 4892, Page 260, Deed Records of Travis County, Texas, for the POINT OF BEGINNING for an interior corner of the herein described tract, and from which 5/8" steel pin found, a 1/2" steel pin found at an angle point in Treat Trail at the southeast corner of that 18,184

square foot tract of land, a portion of the said W. A. Cook Survey No. 141, as described in a Warranty Deed to Ruth Oliver in Volume 7727, Page 752, Deed Records of Travis County, Texas, bears N 87°20'53" W 60.73 feet;

(1) THENCE crossing Treat Trail and a portion of that tract of land called to be 278.36 acres, save and except 19.27 acres of land, a portion of the said W. A. Cook Survey No. 141, and others, designated as Tract 1 and described in a Warranty Deed to G. L. Vinson in Volume 5554, Page 1469, Deed Records of Travis County, Texas, S 2°15'09" E 31.24 feet to a calculated point in a south line of the said Vinson 278.36 acres, save and except 19.27 acres of land and in the north line of that 12.611 acre tract of land, a portion of the Malinda Settle Survey No. 49, Abstract No. 2126, in Travis County, Texas, as described in a Special Warranty Deed to G. L. Vinson in Volume 11949, Page 88, Real Property Records of Travis County, Texas, said calculated point being in or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, for a southeast corner of the herein described tract;

(2) THENCE with the south line of Treat Trail and a south line of the said Vinson 278.36 acres, save and except 19.27 acres of land, and being also with the north line of the said Vinson 12.611 acre tract and being along or near the south line of the said W. A. Cook Survey No. 141 and the north line of the said Malinda Settle Survey No. 49, S 87°44'51" W 229.80 feet to a calculated point, for the southwest corner of the herein described tract;

(3) THENCE crossing Treat Trail with the southerly extension of the west line of the said Oliver 18,184 square foot tract of land and also crossing a portion of the said Vinson 278.36 acres, save and except 19.27 acres of land, N 30°25'48" E 35.56 feet to a 1/2" steel pin found at the intersection of the north line of Treat Trail and the east line of private street, locally known as Drapers Cove, said 1/2" steel pin found being the southwest corner of the said Oliver 18,184 square foot tract;

(4) THENCE with the east line of Drapers Cove and the west line of the said Oliver 18,184 square foot tract, N 30°25'48" E 187.84 feet to a 1/2" steel pin found at the northwest corner of the said Oliver 18,184 square foot tract, for the most southerly northwest corner of the herein described tract, and from which 1/2" steel pin found, a 1/2" steel pin found at the southeast corner of that 1.462 acre tract, a portion of the said W. A. Cook Survey No. 141, in Travis County, Texas, as described in an Assumption Warranty Deed With Vendor's Lien to Michael K. Temple and Marcia Temple in Volume 10505, Page 588, Real Property Records of Travis County, Texas, bears N 62°55'35" W 86.37 feet;

(5) THENCE with the north line of the said Oliver 18,184 square foot tract, S 56°46'12" E 127.22 feet to a 1/2" steel pin found in the west line of Treat Trail at the northeast corner of the said Oliver 18,184 square foot tract, for an interior corner of the herein described tract;

THENCE crossing a portion of the said Vinson 278.36 acres, save and except 19.27 acres of land and being along or near the west line of Treat Trail, courses numbered 6 through 8 inclusive as follows:

(6) N 25°38'44" E 148.00 feet to a 1/2" steel pin found;
(7) N 24°20'53" E 107.77 feet to a calculated point;
(8) N 19°43'42" E 95.35 feet to a calculated point at the intersection of the west line of Treat Trail with the westerly prolongation of the north line of that 0.397 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a Warranty Deed With Vendor's Lien to Jerome Urbanek in Document No. 1999050669, Official Public Records of Travis County, Texas, and the westerly prolongation of the south line of that 0.413 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as described in a Warranty Deed to George L. Vinson and wife, Jean Vinson in Volume 2714, Page 315, Deed Records of Travis County, Texas, for the most northerly northwest corner of the herein described tract;

(9) THENCE crossing Treat Trail with the westerly prolongation of the north line of the said Urbanek 0.397 of one acre tract and the westerly prolongation of the said Vinson 0.413 of one acre tract, N 88°16'47" E 32.23 feet to a 1/2" iron pipe found in the east line of Treat Trail at the northwest corner of the said Urbanek 0.397 of one acre tract and the southwest corner of the said Vinson 0.413 of one acre tract;

(10) THENCE with the north line of the said Urbanek 0.397 of one acre tract and the south line of the said Vinson 0.413 of one acre tract, N 88°16'47" E 167.26 feet to a 1/2" steel pin found at the northeast corner of the said Urbanek 0.397 of one acre tract and the southeast corner of the said Vinson 0.413 of one acre tract, for the northeast corner of the herein described tract;

THENCE with the east line of the said Urbanek 0.397 of one acre tract and the east line of that 0.415 of one acre tract, a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a One-Half Interest Gift Deed to Vernon G. Hafernik in Document No. 2001171314, Official Public Records of Travis County, Texas, and being also with the east line of that 0.34 of one acre tract, a portion of the said W. A. Cook Survey No. 141 and a portion of the said C. E. P. I. & M. Co. Survey No. 173, in Travis County, Texas, as conveyed in a Warranty Deed to Mark T. Alger in Document No. 2001126699, Official Public Records of Travis County, Texas, and the east line of the said Treat 0.34 of one acre tract, courses numbered 11 through 14 inclusive as follows:

(11) S 14°18'30" W 104.29 feet to a 5/8" steel pin found at the southeast corner of the said Urbanek 0.397 of one acre tract and the northeast corner of the said Hafernik 0.415 of one acre tract;

(12) S 21°56'55" W 108.72 feet to a 5/8" steel pin found at the southeast corner of the said Hafernik 0.415 of one acre tract and the northeast corner of the said Alger 0.34 of one acre tract;

(13) S 28°38'34" W 115.84 feet to a 5/8" steel pin found at the southeast corner of the said Alger 0.34 of one acre tract and the northeast corner of the said Treat 0.34 of one acre tract;

(14) S 29°40'52" W 117.63 feet to a 5/8" steel pin found at the southeast corner of the said Treat 0.34 of one acre tract, for the most easterly southeast corner of the herein described tract;

(15) THENCE with the south line of the said Treat 0.34 of one acre tract,

S 88°23'07" W 151.13 feet to the POINT OF BEGINNING of the herein described tract,
containing 2.504 acres of land.

Metes and Bounds Description
Revised June 1, 2007 From A
Metes and Bounds Description
Prepared April 25, 2007.
Survey Completed May 5, 2006

METCALFE & SANDERS, INC.
Land Surveyors



By:

A handwritten signature in cursive script, appearing to read "George L. Sanders".

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

Ref Plan 9891
FB 905, P 1-51 & DC
FB 904, P 1-63 & DC
FB 225, P 1-40 & DC (Loomis)

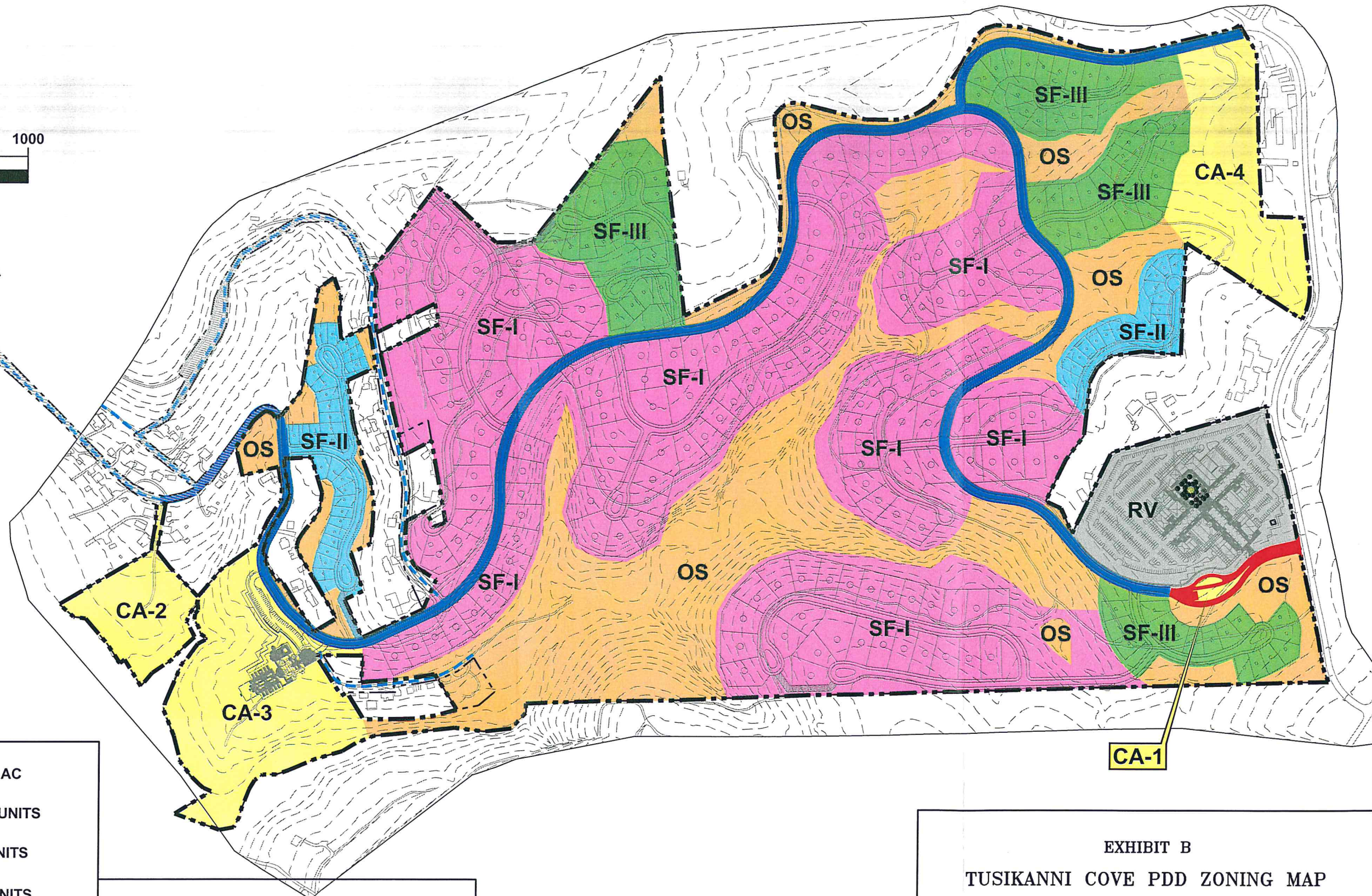
Job No. 07024.01

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EXHIBIT “B”
PDD Zoning Map



SCALE 1" = 500'



TOTAL ANNEX AREA: APPROX. 281 AC



SINGLE FAMILY (SF-I): 115 AC, 180 UNITS



SINGLE FAMILY (SF-II): 12 AC, 50 UNITS



SINGLE FAMILY (SF-III): 30 AC, 85 UNITS



COMMUNITY AMENITIES (CA): 33 AC



OPEN SPACE: 62 AC



RETAIL VILLAGE (RV): 15 AC



COLLECTOR ST. & ENTRY RD: 14 AC



ANNEX BOUNDARY



GATED ENTRY



COLLECTOR STREET



EXISTING PRIVATE ROADS
TO REMAIN

NOTE:
PROPOSED RIGHTS-OF-WAY AND LOT
ARRANGEMENT ARE PRELIMINARY
AND SUBJECT TO CHANGE.

EXHIBIT B

TUSIKANNI COVE PDD ZONING MAP

**LOOMIS
AUSTIN**

ENGINEERING, LAND SURVEYING &
ENVIRONMENTAL CONSULTING
3103 Bee Cave Road • Suite 225 • Austin Texas 78746
Phone: (512) 327-1180 • Fax: (512) 327-4062 • www.loomisaustin.com

RESOLUTION NO. 25-2126
CITY OF LAGO VISTA, TX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, FORMALLY ACCEPTING THE PUBLIC INFRASTRUCTURE INCLUDING STREETS, STORM DRAINAGE, WATER, AND SEWER IMPROVEMENTS FOR FIREFLY COVE PHASES 1A AND 1B, AS SHOWN ON THE FINAL PLAT; PROVIDING FOR ACCEPTANCE AND MAINTENANCE OF SUCH INFRASTRUCTURE BY THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the public infrastructure, including streets, storm drainage, water, and sewer improvements (collectively, the "Improvements"), for the development known as Firefly Cove Phases 1A and 1B (the "Development"), was constructed by the Developer in accordance with the approved engineering plans and specifications for said Development; and

WHEREAS, the City of Lago Vista has conducted inspections and function testing of the Improvements, and such inspections confirm that the improvements have been completed in accordance with the applicable City codes and ordinances, and are functioning as intended; and

WHEREAS, the Developer has submitted all required documentation, including the as-built drawings, engineer certifications, maintenance bond and other applicable documents, in compliance with the City's requirements for public infrastructure dedication; and

WHEREAS, the Bill of Sale will be signed upon passage of resolution, and Final Plat of Firefly Cove Phase 1A and 1B, has been reviewed and approved by the City and is included as **Exhibit A** to this Resolution; and

WHEREAS, the City of Lago Vista finds that the improvements are in good working condition, and it is in the best interest of the City to accept ownership and maintenance responsibility for the Improvements in accordance with the City's policies and procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

SECTION 1. The City of Lago Vista hereby accepts the dedication of the public infrastructure, including streets, storm drainage, water, and sewer improvements, for Firefly Cove Phase 1A and 1B, as depicted in the Final Plat attached as **Exhibit A**.

SECTION 2. Upon the formal acceptance of the Improvements, the City of Lago Vista assumes ownership and responsibility for the maintenance, operation, and repair of the Improvements as part of the City's public infrastructure.

SECTION 3. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED by the City Council of the City of Lago Vista, this 1st day of May, 2025.

CITY OF LAGO VISTA, TEXAS

Kevin Sullivan, Mayor

ATTEST:

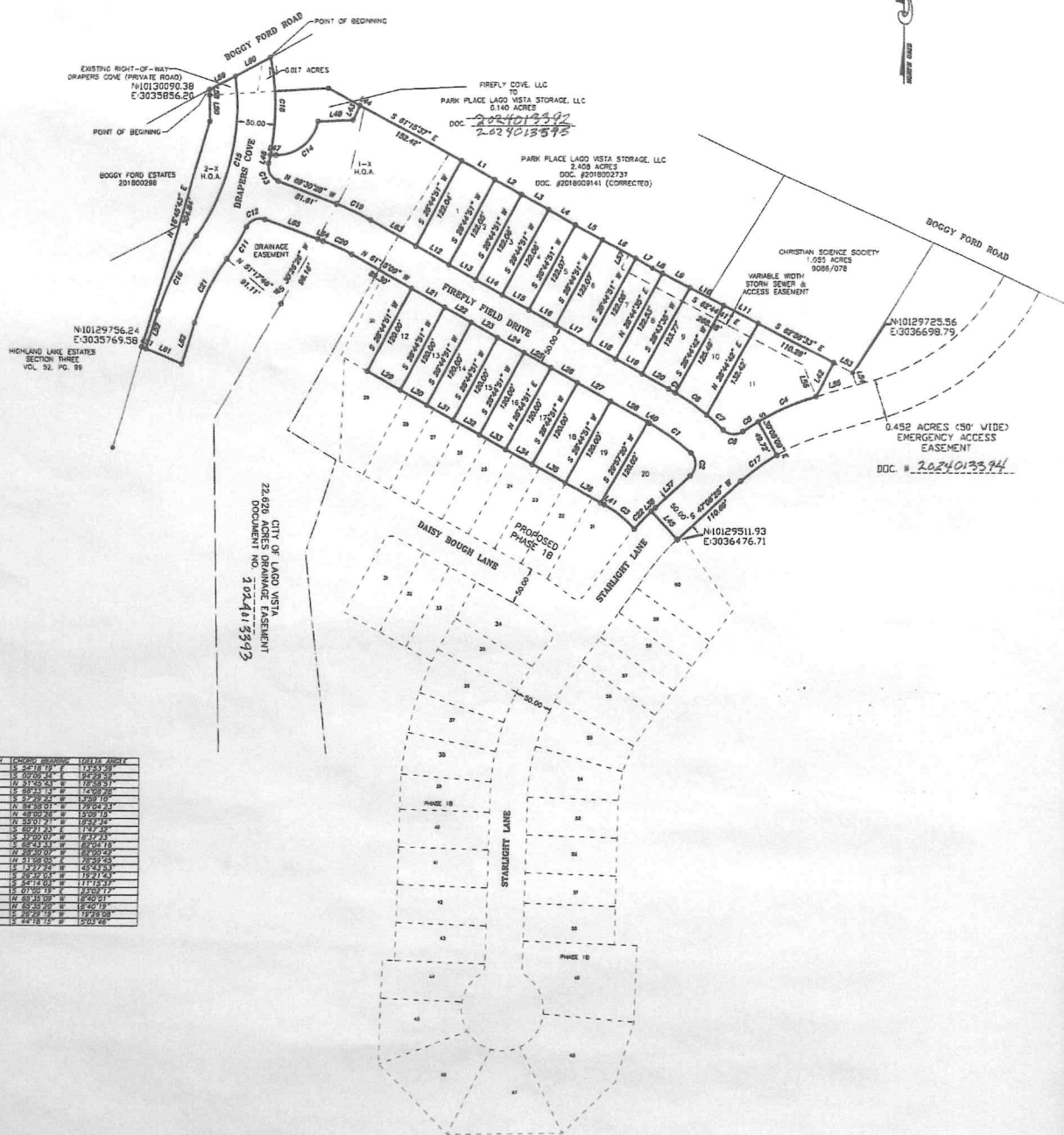
Susie Quinn, Interim City Secretary

On a motion by Councilmember _____, seconded by Councilmember _____,
the above and foregoing instrument was passed and approved.

EXHIBIT "A"

FINAL PLAT

PHASE 1A



Year	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2042-43	2043-44	2044-45	2045-46	2046-47	2047-48	2048-49	2049-50	2050-51	2051-52	2052-53	2053-54	2054-55	2055-56	2056-57	2057-58	2058-59	2059-60	2060-61	2061-62	2062-63	2063-64	2064-65	2065-66	2066-67	2067-68	2068-69	2069-70	2070-71	2071-72	2072-73	2073-74	2074-75	2075-76	2076-77	2077-78	2078-79	2079-80	2080-81	2081-82	2082-83	2083-84	2084-85	2085-86	2086-87	2087-88	2088-89	2089-90	2090-91	2091-92	2092-93	2093-94	2094-95	2095-96	2096-97	2097-98	2098-99	2099-00	2100-01	2101-02	2102-03	2103-04	2104-05	2105-06	2106-07	2107-08	2108-09	2109-10	2110-11	2111-12	2112-13	2113-14	2114-15	2115-16	2116-17	2117-18	2118-19	2119-20	2120-21	2121-22	2122-23	2123-24	2124-25	2125-26	2126-27	2127-28	2128-29	2129-30	2130-31	2131-32	2132-33	2133-34	2134-35	2135-36	2136-37	2137-38	2138-39	2139-40	2140-41	2141-42	2142-43	2143-44	2144-45	2145-46	2146-47	2147-48	2148-49	2149-50	2150-51	2151-52	2152-53	2153-54	2154-55	2155-56	2156-57	2157-58	2158-59	2159-60	2160-61	2161-62	2162-63	2163-64	2164-65	2165-66	2166-67	2167-68	2168-69	2169-70	2170-71	2171-72	2172-73	2173-74	2174-75	2175-76	2176-77	2177-78	2178-79	2179-80	2180-81	2181-82	2182-83	2183-84	2184-85	2185-86	2186-87	2187-88	2188-89	2189-90	2190-91	2191-92	2192-93	2193-94	2194-95	2195-96	2196-97	2197-98	2198-99	2199-00	2200-01	2201-02	2202-03	2203-04	2204-05	2205-06	2206-07	2207-08	2208-09	2209-10	2210-11	2211-12	2212-13	2213-14	2214-15	2215-16	2216-17	2217-18	2218-19	2219-20	2220-21	2221-22	2222-23	2223-24	2224-25	2225-26	2226-27	2227-28	2228-29	2229-30	2230-31	2231-32	2232-33	2233-34	2234-35	2235-36	2236-37	2237-38	2238-39	2239-40	2240-41	2241-42	2242-43	2243-44	2244-45	2245-46	2246-47	2247-48	2248-49	2249-50	2250-51	2251-52	2252-53	2253-54	2254-55	2255-56	2256-57	2257-58	2258-59	2259-60	2260-61	2261-62	2262-63	2263-64	2264-65	2265-66	2266-67	2267-68	2268-69	2269-70	2270-71	2271-72	2272-73	2273-74	2274-75	2275-76	2276-77	2277-78	2278-79	2279-80	2280-81	2281-82	2282-83	2283-84	2284-85	2285-86	2286-87	2287-88	2288-89	2289-90	2290-91	2291-92	2292-93	2293-94	2294-95	2295-96	2296-97	2297-98	2298-99	2299-00	2300-01	2301-02	2302-03	2303-04	2304-05	2305-06	2306-07	2307-08	2308-09	2309-10	2310-11	2311-12	2312-13	2313-14	2314-15	2315-16	2316-17	2317-18	2318-19	2319-20	2320-21	2321-22	2322-23	2323-24	2324-25	2325-26	2326-27	2327-28	2328-29	2329-30	2330-31	2331-32	2332-33	2333-34	2334-35	2335-36	2336-37	2337-38	2338-39	2339-40	2340-41	2341-42	2342-43	2343-44	2344-45	2345-46	2346-47	2347-48	2348-49	2349-50	2350-51	2351-52	2352-53	2353-54	2354-55	2355-56	2356-57	2357-58	2358-59	2359-60	2360-61	2361-62	2362-63	2363-64	2364-65	2365-66	2366-67	2367-68	2368-69	2369-70	2370-71	2371-72	2372-73	2373-74	2374-75	2375-76	2376-77	2377-78	2378-79	2379-80	2380-81	2381-82	2382-83	2383-84	2384-85	2385-86	2386-87	2387-88	2388-89	2389-90	2390-91	2391-92	2392-93	2393-94	2394-95	2395-96	2396-97	2397-98	2398-99	2399-00	2400-01	2401-02	2402-03	2403-04	2404-05	2405-06	2406-07	2407-08	2408-09	2409-10	2410-11	2411-12	2412-13	2413-14	2414-15	2415-16	2416-17	2417-18	2418-19	2419-20	2420-21	2421-22	2422-23	2423-24	2424-25	2425-26	2426-27	2427-28	2428-29	2429-30	2430-31	2431-32	2432-33	2433-34	2434-35	2435-36	2436-37	2437-38	2438-39	2439-40	2440-41	2441-42	2442-43	2443-44	2444-45	2445-46	2446-47	2447-48	2448-49	2449-50	2450-51	2451-52	2452-53	2453-54	2454-55	2455-56	2456-57	2457-58	2458-59	2459-60	2460-61	2461-62	2462-63	2463-64	2464-65	2465-66	2466-67	2467-68	2468-69	2469-70	2470-71	2471-72	2472-73	2473-74	2474-75	2475-76	2476-77	2477-78	2478-79	2479-80	2480-81	2481-82	2482-83	2483-84	2484-85	2485-86	2486-87	2487-88	2488-89	2489-90	2490-91	2491-92	2492-93	2493-94	2494-95	2495-96	2496-97	2497-98	2498-99	2499-00	2500-01	2501-02	2502-03	2503-04	2504-05	2505-06	2506-07	2507-08	2508-09	2509-10	2510-11	2511-12	2512-13	2513-14	2514-15	2515-16	2516-17	2517-18	2518-19	2519-20	2520-21	2521-22	2522-23	2523-24	2524-25	2525-26	2526-27	2527-28	2528-29	2529-30	2530-31	2531-32	2532-33	2533-34	2534-35	2535-36	2536-37	2537-38	2538-39	2539-40	2540-41	2541-42	2542-43	2543-44	2544-45	2545-46	2546-47	2547-48	2548-49	2549-50	2550-51	2551-52	2552-53	2553-54	2554-55	2555-56	2556-57	2557-58	2558-59	2559-60	2560-61	2561-62	2562-63	2563-64	2564-65	2565-66	2566-67	2567-68	2568-69	2569-70	2570-71	2571-72	2572-73	2573-74	2574-75	2575-76	2576-77	2577-78	2578-79	2579-80	2580-81	2581-82	2582-83	2583-84	2584-85	2585-86	2586-87	2587-88	2588-89	2589-90	2590-91	2591-92	2592-93	2593-94	2594-95	2595-96	2596-97	2597-98	2598-99	2599-00	2600-01	2601-02	2602-03	2603-04	2604-05	2605-06	2606-07	2607-08	2608-09	2609-10	2610-11	2611-12	2612-13	2613-14	261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LINE	WAVELENGTH	FLUX DENSITY
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102	5 21 23.5	20.00
103	5 21 23.5	20.00
104	5 21 23.5	20.00
105	5 21 23.5	20.00
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OWNER/DEVELOPER
FIREFLY COVE, LLC
P.O. BOX G
ASPEN, CO 81612

BEARINGS ARE BASED ON THE
TEXAS STATE PLANE COORDINATE SYSTEM
OF 1983, TEXAS CENTRAL ZONE

SCALE: 1" = 100 FEET

PLAT NO.

SUBDIVISION PLAT
ESTABLISHING
FIREFLY COVE
SUBDIVISION
PHASE 1A & PHASE 1B
BEING A 4.912 ACRE TRACT OF LAND,
A PART OF THE TRACT
DESCRIBED IN WARRANTY DEED,
DOCUMENT # 2021006320,
OFFICIAL PUBLIC RECORDS,
TRAVIS COUNTY, TEXAS

LEGEND

- - 1/2" IRON ROD SET WITH RED CAP
MARKED TRIAD RPLS 5952
- - 1/2" IRON ROD FOUND (UNLESS NOTED)



TRI-ANG
SURVEYING, INC.

SHEET 2 OF 3

FIRM REGISTRATION NO. 10007900

528 COUNTY ROAD 325 P.O. BOX 1489 ROCKDALE, TX 76567

FIREFLY COVE SUBDIVISION
PHASE 1A & PHASE 1B
CITY OF LAGO VISTA
W.A. COOK SURVEY
ABSTRACT NO. 2085
TRAVIS COUNTY, TEXAS

Completion Date: 8/17/23	Drawn by: MGG
Scale: 1"=100'	Surveyed by: LS
PROJECT NO. 520-242	Checked by: BL

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration and possible action regarding direction on Development Service's application backlog and support options.

BACKGROUND: The City is currently in a period of transition within the Development Services Department, following the onboarding of a new Director approximately two months ago. As with many leadership transitions, a temporary adjustment period is to be expected. However, the number of development applications awaiting has reportedly grown to approximately 22, raising concerns about processing delays and responsiveness to applicants. However, in the past couple of weeks, the amount of applications remaining in the queue has been reduced to total of 7 as of April 24th, 2025.

This agenda item is intended to provide a constructive and forward-looking discussion on how Council can support staff in addressing the current queue. The goal is not to critique performance, but to ensure that Lago Vista maintains dependable and timely development services during a time of organizational adjustment.

FINDINGS: Several options are available to help expedite the current application review queue:

1. **Set a Reasonable Target Date:** Council may wish to set a timeline or goal for the backlog to be resolved, allowing for clarity, structure, and mutual accountability.
2. **Temporary Outsourcing for Overflow Support:** Councilman Saum recently requested that the City Manager obtain a quote from Freese and Nichols to potentially assist in processing applications. If the quote has been received, Council may review and discuss its viability.
3. **Resource Alignment:** This may include temporary staffing assistance, reallocation of internal resources, or third-party peer review services to improve throughput during periods of high demand.

4. **Progress Check-In:** Council may also wish to schedule a follow-up discussion in May or June to assess progress, hear updates from the Director, and evaluate whether additional action is needed.

PROPOSED STAFF ACTION:

This item is for discussion and possible direction only. No formal action is required unless Council chooses to direct the City Manager to move forward with temporary outsourcing or assign a backlog clearance deadline.

FINANCIAL IMPACT:

- Minimal if managed in -house with targeted deadlines.
- To be determined if Council opts to proceed with outsourcing. A quote from Freese and Nichols (if received) would clarify scope and cost.

RECOMMENDATION:

Provide direction to City staff on any of the following:

- Setting a target timeframe to clear the current application queue.
- Reviewing and potentially acting on the quote from Freese and Nichols for third-party processing support.
- Scheduling a follow-up report from the Development Services Director to assess progress.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration and possible action on an amendment to the City of Lago Vista Code of Ordinances, to add a Chapter 15 Growth Management and/or to amend Chapter 14 "Zoning Ordinance", Section 13 "Zoning Changes and Ordinance Amendments" establishing various studies, documents, plans, maps, data or information requirements which must be included in an application to rezone property.

BACKGROUND: This item was referred to the Planning and Zoning Commission by the City Council. It is scheduled to be discussed at the April 28th P&Z meeting.

