

ORDINANCE NO. 23-09-21-01

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 “TURNBACK RANCH” ESTABLISHED BY ORDINANCE NO. 07-04-05-03 TO APPROVE A NEW CONCEPT PLAN FOR THE ENTIRE DEVELOPMENT CONSISTING OF APPROXIMATELY 241.541 ACRES AND TO APPROVE A DETAIL PLAN FOR THE PROPERTY EXCLUDING THE “SFD PARCEL;” AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the owner of approximately 241.541 acres of land, as more particularly described in the attached Exhibit “A” (described hereinafter as the “Property”), has filed an application requesting an amendment to the existing “Planned Development District” (PDD) known as “Turnback Ranch” approved by Ordinance No. 07-04-05-03; and

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

WHEREAS, the concept and detail land use plans for the Property are set forth in this amended “Turnback Ranch Planned Development District” Ordinance (the “Ordinance”) and in Exhibit “B” attached hereto which identifies and designates various land uses for the Property as further described below; and

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 hearings held on August 11, 2022, September 8, 2022, and October 13, 2022, and the City Council at its public hearing held on September 21, 2023, 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 except as specifically described below, 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 Section 51.001 of the *Texas Local Government Code*, 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 241.541-acre tract of land described in **Exhibit “A”** attached to this Ordinance, as a PDD zoning district. The Property is hereby zoned as the “Turnback Ranch 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. Identification of Tracts within the PDD. The Property consists of the following tracts of land, which are also depicted in the Concept Plan included as part of the Land Use Plan (sometimes individually a “Tract” or collectively the “Tracts”):

1. Tract A – the “Single Family Residential Tract”;
2. Tract B – the “SFD Tract”; and

3. Tract C – the “Open Space/Park Tract”; and
4. Tract D – the “Primitive Public Park Tract”.

Section 6. Zoning Requirements. The following use and site development requirements established herein shall apply to the Tracts identified in Section 5:

1. Zoning for Tract A and Tract B – “Single Family Residential Tract” and “SFD Tract”
 - A. Use and development shall comply with the zoning requirements and development standards for the Single Family Residential District – R-1S except as hereinafter modified.
 - B. In addition to all uses permitted in the Single Family Residential District – R-1S, the following uses shall be permitted:
 - (i) Park-Active (Developed) – including, but not limited to, barbecue pits, picnic shelters, playground equipment, swimming pools and similar recreational structures, administrative offices for the park property and property owners’ association, snack shop, and community center; and
 - (ii) Park-Passive – including, but not limited to, open space, trails, and benches.
 - C. The minimum living area for a dwelling on any lot shall be 1,500 square feet.
2. Zoning for Tract C – “Open Space/Park Tract”
 - A. Use and development shall comply with the zoning requirements and development standards for P-1B Developed Park (Active) zoning district, except as hereinafter modified. Trails are a permitted use.
 - B. The number of parking spaces and amenities related to park uses are at the discretion of the Developer.
3. Zoning for Tract D – “Primitive Public Park Tract”
 - A. Use and development shall comply with the zoning requirements and development standards for P-2 Park and Greenbelt District (Passive) zoning district, except as hereinafter modified.
 - B. Trails and restroom facilities are permitted uses.
4. Zoning and Development Standards for All Tracts
 - A. Buffer Area. As identified on the Land Use Plan, a seventy-five foot (75') foot wide vegetative buffer consisting of existing vegetation shall run along the boundary line of the Property between platted residential lots within the Project and the adjacent existing

platted subdivisions, including the property owned by the Lago Vista Property Owners' Association ("LVPOA"), as measured from the boundary line of the Property to the boundary of the platted residential lot within the Project ("Buffer Area"). The Buffer Area is increased to a minimum of one hundred (100) feet along the boundary line of the Property within the floodplain adjacent to the parkland owned and operated by LVPOA ("LVPOA Park"), as indicated on the Land Use Plan. A fence or other barrier that complies with LCRA requirements will be constructed, at Developer's expense, on the west side of the Buffer Area located along the boundary line adjacent to the LVPOA Park as more depicted in **Exhibit "C"**. The Buffer Area within Tract A and Tract B shall be platted and conveyed to the appropriate property owners' association. No buildings or structures, other than those appurtenant to necessary roadway and utility crossings, may be constructed within the Buffer Area. The Buffer Area will remain undisturbed in its current natural state with existing topography and vegetation except for any utility and roadway connections related to the Project and shown on the Land Use Plan. Any existing ranch roads within the Buffer Area shall be revegetated and abandoned, leaving only pedestrian trails.