FINDINGS: After the P&Z meeting on April 28th, their recommendations will be sent to the Council prior to the Council meeting.

FINANCIAL IMPACT: n/a



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration, and possible action on an amendment to the City of Lago Vista Code of Ordinances, to amend Chapter 14 "Zoning" Exhibit A, "Zoning Ordinance Section 3, Establishment of Districts" concerning eligibility to place items on an agenda and completeness of applications, to address required publication, posting, or notices including the posting of various materials on the City's website associated with a request for rezoning, and/or other requests for approval of site plans, permits, or design reviews.

BACKGROUND: This item is being discussed at the April 28th P&Z meeting.

FINDINGS: P&Z recommendations will be provided to Council after the P&Z meeting on April 28th.

FINANCIAL IMPACT: N/A



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Councilor Roberts, City Council
SUBJECT:	Discussion, consideration, and possible action on an amendment to the City of Lago Vista Code of Ordinances, to amend Chapter 10 "Subdivision Regulation", Exhibit A, "Plat and Subdivision Ordinance Adopted", Section 2 "Processing of proposed subdivision, to establish standards of administrative completeness, and/or to require compliance with proposed growth management standards with the submittal of a preliminary plat.
BACKGROUND:	This item is being discussed at the April 28th P&Z meeting.
FINDINGS:	The P&Z recommendation will be sent to Council after the April 28th P&Z meeting.
FINANCIAL IMPACT:	n/a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Benefield, City Council

SUBJECT: Discussion, consideration and possible action on approving the installation of a third stop sign at the intersection of Boggy Ford Rd, Highland Lakes Drive, and Emerald Drive.

BACKGROUND: The intersection of southbound Boggy Ford Road with Highland Lake Drive and Emerald Road currently lacks a stop sign for Boggy Ford traffic. Only Highland and Emerald traffic are currently controlled. This creates confusion, especially for park and lake visitors unfamiliar with the area, who often assume it is a 3-way stop. This has led to numerous near-miss accidents and raised safety concerns among residents.

A majority of residents favor raising the speed limit on Boggy Ford to 35 MPH, but several noted that without a stop sign at this intersection, higher speeds could result in dangerous roll-throughs and worsen safety issues. This ordinance proposes a 3-way stop to improve safety and clearly delineate where speed zones shift.

This item was brought before Council at the April 17th Council meeting. During that discussion, staff recommended the acquisition of data prior to making any decisions regarding the installation of a stop sign.

On Monday, April 21st, the Police Department deployed two (2) devices to monitor traffic patterns at this intersection. It is hopeful, that over a 7 day period, staff will have adequate data to provide a recommendation to Council.

FINDINGS: The data and staff recommendation will not be ready until April 28th or 29th. This information will be sent to Council ahead of the meeting. However, based on the information available, there are several possible outcomes which are listed below:

- Keep the intersection as-is
- Install the proposed 3rd stop sign making this intersection a 3-way stop.

- Remove the stop sign on Highland, which will make this a one-way stop for motorists on Emerald. This would be a standard T-Style intersection where a residential road ties into a collector road

FINANCIAL IMPACT:

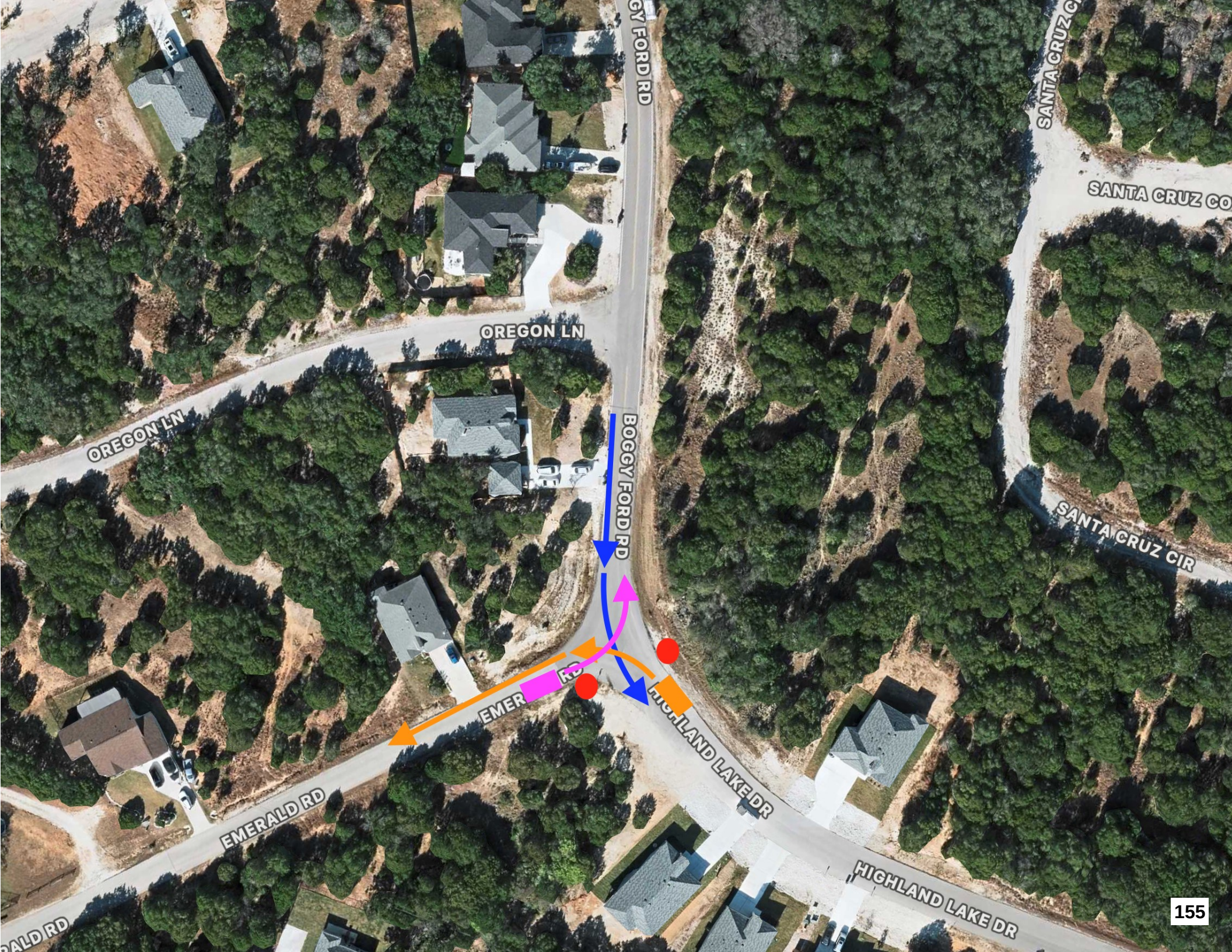
The purchase and installation of an additional stop sign and pole.

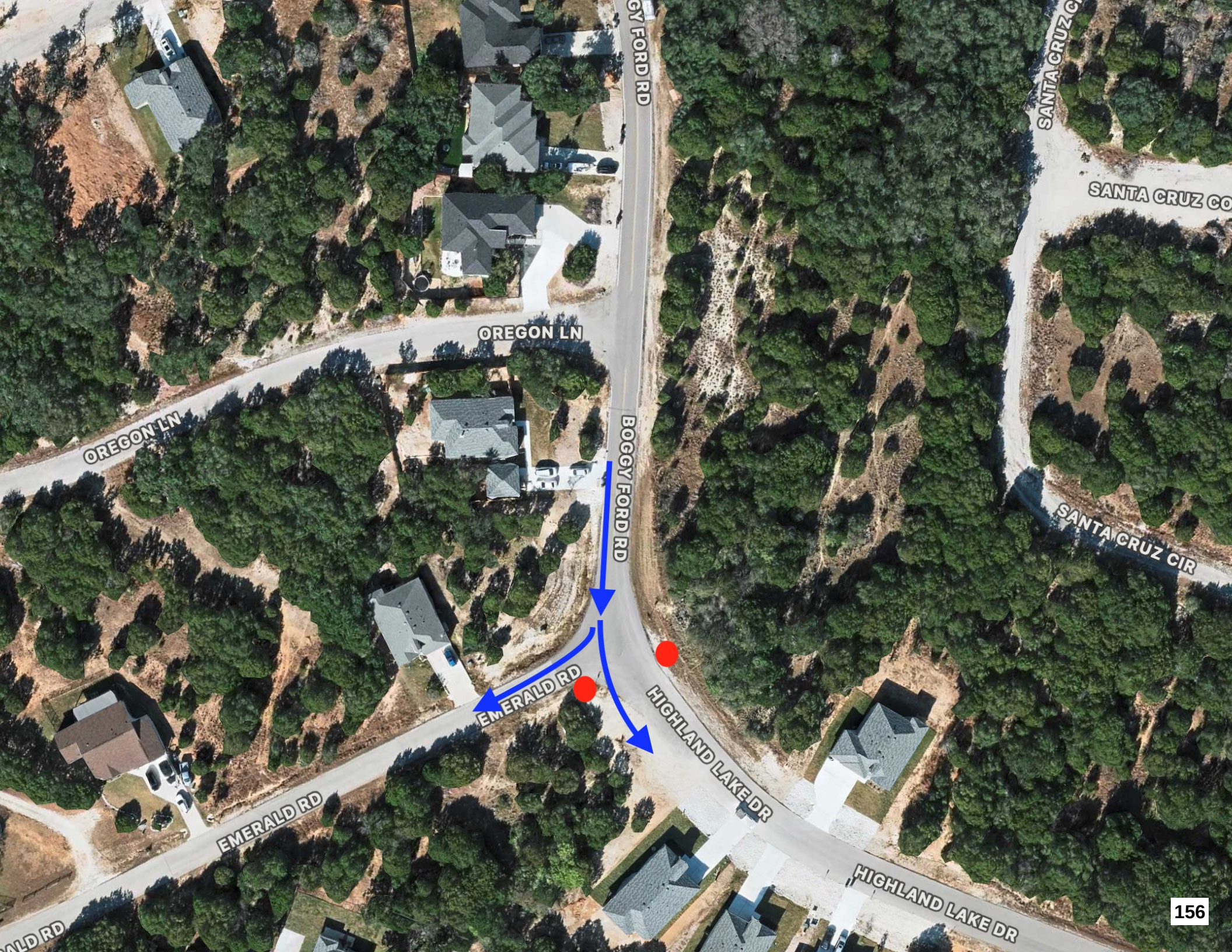
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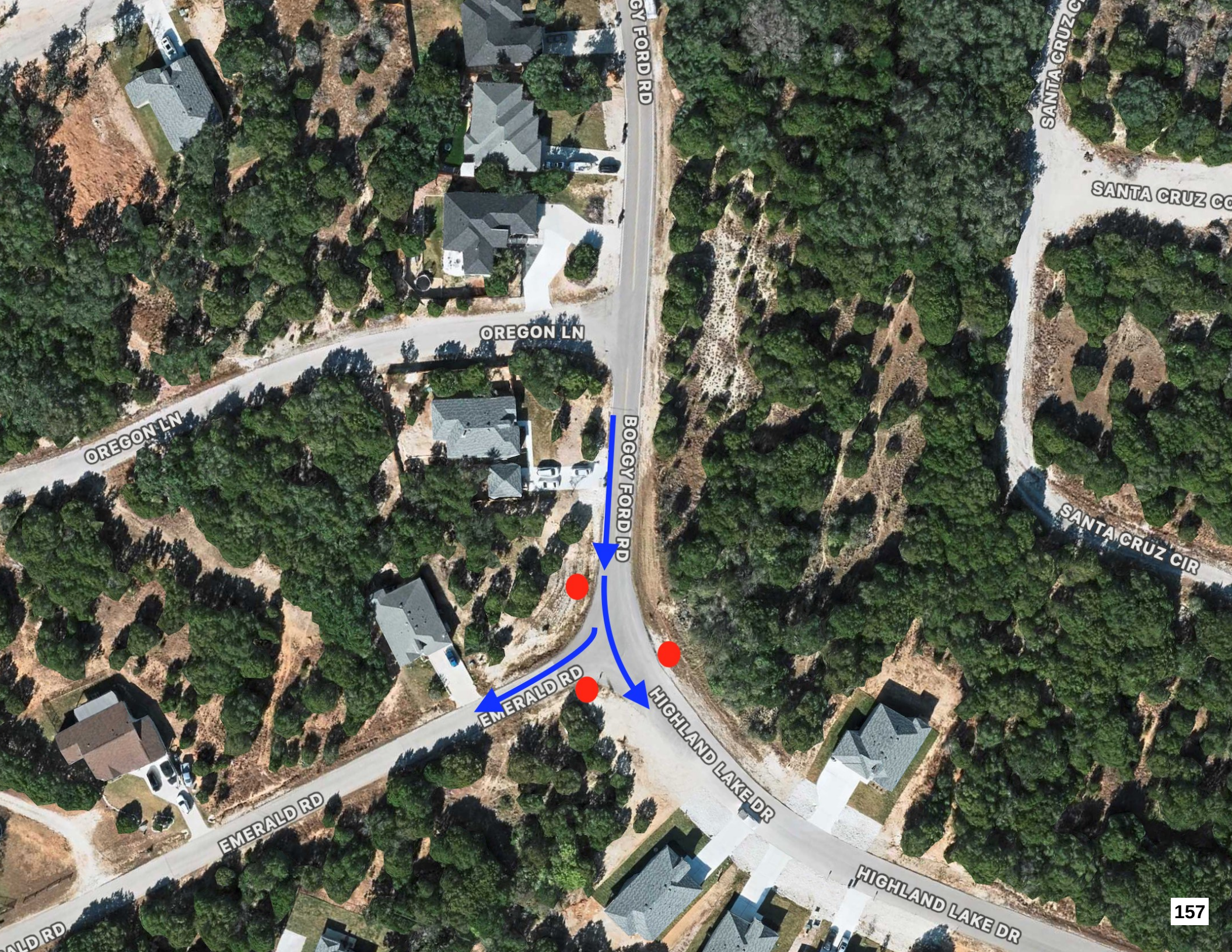
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[2025-04-07 _ Image 2.pdf](#)

[2025-04-07 _ Image 3.pdf](#)







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BOGGY FORD RD

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EMERALD RD

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HIGHLAND LAKE DR

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Owen, City Council

SUBJECT: Discussion, consideration and possible action regarding the formation of a Finance Subcommittee to support financial reporting and planning during transition.

BACKGROUND: The City of Lago Vista has experienced rapid growth, doubling in population from approximately 6,000 to more than 12,000 residents in recent years. This growth has increased demands on city infrastructure, operations, and fiscal management. at the same time, the City has been unable to fill the Finance Director position, and is currently behind in producing consistent, accurate financial reports for both the City council and the public.

Additionally, City's financial operations are constrained by an outdated chart of accounts and a legacy accounting structure that are not easily translatable to modern financial tools such as OpenGov. The proposed action would form a **Finance Subcommittee** of up to three Council Members to provide policy-level support, collaborate with staff, and assist in reviewing modernization options and best practices for debt planning, reporting systems, and software transitions.

FINDINGS:

- **Internal capacity gap:** The City continues to operate without a Finance Director and relies on limited staff to meet increasing operational and reporting demands.
- **Chart of accounts limitations and system integration issues:** The legacy chart of accounts is not structured to align with OpenGov's reporting requirements, severely restricting automation and transparency efforts. Integration from Incode 9 to OpenGov remains undirectional, and reporting relies heavily on labor-intensive workarounds by a small and overstretched finance team 20250417 Council Packet....
- **Policy alignment and compliance:** The City's **FY 2024-2025 Fiscal and Budgetary Policy** reinforces the importance of maintaining a clear and accurate chart of accounts to ensure timely financial reporting, debt

forecasting, and overall transparency. However, the City has not yet been able to implement these objectives effectively due to a lack of internal financial capacity (20250417 Council Packet....)

- **Comparative municipal challenges:** Peer cities in Texas-such as Dripping Springs, Liberty Hill, and Marble Falls-have faced similar growing pains while transitioning from small-town systems to more complex municipal finance structures. Many cities leveraged temporary subcommittees or advisory task forces to navigate system upgrades and policy realignments during periods of rapid growth.
- **Consequences of inaction:** Without appropriate oversight and support:
 - The City may continue to fall behind in meeting public reporting expectations.
 - Budgeting decision may be made with incomplete data, increasing risk of fiscal imbalance.
 - Transparency and accountability may suffer, reducing public trust and potentially affecting credit ratings.
 - The ability to attract grants, reimbursements, or infrastructure financing could be diminished.

IMPACT IF APPROVED:

- Establishes a council subcommittee to assist in oversight, reporting, and financial system modernization.
- Offers immediate support to staff and a forum to review reporting goals, chart of accounts reforms, and platform utilization (e.g., OpenGov).
- Helps ensure the City remains compliant with policy goals and future-ready in its financial operations.

IMPACT IF DENIED:

- Persistent delays in financial reporting and reduced ability to meet transparency objectives.
- Increased risk in financial forecasting and capital planning.

FINANCIAL IMPACT: n/a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Councilor Saum, City Council

SUBJECT: Discussion, consideration, and possible action on entering into a Master Services Interlocal Agreement with Texas State University to potentially work on future projects together.

BACKGROUND: Councilman Saum was seeking innovative ways to leverage partnerships with other government entities and universities to problem solve issues our City may be having. He came across the Texas State University Institute for Government Innovation and an ILA they had with the City of Austin to improve their permitting processes and reached out to see what services they provided. After hearing about how they have helped City's like Austin, State agencies like DPS/DMV and County Councils of Government, while also helping give students real life experience, Council members Saum, Owen and Prince had a productive call with them. We discussed potential projects to help us improve our budget process and development services/permitting processes. Bringing in a fresh perspective could be what the City needs to help with some of our growing pains. Through an ILA we are able to contract on a per-project basis for much cheaper than an outside consulting firm and with a nuanced perspective. As Lago Vista continues to grow and try to innovate, we need to be tapping into all resources.

FINDINGS: The Institute for Government Innovation is a unique on-campus consultancy leveraging University resources to solve real-world problems and help students transition to careers. The Institute has served organizations experiencing FTE constraints needing particular expertise for a short-term project, or requiring new perspective from an unbiased third-party for more than 20 years. By contracting through interagency and interlocal agreements, the Institute can effectively augment your staff for short and long-term projects. These agreements provide access to the University's vast technological resources but, more importantly, the expertise of faculty, and the fresh perspectives and enthusiasm of students.

FINANCIAL IMPACT: TBD

ATTACHMENTS:

[expired_permits_and_work_without_a_permit_2017.pdf](#)

[igi_flyer.pdf](#)

[LV Task Order 1 Timeline.pdf](#)

[ILA as Master Fixed Price - Lago Vista_Final.pdf](#)

Expired Permits and Work Without a Permit

CITY OF AUSTIN DEVELOPMENT SERVICES DEPARTMENT



Expired Permits and Work Without a Permit

Prepared by

Texas State University Institute for Government Innovation

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Prepared for

City of Austin Development Services Department

Delivered on

June 13, 2017

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Executive Summary

The City of Austin Development Services Department (DSD) engaged the Institute for Government Innovation (IGI) at Texas State University to evaluate and make recommendations to reduce the number of expired permits and the amount of work without a permit that occurs in Austin.

After conducting interviews, analyzing processes, and evaluating data, IGI has determined the core problem with expired permits and work without a permit is the safety of the building projects is unknown. The objective of our recommendations is to assure buildings in the City of Austin are protected due to an adherence to safe building practices.

Expired Permits

Permits and inspections are the mechanisms used by DSD to ensure buildings are safe. Currently, DSD performs inspections only when requested. Between 1978 and 2016, the required inspections were not completed for 7% of building and trade (electrical, plumbing, and mechanical) permits issued.

To better understand the approximately 115,000 expired permits which have occurred since 1978, IGI recommends DSD use a stratified random sample of historically expired permits and inspect the safety of previously uninspected work. This technique will enable the results of these inspections to be extrapolated to all historic expired permits. To prevent permits from expiring in the future, IGI recommends several constituent engagement efforts to ensure everyone associated with the permit is aware of its status. First, electronic notifications using DSD's AMANDA development process case management database system should be sent to the property owner, general

contractor, and associated tradespeople, alerting them of both the 180-day permit deadline and the need for inspections to properly close the permit. This creates a larger group with an interest in scheduling inspections and properly closing the permit.

IGI also recommends a prescheduled mandatory inspection be prescheduled at the time the permit is pulled. This is an inspection of last resort which alerts everyone involved in the process that if the required inspections are not scheduled by the permit applicant, DSD will proactively inspect the project to determine the safety and appropriate status of the permit.

Over the past 20 years, the number of expired permits has consistently increased (Table 1). It is important to note that these results are not the result of expired permits increasing as a percent of permits issued, but instead are increasing along with the total number of permits issued.

Table 1. Estimated Expired Permits by Year

Year	Estimated Expired Permits
2017	5,200
2018	5,377
2019	5,555
2020	5,732
2021	5,909

Work Without a Permit

Failing to properly close a permit and letting it expire is one problem, but another, potentially more dangerous, problem exists when work without a permit occurs because DSD has not had the opportunity to provide consultation, authorization, or inspection of the project. This means the

quality and safety of the work being performed is unknown to the City of Austin. Work without a permit occurs in both residential and commercial building, and in the electrical, mechanical, and plumbing trades. It is unclear how much work without a permit occurs in Austin, but between 2014-2016 the Austin Code Department (ACD) investigated an average of 1,395 occurrences of work without a permit.

To deter future work without a permit, IGI recommends DSD actively and broadly communicate to increase awareness of the relationship of permits and inspections to safety, and the types of work requiring a permit. Constituent engagement actions to reduce work without a permit include placing posters in home improvement stores, publishing articles in community-oriented publications, and informing realtors and home owner associations. Another important audience to communicate with is municipal judges. They need to understand the importance of a financial deterrent if a contractor continues to work without a permit.

In conjunction with informing relevant audiences, IGI recommends a modification to the 3-1-1 public reporting tools to create an option for “Reporting Work Without a Permit”. IGI also recommends that all reports of work without a permit be handled by DSD and formally delegated to DSD building inspectors in the building code. DSD can then provide information regarding the need for a permit and how to come into compliance. If a permit is not subsequently pulled, DSD can notify ACD, who currently handles work without a permit reports, allowing ACD to issue a citation as per their existing procedures. IGI further recommends the development of a shared procedure guide and joint training to ensure personnel in both DSD and ACD understand the new division of responsibilities.

In cases where substantial amounts of work have been done and performed without inspections, IGI recommends that DSD charge an unauthorized concealment fee of \$200 to serve as a deterrent for future work without a permit.

For residents that are not financially able to afford permits, IGI recommends DSD coordinate with and promote the City's Neighborhood Housing and Community Development Department's Home Rehabilitation Loan Program.

General Recommendations

There are several overarching recommendations IGI made which will assist in reducing both expired permits and work without a permit.

The primary reason for a city to have a development services function is to ensure building construction follows certain standards to protect human health and the environment. To ensure DSD staff and all the other stakeholders keep this guiding principle in mind, IGI recommends DSD add the word "safety" to their mission statement. This cultural shift towards safety will help DSD employees feel more fulfilled in their work and will give customers a better understanding of why the development process is important.

To dramatically improve communication with development process constituents, IGI recommends DSD restructure their website, adopting a customer-focused, task-oriented organizational structure. This would enable website users to quickly and successfully find information and forms.

Another action recommended by IGI to reduce expired permits and work without a permit is to implement a residential contractor registration program. Doing so will enable DSD to improve communication with

contractors and provide a mechanism to provide oversight of each contractor's compliance with the City's permitting requirements.

IGI recommends that DSD improve data reliability of the AMANDA system. Improving data reliability will allow DSD to make informed, data-driven decisions to better improve the permitting process in its entirety. One such improvement would be to review AMANDA data field categories such as "Project Status" and standardize the available choices in a drop-down menu. Providing consistent definitions across all departments enables department leadership to use this data in the aggregate to make improved policy decisions, in addition to the typical data use of understanding the status of individual projects. Another example of AMANDA data improvements is correcting address errors which will help streamline the permit research process for employees, homeowners, realtors, and other interested parties.

IGI also recommends DSD consider creating an Advisory Committee composed of design and building professionals to provide a periodic discussion forum for proposed process and fee changes, etc.

Resources Required to Implement Recommendations

Implementing IGI's recommendations will require additional resources. Specifically, DSD needs to hire 18 additional inspectors in 2017 to complete the inspections required for the stratified random sample, prescheduled mandatory inspections, and work-without-a-permit investigations. Additional staffing or contracts will likely be needed to carry out the constituent engagement and general recommendations.

Introduction

The Institute for Government Innovation (IGI) was tasked with making recommendations to improve the City of Austin Development Services Department's (DSD) programs related to expired permits and work without a permit.

DSD issues permits to authorize development and construction within the city's jurisdictions. In some cases, these permits expire. In other cases, these permits are never obtained and work is performed without a permit.

Zucker Systems completed a report entitled *Planning and Development Review Department: Workflow Organizational Assessment* in April 2015 that included 462 recommendations. A second, follow-up Zucker Systems report, *Development Services Department: Analysis of Partnering City Departments*, was completed in February 2016 and contained an additional 104 recommendations. DSD asked IGI to develop specific solutions to address eleven of Zucker's recommendations, drawn from both reports, as shown below.

Zucker Workflow Organizational Assessment Recommendations

70. *Recommendation:* The Building Official should reevaluate the existing expired permit program and redirect resources to only those projects with outstanding life safety issues.
71. *Recommendation:* The Building Official should have staff identify projects with expired permits that represent life safety concerns and have those concerns recorded against the property.

- 72. *Recommendation:* The Building Official should assign inspectors to conduct site visits on projects with current permits that are approaching their expiration date.
- 73. *Recommendation:* The Building Official should treat expired permit inspections similar to other inspections for the purpose of establishing minimum required staffing levels.
- 305. *Recommendation:* The Residential and Commercial Plan Review Coordinators need to work with the staff from Austin Code to develop a process to identify expired permits in the AMANDA system that have outstanding life safety issues.

Zucker Analysis of Partnering City Departments Recommendations

- 17. *Recommendation:* Penalties for work without a permit or inspection should be increased to provide disincentive to those individuals building without appropriate inspections or permits. The public should be frequently made aware of these penalties.
- 18. *Recommendation:* As the number of permits that expire due to lack of inspection is reduced, management should evaluate and adjust the permit fees as necessary to support the additional inspection staffing that will be needed.
- 20. *Recommendation:* DSD staff should work with the City Attorney or District Attorney to identify and prosecute contractors that frequently violate the law by not securing appropriate permits or calling for inspections.
- 21. *Recommendation:* Austin Code should work with the City Attorney to draft an ordinance that would require permit holders to void permits if they choose to forgo projects before construction starts.

22. *Recommendation:* The responsibility to establish a program to notify and contact permit holders prior to expiration of their building permits should be assigned to Austin Code and defined in an MOU.
24. *Recommendation:* If eventually the responsibility for expired permits should be transferred and staffed in DSD, Austin code should then pay DSD for this function.

The purpose of this report is to further investigate Zucker's recommendations and DSD's processes as they relate to expired permits and work without a permit to make informed recommendations for addressing the potential resulting problems.

While the permitting process has many details, this report will be limited to those situations which result in expired permits and work without a permit.

The report is organized as follows:

- Introduction
- Methods
- Results and Discussion
- Recommendations
- Appendices

Methods

IGI's methods included conducting interviews with City staff and benchmarking peer cities such as Dallas, Texas; Portland, Oregon; and San Antonio, Texas. IGI also created process diagrams, analyzed data drawn from the AMANDA database, and performed an analysis on Austin's Development Services Department (DSD) website.

Interviews

IGI conducted interviews with employees from several of DSD's functional areas. In preparation for these initial interviews, IGI gathered background information on each functional area and prepared questions to better understand how expired permits and work without a permit are related to each area's work.

IGI developed specific questions targeting the permitting process in order to understand the role DSD's processes play in expired permits and work without a permit. Process diagrams were developed to illustrate the process.

On January 4, 2017, IGI conducted in-person interviews with:

- Carl Wren, DSD Assistant Director
- Jose Roig, Building Inspections Division Manager
- Beth Culver, Plan Review Division Manager and
- Zulema Flores, Service Center Administrative Supervisor

On January 19, 2017, IGI conducted a follow-up phone interview with:

- Jose Roig, Building Inspections Division Manager and
- Randi Jenkins, Senior Business Process Consultant

On February 13, 2017, IGI met with:

- Paul Tomasovic, ACD Assistant Director
- Terri Roberts, Manuel Villegas, and Todd Wilcox - ACD Division Managers

On February 16, 2017, IGI met with:

- Rick Arzola, Administrative Specialist

On March 16, 2017, IGI met with:

- Carl Wren, DSD Assistant Director
- Jose Roig, Building Inspections Division Manager and
- Randi Jenkins, Senior Business Process Consultant

On March 31, 2017, IGI met with:

- Melissa Martinez, DSD Assistant Director
- Jose Roig, DSD Building Inspections Division Manager
- Randi Jenkins and Brenda de la Garza - DSD Senior Business Process Consultants
- Cora Wright, Acting ACD Director and
- Paul Tomasovic, ACD Assistant Director

On April 5, 2017, IGI met with:

- Rodney Gonzales, DSD Director
- Carl Wren, DSD Assistant Director
- Jose Roig, Building Inspections Division Manager and
- Randi Jenkins, Senior Business Process Consultant

On January 23, 2017, IGI attended a meeting at the San Antonio Development Services Department office to discuss how San Antonio staff handle expired permits, work without a permit, and scanning of development related materials.