- B. Maximum Building Height. Building height for the Tracts shall be measured from the highest elevation of a platted lot to: (i) the highest point of the coping of a flat roof or (ii) to the deck line of a mansard roof; or (iii) to the height of the highest gable of a pitched or hipped roof within the Tracts.
 - 1) Maximum building height for residential lots along the Property boundary in Tract A and Tract B, adjacent to existing single family residential lots located outside of the Property, shall be twenty-five feet (25') and restricted to construction of single-story homes only. All other platted lots in Tract A and B shall have a maximum building height of thirty-five feet (35') and restricted to construction of no more than two-stories above grade in a home.
 - 2) Maximum building height in Tract C will be limited to thirty-two feet (32') above the average adjacent grade immediately surrounding the structure on Tract C.
- C. Setbacks. Except as provided herein for residential lots along the Property boundary, single-family detached lots shall have a minimum front and rear setback of twenty feet (20'), minimum side-yard setback of five feet (5'), and a minimum side-yard setback of ten feet (10') on corner lots on the street side. Single family detached lots along the Property boundary adjacent to existing single family residential lots located outside of the Property shall maintain a minimum side yard setback of seven and one half (7 1/2) feet per side with a minimum fifteen foot (15') total side yard setback (the sum of two side yards). Additionally, single family detached lots along the Property boundary adjacent to existing single family residential lots located outside of the Property with an R-1S (formerly known as R-1A) zoning district shall maintain a minimum twenty-five foot (25') rear yard setback. All other uses shall comply with the setbacks established in the applicable zoning district.

D. Blocks and Cul-de-sac. Maximum block length shall be no more than one thousand (1,000) feet and is waived for block indicated on the Land Use Plan. Any street intersection shall be considered a break in block length for calculation purposes. Cul-de-sac length on all streets within the Property will be allowed up to a maximum of fifteen hundred (1,500) feet, provided that a turn-around bubble is provided at the mid-point. Development shall comply with the International Fire Code and ensure that emergency vehicles are appropriately accommodated.

E. Streets. Street rights-of-way classified as “residential” pursuant to City ordinances shall be allowed to be a minimum of fifty feet (50’) wide as measured by the street’s right-of-way. The center line radius shall be a minimum of one hundred and eight feet (180’). Street sections shall comply with details more particularly depicted on Exhibit “D”.

F. Lot Width. Turnback Ranch PDD shall include various single family detached lot sizes. Unless otherwise specified herein, single family detached lots within the Project shall have a minimum width of fifty feet (50’) as measured at the front setback and a minimum depth of one hundred and thirty feet (130’). Single family detached lots along the Property boundary adjacent to existing single family residential lots located outside of the Property with an R-1S (formerly known as R-1A) zoning district shall have a minimum lot width of eighty feet (80’). Single family detached lots along the Property boundary adjacent to existing single family residential lots located outside of the Property with an R-MH (formerly known as R-1M) zoning district shall have a minimum lot width of fifty-five feet (55’). Lots for all other uses shall comply with the zoning district for the use applicable.

G. Building Permit. In addition to the requirements set forth in Section 3.60 of the Zoning Ordinance, the City will issue building permits to the Developer for development of a particular property if (i) City approval of a final plat has been obtained, (ii) the Developer has posted fiscal security, and (iii) the site is accessible to the Developer by right-of-way or otherwise. The City will not issue certificates of occupancy prior to subdivision approval.

H. Facilities. Lots in the Property may be served by storm water detention and water quality facilities outside a particular Tract in which the lot is located, so as long as such facilities are located within the Property and approved by the City of Lago Vista.

I. Parking. Except for a park use, minimum parking requirements for all lots included in the PDD shall meet or exceed City standards that are in effect at the time the Developer obtains a permit for the project to be constructed for all or a portion of the Property.

J. Signage and Lighting. All signage will comply with the City of Lago Vista Sign Ordinance. 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. Outdoor and exterior lighting shall comply with Article 3.800 of the City Code, including “dark sky” ordinances.

K. Cut/Fill and Construction on Slopes. All cut and fill variances of four feet (4') to fifteen feet (15') on the Property shall be approved administratively by the City Engineer (or acting City Engineer) during subdivision construction plan review or site development plan review, provided the cut and fill slope is appropriately terraced, with retaining walls when feasible, to control erosion and sedimentation and preserves unique environmental assets and other outstanding natural features to the greatest extent possible, without a requirement of a hearing or approval by the Planning Commission or City Council. Topographic grading shall comply with accepted engineering practices, the Americans with Disabilities Act and any other applicable federal, state or regional regulations. The areas indicated on the Land Use Plan do not require a variance to construct on slopes exceeding twenty-five percent (25%). Development on all other areas within the Land Use Plan shall comply with the City Code in effect at the time of approval of this Ordinance.

L. Density. Overall density within the Property will not exceed 349 total dwelling units. Density on Tract B will not exceed thirty-nine (39) total dwelling units; provided that, however, the total number of allowable units on Tract B may be increased above thirty-nine (39) units as long as the total overall units in Tract A and Tract B combined does not exceed 349 and all other applicable design standards are followed.