Benchmarking

IGI benchmarked three other cities' development services department programs for addressing expired permits and work without a permit. These programs were compared against Austin's in order to better understand different approaches to solving these problems. Based on the Zucker Report, those cities were:

- Dallas, Texas
- Portland, Oregon and
- San Antonio, Texas

Information for each city was gathered by searching their websites, calling their offices, and emailing their employees. An extensive compilation of all benchmarked information can be found in Appendix 1: Benchmarking Detail Results and Appendix 2: Benchmarking Summary Tables.

IGI also considered how each of the three cities organized their departments, as well as how Austin organizes their Development Services Department. Organizational charts for each city can be found in Appendix 3: Organizational Structures.

Data Analysis

IGI used issued construction permit data from the City of Austin’s open data portal to better understand permits, inspection data from the AMANDA system from 2007 – 2016 to better understand inspections, and both data sources to estimate the inspectors needed to address additional workload caused by our recommendations. The data were retrieved and added to a Microsoft SQL Server Database where queries (included as code blocks in this report) were run.

Permits

ISSUED PERMITS

Issued permits (building, electrical, mechanical, plumbing, and driveway/sidewalk) were counted by fiscal year issued using Microsoft SQL Server (Appendix 4: Data from Data Analysis . SQL Query for “Permits Issued by Fiscal Year”).

EXPIRED PERMITS

Expired permits (building, electrical, mechanical, plumbing, and driveway/sidewalk) were counted by fiscal year issued using Microsoft SQL Server (Appendix 4: Data from Data Analysis Code Block 2. SQL Query for “Expired Permits by Fiscal Year”). These counts reflect the number of permits

issued in a given fiscal year that eventually expired, as opposed to the year in which the permit did expire.

Inspections

REQUESTED INSPECTIONS

Total requested inspections were counted using Microsoft SQL Server (Appendix 4: Data from Data Analysis Code Block 3).

COMPLETED INSPECTIONS

Total completed inspections were counted using Microsoft SQL Server (Appendix 4: Data from Data Analysis Code Block 4).

AVERAGE INSPECTIONS

IGI calculated the average number of completed inspections for permits with statuses *final* and *expired* (Appendix 4: Data from Data Analysis Code Block 5).

Inspectors Needed

IGI's recommendations will require additional inspectors to manage the extra workload. Therefore, IGI developed methods to estimate the number of inspectors needed to address expired permits and work without a permit. Expired permits were evaluated in two categories: already expired permits—or historic—and future expired permits.

Each inspector has a limited amount of work time every year. IGI used Zucker's *productive hours* estimate of 1,322 hours—which equates to 165 days—to estimate the time an inspector has available to address historic and future expired permits, and work without a permit.

DSD inspectors presently perform close to 29 inspections per day, far exceeding the standard of 10-15 inspections per day recommended in the Zucker Report (Zucker Systems, 2015, p. 131). Calculations in this report use 12 inspections per day to acknowledge all the new recommended inspections require additional customer interaction to be successfully completed.

INSPECTORS NEEDED FOR HISTORIC EXPIRED PERMITS

To calculate the number of inspectors needed to perform inspections for historic expired permits, the total number of required inspections was divided by the ideal number of inspections per inspector per day and then divided by the number of productive work days in a year (Equation 1).

Equation 1. Inspectors Needed for Historic Expired Permits

$$\begin{aligned} & (\text{Total Number of Required Historic Inspections} \\ & \div \text{Ideal Inspections per Inspector per Day}) \\ & \div \text{Number of Productive Work Days per Year} \\ & = \text{Inspectors Needed for Historic Expired Permits} \end{aligned}$$

INSPECTORS NEEDED TO PREVENT FUTURE EXPIRED PERMITS

To estimate the number of inspectors needed to prevent future expired permits, IGI completed the following steps:

1. Estimated future expired permits.
 - a. Using the past 20 years of expired permit data, IGI calculated a linear trend line.
 - b. Using the slope and intercept of the linear trend line, IGI projected the trend forward 5 years in one-year increments to calculate *estimated future expired permits*.

2. Calculated the expected number of inspections remaining for an expired permit (Equation 2).
 - a. Calculated the average number of inspections performed on a permit with a status of *final*.
 - b. Calculated the average number of inspections performed on a permit with a status of *expired*.
 - c. Calculated the difference to arrive at the expected inspections remaining for an expired permit.

Equation 2. Expected Inspections Remaining for an Expired Permit

Average Inspections Completed to Final Status
 – *Average Inspections Completed to Expired Status*
 = *Expected Inspections Remaining for an Expired Permit*

3. Estimate the number of inspectors needed to handle the estimated workload (Equation 3).

Equation 3. Estimated Inspectors Needed for Future Expired Permits

((Estimated Future Expired Permits
 × Expected Inspections Remaining)
 ÷ Ideal Inspections per Day)
 ÷ Productive Days per Year
 = Estimated Inspectors Needed

INSPECTORS NEEDED FOR WORK WITHOUT A PERMIT

Data from the Austin Open Data Portal were used to count the number of complaints the Austin Code Department has addressed for work without a permit.

Based on the three years (2014 – 2016) of complete data that are available, IGI calculated the average number of complaints in a year.

To estimate the amount of time it would take DSD inspector to resolve these complaints by bringing the customer into compliance as opposed to issuing a citation, IGI used eight hours based on DSD inspection personnel estimates (Equation 4).

Equation 4. Inspectors Needed for Work without a Permit

$$\begin{aligned} & (\text{Average Number of Code Complaint Cases} \\ & \times \text{Estimated Resolution Time}) \\ & \div \text{Productive Days per Employee per Year} \\ & = \text{Inspectors Needed for Work Without a Permit} \end{aligned}$$

Constituent Engagement and Web Analysis

Communication is important because it breeds good relationships and successful interactions. An easy-to-use website is a key element of proactive constituent engagement.

Constituent engagement

Constituent engagement is reaching out to participants in the development process to provide education, buy-in, and build relationships to promote an understanding of the reasons for and importance of the approved building permit process. Successful implementation of IGI's recommendations to reduce work without a permit is largely dependent on the effective implementation of constituent engagement.

IGI identified the need for DSD to increase communication with their constituents by benchmarking other cities. IGI found that the city of Portland has the Development Review Advisory Committee (DRAC) that fosters discussion and communication between Portland's Bureau of Development Services staff and its citizens. IGI also learned that all three cities use at least one social media platform to communicate with their constituents about changes to the development process, disseminate information, or gain feedback from their respective communities.

Another important element of constituent engagement is an easy to use website. The importance of an easy to navigate website cannot be overstressed when people are seeking information 24/7. IGI, at times, was challenged to find information related to the topics in this report on DSD's website and conducted a heuristic analysis of the website to understand why.

Web Analysis

Without performing a costly usability test, it can be difficult to measure the effectiveness of a website. Typically, a heuristic analysis, or expert review, is performed as an alternative. A widely-used technique among usability professionals, a heuristic evaluation, is an inspection of a product against a set of heuristics or standards.

Based on a method from *Smashing Magazine*—an online magazine for professional web designers and developers with over 5 million monthly page views—IGI quantified our heuristic analysis to inform and provide a framework for our recommendations.

Nine evaluators completed a heuristic review of the website to eliminate as much bias as possible. Each evaluator was given one of three tasks to perform (for example, requesting an inspection) and reviewed the DSD website with this task in mind.

IGI developed a questionnaire that covered a variety of usability categories and a scoring system to facilitate comparison between categories:

TASKS

- Request an inspection
- Apply for a permit
- Learn about permitting
- Submitting a site plan correction request
- Buying a document

USABILITY CATEGORIES

- Homepage
- Task orientation
- Navigation and information architecture
- Forms and data entry
- Trust and credibility
- Quality and content writing
- Search
- Help, feedback, and error tolerance
- Page layout and visual/aesthetic design
- Accessibility and technical design

QUESTIONS

Each usability category included three questions relevant to that category. Each answer was rated on a linear scale of 1 – 3. One was poor and three was good. For a list of all questions, see Appendix 5: Web Analysis Questions.

SCORING

To score the results, the total number of points received for all the questions in a category was divided by the total number of points possible in that category. The score is shown as a percentage of possible points. For example, if reviewers gave a total of 41 points to the “Help” category out of a possible 90, the Search category score was 46%.

Results and Discussion

IGI's interviews with DSD employees resulted—first and foremost—in the understanding that DSD's functions and programs related to expired permits and work without a permit all revolve around an important overarching theme: safety. Building safety is formally defined by the building code and is ultimately ensured by building inspections.

The results of IGI's research lead to the development of 14 recommendations in this report. These results are organized by whether they help reduce expired permits, work without permits, or both.

Expired Permits

To understand expired permits, it is critical to understand their context in the development process. Through interviews, IGI was able to develop contextual and procedural diagrams of DSD's general development process.

While many other city departments are involved, DSD is at the center of the development process. For this report, IGI was specifically focused on the relationship between DSD and their customers during the aspects of the development process related to building permits. (Figure 1).

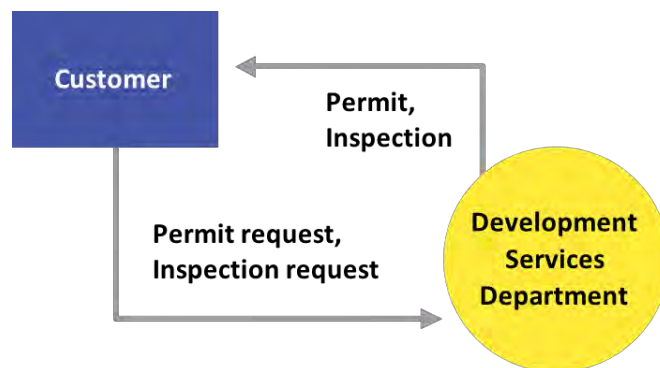


Figure 1. Simplified Development Process Context Diagram

To understand the sequence of these interactions, IGI created a simplified development process flowchart (Figure 2). In this simplified version of the development process:

1. The permit applicant submits their project plans.
2. DSD approves the project plans and issues a permit.
3. The customer builds the project.

4. When ready, the customer requests an inspection.
5. DSD conducts the requested inspection and approves the build.

In reality, a customer will make multiple inspection requests and multiple inspections will be completed. However, this simplified process is useful to identify potential problem areas.

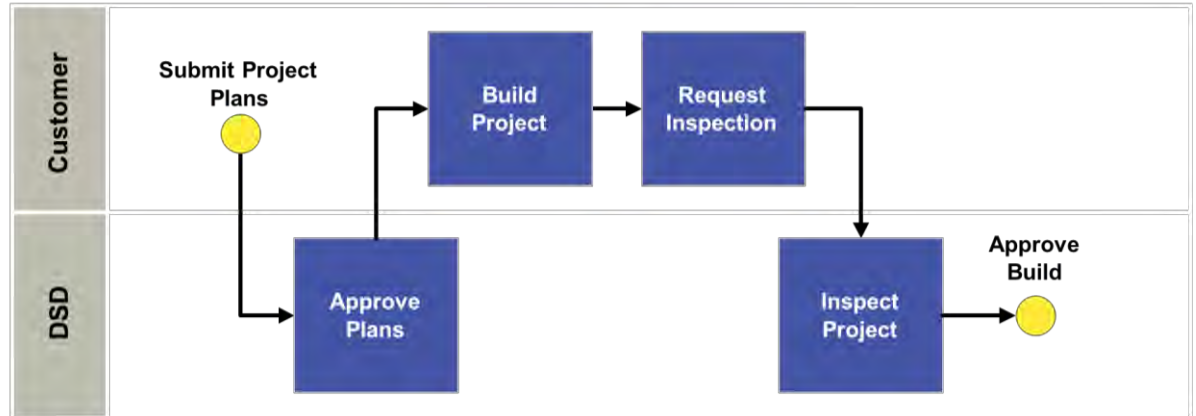


Figure 2. Simplified Building Permit Development Process Flowchart

In some cases, a customer's plans are approved and a permit is issued, but the permit never reaches the final stage of approval. In this case, the permit will eventually expire in the AMANDA database.

The City of Austin defines an expired permit as, “a building permit [that] expires if work authorized by the permit does not begin before the 181st day after the permit is issued” (City of Austin, 2017, pp. §25-11-94). Also, a building permit expires if “work authorized by the permit begins before the 181st day after the permit is issued but is abandoned or suspended” (City of Austin, 2017, pp. §25-11-94).

More simply, code defines expired permits as permits where work was suspended, abandoned, or never started.

Through interviews, IGI discovered permits are given an expired status in the AMANDA database when an inspection has not been requested for more than 180 days. This also means that work may or may not have been completed *and* ultimately, that work may or may not be safe.

Benchmarking

Based on IGI's interviews with Austin DSD employees, specific facets of each benchmarked city's approaches were captured (Table 2):

- Elimination of historic expired permits
- Notify customer of pending permit expiration

Table 2. Benchmarking Tools Used in Response to Expired Permits

	Austin, TX	Dallas, TX	Portland, OR	San Antonio, TX
Elimination of Historic Expired Permits	X	X	✓	X
Notify Customer of Pending Permit Expiration	✓	X	✓	✓

Note: An 'X' in this table does not mean the program or fee does not exist, but instead means no definitive answer was found.

Data Analysis

ISSUED PERMITS

The AMANDA data contains records of permits issued dating from fiscal year 1921 – fiscal year 2017. Data for fiscal year 2017 was excluded, however, because the fiscal year is not yet over (Figure 3). In all, there are more than 1.5 million permits in the AMANDA data.

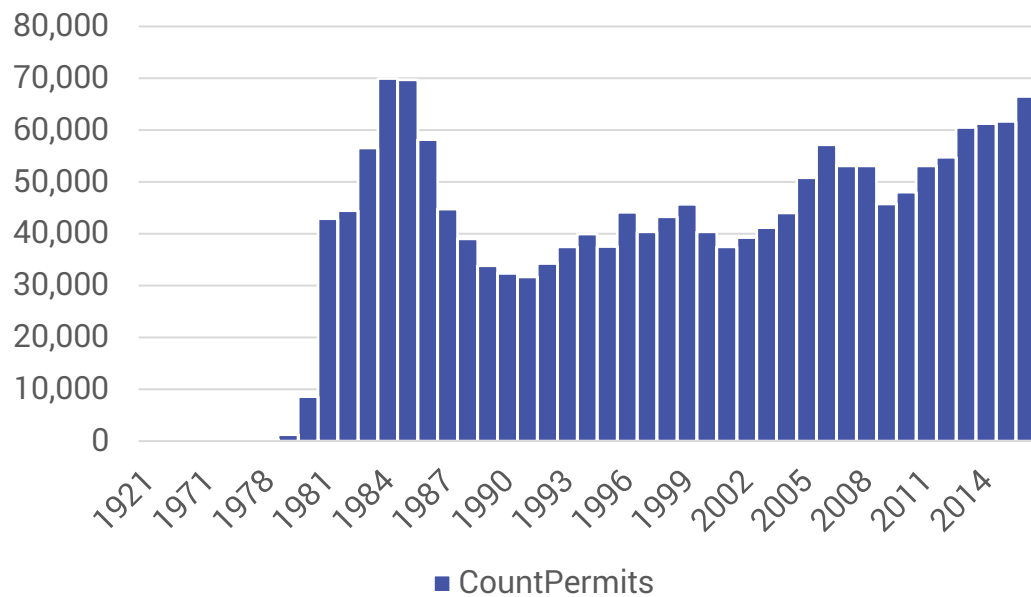


Figure 3. Number of Permits Issued by Year

EXPIRED PERMITS

The information regarding expired permits in this report has been subdivided into expired permits that occurred in the past and those which may expire in the future.

Roughly 115,000—or 7%—of the permits in the AMANDA data are expired (Figure 4). These already expired permits will be referred to as *historic expired permits* to distinguish between understanding these permits versus permits that may expire in the future—*future expired permits*.

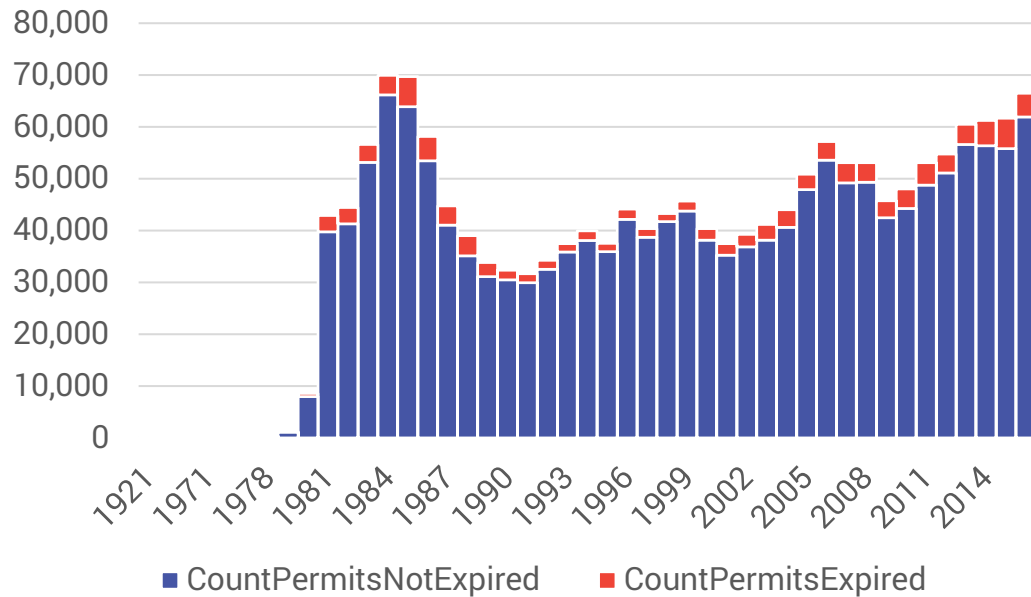


Figure 4. Issued and Expired Permits by Fiscal Year Issued

INSPECTIONS

The AMANDA system was implemented in 2007 as the City's primary repository for data relating to the development process. All requested inspections in the AMANDA data since 2007 have been completed (Table 3). This fact is foundational in our recommendations for preventing future expired permits.

Table 3. Requested and Completed Inspections

Requested Inspections	Completed Inspections	Percent Completed
2,809,048	2,809,048	100%

Understanding Historic Expired Permits

There are approximately 115,000 historic expired permits in AMANDA since 1978. To better understand whether life-safety risks are likely to exist at properties where permits have expired, DSD can inspect all or some of these properties. Because of the quantity and age of these expired permits, inspecting all of them will be difficult—if not, impossible. Instead, IGI recommends DSD inspect a stratified random sample of *historic expired permits* to better understand if significant life-safety risks are likely to be present. The results of those investigations should then be applied to all historic expired permits.

The City of Portland performed similar inspections to better understand their historically expired permits (Table 2). Portland selected a specific group of permits and notified the owners of the properties involved, via e-mail that the inspections would be taking place. Portland noted that the older the permits were, the harder it was to contact the property owner, but they also found there were fewer safety issues on the older properties. A representative from Portland's Bureau of Development Services noted there was little to no pushback from homeowners and contractors during or after the inspections were performed, and contractors were glad to have the opportunity to close old permits.

Recommendation 1

Inspect a stratified random sample of *historic expired permits*.

Based on the volume of expired permits, IGI designed a stratified random sample of pre- and post-AMANDA era permits. In other words, pre-2007 and post-2006. These two groups were further stratified by commercial and residential building and trade permits to determine the entire sample (Table 5). The sample sizes were based on a 95% confidence level and 5% confidence interval.

After completing inspections on this sample, DSD will better understand whether certain populations of permits, i.e. commercial, residential, building, electrical, mechanical, plumbing, and driveway/sidewalk, have a disproportionate life-safety risk. DSD will also be able to determine whether time is a relevant factor in determining potential life-safety risks at locations with historically expired permits.

INSPECTORS NEEDED FOR HISTORIC EXPIRED PERMITS

DSD inspectors presently perform close to 29 inspections per day, far exceeding the standard of 10-15 inspections per day recommended in the Zucker Report (Zucker Systems, 2015, p. 131). Calculations in this report use 12 inspections per day to acknowledge all the new recommended inspections require additional customer interaction to be successfully completed.

To complete the stratified random sample of 5,999 expired permits (Table 4) in one year with each inspector performing 12 inspections per day, DSD needs 3.07 additional inspectors.

Table 4. Inspectors Needed for Historic Expired Permits

Sample Size	Inspections per Day	Total Days of Inspections	Productive Work Days in a Year	Inspectors Needed
5,999	12	499.92	165.25	3.03

Table 5. Stratified Random Sample—Sample Sizes

Work Class	Permit Type	1978 – 2006 (Sample Size)	2007 – 2016 (Sample Size)	1978 – 2016 (Sample Size)	Total (Sample Size)	Total (Sample Size)
Commercial	Building	365	347	712	2,800	5,999
	Driveway/Sidewalks	0	169	169		
	Electrical	346	335	681		
	Mechanical	355	253	608		
	Plumbing	334	296	630		
Residential	Building	377	372	749	3,199	
	Driveway/Sidewalks	2	243	245		
	Electrical	373	355	728		
	Mechanical	372	364	736		
	Plumbing	372	369	741		

Preventing Future Expired Permits

When evaluating the permitting and development process, the approval of plans can be eliminated as the cause of expired permits because a permit cannot expire until after the plans have been approved. Based on DSD's completion of all requested inspections (Table 3), uncompleted inspections can also be eliminated as a cause of expired permits. Therefore, we can deduce that the procedural cause of expired permits is a customer's failure to request an inspection (Figure 5).

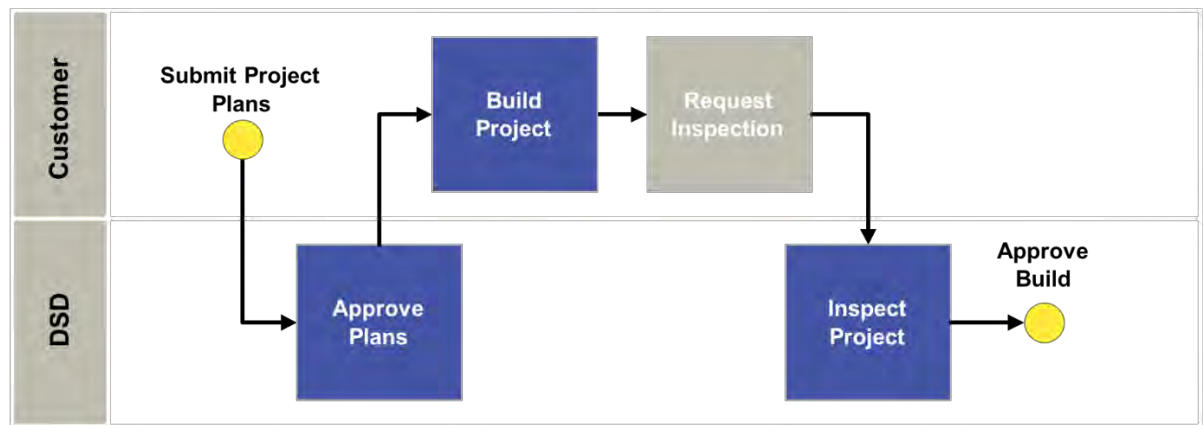


Figure 5. Simplified Development Process with Failure to Request Inspection

This failure can happen for one of two reasons:

- The customer was unaware they needed to call (lack of awareness)
- The customer chose not to call because they did not believe they would be held accountable (lack of accountability)

LACK OF AWARENESS

Austin, TX; Portland, OR; and San Antonio, TX all notify their customers when their permit is nearing expiration. It is unclear whether Dallas notifies their

customers. It is also unclear from our search which methods these other cities use and *who*, in particular, they contact.

Who is notified when a permit is nearing expiration is an important consideration in DSD's case. Currently, DSD uses AMANDA notifications to alert the *permit applicant* that their permit is going to expire. In some cases, this applicant may be an agent who is primarily involved in securing the permit and not with the remainder of the project. IGI recommends these notifications be sent more broadly. The notification list should include not only the permit applicant, but also any tradesperson associated with the work, the general contractor, and—especially—the property owner. This change would engage all interested parties and would help property owners help DSD hold contractors accountable. This notification will require changes to some permit applications to capture all the necessary contact information.

Recommendation 2

Fully utilize AMANDA notification capabilities.

LACK OF ACCOUNTABILITY

Ultimately, expired permits become a property owner's problem. Because DSD does not inspect work unless an inspection has been requested, a contractor can finish work, receive payment, and move to the next job without concern for expired permits creating problems for an uninformed property owner.

To address this issue, IGI recommends prescheduled mandatory inspections (Figure 6). These inspections would be scheduled at the time of permit issuance for 160 days later, but would not preclude the applicant's ability to call in an inspection any time prior to then when they are ready. In the 2015 Zucker Systems report delivered, they discuss an inspection of this nature

when they write, “The Building Official should assign inspectors to conduct site visits on projects with current permits that are approaching their expiration date” (Zucker Systems, 2015, p. 131). To track this in AMANDA, IGI recommends creating a “Prescheduled Mandatory Inspection Required” category.

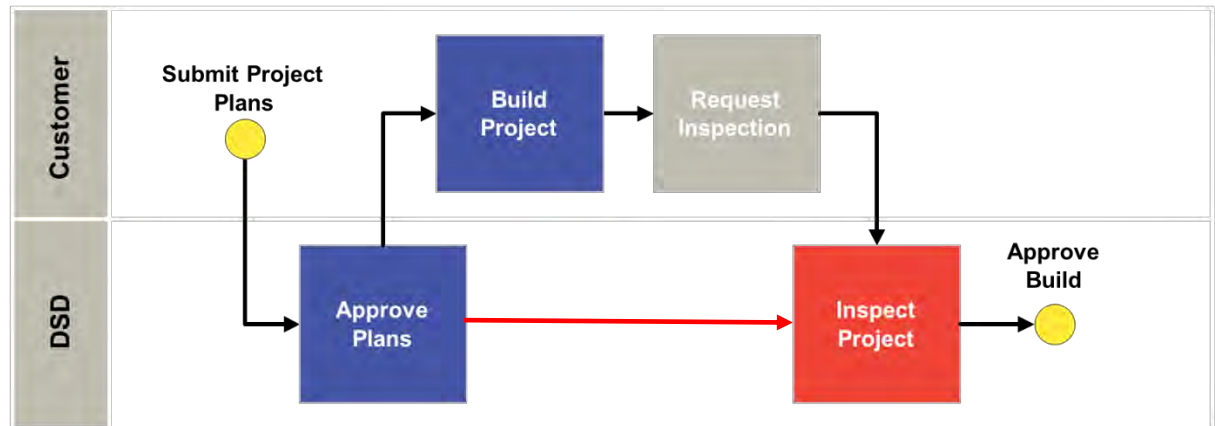


Figure 6. Prescheduled Mandatory Inspection

Recommendation 3

Implement prescheduled mandatory inspections to prevent permits from expiring in an unknown status and create a “Prescheduled Mandatory Inspection Required” category in AMANDA.

INSPECTORS NEEDED TO PREVENT FUTURE EXPIRED PERMITS

In order to implement IGI’s recommendations for preventing future expired permits by conducting prescheduled mandatory inspections, additional inspectors will be required.

Over the past 20 years, the number of expired permits has consistently increased (Table 6). In fact, the number of expired permits has an r^2 of 0.865

(Figure 7). This is a relatively strong correlation and allows for a decent estimate of future expired permits. It is important to note that these results are not the result of expired permits increasing as a percent of permits issued, but instead are increasing along with the total number of permits issued.

Table 6. Estimated Expired Permits by Year

Year	Estimated Expired Permits
2017	5,200
2018	5,377
2019	5,555
2020	5,732
2021	5,909

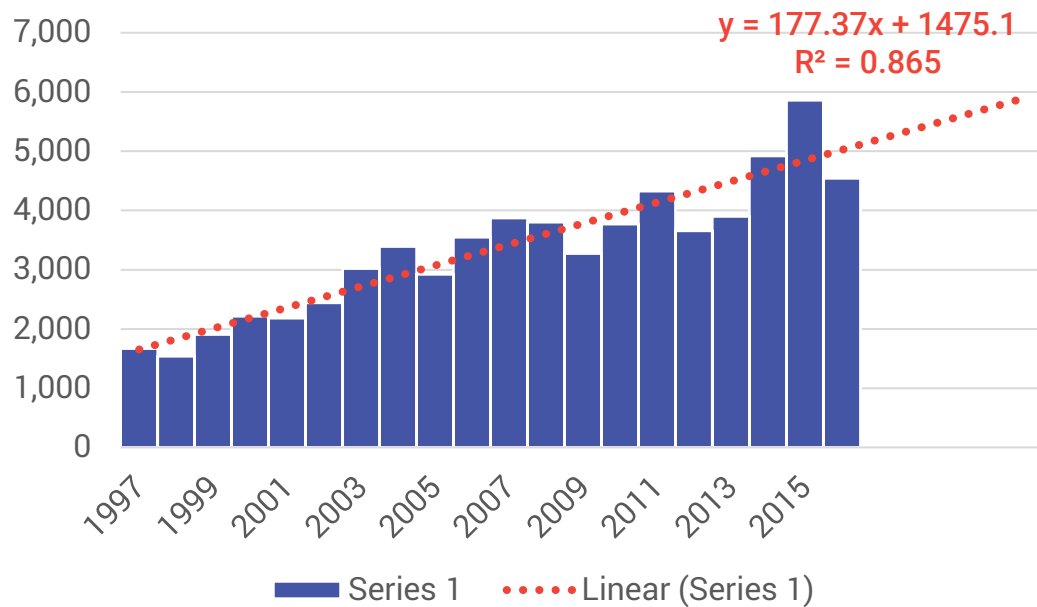


Figure 7. Rate of Increase of Expired Permits

Permits with a *final* status in the AMANDA system had an average of 5.6 inspections associated with them. Permits with an *expired* status had 3.2 inspections on average. The difference of inspections between *final* and *expired* status was 2.4 (Table 7).