M. Parkland Dedication. Approximately thirty-four (34) acres of Tract D, as indicated on the Land Use Plan, shall be dedicated to the City of Lago Vista by special warranty deed ("Public Park"). Developer shall construct, at Developer's cost, a roadway to be dedicated to the public that provides appropriate and sufficient access to Public Park. The timing for construction of the access shall be included in the Phasing Plan (defined below). The Tract C (Open Space/Park) and Tract D (Primitive Public Park) shown on the Land Use Plan shall fully satisfy parkland requirements under Section 5 of the Subdivision Ordinance. The parkland dedication will be satisfied by portions of the Property located within the floodplain and by private parks that meet the parkland requirements in Section 5 of the Subdivision Ordinance and are maintained by the property owners' association for the benefit and use of the residents of the development. Open Space/Parkland in Tract C qualifying as dedicated parkland may comply with the development standards for either (i) "P-2 Park and Greenbelt District (Passive)" that may include, but not limited to, the following types of uses and similar structures: mountain bike trails, nature trails, benches, public utility easements, public utilities, detention facilities and water quality facilities, or (ii) "P-1B Developed Park District (Active)" that may include, but not limited to, the following types of uses and similar structures: playground structures, a community beach, a community boat ramp or launch, bathrooms and/or locker rooms, covered pavilions, picnic shelters, barbecue pits, mountain bike trails, nature trails, public utility easements, public utilities, detention facilities and water quality facilities.

N. Entrances and Accessibility.

1) Dodge Trail Extension. In the event an extension of Dodge Trail is constructed by Developer at Developer's sole cost and expense from the intersection of Dodge

Trail and Bar K Ranch Road to the northeast corner of the Property (“Dodge Trail Extension”), the primary access for the Turnback Ranch PDD shall be located at, and connected to, the Dodge Trail Extension, as depicted on the Land Use Plan, following such construction. To the extent owned or controlled by Developer, within a reasonable time after final platting of the Property, the Developer may dedicate the property located at the northwest corner of the intersection of Dodge Trail and Bar K Ranch Road, as more particularly described as Lot 8234 of Bar-K Ranches, Plat 8 Subdivision, Volume 58, Page 71 in the Official Public Records of Travis County, Texas, or some portion thereof as determined by the City, to the City or the HOA for public use. Along the north side of the Dodge Trail Extension within the Property until the Dodge Trail Extension curves south at the HOA Park, the Developer shall install, outside of the right of way, a six foot (6') high masonry wall or walls and other fencing, retaining walls, graded berms, landscaping and/or other devices to adequately screen the Dodge Trail Extension from the adjacent properties with regard to visibility and sound.

- 2) Other Entrances. A secondary entrance shall be constructed by Developer, at Developer's sole cost and expense, off of Bar K Ranch Road, opposite of the existing Paseo De Vaca Street and in the vicinity of K Oaks Clubhouse, as depicted on the Detail Plan (“Paseo de Vaca Extension”), subject to review by the City Engineer (or acting City Engineer) and expressed consent from the LVPOA to the extent the Paseo de Vaca Extension impacts or requires use of property owned by the LVPOA. Before any traffic may utilize the Paseo de Vaca Extension, the Developer shall construct, outside of the public right of way along the southern boundary of the Paseo de Vaca Extension, a six foot (6') high masonry wall or walls and other fencing. The Paseo de Vaca Extension and associated frontage improvements will be designed in a manner that minimizes to the greatest extent possible any adverse impacts to existing trees, landscaping, irrigation, lighting, and signage. Coyote Trail shall be used as a temporary entrance and access to the Property that will be abandoned after issuance of the final certificate of occupancy for the Project.
- 3) Construction Traffic. Commercial construction traffic shall be dispersed between the Dodge Trail Extension and the Paseo de Vaca Extension in a manner to be determined by the City Engineer and Developer that balances the adverse impacts to adjacent property owners. The Coyote Trail will be limited to personal vehicles and standard-sized, non-construction delivery vehicles.
- 4) Traffic Impact. The requirement of a traffic impact analysis (“TIA”) must be completed prior to the approval of the preliminary plat for the Property. Subject to review by the City Transportation Department and the Texas Department of Transportation (“TxDOT”), the Developer agrees to direct all monetary commitments for traffic signals identified in the TIA towards installation of a traffic signal at the intersection of Bar K Ranch Road and RM 1431 in order to expedite TxDOT's installation of that signal.

- O. HOA Amenity Center. Except in accordance with any private agreement between Developer and others, use and development of the Property designated as the “HOA Amenity Center” in the Land Use Plan shall consist of land reserved for the benefit and use of the residents only as an accessory use to the residential development in the Turnback Ranch PDD and shall not be leased or rented by non-residents. The HOA Amenity Center shall be maintained by a property owners’ association.
- P. Impervious Cover. The maximum impervious cover on any individual residential lot shall not exceed sixty percent (60%). Project may not exceed fifty percent (50%) for the overall Project based on the calculation method used by the City of Austin.
- 5. Phasing. Developer will develop the Property in phases based on a phasing plan submitted with the preliminary plat that is designed to minimize advanced clearing of trees, complies with City Regulations, and is approved by the City Engineer and the Director of Development Services (“Phasing Plan”). Tree removal shall comply with City Regulations and the Balcones Canyonland Conservation policies for clearing trees in identified habitat of the Golden Cheek Warbler. Tree removal will not occur on the Property until construction in the particular phase where tree removal is proposed to occur commences. Construction of residential units and associated utility connections shall be limited so that each phase identified on the Phasing Plan does not exceed one hundred forty-four (144) living unit equivalents (“LUEs”) placed into service within any given calendar year. The off-site utility infrastructure reasonably necessary to accommodate the demand of the development will be constructed in advance of LUEs placed into service within a given calendar year.
- 6. Land Use Plan. The layout of the Turnback Ranch PDD in Exhibit “B” is subject to the type of changes that are common to the site development plan review process and completion of construction documents. Individual single-family lots shown in the Land Use Plan may be adjusted, in compliance with Section 6.4.F and all other development standards set forth in this Ordinance, to increase or decrease the width of a single-family lot to create a mix of lot sizes throughout the subdivision without requiring an amendment to the Land Use Plan or Turnback Ranch PDD. Minor technical variations of a final plat or site plan from the Land Use Plan will not require a formal amendment to the Land Use Plan. Approval of a preliminary plat, final plat or site plan shall be deemed to also be an update to the Land Use Plan.
- 7. Applicable Regulations. Development of and uses within the Turnback Ranch PDD shall conform to the limitations and conditions set forth in this Ordinance. If this Ordinance and the attached exhibits conflict, this Ordinance controls. Except as otherwise specifically modified by this Ordinance, all other rules, regulations, and ordinances of the City in effect at the time of approval of this Ordinance apply to development within the Turnback Ranch PDD.
- 8. Concept and Detail Plans. 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 10.20 and 13.20 of the Zoning Ordinance and the Comprehensive Plan of the City of Lago Vista as amended.

That specifically includes a finding that the requirements of Section 10.20(e) have been met for the entire development with the exception of Tract B and that additional detail plan approval is required for Tract B only.

9. **Comprehensive Plan Amendment.** To the extent that the Future Land Use Map of the Comprehensive Plan adopted in 2016 by Ordinance No. 16-05-05-02 as amended is inconsistent with the amendments to the “Turnback Ranch Planned Development District” described herein, the Comprehensive Plan is hereby amended as follows: the area within the Property currently designated as either “Regional Retail / Office / Commercial” or “High Density Residential” on the Future Land Use Map shall be hereafter designated as “Low Density Residential.” The basis for that amendment is a significant and unanticipated change in the surrounding area after adoption of the plan that would make development in accordance with either of those land use designation unlikely for the applicable portions of the Property.

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 “Turnback Ranch 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.

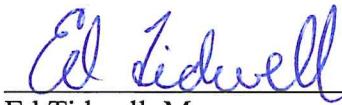
Section 12. Change of Zoning Map. The City Manager is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Lago Vista, Texas.

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.

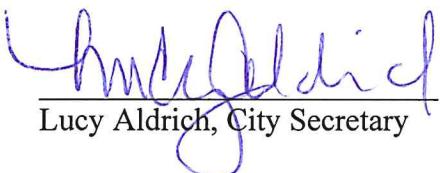
PASSED AND APPROVED this 21st day of September 2023.

CITY OF LAGO VISTA, TEXAS


Ed Tidwell, Mayor



ATTEST


Lucy Aldrich, City Secretary

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

EXHIBIT "A"

Legal Description

BEING a tract of land of approximately 231.541 acres located in the TEXAS-MEXICO RAILROAD SURVEY, ABSTRACT NO. 2291, CHRISTIAN FEHRENKAMP SURVEY, ABSTRACT NO. 286, and the LEWIS GOODWIN SURVEY, ABSTRACT NO. 336, Travis County, Texas and being all of those tracts of land described as Tracts 1-7 in Deed to Vol H. Montgomery, recorded in Document No. 1999-148851, Deed Records, Travis County, Texas and being part of a 10.81 acre tract of land described in Deed to Vol H. Montgomery, recorded in Document No. 1999-148850, Deed Records, Travis County, Texas and being part of a tract of land described in Deed to RP1-P2A Partnership, recorded in Volume 9113, Page 300, Deed Records, Travis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the East line of said Tract 2 at the Northwest corner of said Tract 7;

THENCE South 72 degrees 36 minutes 49 seconds East, along the North line of said Tract 7, a distance of 497.02 feet to a 1/2 inch iron rod with an aluminum cap stamped "CHAPARRAL" found at the most Northeast corner of said Tract 7 and said Tract 5;

THENCE South 13 degrees 31 minutes 35 seconds West, along the East line of said Tract 5, passing at a distance of 60.13 feet the Southeast corner of said Tract 7, and continuing for a total distance of 282.10 feet to a 1/2 inch iron rod with an aluminum cap stamped "CHAPARRAL" found for corner;

THENCE South 15 degrees 26 minutes 33 seconds West, continuing along the East line of said Tract 5, a distance of 90.41 feet to an "X" set in concrete for corner in the West right-of-way line of Bar-K Ranch Road, a variable width right-of-way, at the South corner of said Tract 5;

THENCE North 13 degrees 36 minutes 15 seconds East along said West right-of-way line and the West line of said Tract 5, a distance of 312.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in the South line of said Tract 7;

THENCE North 72 degrees 35 minutes 06 seconds West, leaving said West right-of-way line and said West line of Tract 5 and along the South line of said Tract 7, a distance of 508.72 feet to a 1/2 inch iron rod found in the East line of said Tract 2 at the Southwest corner of said Tract 7;