Table 7. Average Number of Inspections Conducted on Final and Expired Permits

Permit Status	Average Inspections
Final	5.6
Expired	3.2
Difference (Expected Remaining Inspections)	2.4

Based on *estimated expired permits*, the *expected remaining inspections*, and an ideal number of 12 inspections per day, DSD will need between 6 and 8 inspectors to inspect the work related to future expired permits between 2017 and 2021 (Table 8).

Table 8. Estimated Number of Inspectors Needed to Conduct Mandatory Inspections

Year	Estimated Expired Permits	Estimated Additional Inspections	Number of full-time employees
2017	5,200	12,480	6.30
2018	5,377	12,905	6.52
2019	5,555	13,331	6.73
2020	5,732	13,757	6.95
2021	5,909	14,182	7.16

Work Without a Permit

Results and Discussion

Work without a permit is not formally defined in the Austin Code of Ordinances, but is simply understood as a violation of the Code. Any work that is done without a permit is a violation of Title 25, Land Development Code and the Austin Building Criteria Manual. There are many issues associated with work done without a permit. Primarily, -DSD cannot pinpoint where, when, or how often work without a permit is occurring, which results in uninspected work and unknown safety.

Interviews

Through interviews with both DSD and the Austin Code Department (ACD), IGI learned that work without a permit is difficult to quantify because it is identified through complaints only. Both DSD and Code have such a high volume of work, leaving little to no time to proactively find people performing work without a permit.

Some people are performing work without a permit because they do not realize a permit is required; others purposefully avoid applying for a permit because they either believe they will not be held accountable or they want to avoid the associated city costs. Anecdotal evidence suggests that—even when someone is given a citation for work without a permit—judges adjust the fines so significantly that they have minimal impact, undermining the enforcement process.

Benchmarking

Based on IGI's interviews with Austin DSD employees, specific aspects of each benchmarked city's approaches were captured (Table 9):

- Explicit inspector authority to stop work without a permit
- Promotion of 3-1-1 reporting
- Unauthorized concealment fee

Table 9. Benchmarking Tools Used in Response to Expired Permits

	Austin, TX	Dallas, TX	Portland, OR	San Antonio, TX
Explicit Inspector Authority to Stop Work Without a Permit	X	✓	X	X
Promotion of 3-1-1 Reporting	X	✓	✓	✓
Unauthorized Concealment Fee	X	\$200 per trade	X	X

Note: An 'X' in this table does not mean the program or fee does not exist, but instead means no definitive answer was found.

Data Analysis

From 2014 – 2016, the Austin Code Department (ACD) responded to an average of 1,395 complaints related to work without a permit (Table 10).

Table 10. Work Without a Permit Code Complaints

Year	Work Without a Permit Code Complaints
2014	1,233
2015	1,627
2016	1,326
Average	1,395

Addressing Work Without a Permit

There are several issues that can contribute to work without a permit, including:

- Lack of communication and constituent awareness
- Difficulty reporting
- Historically, unclear responsibilities between DSD inspectors and ACD code officers¹
- Lack of accountability and
- Lack of affordability

LACK OF CONSTITUENT AWARENESS

Constituent engagement is reaching out to participants in the development process to provide education and create buy-in. Successful implementation of IGI's recommendations to reduce work without a permit is largely dependent on the effective implementation of constituent engagement.

IGI identified specific groups of people that should be targeted to receive information about work without a permit:

- Building supply stores
- Contractors
- Realtors
- Homeowner associations
- Residents of Austin and
- Municipal court judges

¹ Action has already begun to delineate responsibilities

The method of delivering the information, and the information itself, should be crafted for the audience it is serving. Displaying posters in building supply stores can help generate awareness about the importance of permits and inspections in helping ensure building safety. Emails to contractors and contractor associations can help reinforce the need to officially close permits. Home Owner Associations and realtors also have a vested interest in helping to keep Austin buildings safe but need to be informed about the importance of the role they play.

Informing Austin residents about how permits and inspections on certain types of building projects help keep them safe will ensure greater awareness of the need to avoid work without a permit. Even if these constituent engagement efforts are successful, some work will likely still be done without a permit. When a citation is filed against non-compliers, it is important to have municipal judges who understand the relationship between permits and maintaining safe buildings. With this awareness, judges will be less likely to eliminate the financial deterrent—fines—to future non-compliance.

Recommendation 4

Engage in broad constituent engagement.

DIFFICULTY REPORTING

When reporting work without a permit online via 3-1-1, users have 45 options. IGI identified “Austin Code- Request Code Officer” as the best option because there is no option for specifically reporting work without a permit.

When reporting work without a permit using the mobile 3-1-1 app, users have 27 options. The most appropriate options are “Other” and “Structural conditions”. However, neither of these are particularly accurate.

If the public had a more straight-forward way to report work without a permit, it would be more common and would allow the city to have more reliable information on where work without a permit is taking place.

Recommendation 5

Request a modification to the 3-1-1 website and mobile apps to include, “Report construction without a permit.”

LACK OF CLEAR ROLES AND RESPONSIBILITIES

Currently, the responsibility for handling work without a permit is unclear between DSD and ACD.

Authority to issue a “Stop Work” order is formally assigned to the Building Official in DSD (City of Austin, 2017, pp. §24-1-441). However, in practice, if a DSD building inspector sees work without a permit occurring, they report it to ACD which causes confusion and inefficiencies.

City inspectors in Dallas have explicit authority to stop work being done without a permit. Their code reads, “an inspector is empowered to stop work that has been started without a permit having been obtained...and to order any and all persons engaged in the work to stop and desist until every required permit is obtained” (Dallas Building Code Ch. 52 sec. 303.7).

Because the goal of both DSD and ACD is to bring a customer into compliance, 3-1-1 reports of work without a permit should be forwarded to DSD inspectors to first attempt to bring the customer into compliance through the approved permitting process. If DSD inspectors are unable to bring the project into compliance, ACD code officers should be enlisted to file a citation. This clear division of responsibility between the two City

departments allows the unique talents of each division to be used in a cooperative and coordinated manner.

Recommendation 6

Grant explicit authority to DSD Inspectors to stop work without a permit and route 3-1-1 reports to DSD for initial handling.

With this change to 3-1-1 reporting, IGI recommends clearly defining the roles and responsibilities for DSD inspectors and ACD code officers. This clear delineation of responsibilities will ensure that standards for addressing work with a permit will be the same and applied consistently to ensure safety, success within and between departments, and customer compliance. To ensure DSD, ACD, and 3-1-1 employees understand the new division of responsibilities and address the problem of inconsistent standards between the departments, IGI recommends developing a shared standards manual and training. Changing responsibilities for 3-1-1 calls should also be included in the training, including updating the scripts used by 3-1-1 operators.

Recommendation 7

Develop clear roles and responsibilities for DSD and ACD and provide training.

LACK OF ACCOUNTABILITY

To address the issue of contractors not being held accountable for working without a permit, IGI recommends DSD inspectors be given explicit authority and enough time to do random worksite checks and “Stop Work” occurring without a permit. This will encourage contractors to participate in the approved development permitting and inspection process and help ensure

those contractors doing work without a permit are known and brought into compliance.

If contractors have conducted work without a permit and DSD inspectors are unable to easily inspect the work in their standard amount of inspection time, an *Unauthorized Concealment* fee similar to Dallas' should be charged (Table 22). This Unauthorized Concealment Fee of \$200 per trade will function as a deterrent to performing work without a permit. Without the associated monetary penalty, giving DSD inspectors the authority to stop work will not decrease the amount of work without a permit occurring in the City.

Recommendation 8

Charge an Unauthorized Concealment Fee of \$200 to serve as a deterrent for future work without a permit.

LACK OF AFFORDABILITY

IGI realized that one cause of work without a permit is some customers cannot afford the development process; they cannot afford the permit, the contractor, or the work in general. To prevent work without a permit from occurring in these instances, IGI recommends that DSD promote the City of Austin Neighborhood Housing and Community Development (NHCD) Home Rehabilitation Loan Program through targeted communication to cost-burdened home owners. If homeowners qualify for this program, DSD could consider reducing their fees.

Recommendation 9

Promote NHCD Home Repair Loan Program to low income residents.

INSPECTORS NEEDED TO ADDRESS WORK WITHOUT A PERMIT

Based on the average number of work without a permit complaints resolved by ACD—assuming it would require DSD eight hours to resolve these complaints through bringing customers into compliance—DSD would need 8.45 additional inspectors.

General Results and Discussion

Several IGI recommendations will help reduce both expired permits and work without a permit.

Safety

When benchmarking Austin against other cities, IGI found that all other benchmarked cities mention safety in their stated purpose, but Austin does not (Table 11).

Table 11. Benchmarking Stated Purpose

	Austin, TX	Dallas, TX	Portland, OR	San Antonio, TX
Stated Purpose Mentions Safety	X	✓	✓	✓

Recommendation 10
Modify DSD’s mission statement to include safety.²

² Since receiving the initial recommendations, DSD has modified their mission statement to include safety.

Web Analysis Results and Discussion

A clear understanding of the purpose behind the development process and what is required to comply, is key to reducing customer frustration and increasing compliance.

To ensure customers can find information about permits easily, IGI recommends that DSD focus their website on the users' needs by creating a task-orientated structure. This would allow users to quickly and successfully find the information to complete their task. In addition to this change in the DSD website structure, IGI recommends the development of three new webpages: “why I need a permit”, “does this work need a permit”, and “how to report work without a permit”.

A heuristic analysis of the DSD website conducted by IGI resulted in generally low scores in all analyzed categories (Table 12). These scores were linked to a lack of task orientation, ineffective navigation, and poor content quality (Figure 8).

Table 12. Heuristic Analysis Scores of DSD Website Usability Categories

Category	Total Points	Possible Points	Score (%)
Help	41	90	46
Task Orientation	42	90	47
Navigation	44	90	49
Content Quality	47	90	52
Credibility	48	90	53
Design	50	90	56
Accessibility	50	90	45
Homepage	53	90	59
Search	60	90	67
Total	435	810	54

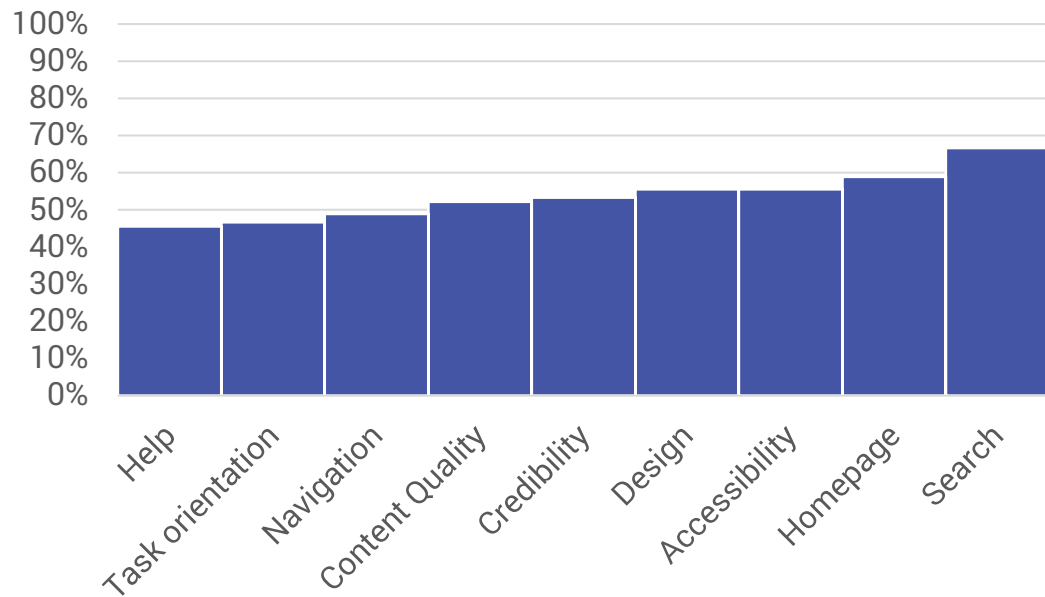


Figure 8. Heuristic Analysis Results

Recommendation 11

Revamp DSD's website with a customer-focused, task-oriented structure.

Residential Contractor Licensing

To ensure contractors are held accountable for all permits they have pulled—not only expired permits, IGI recommends developing a residential contractor licensing program. The license would require the payment of an annual fee and include an annual “performance review” of expired permits. If desired, DSD could also require all contractors doing work in Austin to have a background check and provide proof of insurance.

Both San Antonio and Dallas stop contractors from pulling permits if contractors fail to comply with permit and inspection requirements.

Recommendation 12

Create a residential contractor registration program.

Improve Data Usability

IGI identified two primary ways to improve the usability of data within AMANDA. The first issue to correct is errors in individual data records which make it difficult to answer questions about individual projects. The second issue to be addressed is improving the usefulness of AMANDA data—in the aggregate—for making data-driven decisions.

The problem identified with individual data records occurred when some records from the City’s previous development management software did not transfer correctly into AMANDA. These problems include, but are not limited to, permits for addresses such as 2208 ½ S. Lamar. Information relating to these projects are in AMANDA, but are totally inaccessible to the public via the City’s website and can take hours for city staff to locate when new permits are requested on addresses containing ½.

An example of the second issue is poorly defined data fields in AMANDA. To be able to use data to improve operational efficiency and customer service, it is important for all city departments using AMANDA to take a new perspective on the information within the database, especially the category options. In one example, IGI counted 115 “Inspection Type” categories, some of which only included one entry out of the roughly 17,000 records available to IGI and some of which are processes related to inspections and not types of inspections. Clearly defining each category option and providing drop-down

menus would make it possible to quickly and confidently understand inspection status.

Clearly defined categories will also help avoid problems at the other end of the spectrum. IGI discovered, for example, that “Expired” was a permit status that combined truly expired permits—permits that meet the definition of “Expired”—as well as being used as a “catch-all” for permits which the status is unknown, such as those for which a final inspection was never called.

To alleviate the specific issue of not being able to identify projects with incomplete inspections, IGI recommends DSD create a separate category for those permits for which an inspection has not been called for in 180 days. In keeping with recommendation 3, a “Prescheduled Mandatory Inspection Required” category could be used for this purpose.

Recommendation 13

Improve individual records within AMANDA and their usefulness in making data-driven decisions.

ADVISORY COMMITTEE

To get feedback from the community and generate buy-in for constituents, IGI recommends that DSD invite contractors, design professionals, and other constituents in the development process to meet with DSD whenever changes to current processes are proposed.

Recommendation 14

Create a contractor advisory committee.

Investigate Code Language Changes

In benchmarking other cities, IGI identified several instances for expired permits, work without a permit, and inspection scheduling where other cities had different code language. (See Table 13 – Table 15) Where other cities' language is different, it warrants investigation and comparison to the Austin Land Development Code to identify potential code language modifications that would improve operational efficiency. For example, in Dallas and Portland's code, they explicitly "void" expired permits. If Austin made this change, it could help address recommendation 21 from the *Development Services Department: Analysis of Partnering City Departments* Zucker report.

Table 13. Expired Permits Same/Different Comparison

	Dallas	Portland	San Antonio
Permit Application Expiration	Different	Same	Same
Permit Application Extension	Different	Similar	Different
Permit Expiration	Different	Different	Same
Permit Extension	Similar	Same	Same
Suspension of Permit Privileges	Similar	Same	Same
Expiration Notice	Different	Same	Similar

Table 14. Work Without a Permit Same/Different Comparison

	Dallas	Portland	San Antonio
Reporting Work Without a Permit	Different	Different	Different
Stop Work Order	Similar	Same	Same
Code Violation Fines	Different	Different	Similar
Code Violation Penalties	Different	Different	Same

Table 15. Scheduling Inspections

	Dallas	Portland	San Antonio
Phone	Yes, same	Yes, same	Yes, different
Online	Yes, same	No	Yes, same
Phone App	No	No	Yes, different
In Person	No	No	No

Recommendation 15

Consider modifying the Land Development Code based on practices from benchmarked cities.

Recommendations

The following recommendations are intended to reduce expired permits and work without a permit in the City of Austin (Table 16).

Table 16. Summary of Recommendations to Address Expired Permits and Work Without a Permit

Recommendation Number	Work Area	Recommendation	Additional Inspectors Needed	Page Reference
1	Expired Permits (Historic)	Conduct a stratified random sample	3.07	29
2	Expired Permits (Future)	Use AMANDA to notify all affected parties	0.00	33
3	Expired Permits (Future)	Implement prescheduled mandatory inspections	6.30	34
4	Work Without a Permit	Implement constituent engagement	0.00	41
5	Work Without a Permit	Improve 3-1-1 reporting	0.00	42

Recommendation Number	Work Area	Recommendation	Additional Inspectors Needed	Page Reference
6	Work Without a Permit	Route 3-1-1 Work Without a Permit reports to DSD	8.45	43
7	Work Without a Permit	Clarify DSD and ACD's roles and provide training	0.00	43
8	Work Without a Permit	Charge an Unauthorized Concealment Fee	0.00	44
9	Work Without a Permit	Promote NHCD loan program	0.00	44
10	General	Emphasize Safety	0.00	46
11	General	Restructure DSD website	0.00	48
12	General	Create a Residential Contractor Registration Program	0.00	49
13	General	Improve individual records within AMANDA and their usefulness in making data-driven decisions.	0.00	49
14	General	Create an Advisory Committee	0.00	50
15	General	Consider modifying the Land Development Code based on practices from benchmarked cities.	0.00	52

Appendix 1: Benchmarking Detail Results

Summary of Department Functions

This appendix provides a summary of the development services department functions of the four cities—Austin, Dallas, Portland, and San Antonio—as they relate to expired permits and work with a permit.

Austin

The functions of Austin’s Development Services Department, in regards to expired permits and work without a permit for commercial and residential customers are:

- To bring customers who did work without a permit into compliance,
- To address and issue permits to customers with expired permits, and
- To schedule inspections throughout the building process.

Dallas

The functions of Dallas's Sustainable Development and Construction Department, in regards to expired permits and work without a permit for commercial and residential customers are to:

- Grant extensions of applications and permits to ensure all work is completed without having an expired application or permit,
- Ensure the permittee is aware of any expirations,
- Resolve expired permits and review expired plans,
- Identify and assist customers with the express permit plan review process,
- Schedule all field inspections throughout the building process,
- And keep records and archives of all permits and building plans.

Portland

The functions of Portland's Bureau of Services Department, in regards to expired permits and work without a permit for commercial and residential customers are to:

- Make sure all applications, application extensions, permit issuances, and permit extensions are in compliance with the City and State code,
- Ensure that all city actions are in compliance with both city and state code, and
- Enforce any violations of City and state code.

As pointed out elsewhere in this report, Portland has made great strides to resolve their problems of expired permits, excessive permit extensions, and inconsistent enforcement of the code. Austin could learn a lot from Portland's development department, especially starting February 1, 2017 when they begin automatically voiding or expiring permits with too long a lifespan.

San Antonio

The functions of San Antonio's Development Services Department, in regards to expired permits and work without a permit for commercial and residential customers are to:

- Ensure all customers remain in compliance with city code by offering a step-by-step how-to for obtaining a permit and all that entails, and
- Enforce any violations made through work being done without a permit.

It does not appear San Antonio has the same problems with expired permits Austin does. IGI believes this is due in large part to San Antonio's DSD not allowing any utilities to be activated until a final inspection is completed. This is ensured by having the city contact the utility company instead of the customer, and without a final inspection or approval from a city department head, the customer's utilities will not be turned on.

Expired Permits

Below are definitions that each city uses that pertain to expired permits.

Austin

Permit application expiration: A permit application will be abandoned after 180 days if no permit is issued.

Permit application extension: A building official can grant a one-time extension to a permit application, not to exceed 180 days. The extension request must be made before the application expires, in writing, with a justifiable reason.

Permit expiration: A building permit expires if work authorized by the permit does not begin before the 181st day after the permit is issued, or if work begun before the 181st day after the permit is issued but is abandoned or suspended for more than 180 days. If an expired permit is discovered while trying to issue a new permit, the expired work can be re-permitted with the new permit application if it is within the same scope as the new work and within the same structure. If the expired work is unrelated to the new work, a request for Permit Extension, Withdrawal, Or Reactivation and an Acknowledgement of Expired Permits form must be submitted with the new permit application indicating that the expired permits will be resolved separately (Land Development Code 25-11-94).

Permit extension: A one-time permit extension may be granted for a period of 180 days, but the request must be submitted before the original permit expires.

Permit reactivation: A request may be submitted for the reactivation of an expired permit if there is proof of substantial work completed during the initial 180-day permit period. The reactivation is a one-time only 180-day extension (Land Development Code 25-11-94).

Suspension of permit privileges: A permit can be suspended or revoked by an inspector official if the permit holder is found to not be in compliance with the permit, or if the permit was issued in error. It will remain suspended/revoked until the permit holder comes into compliance (Land Development Code 25-1-411).

Expiration notice: Thirty days before a permit is set to expire the AMANDA system sends out a notice of expiration notifying the permit applicant through e-mail of the upcoming expiration of the permit.

COMMERCIAL

Permit expiration: A permit expires on the 181st day, but can be extended an unlimited amount of times prior to expiration.

RESIDENTIAL

Permit expiration: A permit expires on the 181st day, but can be extended one time prior to expiration.

Dallas

Permit application expiration: An application for a permit shall expire and be void if by the 45th day after the date the application was filed, the applicant failed to provide proper documents or information necessary to comply (Dallas City Code Ch. 52 Sec. 302.1.1).

Permit application extension: The building official can grant one or more extensions of time not exceeding 45 days for each justifiable cause (Dallas City Code Ch. 52 Sec. 302.1.2).

Permit expiration: Any permit issued by the building official will expire and be void if no progress has been made toward completion of the project before the second anniversary of its issuance unless one or more extensions are granted, in which case the permit shall be void if no progress has been made toward completion of the project during the extended time periods (Dallas City Code Ch. 52 Sec. 302.5).

Permit extension: The building official may grant one or more extensions of time for periods not exceeding 120 days each if he or she determines that circumstances beyond the control of the permittee have prevented the work from being commenced. If a request for extension is made by the applicant or his or her agent, the request must be in writing and made within the time period sought to be extended (Dallas City Code Ch. 52 Sec. 302.5.2).

Permit Reactivation: After extensive research, it seems Dallas does not reactivate or renew permits once they have expired.

Suspension of Permit Privileges: The board may suspend a person's ability to secure permits to perform work at one or more locations for a definite time period not to exceed two years if, based on the evidence presented at the hearing, it determines that: (a) The agent has knowingly provided false or

incorrect information on previous applications for permits. (b) The agent has failed to make reasonable and continuous progress to complete work authorized by an existing or previous permit. (c) The agent has been grossly negligent in the performance of work authorized by an existing or previous permit. A person whose ability to secure permits has been suspended under this section shall pay a nonrefundable reinstatement fee before that person may apply for any new permits after the period of suspension expires. The building official may revoke a permit if they determine that reasonable and continued progress has not been made to complete the work authorized by the permit or if the property owner is in violation of an order to repair the structure issued by the urban rehabilitation standards board (Dallas City Code Ch. 52 Sec. 302.9).

Expiration notice: If the building official determines that a permit has expired, he or she shall mail a written notice of that determination to the permittee. A person shall not continue work under a permit that has expired (Dallas City Code Ch. 52 Sec. 302.1.3).

Portland

Permit application expiration: A permit application shall be deemed abandoned if: 1) no check sheet responses have been received in 180 days; 2) necessary/required appeals, land use review, dedications, etc. have not been acted upon in 180 days; 3) the permit has been in Approved to Issue status for greater than 180 days; 4) no written requests for an extension have been submitted; or 5) no inspections have been called for or no inspections have been called for over 180 days (BDS Program guide).

Permit application extension: A written extension request may be submitted before the application expires. Each request will be evaluated based upon the impact code changes would have upon conformance with

current code. As a general rule, the Bureau will not extend permits that are older than two code cycles (BDS Program guide).

Analysis of permit extension: A report done in 2015 analyzed the issue the city was having with permit extensions. It showed that although the expired permits were supposed to be voided immediately to be in compliance with City and State building code, the staff at the Development Services Bureau was not complying and continued to reactivate/extend permits that were already labeled as expired. The report suggested aligning staff actions with City and State code and apply the code consistently (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Permit expiration: A permit expires after 6 months if no work is being performed. At that point the permit is then considered to be void and to continue work on the property a new permit must be issued (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Permit extension: A building official may issue a one-time extension for an expired permit for a period of 6 months if the permittee was unable to finish work due to reasons beyond their control; other than that, all other extension requests must be submitted in writing before the expiration date and must be approved by a supervisor or the director (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Permit renewal: A permit can be renewed one time if it has been expired for less than 6 months and there have been no changes to the plans; there is a fee associated with the renewal: one half the amount of the original building permit. No renewal may happen if the permit has been expired for more than 6 months (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Expiration notice: The permit staff sends out expiration notices through the mail 30 days before permits expire. Based on the report that was done in 2014, the letters were successful in getting the permit extended 61% of the time for residential permits and 32% of the time for commercial permits. The problem they encountered with the letters was some of the letters did not reach recipients until after the stated expiration date. In this case, 49% of residential permits were successfully reactivated and 68% of commercial permits were successfully reactivated. The notices are only sent for expiring building permits, no notifications are sent for expiring trade permits (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Suspension of permit privileges: The director may, in writing, suspend or revoke a permit issued under requirements of this code whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any law, ordinance, or requirement of this code (Portland City Code 26.04.090).

Permit expiration solution: To deal with the expired permits in their system and align the city practices with city and state code, beginning February 1, 2017 “the City’s permitting software program will begin to expire and void trade permits that are inactive in accordance with state and local codes...to help transition the holders of inactive trade permits through this change, trade permits that have been inactive will be changed to ‘Expired’ and ‘Void’ status in three groups: older permits, more recent permits, and future permits, as shown in Table 17 (*Building Permits: Extension practices inconsistent; documentation lacking* April 2014).

Table 17. Inactive Permits in Issued or Under Inspection Status

	Older Permits	More Recent Permits	New Permits
Date Range	Permits with expiration dates prior to July 1, 2014	Permits with expiration dates of July 1, 2014 to February 1, 2017	Permits with expiration dates beginning on February 1, 2017
Expired Status	Bypass expired status	Automatically expire on February 1, 2017	Automatically expire after 180 days of inactivity in issued or under inspection status
Void Status	Automatically void on February 1, 2017	Automatically void after 180 days of inactivity in expired status	Automatically void after 180 days of inactivity in expired status

San Antonio

Permit application expiration: For the safety of the permittee, the Internal Building Code requires that every permit application expire within 180 days if no progress has been shown.

Permit application extension: The building official is authorized to grant one or more extensions of time for additional periods not exceeding ninety (90) days each. The extension shall be requested in writing and justifiable cause demonstrated (Code of Ordinances Ch. 10 Sec 10.6-L).

Permit expiration: Every permit issued shall become invalid unless the work on the site authorized by the permit is commenced within 180 days after its issuance or if the work authorized by the permit is suspended or abandoned for a period of 180 days after the work has commenced (Code of Ordinances Ch. 10 Sec 10.6-N).

Permit extension: The department may grant one or more 180-day extensions when the permittee can provide a valid, justifiable reason for the permit application or issued permit suspension or abandonment.

Permit reactivation: After extensive research, it seems San Antonio does not reactivate or renew permits once they have expired.

Suspension of permit privilege: The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any provisions of this code (Code of Ordinances Ch. 10 Sec 10.6-o).

Expiration notice: The building official shall issue all necessary notices or orders to ensure compliance with the provisions with this code (Code of Ordinances Ch. 10 Sec 10.5-d).

Utility release: The city does not allow for utilities to be turned on until a final inspection has been completed. No person shall make connections from a utility, source of energy, fuel or power to any building or system for which a permit is require, until released by the building official. The building official does, though, have the authority to authorize temporary connection of the building or system to the utility source.

Work Without a Permit

Below are the definitions each city uses that pertain to work without a permit.