THENCE South 27 degrees 07 minutes 37 seconds West, along the East line of said Tract 2, a distance of 1,157.48 feet to a 1/2 inch iron rod found;

THENCE South 30 degrees 29 minutes 52 seconds West, a distance of 212.31 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found at the Southeast corner of said Tract 4;

THENCE along the South line of said Tract 4 the following twenty-three (23) courses and distances:

South 75 degrees 31 minutes 34 seconds West, a distance of 372.92 feet to a point for corner;

North 57 degrees 02 minutes 33 seconds West, a distance of 114.31 feet to a point for corner;

North 74 degrees 29 minutes 21 seconds West, a distance of 132.94 feet to a point for corner;

South 57 degrees 14 minutes 10 seconds West, a distance of 166.72 feet to a point for corner;

South 75 degrees 22 minutes 03 seconds West, a distance of 147.89 feet to a point for corner;

South 82 degrees 36 minutes 45 seconds West, a distance of 107.60 feet to a point for corner;

North 65 degrees 07 minutes 30 seconds West, a distance of 186.14 feet to a point for corner;

North 19 degrees 11 minutes 13 seconds West, a distance of 140.45 feet to a point for corner;

North 11 degrees 16 minutes 02 seconds West, a distance of 174.21 feet to a point for corner;

North 61 degrees 12 minutes 46 seconds West, a distance of 107.16 feet to a point for corner;

North 23 degrees 24 minutes 37 seconds East, a distance of 108.08 feet to a point for corner;

North 59 degrees 45 minutes 10 seconds East, a distance of 71.76 feet to a point for corner;

North 65 degrees 43 minutes 16 seconds East, a distance of 242. 14 feet to a point for corner;

North 62 degrees 47 minutes 27 seconds West, a distance of 167.68 feet to a point for corner;

North 01 degrees 23 minutes 12 seconds West, a distance of 152.53 feet to a point for corner;

South 61 degrees 04 minutes 13 seconds West, a distance of 70.03 feet to a point for corner;

North 60 degrees 25 minutes 41 seconds West, a distance of 101.88 feet to a point for corner;

South 08 degrees 28 minutes 27 seconds West, a distance of 141.00 feet to a point for corner;

South 53 degrees 12 minutes 27 seconds West, a distance of 54.67 feet to a point for corner;

South 70 degrees 06 minutes 27 seconds West, a distance of 51.82 feet to a point for corner;

North 70 degrees 51 minutes 22 seconds West, a distance of 55.90 feet to a point for corner;

North 27 degrees 22 minutes 10 seconds West, a distance of 150.67 feet to a point for corner;

North 19 degrees 29 minutes 33 seconds West, a distance of 77.43 feet to a point for corner in the East line of said Tract 1;

THENCE South 28 degrees 33 minutes 24 seconds West, leaving the South line of said Tract 4 and along the East line of said Tract 1, a distance of 128.11 feet to a point at the South corner of said Tract 1;

THENCE North 26 degrees 06 minutes 08 seconds West, along the South line of said Tract 1, passing at a distance of 1351.89 feet a point in the common line of said Tract 1 and said RPI-P2A Partnership tract, and continuing for a total distance of 1,579.19 feet to a point at the most Southerly corner of a Boundary Line Agreement recorded in Document No. 2006102847, Deed Records, Tarrant County, Texas;

THENCE Northerly and Easterly, along the lines of said Boundary Line Agreement, the following twenty-seven (27) courses and distances:

North 17 degrees 58 minutes 41 seconds East, a distance of 278.70 feet to a point for corner;

North 01 degrees 38 minutes 28 seconds East, a distance of 190.86 feet to a point for corner;

North 11 degrees 37 minutes 39 seconds East, a distance of 163.43 feet to a point for corner;

North 47 degrees 55 minutes 52 seconds East, a distance of 192.93 feet to a point for corner;

South 88 degrees 12 minutes 56 seconds East, a distance of 139.55 feet to a point for corner;

South 81 degrees 37 minutes 44 seconds East, a distance of 143.11 feet to a point for corner;

North 88 degrees 02 minutes 58 seconds East, a distance of 261.75 feet to a point for corner;

North 85 degrees 17 minutes 39 seconds East, a distance of 89.08 feet to a point for corner;

North 61 degrees 29 minutes 04 seconds East, a distance of 125.04 feet to a point for corner;

North 40 degrees 01 minutes 31 seconds East, a distance of 287.20 feet to a point for corner;