Austin

Reporting work without a permit: Work done without permits is usually reported by a neighbor, a realtor, or a home buyer when the work is discovered during the examination of the home.

Stop work order: A stop work order can be imposed by the both the director of the Development Services Department and Austin Code Department. If the building is new construction, authority for stop work order resides with DSD per Land Development Code definitions (25-1-21.30). If the work is related to an existing building, the authority resides with Austin Code Department per International Property Maintenance Code (2015 IPMC Ch. 1 Part 1 Sec. 112).

If work is found out of compliance with the permit or if occurring without a permit and a stop work order is issued, all work must cease, inspections of the property may not be performed, and utilities may not be connected. The order must be posted at construction site and must be sent to the property owner. Title 25 of the Austin Land Development Code reads, “if the director determines that a person required to obtain a site plan, subdivision construction plan, or permit has not complied with a requirement of this title, the director may order the person to stop the development of or transportation of construction material to the site until the person complies with the requirements of this title” (§ 25-1-441).

Code violation fines (Work without a permit fines): A person who violates the code and performs work without a permit is committing a separate offense for each day the violation continues; the violation is punishable by a fine not to exceed \$2000 (this is in the code, but is reported to not be enforced by the courts).

Code violation penalties (Work without a permit penalties): In conjunction with the fines, the offender could be charged with a misdemeanor.

Dallas

Reporting work without a permit: Citizens are encouraged to report work being done without a permit through the City of Dallas 3-1-1 Customer Service Center.

Stop work order: Whenever any work is being done contrary to the codes, the building official may order the work stopped by notice in writing served on any person engaged in the work or causing the work to be done, and that person shall stop work immediately until authorized by the building official to proceed with work (Ch. 52 202.4). “An inspector is empowered to stop work that has been started without a permit having been obtained in violation of this chapter... and to order any and all persons engaged in the work to stop and desist until every required permit is obtained” (Ch 52 303.7).

Code violation fines (Work without a permit fines): If work that requires a permit is started prior to obtaining a permit, the fee specified shall be doubled. If an inspector discovers work being done without a permit, that inspector is empowered to stop the work and require all persons engaged in the work to stop and desist until every required permit is obtained. Any

person who knowingly violates a provision of this code is guilty of a separate criminal offense for each day or portion of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2000.

Code violation penalties (Work without a permit penalties): In addition to the punishments of the criminal offenses, the city may bring a civil action against a person violating the code. The civil action may include a suit to recover a civil penalty not to exceed \$1000 for each day or portion of a day during which the violation is committed, continued, or permitted. There may be other enforcement remedies included that the city may have under city ordinances and state law.

Portland

Reporting work without a permit: The city encourages citizens to report work being done without permits through an online portal or through the PDX Reporter app that citizens can download onto their iPhone or Android phone.

Stop work order: The director can issue a stop work order if work is in violation of a permit or the code, in cases of an emergency, or if work is being done without a permit. If this occurs, all work must stop immediately except for the work that is being done to bring the building into compliance. A copy of the order will be posted at the location of the building and will be delivered to the property owner. There is a \$500 penalty for being issued a stop work order.

Code violation fines (Work without a permit fines): Penalties for non-compliance consist of imposing monthly enforcement fines for each property not in compliance and doubling fines if violations are not corrected within 3 months.

Code violation penalties (Work without a permit penalties): Any person found to be in violation of the code shall be personally liable for costs incurred by the city and for any civil penalty imposed by order of the Code Hearing Officers (City of Portland Code 22.06.01).

Regaining compliance: If work without a permit is discovered, a number of actions can be taken to regain compliance: 1) forcing compliant action before the Code Hearings Officer; 2) forcing compliance in a court of competent jurisdiction; 3) Issuing a code violation on the person who performed the work and a \$1,000 fine for each violation; 4) taking other lawful action; and 5) Revoking a Type B permit if the work violated the parameters set by the issued permit.

San Antonio

Reporting work without a permit: The permitting department relies on contractors and their employees to report work without a permit through the online reporting system.

Stop work order: The building official can issue a stop work order if they find any work being performed in contrary to the provisions of the code or if the work is dangerous or unsafe. The order must be issued in writing and will be given to the property owner, the owner's agent, or the person performing the work. Upon issuance, all work shall cease immediately, except for the work being done to remove the violation or the unsafe condition (COO Ch. 10 Sec 10-16).

Code violation fines (Work without a permit fines): The building official is authorized to serve a notice of violation on the person responsible for the violation of the permit or of the code. Once this is issued, the work shall cease immediately. Any person who fails to comply with the notice of violation could receive a \$500 fine for every day the unpermitted work was being performed (COO Ch. 10 Sec 10-15).

Code violation penalties (Work without a permit penalties): In conjunction with the fines, the offender could be charged with a misdemeanor (COO Ch. 10 Sec 10-15).

Inspections

Below are descriptions of how each benchmarked city allows customers to schedule inspections, including a comprehensive table.

Austin

Scheduling inspections: A customer can schedule an inspection: online, over the phone through the Interactive Voice Response (IVR) System, or in person at the Service Center.

Dallas

Scheduling inspections: A customer can schedule an inspection over the phone (automated inspection line) or online.

Portland

Scheduling inspections: An inspection can be schedule over the phone through the Interactive Voice Response (IVR) System.

San Antonio

Scheduling inspections: Inspections can be schedule through the scheduler app (online or on a mobile device), online permitting system, or over the phone for \$3 fee per inspection that is scheduled.

	Austin	Dallas	Portland	San Antonio
Phone	Yes	Yes	Yes	Yes (\$3 fee)
Online	Yes	Yes	NA	Yes
Mobile Phone App	NA	NA	NA	Yes
In Person	Yes	NA	NA	NA

Fees

A schedule of all fees can be found in Table 20 – Table 22.

Austin

IGI was unable to determine how frequently these fees were utilized.

Inspection fees: There is no charge for the first inspection of each phase, but there is a re-inspection fee of \$65 for each inspection if: the work is not complete, corrections from prior deficiencies were not completed, or if the

site is not accessible. If the inspection occurs after normal work hours (8am-5pm) then the cost of that inspection is \$200 for the first hour and \$100 for each additional hour.

Permit reactivation: The cost to reactivate an expired building and trade permit is \$42 for each permit.

Investigation fee: An investigation fee is charged when work is commenced without a permit. The fee shall equal the cost of a permit and is collected in addition to the fee for the permit.

Dallas

Inspection fees: There are multiple fees associated with obtaining an inspection. The application fee is \$15 per application, a same-day inspection is \$250, an after-hours inspection is \$125 per hour, and a re-inspection fee is \$75 per trade being inspected.

Unauthorized concealment fee: If work is done without a permit and an inspection is done, any work that has been covered that needs to be uncovered for inspection purposes is \$200 for each trade (mechanical, electrical, plumbing).

Portland

Inspection fees: Based on the value of the construction work being performed there is a maximum number of allowable inspections, for inspections exceeding the maximum number there will be a re-inspection fee of \$97 per inspection. If the inspection is outside of the normal business hours, it is \$194 per hour.

Investigation fee: A fee charged for an inspection on work done without a permit is \$95 per hour.

Permit extension/completion processing fee: A \$142 fee is charged for the extension of a permit that has been inactive and a customer is requesting any action to extend or change the permit status.

Permit reinstatement processing fee: This fee is for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. The cost of this will be one half the amount required for a new permit but will be no less than \$95.

San Antonio

Inspection fees: A general building permit inspection is \$100 per hour. On a residential permit, each trade inspection is an additional \$5 and on a commercial permit, each trade inspection is an additional \$10. If a re-inspection is required, it is an additional \$50.00 fee.

Permit extension fees: The fee to extend the life of a permit is 50% the amount of the original permit.

Mission Statement

Below are the mission statements of all four benchmarked cities to compare each city's outward focus on "safety".

Austin

The purpose of the Development Services Department is to provide excellent customer service in a high quality, positive, timely, and facilitative manner to the Austin community to build a better Austin.

Dallas

Our goal is to provide high-quality customer service, while protecting the health, safety and welfare of Dallas residents.

Portland

The Bureau of Development Services promotes safety, livability and economic vitality through efficient and collaborative application of building and development codes.

San Antonio

Partnering with our community to build and maintain a safer San Antonio.

Appendix 2: Benchmarking Summary Tables

The following two tables summarize the benchmarking information collected for this report. The first table (Table 18) is a side-by-side comparison of all the information to enable easy comparison. The second table (Table 19) only acknowledges if the processes in Dallas, Portland, and San Antonio are different from those in Austin.

Expired Permits

Table 18. Expired Permits Benchmarking Comparison

	Austin	Dallas	Portland	San Antonio
Permit application expiration	Expires after 180 days if no permit is issued	Expires after 45 days	Expires after 180 days	Expires after 180 days
Permit application extension	See below for commercial and residential breakout	One or more extensions, 45 days each	Application cannot be older than two code cycles	One or more extensions, can't exceed 90 days each, justifiable cause
Permit expiration	See below for commercial and residential breakout	Expires and voids if no progress has been made before second anniversary	Expires after 6 months if no progress shown	Expires after 180 days if work has not begun or if the work is abandoned or suspended
Permit extension	See below for commercial and residential breakout	One or more, not to exceed 120 days each	One time extension for 6 months	Unlimited 180 day extensions

	Austin	Dallas	Portland	San Antonio
Permit reactivation/renewal/reinstatement	See below for commercial and residential breakout	Not Applicable	One-time renewal only if permit has been expired for less than 6 months.	Not Applicable
Suspension of permit privileges	An inspector official can suspend a permit if permit-holder is not in compliance with permit or if it was issued in error; will remain suspended until permit-holder comes into compliance	DSD board of directors can suspend a person's ability to secure permits based on certain determinations; the building official may revoke a permit if no work is shown or if property owner is in violation of the permit	Director may suspend or revoke permit if issued in error, incorrect information was provided, or if the permit holder violates the permit	The building official can suspend or revoke permit if issued in error, if incorrect information was provided, or if the permit holder violates the permit
Expiration notice	Notice of expiration sent through AMANDA auto e-mail to the general contractor 30 days before expiration	If building official determines a permit has expired, a notice will be mailed to the permittee	Notice sent through mail 30 days before permit expires	The building official "shall issue all necessary notices...to ensure compliance" and an automated e-mail will be sent to contractors and homeowners whose e-mail addresses are in the system notifying of an expired permit.
Residential Utility Release	For a residential new-build, a final inspection must be passed to get permanent utilities released.	For a residential new-build, a final inspection must be passed to get permanent utilities released.	Not Available	City does not allow for utilities to be turned on for residential new-build until a final inspection has been completed

	Austin	Dallas	Portland	San Antonio
Residential Permit expiration	Expires after 180 days, one extension	No distinction between commercial and residential	No distinction between commercial and residential	No distinction between commercial and residential
Residential Permit reactivation	One time reactivation	No distinction between commercial and residential	No distinction between commercial and residential	No distinction between commercial and residential
Commercial permit expiration	Expires after 180 days, unlimited extensions	No distinction between commercial and residential	No distinction between commercial and residential	No distinction between commercial and residential
Commercial permit reactivation	Multiple reactivation	No distinction between commercial and residential	No distinction between commercial and residential	No distinction between commercial and residential

Work Without a Permit

Table 19. Work Without a Permit Benchmarking Comparison

	Austin	Dallas	Portland	San Antonio
Reporting work without a permit	Reported by neighbor, realtor, home buyer (discovered anecdotally)	Citizens are encouraged to report work without a permit through 3-1-1	Encourages citizens to report work without a permit through PDX system	Relies on contractors and employees to report through 3-1-1
Stop Work Order	Imposed by director if work is out of compliance with permit or if commenced without a permit. Work must cease, no inspections can be performed, utilities may not be connected.	The building official may issue a stop work order for work being done contrary to code; inspectors may issue a stop work order on work that has begun without a permit	The director can issue a stop work order if work violates the permit or code, if worksite is unsafe, or if work is being done without a permit.	The building official can issue a stop work order if work being performed violates code or if the work is dangerous or unsafe.
Stop Work Order Penalty	Not Applicable	Not Applicable	\$500 penalty for being issued a stop work order	Not Applicable
Code violation fines	Separate offense for each day violation occurs, fine can't exceed \$2000 (is not being enforced)	If work starts without a permit, fees are doubled.	Monthly enforcement fines, and doubling of fines if not corrected within 3 months.	The building official will issue a notice of violation, if the person does not comply, they could receive a \$500 fine for every day they

	Austin	Dallas	Portland	San Antonio
				participate in unpermitted work
Code violation penalties	Can be charged with misdemeanor	May be charged with a criminal offense for each day that the person is in violation, each offense is punishable by a fine of up to \$2,000. A civil penalty may also be applied, not to exceed \$1,000 for each day of violation	The person in violation will be held personally liable for cost incurred by the city and for any civil penalty.	In conjunction with the fines, the offender could be charged with a misdemeanor.

Fee Schedules

Table 20. Inspection Fees

	Austin	Dallas	Portland	San Antonio
Inspection fee not included in permit cost	Not Available ³	\$142/hour or fraction of an hour, minimum \$142 ⁴	Not Available	\$100/hour +\$3 if scheduled over phone or in person Residential: +\$5/trade inspection Commercial: +\$10/trade inspection
Same-day Inspection	Not Available ⁵	\$250	Not Available	Not Available
Re-inspection	\$65/inspection	\$75/trade	\$97/inspection	\$50/inspection
After-Hours	\$200 for first hour \$100 each additional hour	\$300	\$194/hour	\$100/hour

³ Inspection fees are included in the standard permit cost

⁴ Other inspections not specifically identified elsewhere

⁵ Same-Day inspection fee is not listed on the fee schedule

Table 21. Expired Permit Fees

	Austin	Dallas	Portland	San Antonio
Permit Processing Fee	Not Available ⁶	Not Available	65% of the building permit fee	\$10
Permit Extension Fee	The city of Austin does not charge for the extension of a permit.	Not Available	\$142/hour, minimum of \$142	50% of cost of original permit + cost of permit
Permit Reinstatement/Reactivation	\$42/permit	Not Applicable	50% of cost of original permit, with a minimum of \$95	Not Applicable

Table 222. Work Without a Permit Fees

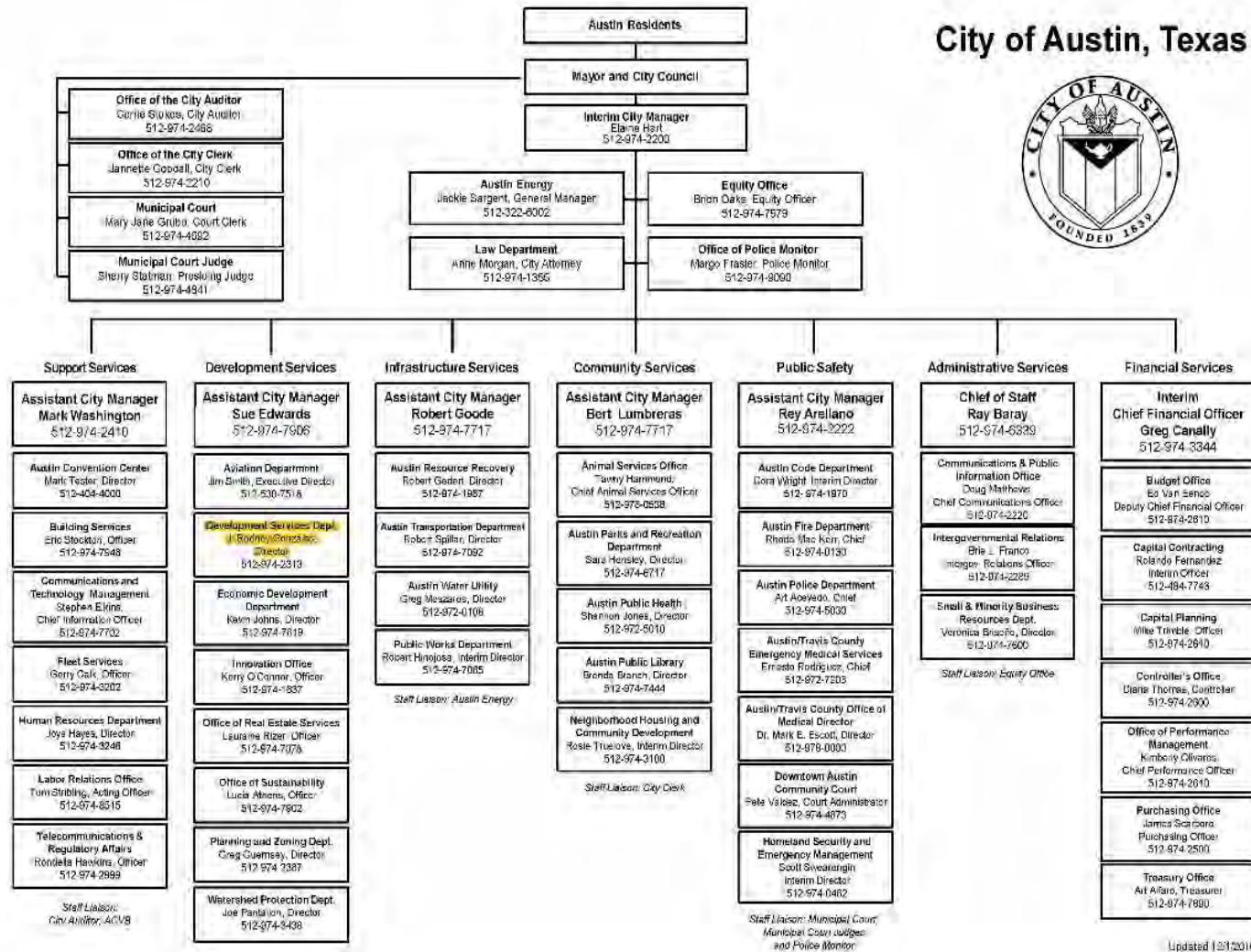
	Austin	Dallas	Portland	San Antonio
Investigation Fee	The fee shall equal the cost of a permit and is collected in addition to the fee for the permit	Not Applicable	\$95/hour	Not Applicable
Unauthorized Concealment Fee	Not Applicable	\$200/trade	Not Applicable	Not Applicable

⁶ Permit processing fees are included in the standard permit cost

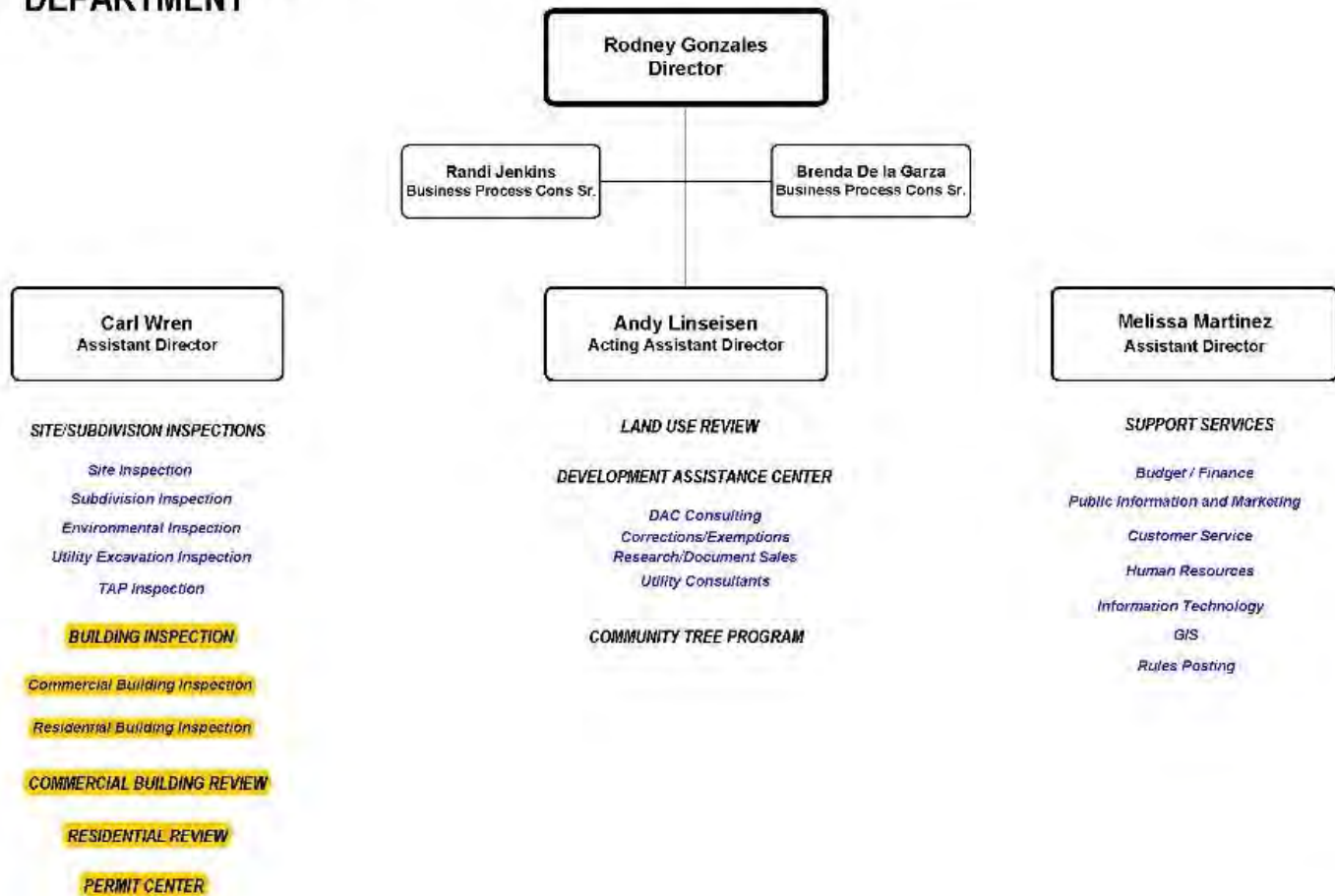
Appendix 3: Organizational Structures

Each city has a broad overview chart and one or more detailed organizational charts depending on how the city has planned their departments. These can be a helpful insight in making decisions of consolidating or disseminating functions.

Austin

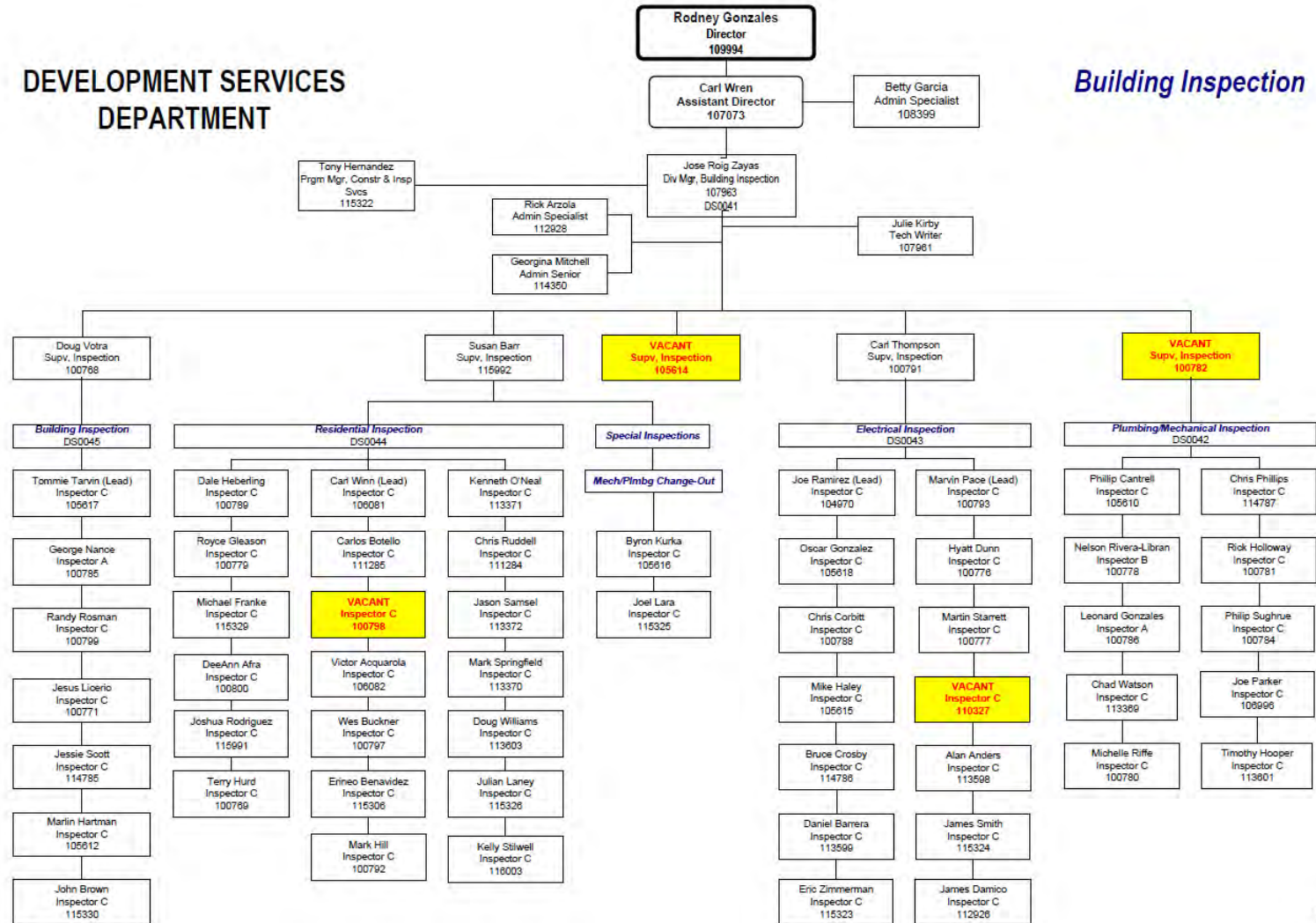


**DEVELOPMENT SERVICES
DEPARTMENT**



Revision Date 20 Jul 16

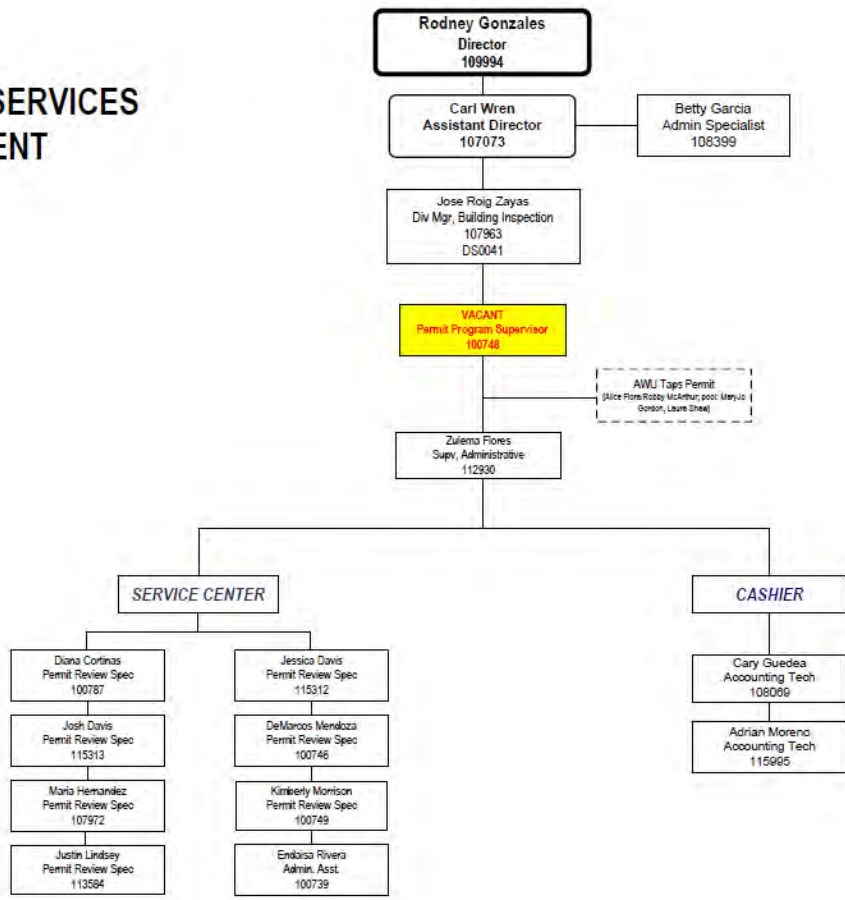
DEVELOPMENT SERVICES DEPARTMENT



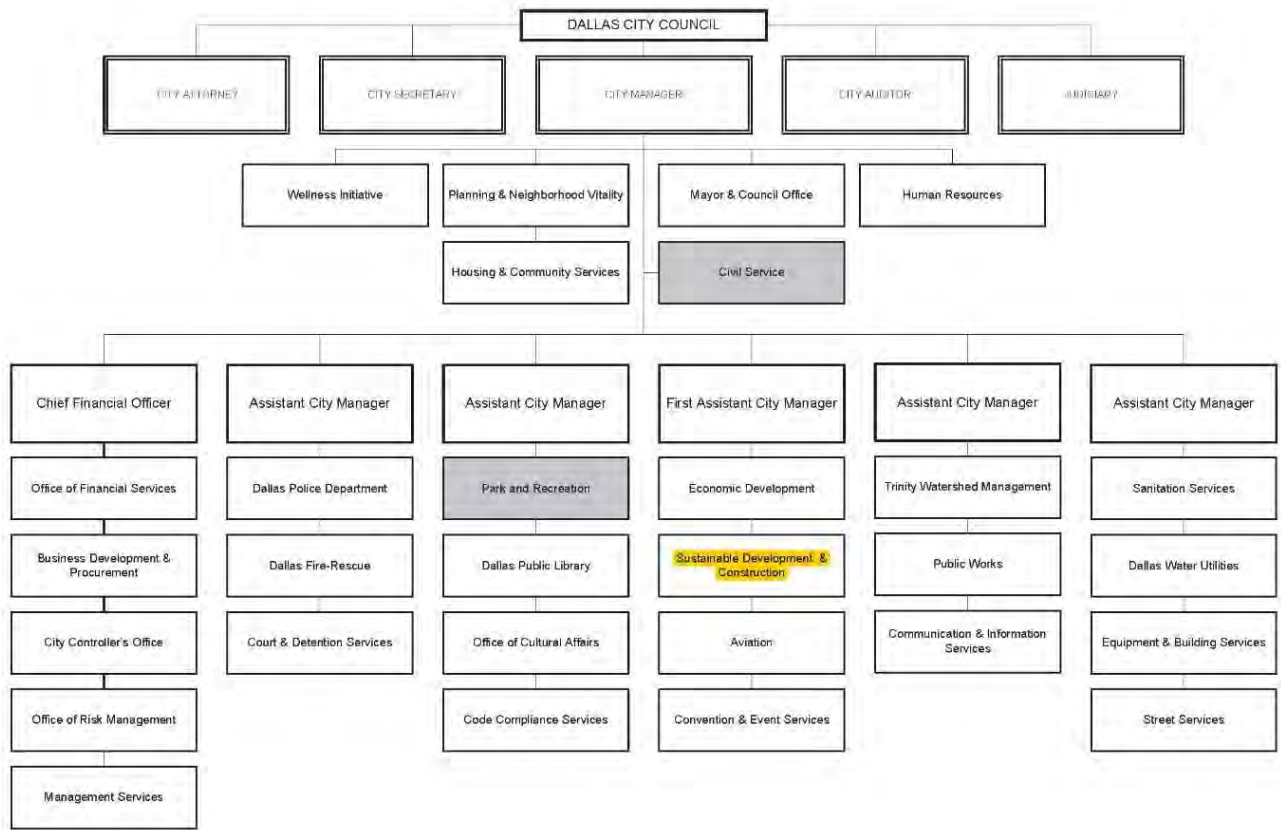
Revision Date 21-Dec-16

DEVELOPMENT SERVICES
DEPARTMENT

*Service Center
Cashier*

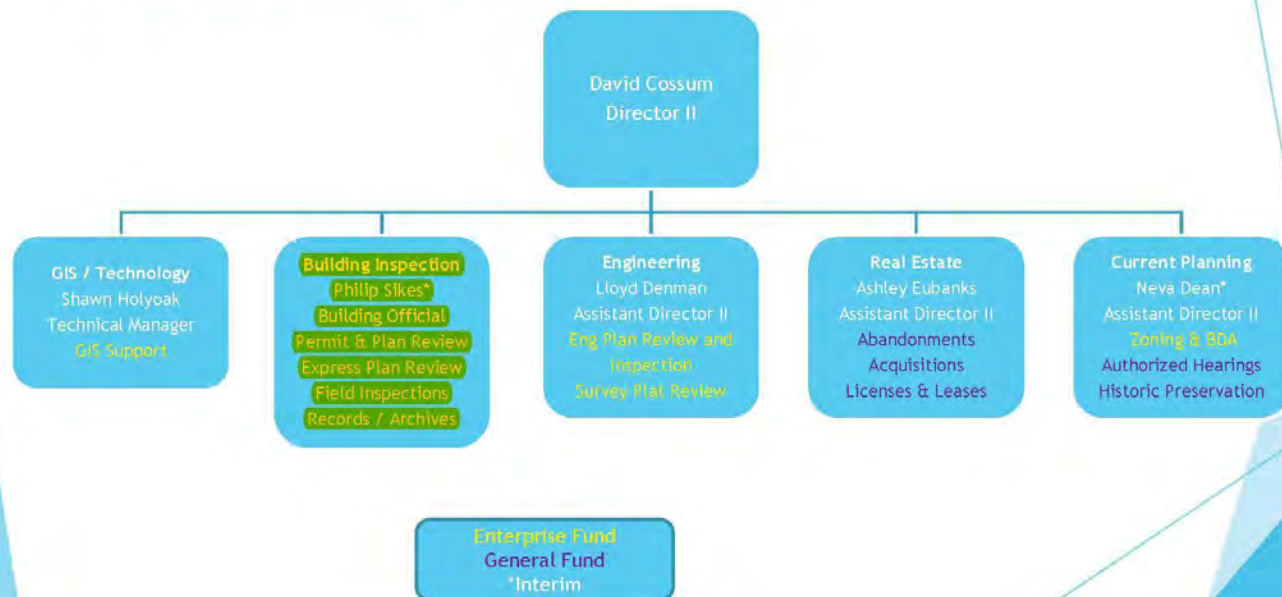


Dallas



Note: Shading Indicates Liaison Relationship

Sustainable Development and Construction Organizational Chart



Portland

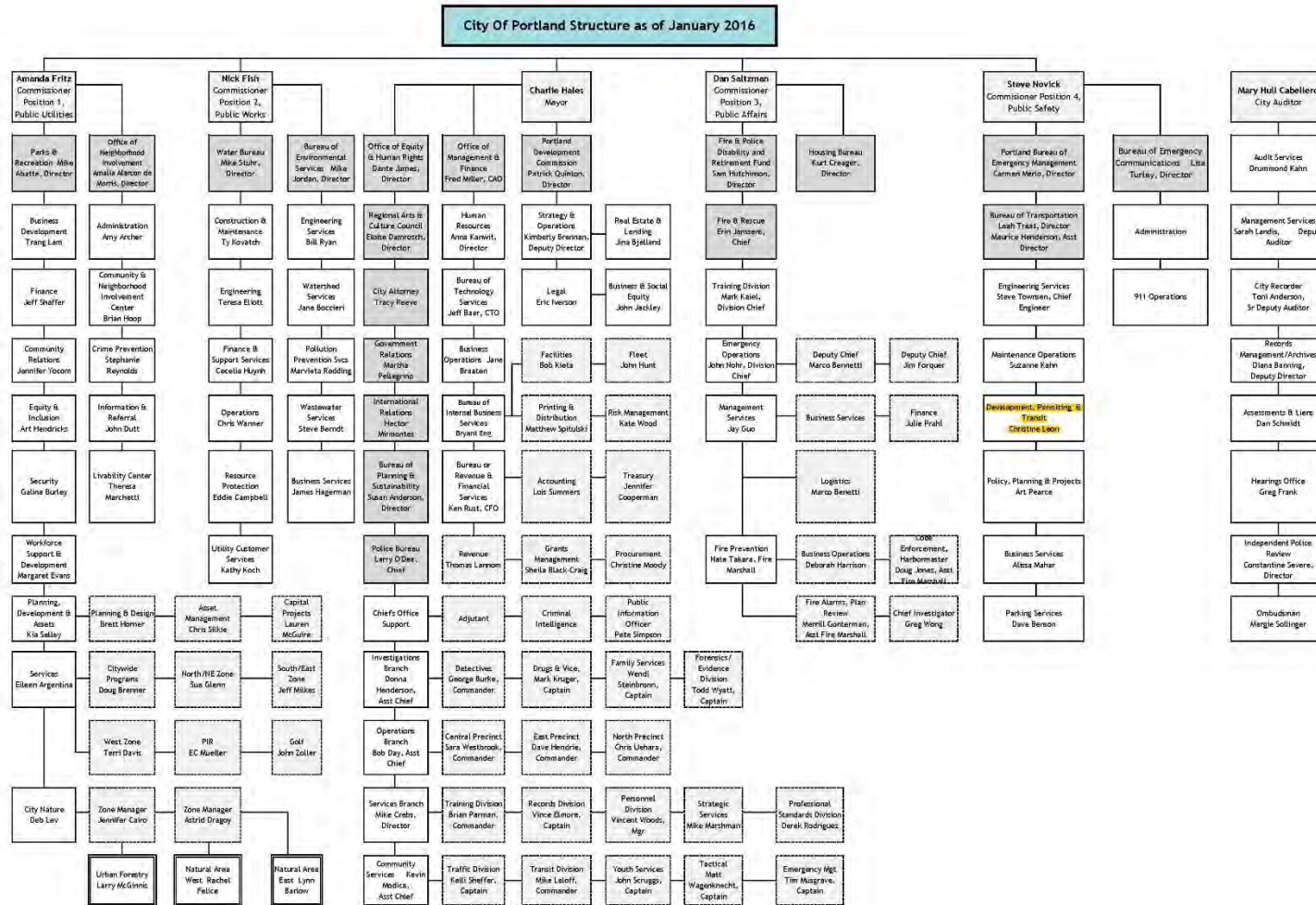
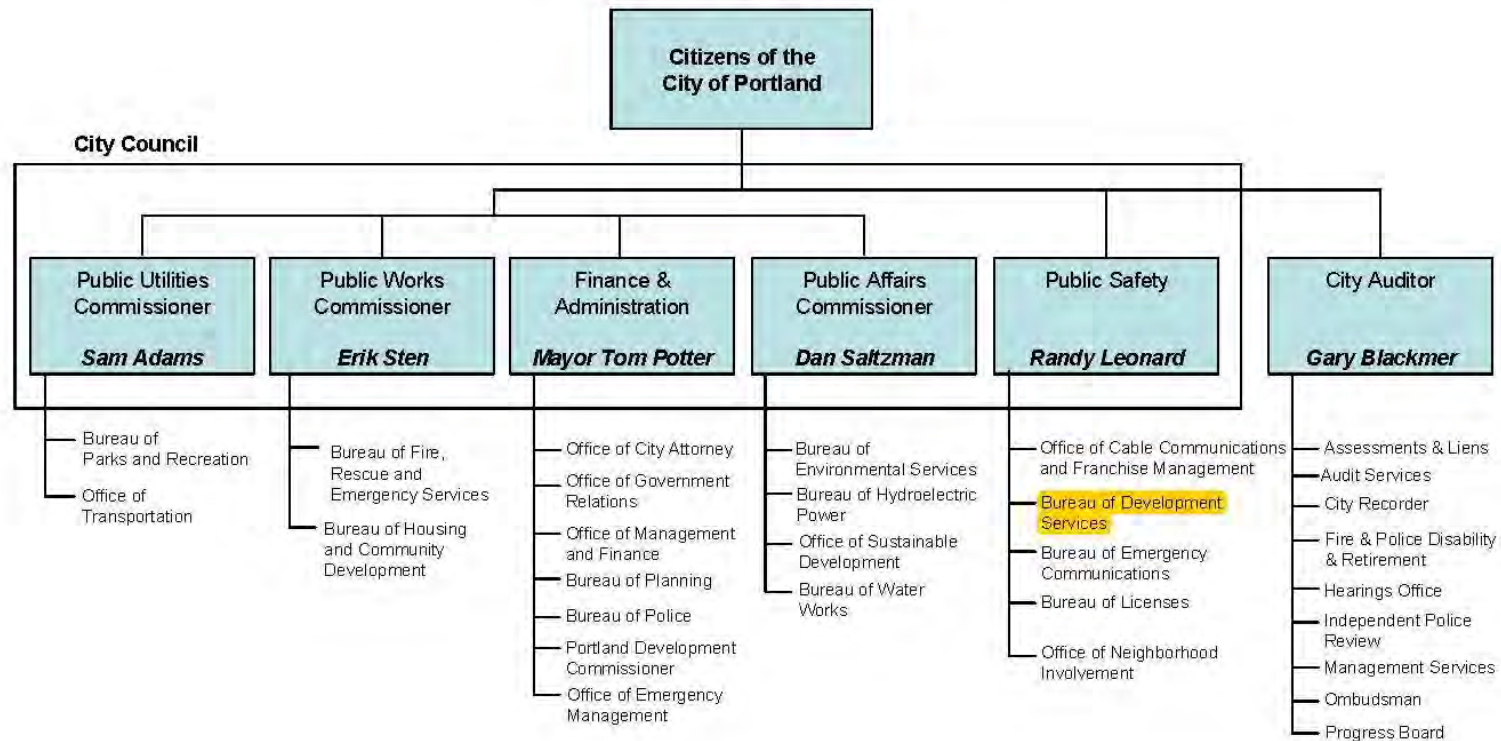
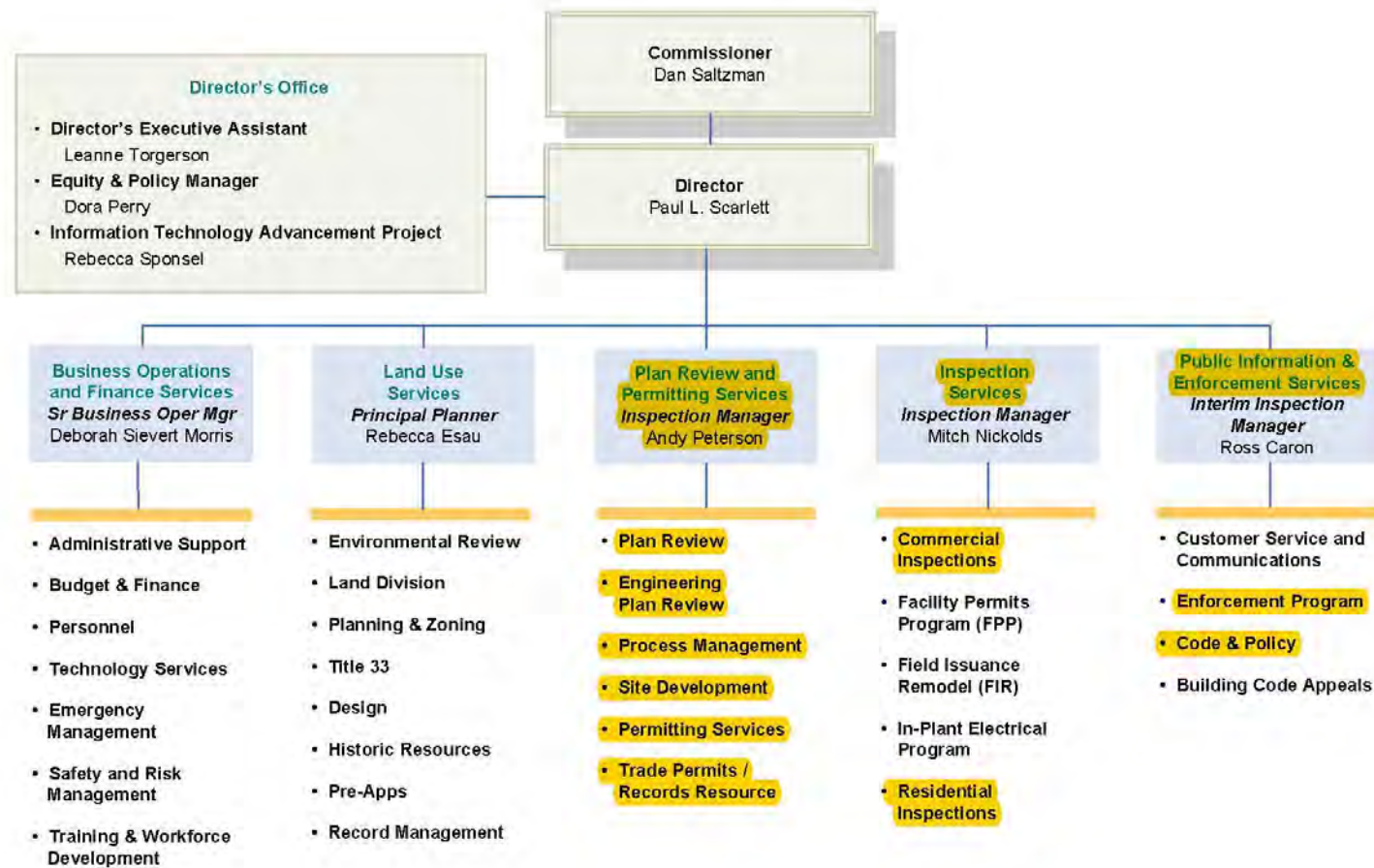
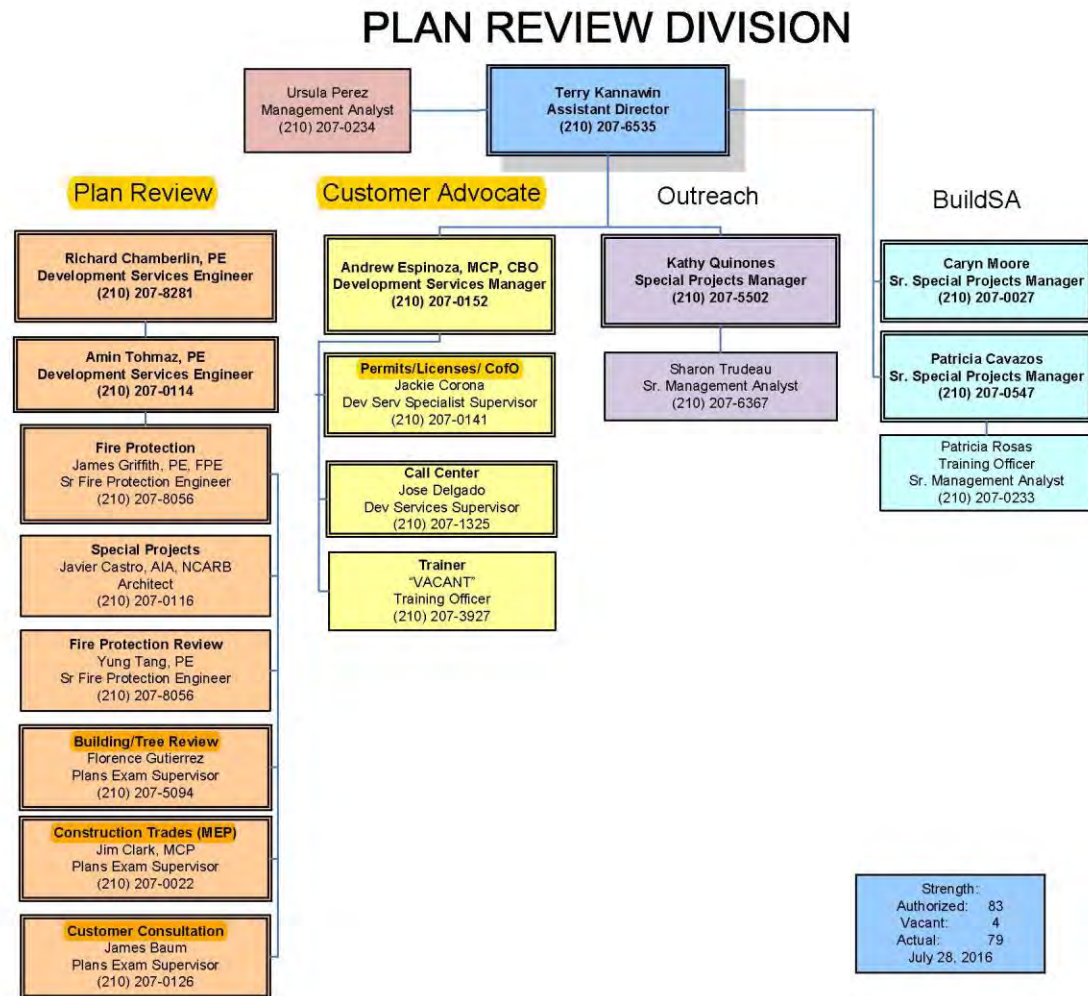


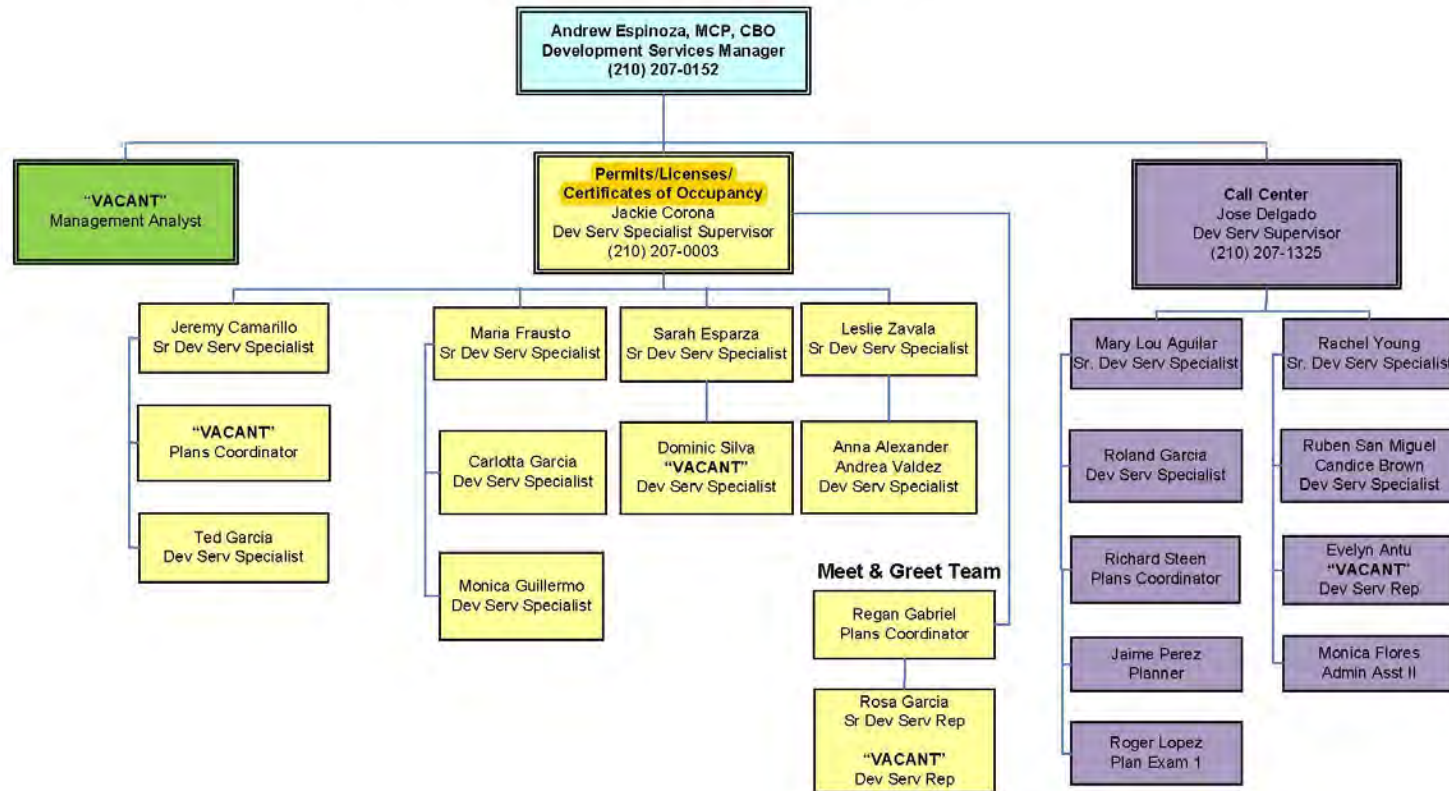
Figure 2: City of Portland



San Antonio

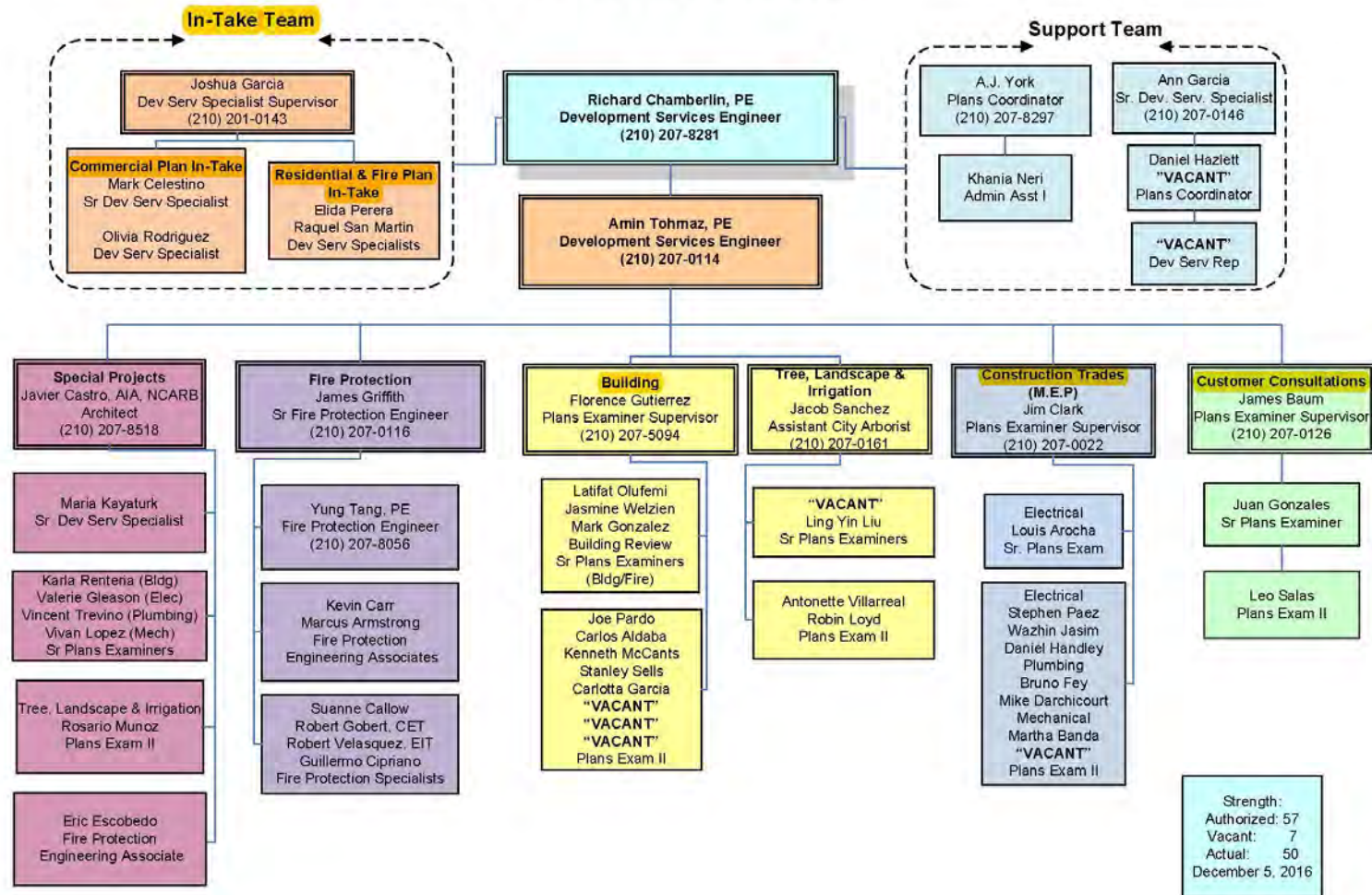


Customer Advocate Section



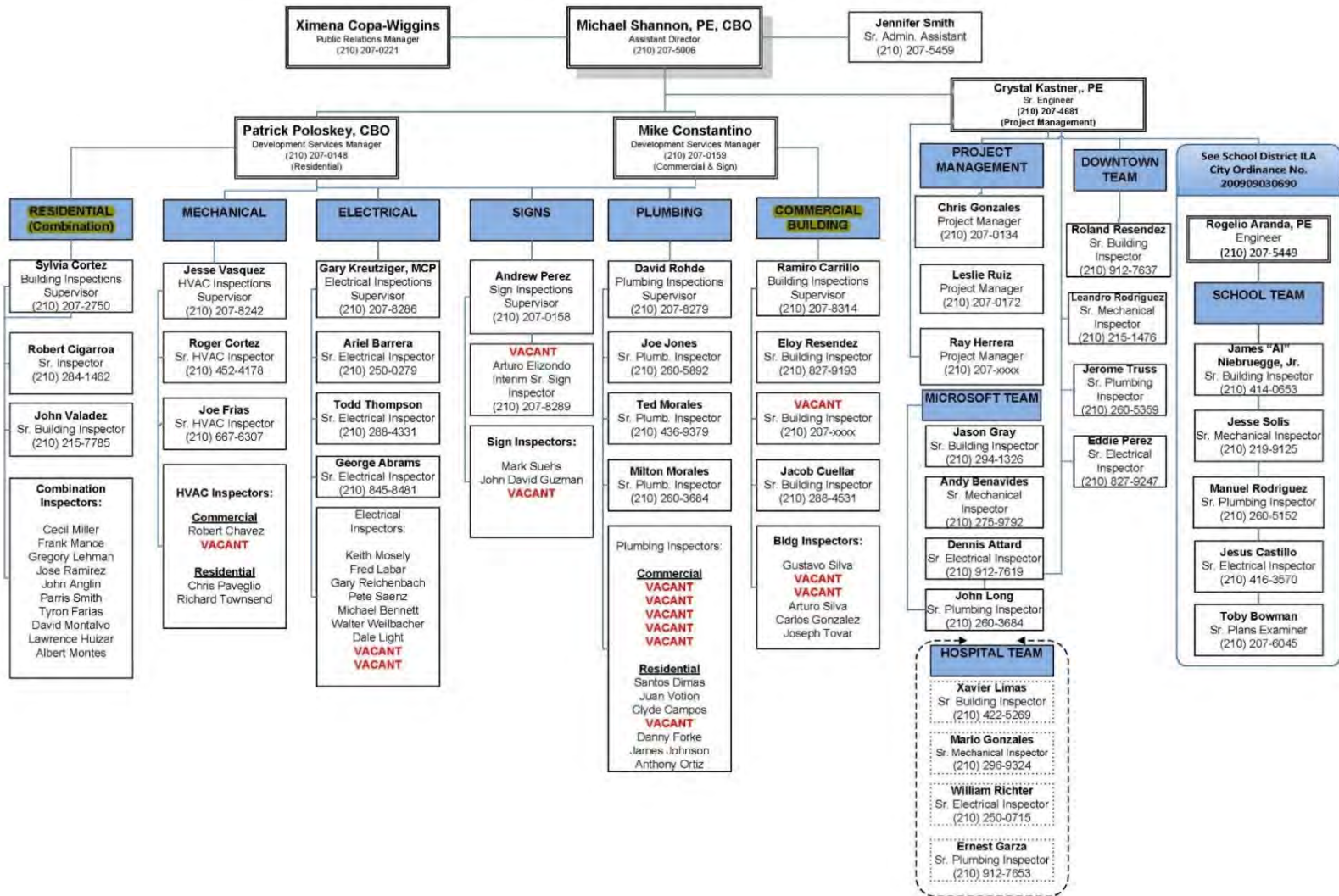
Strength:
Authorized: 29
Vacant: 4
Actual: 25
January 9, 2017