North 44 degrees 55 minutes 48 seconds East, a distance of 245.57 feet to a point for corner;
North 25 degrees 29 minutes 17 seconds East, a distance of 222.75 feet to a point for corner;
North 14 degrees 55 minutes 59 seconds East, a distance of 425.83 feet to a point for corner;
North 31 degrees 51 minutes 34 seconds East, a distance of 220.08 feet to a point for corner;
North 31 degrees 19 minutes 46 seconds East, a distance of 127.39 feet to a point for corner;
North 15 degrees 26 minutes 15 seconds East, a distance of 1 03.23 feet to a point for corner;
North 04 degrees 14 minutes 17 seconds East, a distance of 86.39 feet to a point for corner;
North 19 degrees 09 minutes 00 seconds West, a distance of 68.81 feet to a point for corner;
North 19 degrees 00 minutes 57 seconds East, a distance of 71.63 feet to a point for corner;
North 71 degrees 19 minutes 54 seconds East, a distance of 79.91 feet to a point for corner;
South 76 degrees 28 minutes 07 seconds East, a distance of 221.73 feet to a point for corner;
North 88 degrees 37 minutes 19 seconds East, a distance of 92.92 feet to a point for corner;
North 68 degrees 35 minutes 11 seconds East, a distance of 82.77 feet to a point for corner;
North 60 degrees 49 minutes 17 seconds East, a distance of 44.03 feet to a point for corner;
North 75 degrees 04 minutes 08 seconds East, a distance of 78.77 feet to a point for corner;
South 88 degrees 19 minutes 06 seconds East, a distance of 88.90 feet to a point for corner;
North 75 degrees 46 minutes 12 seconds East, a distance of 421.27 feet to a 1 1/4 inch iron rod found at the most Northerly corner of said Boundary Line Agreement and the most Northerly corner of said 10.81 acre tract;

THENCE South 28 degrees 33 minutes 28 seconds West, leaving the lines of said Boundary Line Agreement, passing at a distance of 85.11 feet the Northeast corner of said Tract 1, and continuing along the East line of said Tract 1 for a total distance of 576.09 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set at the most Westerly Northwest corner of said Tract 2;

THENCE along the Northerly line of said Tract 2, the following sixteen (16) courses and distances:

North 66 degrees 50 minutes 28 seconds East, a distance of 56.40 feet to 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 54 degrees 01 minutes 28 seconds East, a distance of 240.80 feet to a 112 inch iron

rod with a yellow plastic cap stamped "DAA" set for corner;

North 34 degrees 58 minutes 28 seconds East, a distance of 89.96 feet to a 112 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found at the North corner of said Tract 2;

South 01 degrees 34 minutes 37 seconds East, a distance of 30.00 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found;

South 06 degrees 44 minutes 01 seconds West, a distance of 152.81 feet to a 1/2 inch iron rod found for corner;

South 56 degrees 23 minutes 37 seconds West, a distance of 133.82 feet to a 1/2 inch iron rod found for corner;

South 42 degrees 53 minutes 45 seconds West, a distance of 199.49 feet to a 112 inch iron rod found for corner;

South 28 degrees 00 minutes 15 seconds West, a distance of 59.28 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 24 degrees 18 minutes 04 seconds East, a distance of 82.17 feet to a 1/2 inch iron rod found for corner;

South 54 degrees 38 minutes 26 seconds East, a distance of 313.48 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 55 degrees 23 minutes 59 seconds East, a distance of 224.17 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 50 degrees 06 minutes 49 seconds East, a distance of 375.05 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found for corner;

South 60 degrees 23 minutes 31 seconds East, a distance of 244.45 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found for corner;

South 55 degrees 02 minutes 31 seconds East, a distance of 242.22 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found for corner;

South 57 degrees 13 minutes 31 seconds East, a distance of 446.11 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 59 degrees 45 minutes 42 seconds East, a distance of 56.90 feet to a 1/2 inch iron rod found for corner at a wood fence corner post;

THENCE Southerly, along the East line of said Tract 2, the following three (3) courses and distances:

South 29 degrees 51 minutes 44 seconds West, a distance of 813.38 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 65 degrees 24 minutes 31 seconds West, a distance of 340.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 27 degrees 07 minutes 37 seconds West, a distance of 120.12 feet to a 1/2 inch iron rod with a red washer stamped "BUSH SURVEYING, INC." found at the most Northwest corner of said Tract 6;

THENCE leaving the East line of said Tract 2 and along the East line of said Tract 6, the following three (3) courses and distances:

South 65 degrees 24 minutes 31 seconds East, a distance of 9.99 feet to a 1/2 inch iron rod found at the Northeast corner of said Tract 6;

South 27 degrees 07 minutes 37 seconds West, a distance of 50.05 feet to a 1/2 inch iron rod found at the most Southeast corner of said Tract 6;

North 65 degrees 24 minutes 31 seconds West, a distance of 9.99 feet to a 1/2 inch iron rod found in the East line of said Tract 2 at the Southwest corner of said Tract 6;

THENCE South 27 degrees 07 minutes 37 seconds West, along the East line of said Tract 2, a distance of 926.23 feet to the **POINT OF BEGINNING** and containing 241.541 acres of land, more or less.