Plan Review Section



FIELD SERVICES DIVISION
BUILDING INSPECTIONS SECTION
(see separate pages for Code Enforcement Section)

1/4/17



Appendix 4: Data from Data Analysis

```
SELECT
    FiscalYearIssued AS [Fiscal Year Issued],
    COUNT(*) AS [Permit Count]
FROM [dsd].[Issued_Construction_Permits]
GROUP BY FiscalYearIssued
ORDER BY FiscalYearIssued
```

Code Block 1. SQL Query for “Permits Issued by Fiscal Year”

```
SELECT
    FiscalYearIssued AS [Fiscal Year Issued],
    COUNT(*) AS [Permit Count]
FROM [dsd].[Issued_Construction_Permits]
WHERE StatusCurrent='Expired'
GROUP BY FiscalYearIssued
ORDER BY FiscalYearIssued
```

Code Block 2. SQL Query for “Expired Permits by Fiscal Year”

```
SELECT
    COUNT(*) AS [Inspection Request Count]
FROM [dsd].[Inspections]
WHERE INSPECTEDDATE IS NOT NULL
```

Code Block 3. SQL Query for “Requested Inspections”

```

SELECT
    COUNT(*) AS [Inspection Request Count]
FROM [dsd].[Inspections]
WHERE INSPECTEDDATE IS NOT NULL

```

Code Block 4. SQL Query for “Completed Inspections”

```

SELECT
    StatusCurrent,
    CAST(AVG(INSPECTION_COUNT) AS DECIMAL(10,1)) AS
    [Average_Inspections]
FROM (
    SELECT
        [PERMIT_NUMBER]
        ,StatusCurrent
        ,CAST(COUNT(*) AS DECIMAL(10,1)) AS
        [INSPECTION_COUNT]
    FROM [dsd].[Inspections]
    JOIN dsd.Issued_Construction_Permits
    ON
        dsd.Issued_Construction_Permits.PermitNum=
        dsd.Inspections.PERMIT_NUMBER
    WHERE 1=1
        AND (StatusCurrent='Final' OR StatusCurrent='Expired')
        AND FiscalYearIssued > 2006
        AND FiscalYearIssued < 2017
    GROUP BY
        PERMIT_NUMBER
        ,StatusCurrent
) AS Inspection_Counts
GROUP BY StatusCurrent

```

Code Block 5. SQL Query for “Average Number of Inspections for Final and Expired Permits”

Appendix 5: Web Analysis Questions

HOMEPAGE

- Useful content is presented on the homepage or within one click of the homepage.
- All corporate information is grouped in one distinct area (e.g. "About Us").
- The value proposition is clearly stated on the home page.

TASK ORIENTATION AND WEBSITE FUNCTIONALITY

- When there are multiple steps in a task, does the site display all the steps that need to be completed and provides feedback on the user's current position in the workflow?
- Can a user complete a common task quickly?
- Are the most important and frequently used topics, features and functions close to the center of the page, not in the far left or right margins?

NAVIGATION AND INFORMATION ARCHITECTURE

- Is there a convenient and obvious way to move between related pages and sections and is it easy to return to the home page?
- Are navigation choices ordered in the most logical or task-oriented manner?
- Category labels accurately describe the information in the category?

TRUST AND CREDIBILITY

- Is the content up-to-date, authoritative and trustworthy?
- Is each page clearly branded so that the user knows they are still in the same site?
- Are real people behind the organization and they are honest and trustworthy (look for bios)?

QUALITY AND CONTENT WRITING

- Are the pages simple to scan on screen? Are they broken up by headings and subheadings? Are the paragraphs short?

- Is information organized hierarchically, from the general to the specific, and the organization is clear and logical?
- Do pages use bulleted and numbered lists in preference to narrative text?

SEARCH

- Is the default search intuitive to configure (no Boolean operators)?
- Does the search results page show what the user searched for and is it easy to edit and resubmit the search?
- Are search results clear, useful and ranked by relevance?

HELP, FEEDBACK, AND ERROR TOLERANCE

- Does the FAQ provide step-by-step instructions to help users carry out the most important tasks?
- Does the site do a good job of preventing the user from making errors?
- Is it easy to get help in the right form at the right time?

PAGE LAYOUT AND VISUAL/AESTHETIC DESIGN

- Are standard elements (such as page titles, website navigation, page navigation and privacy policy) easy to locate?
- Is there a good balance between information density and white space?
- Does the website have a consistent and clearly recognizable look and feel that will engage users?

ACCESSIBILITY AND TECHNICAL DESIGN

- Is the color contrast across the website enough to make all of the content accessible?
- Does the website work comfortably at lower resolutions (e.g. 1024 x 768)?
- Does the CSS validate with the W3C's validation services?

Appendix 6: Recommendations Presentation Slides



Expired Permits & Work Without Permit

AUSTIN DEVELOPMENT SERVICES DEPARTMENT



Preview

- Project background
- Expired permits
- Work without permit
- Constituent engagement
- Review

Project Background

Project Background

Make Recommendations

- Expired permits
- Work without permit

Project Background

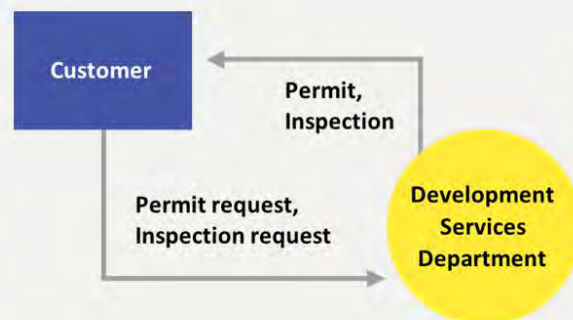
Safety

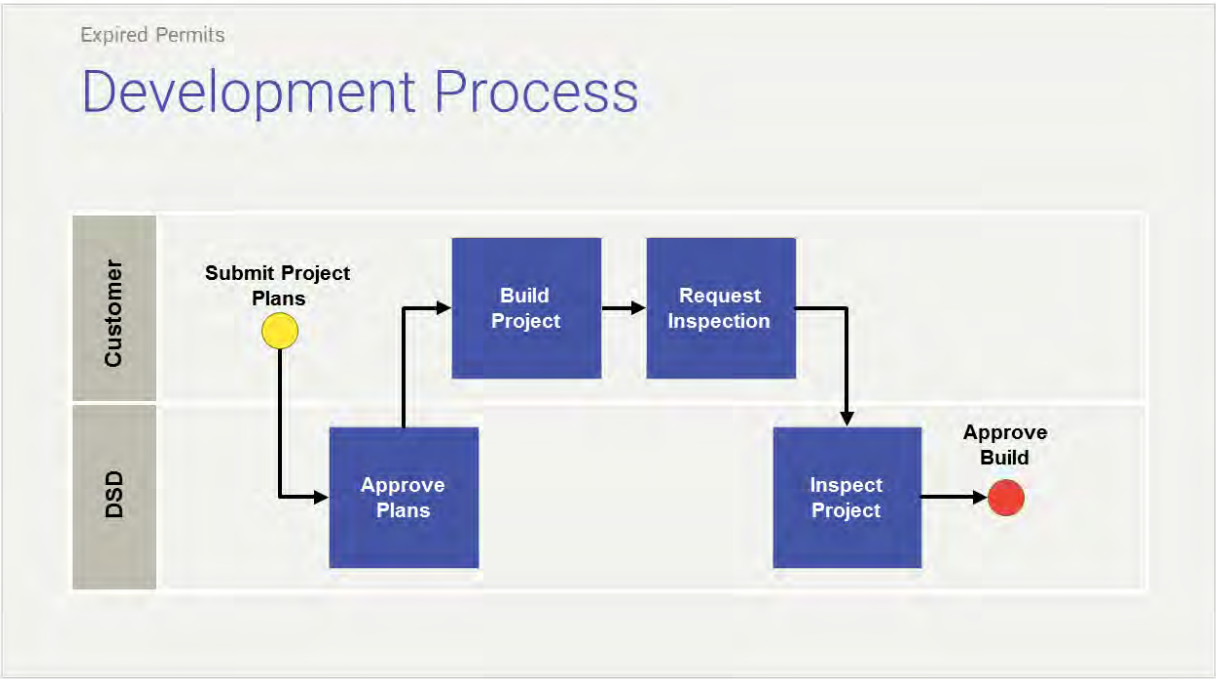
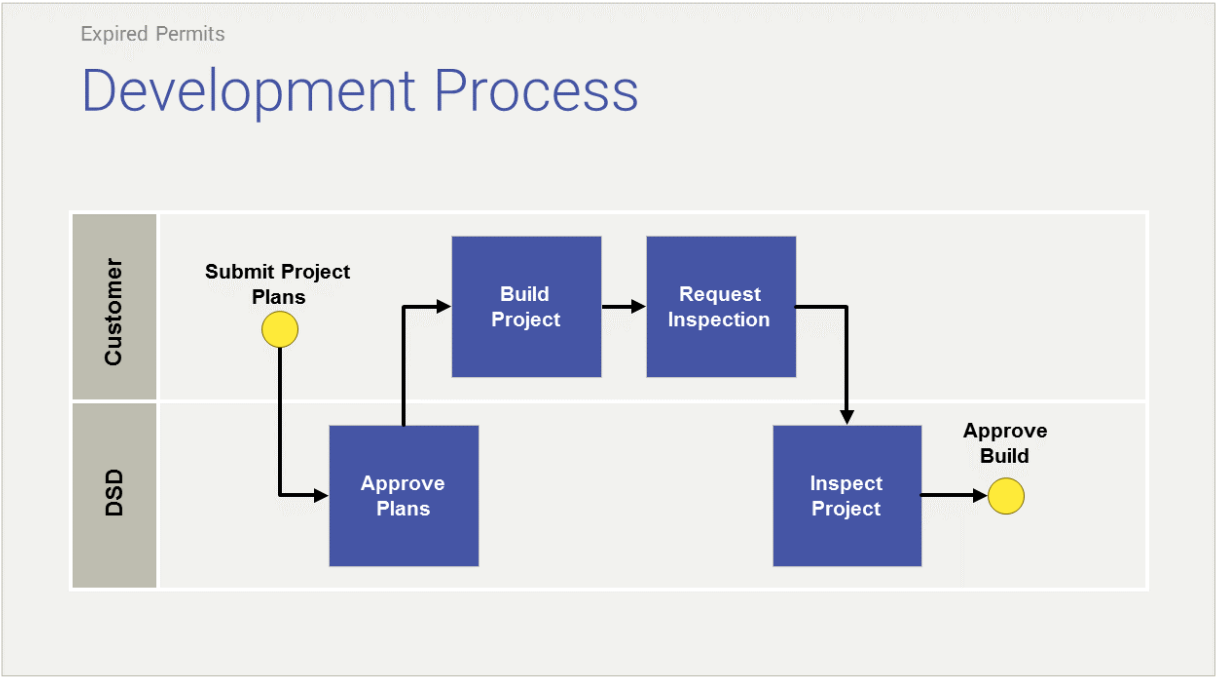
- Building code
- Inspections

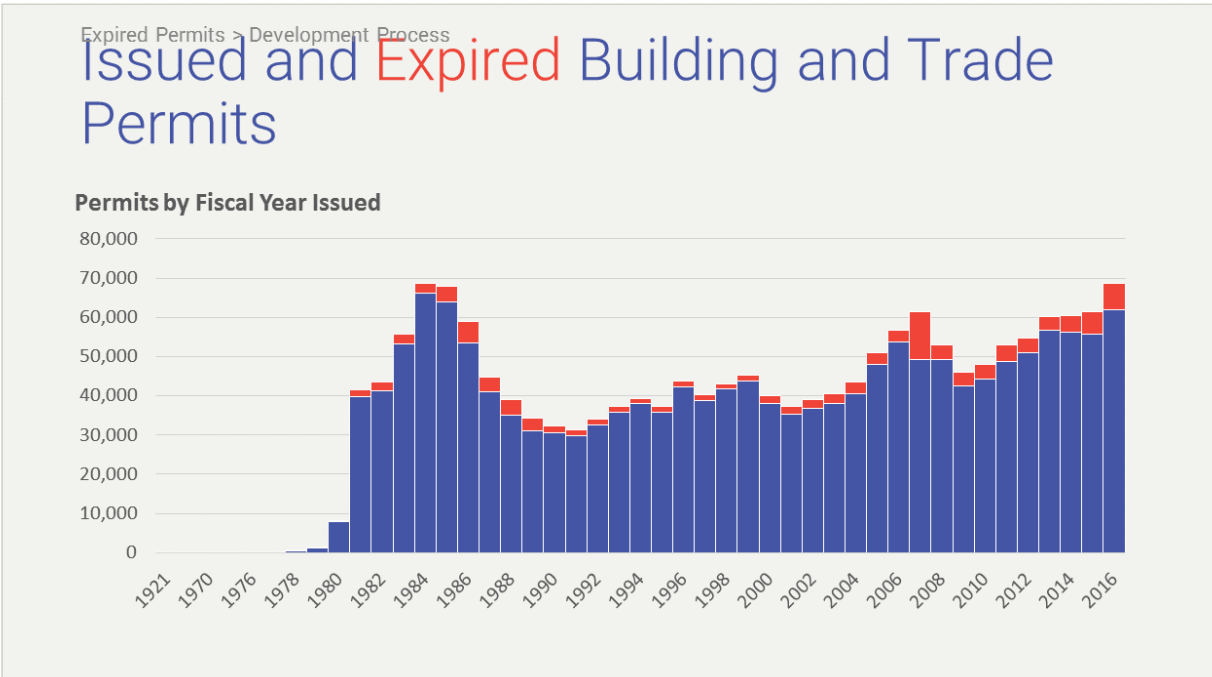
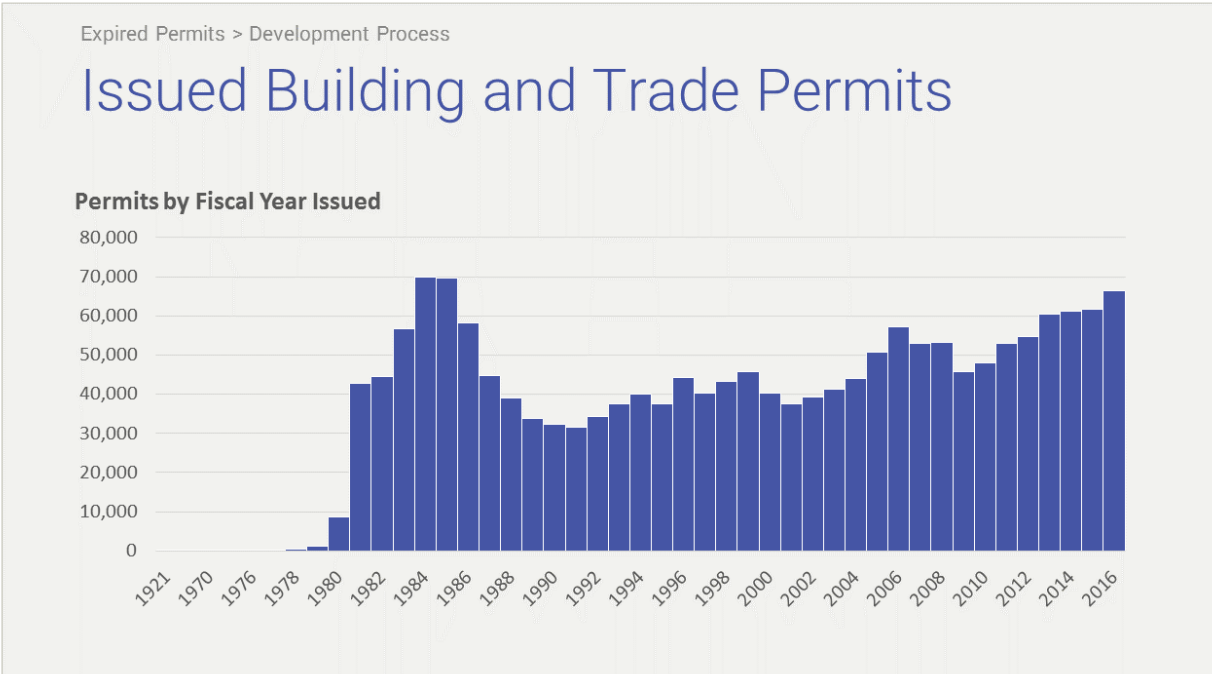
Expired Permits

Expired Permits

Context



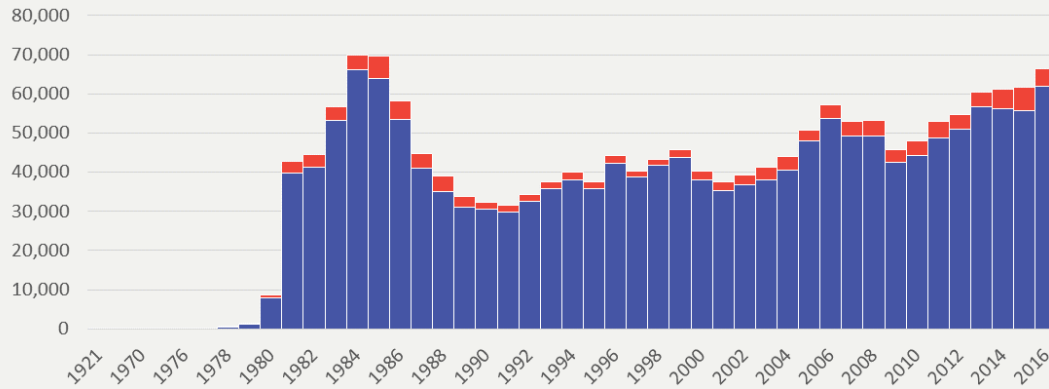




Expired Permits > Development Process

Issued and Expired Building and Trade Permits

Permits by Fiscal Year Issued



Expired Permits

Two Contexts

- Preventing future expired permits
- Understanding historic expired permits

Preventing Future Expired Permits

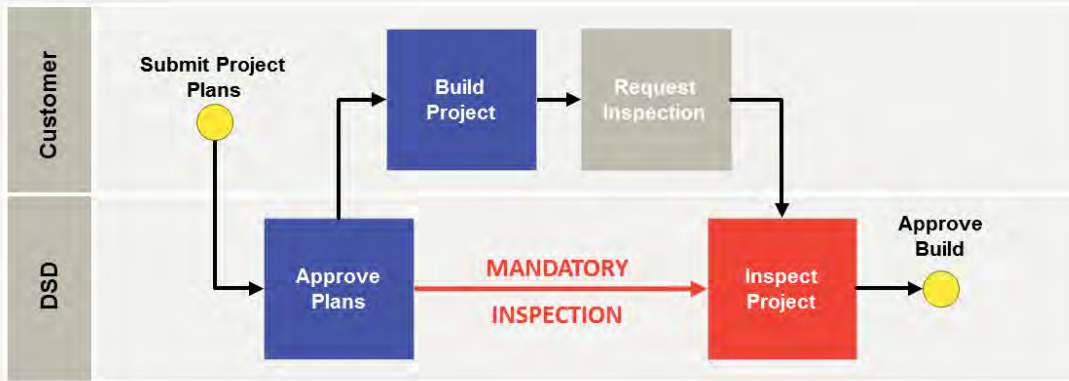
Expired Permits > Preventing Expired Permits in the Future

Causes

- Constituent engagement
- Process
- Accountability

Expired Permits > Preventing Expired Permits in the Future > Causes

Development Process



Expired Permits > Preventing Expired Permits in the Future > Causes > Process

Mandatory Inspections

- Ensure all work is inspected and known to be safe
- Create more reliable data
- Require additional inspectors

Expired Permits > Preventing Expired Permits in the Future > Causes > Process

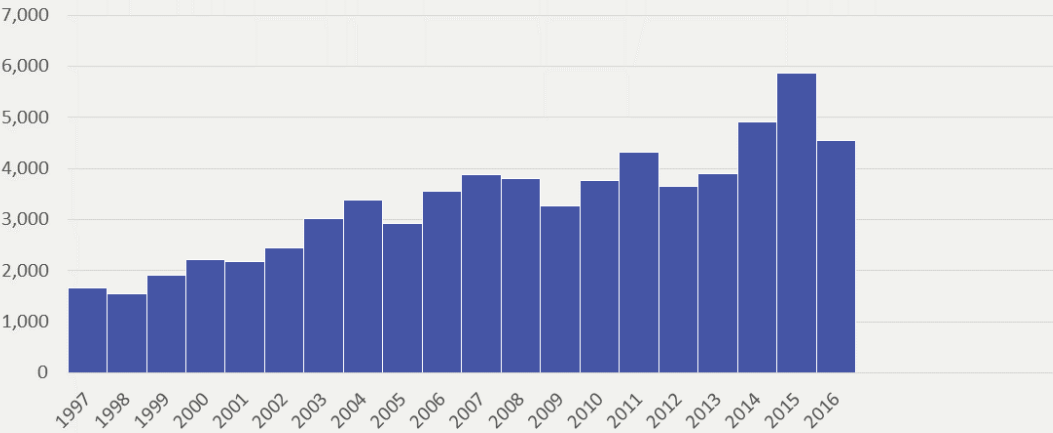
Estimated Mandatory Inspections

Inspections Performed

Permit Status	Average Inspections
Final	5.6
Expired	3.2
Difference	2.4

Expired Permits > Preventing Expired Permits in the Future > Causes > Process

Expired Building and Trade Permits





Expired Permits > Preventing Expired Permits in the Future > Causes > Process

Inspectors Needed

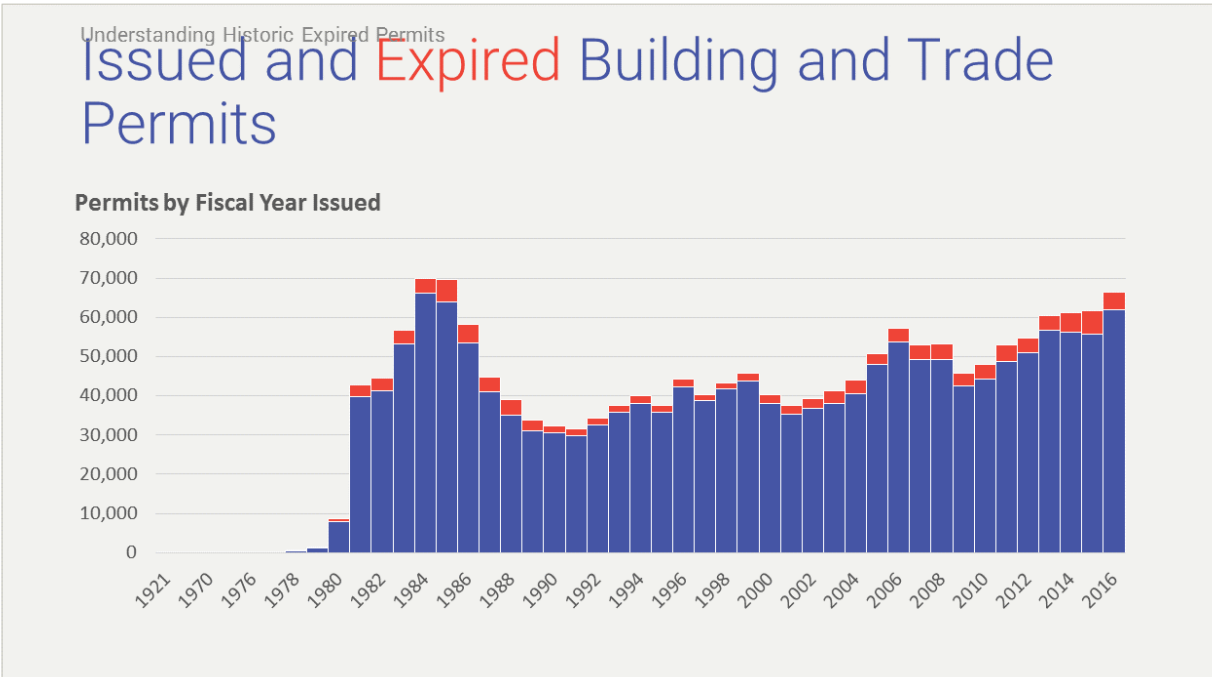
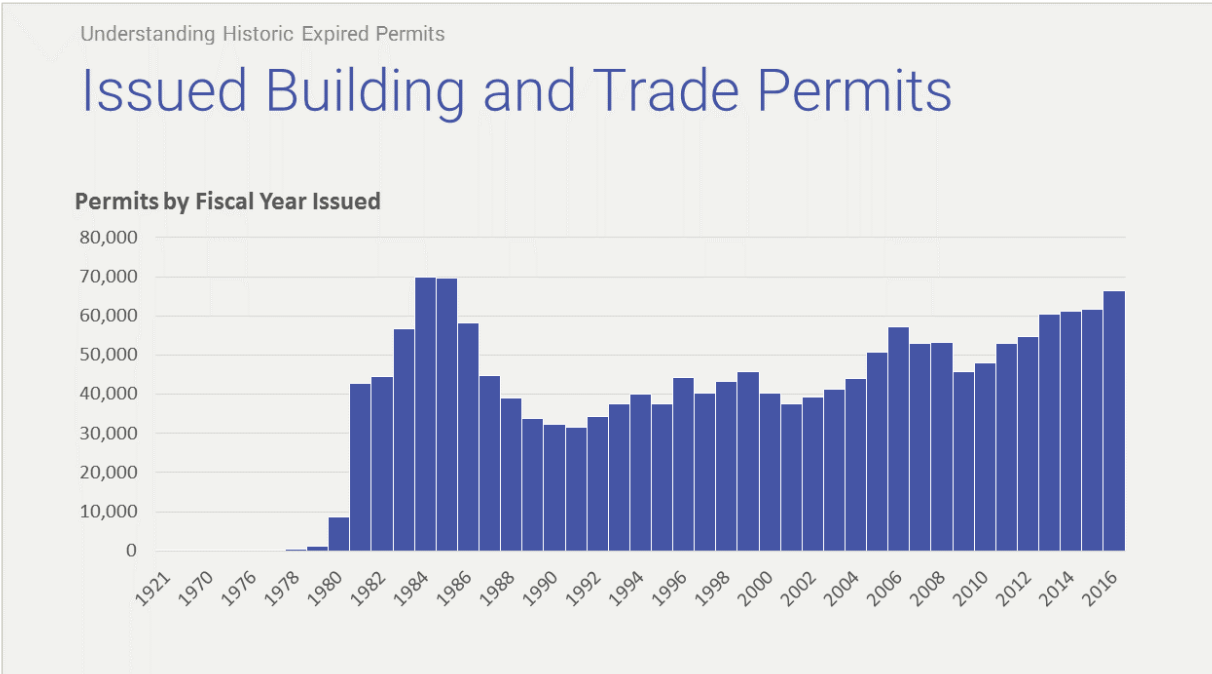
Year	Estimated Expired Permits	Estimated Inspections	Inspectors Needed	6.3
2017	5,200	12,480	6.30	
2018	5,377	12,905	6.52	
2019	5,555	13,331	6.73	
2020	5,732	13,757	6.95	
2021	5,909	14,182	7.16	