EXHIBIT "B"

Concept Plan

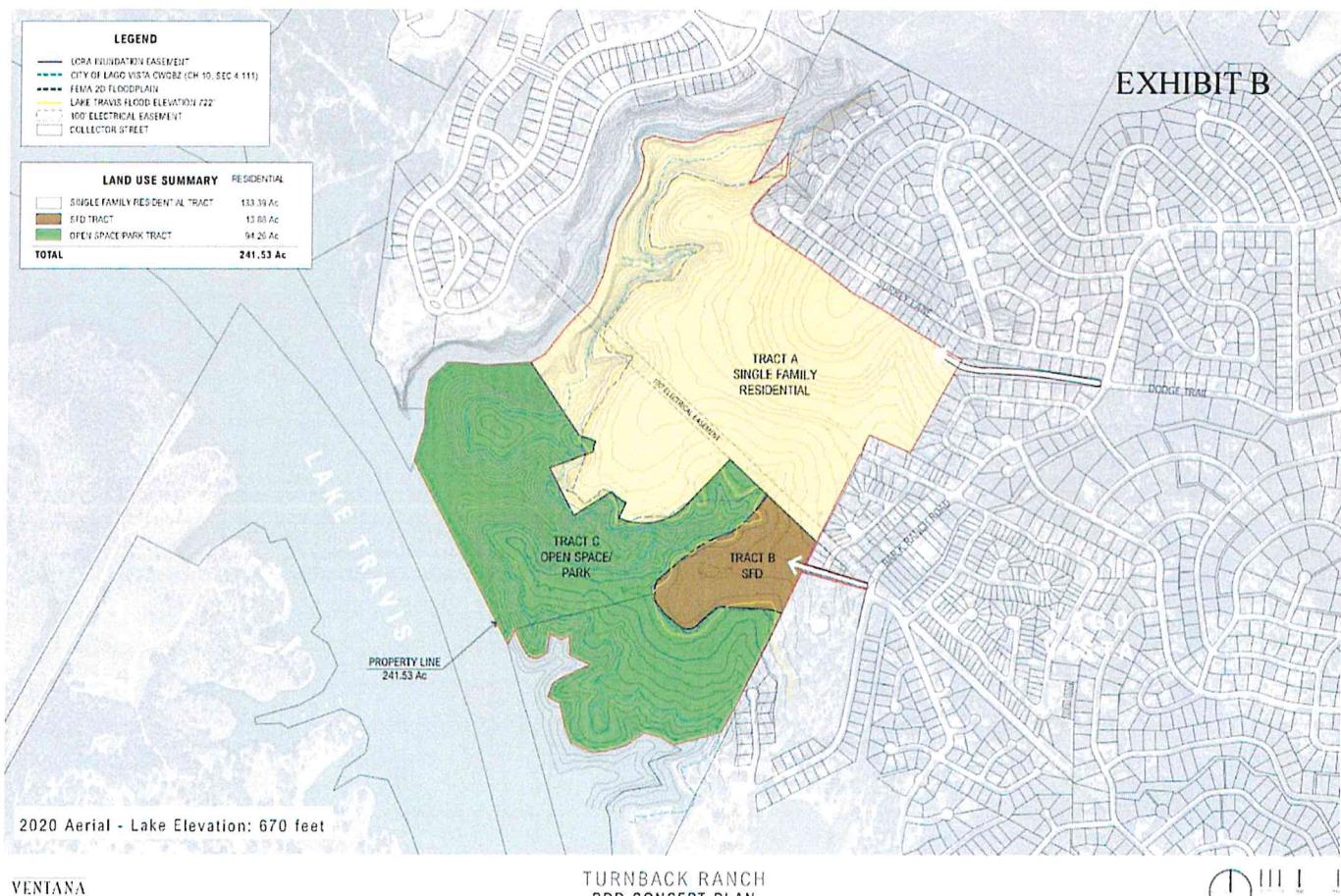


Exhibit "B" (1)

EXHIBIT "B"

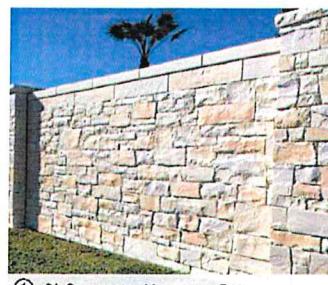
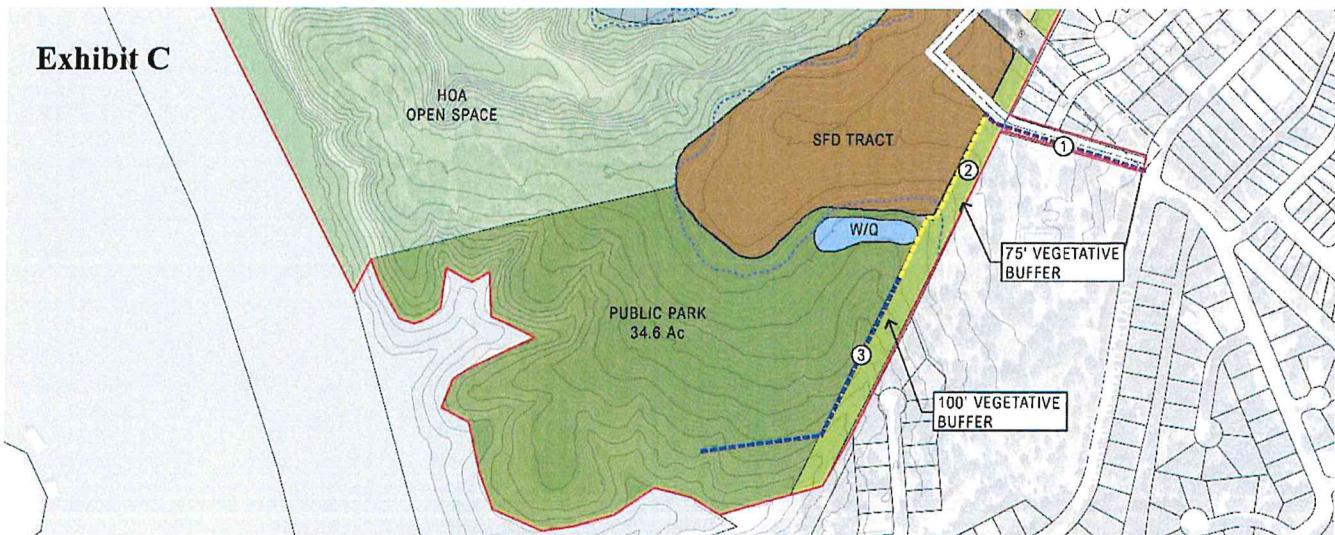
Detail Plan



EXHIBIT "C"

Fencing

Exhibit C



① 6' Concrete Masonry Fence



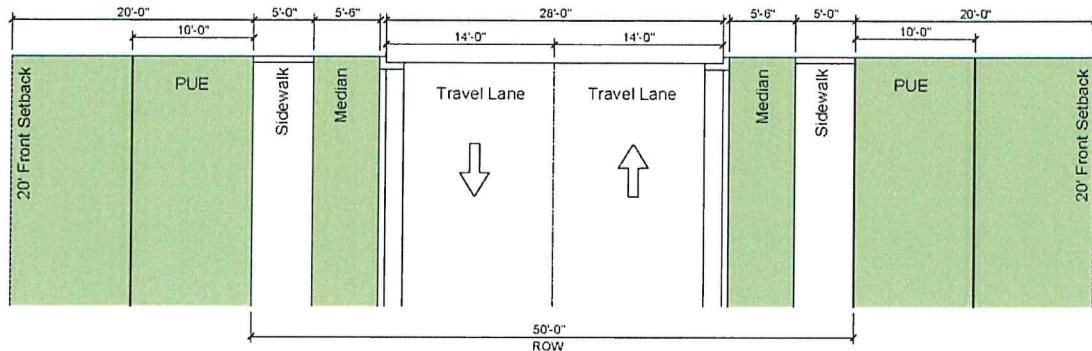
② 8' Wrought Iron Fence Option



③ Removable Fence Option

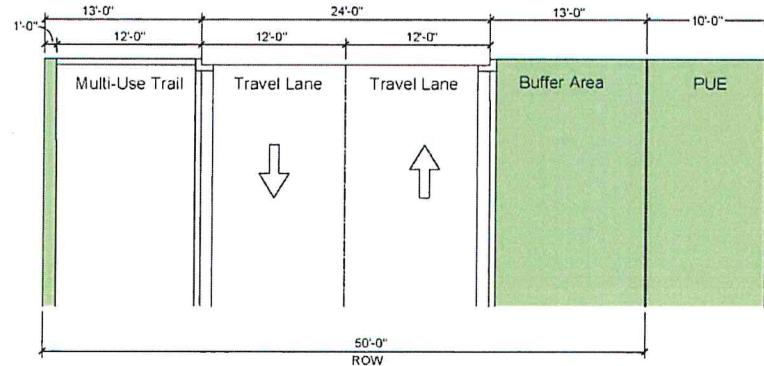
TURNBACK RANCH
DAY PARK CONCEPT - FENCING EXAMPLES

EXHIBIT "D"
Street Sections



TURNBACK RANCH
RESIDENTIAL STREET 50' ROW

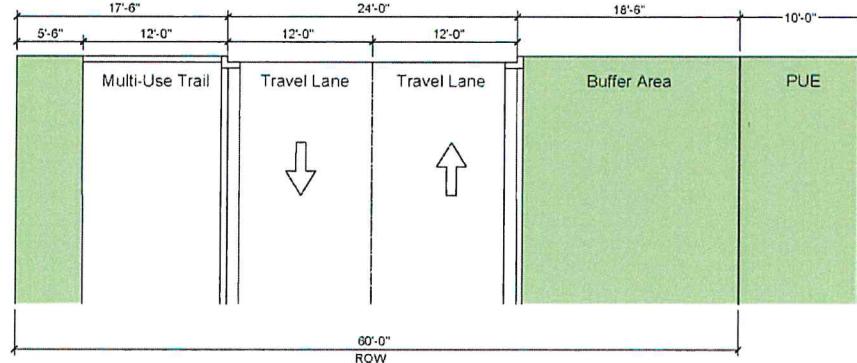
PHARIS DESIGN



NOTE: NO ON-STREET PARKING IS ALLOWED ON COLLECTOR

TURNBACK RANCH
COLLECTOR STREET 50' ROW

PHARIS DESIGN



NOTE: NO ON-STREET PARKING IS ALLOWED ON COLLECTOR

TURNBACK RANCH
COLLECTOR STREET 60' ROW

PHARIS DESIGN