Expired Permits > Preventing Expired Permits in the Future > Causes

Accountability

- Mandatory inspection penalty
- Reinstatement fine

Understanding Historic Expired Permits



Understanding Historic Expired Permits

Options

- Inspect All
- Inspect None
- Inspect Some

Understanding Historic Expired Permits

Inspecting Historic Expired Permits

- Inspect a stratified sample of expired permits
- Stratify by:
 - Commercial Trades and Residential Trades
 - Time
- Require additional inspectors
- Requires constituent engagement

Understanding Historic Expired Permits

Inspectors Needed

Work Class	Permit Type	1978 – 2006 (Sample Size)	2007 – 2016 (Sample Size)	1978 – 2016 (Sample Size)	Total (Sample Size)
Commercial	Building	365	347	712	2,800
	Driveway/Sidewalks	0	169	169	
	Electrical	346	335	681	
	Mechanical	355	253	608	
	Plumbing	334	296	630	
Residential	Building	377	372	749	3,199
	Driveway/Sidewalks	2	243	245	
	Electrical	373	355	728	
	Mechanical	372	364	736	
	Plumbing	372	369	741	

Understanding Historic Expired Permits

Inspectors Needed

Total Sample Size

5,999

Inspectors Needed

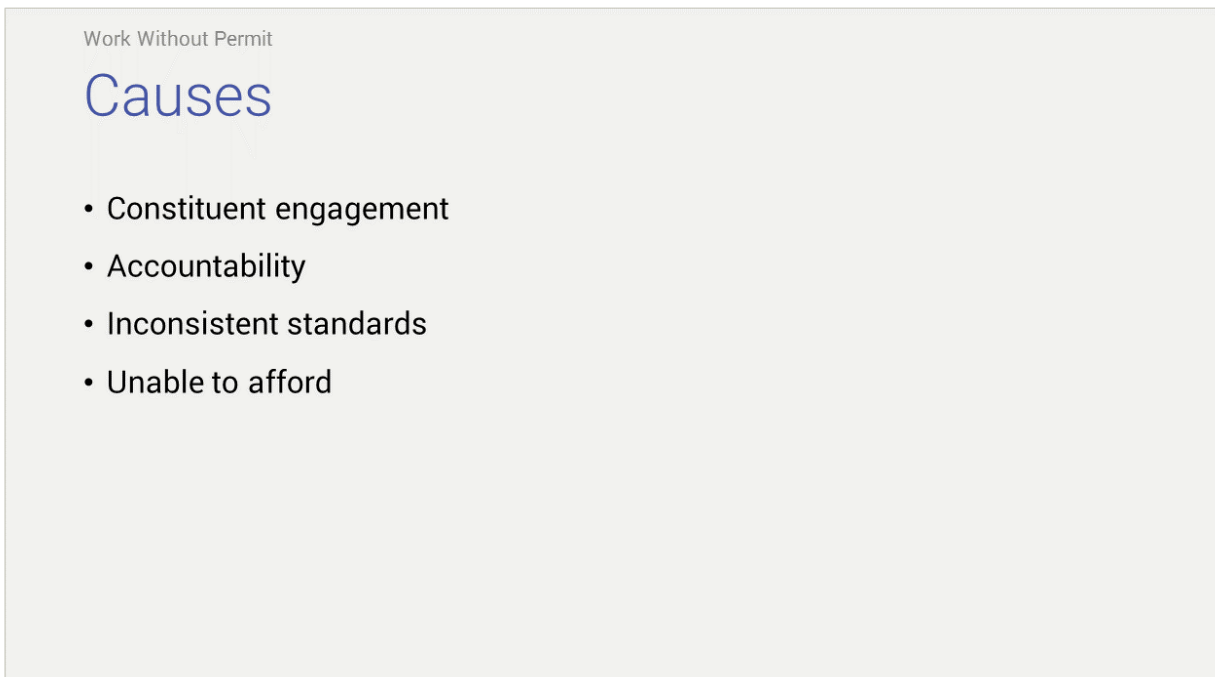
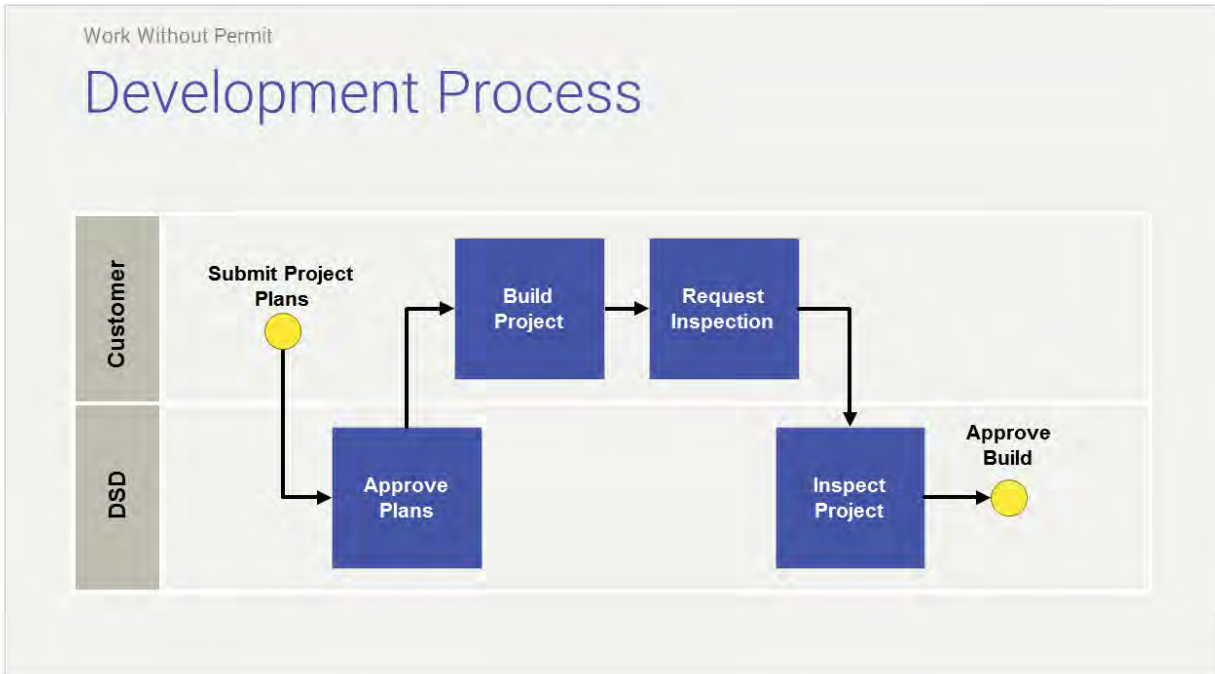
3.07

Understanding Historic Expired Permits

Expired Permits Recommendations Summary

- Implement mandatory inspections with penalties and fines
- Inspect stratified random sample of historic expired permits
- Improve constituent engagement (more to come)

Work Without Permit



Work Without Permit > Causes

Accountability

- Give explicit authority to stop work without a permit
- Random worksite checks
- Permit after stop work penalty

Work Without Permit > Causes

Inconsistent Standards

- Clearly define Code Enforcement and DSD responsibilities
- Develop shared manual and training

Work Without Permit > Causes

Inability to Afford

- Promote the Neighborhood Housing and Community Development (NHCD) Home Repair Loan Program

Work Without Permit

Work Without Permit Recommendations Summary

- Explicitly grant authority to stop work without a permit and create a stopped-work permit application fee
- Clearly define Code Enforcement and DSD inspectors' responsibilities and develop shared manual and training
- Promote City of Austin's NHCD financial assistance program
- Improve constituent engagement (more to come)

Constituent Engagement

Constituent Engagement

Constituent Engagement Recommendations

- Fully utilize AMANDA
- Request 3-1-1 modification
- Constituent outreach

Constituent Engagement > Recommendations

AMANDA

- Notification capabilities
 - Property owners
 - Puller of permit
 - General contractors
- Paper forms

Constituent Engagement > Recommendations

Request 3-1-1 Modification

- Add a “Construction without a permit” category to 3-1-1 mobile app and online reporting tool

Constituent Engagement > Recommendations

Constituent Outreach

- Advisory committee
- Education
- Website

Constituent Engagement > Recommendations > Constituent Outreach

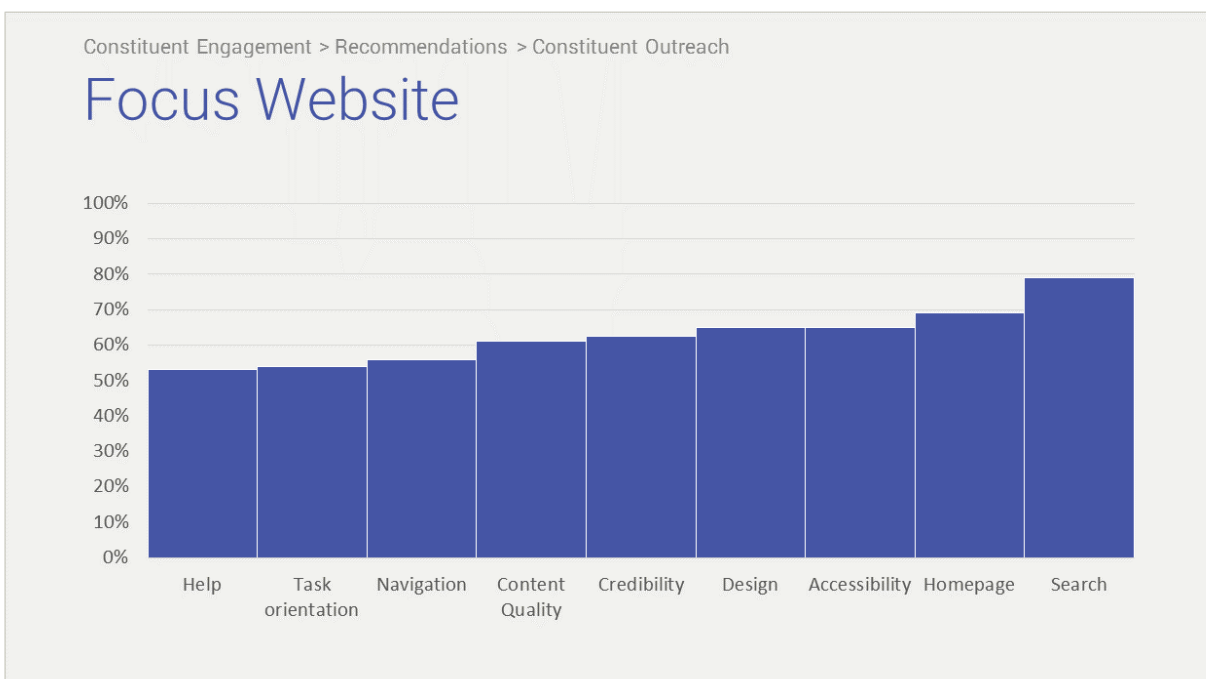
Advisory Committee

- Invite constituents
- Meet when changes are being proposed
- Receive feedback and buy-in
- Foster understanding

Constituent Engagement > Recommendations > Constituent Outreach

Education

Constituents	Materials
• Building supply stores	• Posters
• HOAs	• Presentations
• Realtors	• Articles
• General public	• Fact sheet
• Judges	



Constituent Engagement > Recommendations > Constituent Outreach

Focus Website

- Task orientation
- Develop specific web pages
 - Why do I need a permit?
 - List of work that requires a permit
 - Reporting work without a permit

General Recommendations

General Recommendations

Residential Contractor Licensing

- Annual license renewal
- Fee
- Other possible requirements
 - Background check
 - Proof of insurance

General Recommendations

Improve Data Reliability

- Review data entry categories
- AMANDA addresses

General Recommendations

Cultural Shift

- Safety

Review

Review

Tasks

- Expired permits
- Work without permit

Review

Recommendations

- **Expired permits**
 - Implement mandatory inspections with penalties and fines
 - Inspect stratified random sample of historic expired permits
- **Work without permit**
 - Grant explicit authority to stop work without a permit and create a stopped-work permit application fee
 - Clearly define Code Enforcement and DSD inspectors responsibilities and develop shared manual and training
 - Promote NHCD financial assistance program

Review

Recommendations

- **Constituent engagement**

- Fully utilize AMANDA notifications
- Request 3-1-1 modification
- Constituent outreach

- **General recommendations**

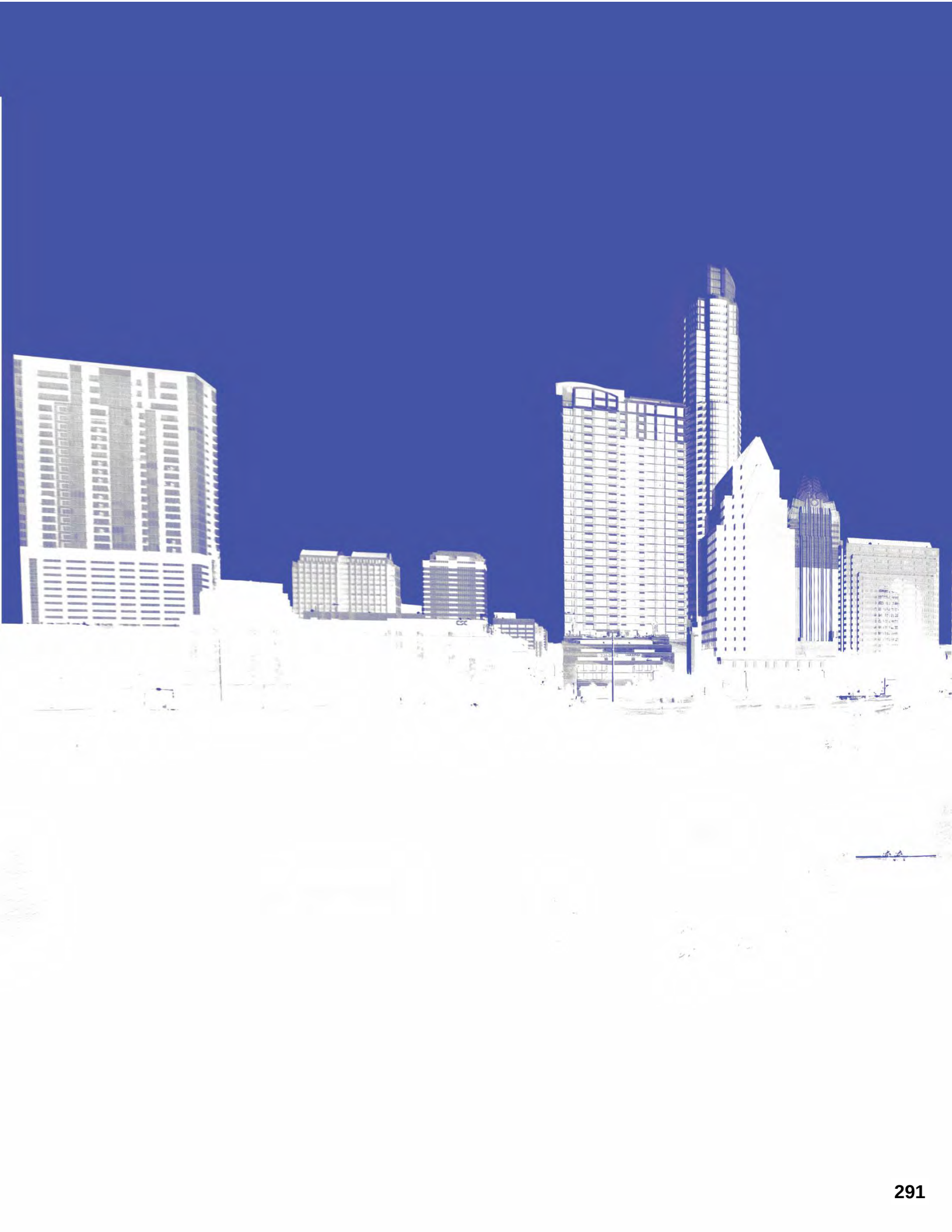
- Implement residential contractor registration
- Improve data reliability
- Engage in a cultural shift



Thank you!

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GOVERNMENT INNOVATION





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PROCESS DOCUMENTATION
PROCESS IMPROVEMENT



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DATA DIGITIZATION
DATA MODELING
GIS DESIGN



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DOCUMENT PRODUCTION
MULTIMEDIA PRODUCTION

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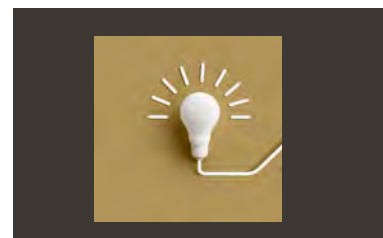
Our Vision

Seeing solutions more clearly

Unifying critical geographic data for access and use

We will focus on establishing and modernizing Geographic Information Systems for small and mid-size organizations in Texas—including data collection and data digitization—while continuing to provide our typical policy & process analysis and research & communication services.

By focusing on these GIS systems, we help our clients establish core datasets, simplify data management using standardized data models, and expand the abilities of short-staffed GIS organizations to help everyone see solutions more clearly and make data-driven decisions.



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to talk about your needs
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Our Leadership



Dr. Rebecca Davio

Director

With more than 30 years of experience, Dr. Davio has directed programs which won local, state, and national awards and been acknowledged for their dramatic improvements. As director of the Institute, she will ensure all work exceeds customer expectations.



Matthew Pantuso

Senior Grant Coordinator

Matthew is a grants and contracts specialist with a decade of successful experience planning and executing projects. His writing, analytical, graphic design, and technical skills benefit all our clients.

Our History

Established in 2003 by Distinguished Professor Emeritus Dr. Robert Larsen and rebranded by the current Director in 2016, the Institute for Government Innovation strives to improve decisions that affect the public, to recruit the best students and make them better, and to further the University's research goals.

To do this, we partner with government agencies, trade associations, and private businesses to provide innovative solutions to their problems and provide résumé building experience for students to complement their academic learning.

Over our more than 20-year history, we have cleared backlogs of agency work, digitized aging paper maps, improved agency operations with advanced geographic and statistical models, and improved situational awareness through research to improve decision-making.

These efforts have impacted millions of Texans and continue to inspire our clients to think about how to make a positive impact and students to imagine new possibilities as they transition into their careers.

City of Lago Vista Task Order #1 - Best Case Project Timeline

Proposed Timeline	Activity
4/16	Initial Lago Vista TXST meeting
4/22	Materials submitted for Council packet
5/1	Council discusses proposal
5/15	Council approves proposal
5/21	TXST begins work on project
5/27	TXST visits with City project managers and staff
6/16	TXST presents Budget Presentation Tool to City project managers
6/20	TXST makes requested modifications to Tool and develops training materials
6/23	TXST trains staff on budget tool
8/8	TXST presents recommended budgeting software solution

**MASTER INTERLOCAL AGREEMENT
BETWEEN
City of Lago Vista
AND
TEXAS STATE UNIVERSITY**

This agreement is made between the **City of Lago Vista (Lago Vista)** and the Texas State University (Texas State).

WHEREAS, **Lago Vista** desires to engage Texas State to provide services as described in unique Scopes of Work under individual Task Orders and has sufficient funding for such services.

WHEREAS, Texas State has the requisite knowledge, skill, authority, and experience to perform the Services in accordance to the needs of **Lago Vista** and described in the unique Scopes of Work under individual Task Orders.

1. **Services.** This Agreement is a Master Interlocal Agreement and is intended to provide the contractual terms and conditions applicable to all services rendered by Texas State to **Lago Vista**. The Services performed by Texas State pursuant to this Agreement shall be documented in advance and described in the one or more Task Orders. Acceptance and implementation shall follow a mutually agreed upon Task Order describing activities and budget of the task. Sample of the Task Order is included as Attachment 1 of this Master Agreement.
2. **Task Orders (TO).** Each TO shall include, to the extent appropriate, (i) a description of the Services to be provided by Texas State; (ii) any work product and specific deliverables to be developed or supplied by Texas State during the course of the Services ("Deliverables"); (iii) the individuals designated by each, **Lago Vista** and Texas State, who shall have management responsibility in connection with the TO; (iv) the fees payable to Texas State for the Services to be performed; and (v) such additional provisions applicable to the TO which are not otherwise set forth in this Agreement.
3. **Change Orders.** **Lago Vista** may request additions, deletions, or revisions in the Services provided pursuant to a TO provided that such modifications ("Change Orders") are documented in writing by **Lago Vista** and acknowledged and approved of in writing by Texas State. If Texas State determines that a Change Order is necessary to provide the Services set forth in a TO, Texas State shall notify **Lago Vista** in writing of such Change Order and price revision(s), if applicable, in advance of carrying out the modifications.
4. **Fees and Payment Terms.** The fees payable for the Services shall be as set forth in the applicable statement of work and accepted through a mutually signed Task Order. Reimbursement for each task shall be on a Fixed Price basis. Payment for Task Orders shall be payable within thirty (30) days following the date of Texas State's invoice.

5. **Contract Manager: Marivel Alvarez**, Senior Director of The Office of Sponsored Programs, will serve as Texas State University's Contract Manager in all matters relating to this agreement.
6. **Principal Investigator: Rebecca Davio, PhD**, will serve as Texas State's primary contact for the details regarding programmatic questions as well as overseeing individual Task Orders. Due to expertise in the area of a project of a Task Order, an individual besides **Rebecca Davio** may be assigned as Task Order Principal Investigator.
7. **Term and Termination:** This agreement becomes effective as soon as both parties have signed this Master Agreement and remains effective through **September 30, 2028**. This Agreement and all Task Order's hereunder shall be terminated by either party for any reason following thirty (30) days written notice to the other party.
8. **Termination for Unavailability of Funds:** The Parties acknowledge that either Party may terminate this agreement in whole or in part if either Party learns that funds to pay for the goods or services will not be available at the time of delivery or performance.

Lago Vista terminates this agreement for unavailability of funds by giving Texas State notice of the termination, as soon as it learns of the funding unavailability, and specifying the termination date, which may not be less than fifteen (15) calendar days from the notice date. The agreement terminates on the specified termination date. **Lago Vista** is liable for any costs incurred by Texas State pursuant to this agreement prior to the date of any such notice.

9. **Audit/Access to Records:** Texas State shall maintain and make available for review, inspection and/or audit books, records, documents, and other evidence reasonably pertinent to performance on all work under this Agreement, including negotiated changes or amendments thereto, in accordance with accepted professional practice, appropriate accounting procedures and practices.
 - a) **Lago Vista** or any of **Lago Vista**'s duly authorized representatives, shall have access to such books, records, documents, and other evidence for the purpose of review, inspection and/or audit.
 - b) Audits conducted pursuant to this provision shall be in accordance with State law, regulations and policy, and generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency.
 - c) Records under this section shall be maintained and made available during the entire period of performance of this Agreement and until seven (7) years from date of final payment for the project. In addition, those records which relate to any dispute, litigation, or the settlement of claims arising out of such performance, or costs or items to which an

audit exception has been taken shall be maintained and made available until completion of such action and resolution of all issues which arise from it, or until the end of the regular seven- (7) year period, whichever is later.

10. **Entire Agreement:** This agreement constitutes the entire agreement between the parties. This agreement may not be modified except as agreed by the parties in writing, nor may this agreement be assigned.
11. **Notices:** Notice under this agreement shall be in writing and may be delivered by hand, by certified mail, by common carrier, or electronically. Notice by hand delivery is deemed effective immediately, by certified mail is deemed effective three days after deposit in U.S. Post Office or in a U.S. Mail Box, and by common carrier, is deemed effective upon receipt. Electronic notice is deemed effective upon confirmed receipt of the receiving party. Notice to a party shall be addressed as follows:

For Lago Vista:

Where should invoices and notices be sent?

For Texas State University:

Office of Sponsored Programs
Texas State University
601 University Dr. JCK420
San Marcos, Texas 78666
grants@txstate.edu
512-245-2101

With Copy To:

Texas State Principal Investigator:

Rebecca Davio, PhD
Institute for Government Innovation
Texas State University, Geography and Environmental Studies Dept.
601 University Dr.
San Marcos, TX 78666
rebeccadavio@txstate.edu

12. **Liability:** To the extent allowed by law each Party agrees to be solely responsible for the wrongful acts of its own employees, contractors, and agents. However, nothing contained herein shall constitute a waiver by either Party of its sovereign immunity.

13. **Governing Law and Venue:** This Agreement represents the entire agreement between the parties as to its subject matter and shall be governed by and construed in accordance with the laws of the State of Texas. Venue for a dispute arising from this agreement shall be in Travis County, Texas. Nothing herein shall constitute a waiver of either Party's sovereign immunity or

the constitutionally, statutory or common law rights, privileges, immunities or defenses of the parties.

14. **Nondiscrimination:** In their execution of this agreement, all contractors, subcontractors, their respective employees, and others acting by or through them shall comply with all federal and state policies and laws prohibiting discrimination, harassment, and sexual misconduct. Any breach of this covenant may result in termination of this agreement.

15. **Breach:** Lago Vista's failure to fully comply with the payment terms set forth herein constitutes a material breach by Lago Vista and Texas State may terminate this agreement by giving Lago Vista at least ten days' prior notice, except that any such notice will not result in termination if the breaching party cures the breach before the ten-day period elapses. In the event of breach by Lago Vista, Texas State shall retain sole and exclusive ownership of all work performed by Texas State pursuant to this agreement.

This agreement is executed by:

City of Lago Vista

Texas State University

DATE_____

DATE_____

Task Order #1
Developing Interim Solutions and Long-Term Options to
Enhance the Financial Budgeting Process for the City of Lago Vista

Background:

The Institute for Government Innovation is an on-campus consulting group affiliated with the Geography and Environmental Studies Department at Texas State University. The Institute has an established track record of modernizing complex systems for both decision-making and transparency. Lago Vista is currently using a legacy accounting system that makes budget planning and transparency with City residents challenging.

Lago Vista requests assistance to enhance their financial budgeting process by improving financial reporting. In the short term, the City aims to streamline the budget deliberation process, enhancing the capability of City leadership to make data-driven decisions to manage their municipal budget, while simultaneously increasing the transparency in presenting budget information to City residents and stakeholders. In the longer term, the City wants recommendations on software to make these budget analysis and communication enhancements sustainable.

Project Description:

Texas State University through the Institute for Government Innovation (IGI) will complete the plan within the established deadlines following the requirements and specific tasks outlined below.

Texas State Tasks:

1. Analyze the 2025-26 fiscal year budget data, review the requested categorizations and presentation samples, and clarify intended audiences
2. Develop recommendations about the optimal presentation format tool and review that with Lago Vista project managers
3. Format the financial data to work in the desired budget presentation format tool
4. Present the FY25-26 financial data in the agreed upon presentation format tool to Lago Vista Project Managers
5. Make requested modifications
6. Develop training materials on how to use the budget presentation tool
7. Present the budget presentation tool to City staff and train them on how to use it
8. Review Lago Vista's current budgeting software
9. Conduct interviews with City staff to document shortcomings
10. Research alternative budget development and presentation software suitable for the City of Lago Vista
11. Make recommendations to City staff on appropriate budget development and presentation software

Lago Vista Responsibilities:

- Provide '25-26 fiscal year budget data
- Provide desired categories of expenditures and breakouts

- Facilitate contact with City staff as necessary
- Provide feedback and guidance on deliverables

Deliverables:

1. A publicly-available Budget Presentation Tool (i.e.-dashboard)
2. Budget Presentation Tool training materials
3. Two presentations on the Budget Presentation Tool, one for project managers and one for staff
4. Recommendations on software packages to help streamline future budget analysis and communication to City residents

Project Schedule:

Project will begin as soon as the contract is executed by both parties (projected at May 15, 2025) and be complete no later than September 30, 2025. The budget presentation tool will be ready no later than August 8, 2025, including staff training.

Project Budget:

\$25,000, broken into 2 payments of \$12,500 each

Project Contacts:

Lago Vista Project Manager

Need info

Texas State Project Manager

Rebecca Davio, PhD

Institute for Government Innovation

rebeccadavio@txstate.edu

512 431-9119

Task Order #1, **Developing Interim Solutions and Long-Term Options to Enhance the Financial Budgeting Process for the City of Lago Vista**, is executed by:

Lago Vista

Texas State University

DATE _____

DATE _____



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 1, 2025
SUBMITTED BY:	Councilor Benefield, City Council
SUBJECT:	Discussion, consideration, and possible action on recommendations provided to Council from the Irrigation System Sub-Committee.
BACKGROUND:	The sub-committee met on April 24th to discuss the outcome of the pressure test.
FINDINGS:	The sub-committee reached consensus between all attendees. The outcome and design parameters discussed will be presented to the Council.
FINANCIAL IMPACT:	unknown at this time.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 1, 2025

SUBMITTED BY: Maria Franco, City Secretary

SUBJECT: Discussion, consideration and possible action regarding rescheduling July 3, 2025 City Council Regular Meeting due to City Hall being closed in observance of the July 4th Holiday.

BACKGROUND: In observance of the July 4th holiday, City Hall will be closed on July 3, 2025.

FINDINGS: Some suggested dates where no other meetings are taking place at City Hall are as follows:

- July 24th, Thursday
- July 31st, Thursday

FINANCIAL IMPACT: n/a

RECOMMENDATION: Provide staff a date to reschedule the 1st City Council Meeting in July.