

COUNCIL MEETING DATE: SEPTEMBER 15, 2020



CITY COUNCIL AGENDA ITEM #11

STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, City Administrator
scarrillo@sunsetvalley.org

COUNCIL SPONSOR: Council Members Ellett and Reetz

SUBJECT: ADMINISTRATION/PLANNING

DESCRIPTION: Presentation, Council deliberation and possible action regarding a potential future development plan for the area known as the Homestead.

BACKGROUND: The area known as the Homestead was part of an agreement with the Weaver Family. The acres were deeded to the City on February 17, 1998 with conditions. Among the conditions are that the property may only be "used for for non-profit conservation, water quality, flood control and landscaping purposes only, and there shall be no construction permitted on the Property by Grantee, its successors and assigns, except such limited construction as may be required for such conservation, water quality, flood control and landscaping purposes; provided, however, nothing herein shall be deemed to limit the rights of Grantor, its successors and assigns, to utilize the easements expressly reserved herein."

The easements discussed are for drainage.

This is a prime area to become a focal point and asset for Sunset Valley. Similar floodway areas such as Buffalo Bayou in Houston and other areas across the country have used floodway areas, typically underutilized and restricted for development to create natural parks and gathering spaces for the public. The Federal Emergency Management Association (FEMA) who regulates floodways, [encourages this type of use to prevent further development of sensitive areas.](#)

This item would direct staff to explore costs to develop plans similar to the plan presented below. Although the existing pond belongs to the adjacent shopping center, it contains a potential learning zone. The City could approach the center and enter into an agreement to allow this area to be incorporated into the overall plan.

The round bollards serve a dual purpose in that they are art as well as pedestrian protection. Also as art is the word "LISTEN". Buffalo Bayou has several terms throughout such as "listen", "engage", and others. It is made of marine grade materials used in boat bumpers and has little maintenance in the event of a flood.

That area is also out of the Homestead deed and can have a shade structure or play structure on it to attract visitors who shop in the centers.

Lastly, the area would be enhanced with a natural berm around the flood way that could serve as seating for outdoor events in the future.



APPLICABLE CODE SECTIONS: Sunset Valley Financial Services

FUNDING:

CURRENT YEAR FISCAL BUDGET				
ACCOUNT	BUDGET	BUDGETED	THIS ITEM	REMAINING
01-01-7195	FY 19-20	30,000	30,000	0

STAFF RECOMMENDATION:

SUPPORTING MATERIALS PROVIDED: YES – HOMESTEAD DEED AND AERIAL PHOTOS

04
110257WL
04-081900102-0000

31. 69

FILM CODE

00005695960

36

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT J. D. WEAVER FAMILY LIMITED PARTNERSHIP, a Texas family limited partnership (referred to herein as the "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration in hand paid by THE CITY OF SUNSET VALLEY, a municipality organized under the laws of the State of Texas (referred to herein as the "Grantee"), the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee approximately 6.87 acres of real property (including any improvements thereon) situated in Travis County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"), together with all and singular the rights and appurtenances in anywise belonging thereto.

THIS CONVEYANCE IS EXPRESSLY MADE AND ACCEPTED SUBJECT TO (a) all matters visible or apparent on the ground that a true, correct and current survey would reveal, (b) all valid and subsisting easements, restrictions, reservations, covenants, conditions and other matters relating to the Property, to the extent that the same are valid and enforceable against the Property, as the same are shown by instruments filed of record in the Office of the County Clerk of Travis County, Texas, (c) the easements expressly reserved herein and (d) the following restrictions on the future use of the Property (the "Restrictive Covenants"): the Property may be used for non-profit conservation, water quality, flood control and landscaping purposes only, and there shall be no construction permitted on the Property by Grantee, its successors and assigns, except such limited construction as may be required for such conservation, water quality, flood control and landscaping purposes; provided, however, nothing herein shall be deemed to limit the rights of Grantor, its successors and assigns, to utilize the easements expressly reserved herein.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances in anywise belonging thereto, subject as aforesaid, unto Grantee, and Grantee's successors and assigns, forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

Grantor expressly reserves herein for Grantor, its successors and assigns, easements in such locations as may hereafter be designated by Grantor, its successors and assigns, and agreed to by Grantee, its successors and assigns, to install and maintain utilities and stormwater drainage facilities on or crossing the Property.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13134 0996

[Handwritten signature]

The terms, provisions, covenants and restrictions set forth in and created under this deed shall run with the land and bind Grantor and Grantee and their respective successors and assigns, including, without limitation, any person or party who subsequently acquires an interest in the Property, or any portion thereof. Enforcement of the provisions, covenants and restrictions set forth herein may be by Grantor or Grantee, as appropriate, or any owner of all or a portion of the property known as "Sunset Valley Village," an approximately 280.5 acre tract of land more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes, and their respective successors and assigns, by a proceeding at law or in equity against Grantor or Grantee or other person(s) or entity(ies) violating or attempting to violate them, and failure to enforce any covenant herein contained shall in no event be deemed a waiver of the right to do so thereafter. Should any party entitled to enforce the provisions of this deed as aforesaid bring suit against any other party, person(s) or entity(ies) for the enforcement of any of the provisions hereof, the prevailing party(ies) shall be entitled to recover from the non-prevailing party(ies) its/their court costs, together with reasonable attorneys' fees and other legal expenses.

To Grantor's knowledge, no physical condition exists on or under the Property which would make the Property unsuitable for Grantee's intended use. Without limiting the foregoing, Grantor has not made, does not make and hereby specifically disclaims any representations or warranties, whether express, implied, statutory or otherwise, concerning the physical condition of the Property, and Grantee hereby purchases and accepts the same AS IS, WHERE IS, AND WITH ALL FAULTS, without warranty of habitability, merchantability, suitability for a particular purpose, or any other warranty of any kind or nature whatsoever (except for the express warranty set forth above and the warranty of title set forth herein).

Grantee, by its acceptance hereof, covenants and agrees to use the Property only for those uses permitted by the Restrictive Covenants. Without modifying or limiting any other terms herein, in the event that Grantee violates the foregoing covenant and, strictly as a result thereof, ad valorem taxes on the Property become due and owing for the year in which this deed is effective or prior years due to changes in land usage or ownership, Grantee assumes payment of such ad valorem taxes.

EXECUTED this 17 day of ^{FEBRUARY}~~January~~, 1998.

GRANTOR:

J. D. WEAVER FAMILY LIMITED
PARTNERSHIP, a Texas family limited partnership

By: Brodie-Weaver, Inc.,
General Partner

By: 

William S. Walters, III, as Attorney-in-Fact for Brodie-Weaver, Inc.

By: 

John Dale Weaver, Jr., President

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

GRANTEE:

CITY OF SUNSET VALLEY,
a municipality organized under the laws of the State
of Texas

By: *Michael C. Francis*
(Name - Printed or Typed)
MICHAEL C. FRANCIS
Its: MAYOR

ADDRESS OF GRANTEE:

City of Sunset Valley
Municipal Building
Jones Road and 2 Lone Oak Trail
Austin, Texas 78745

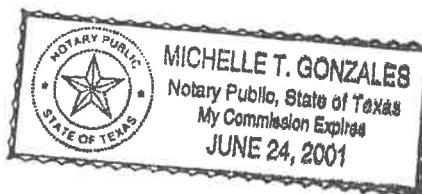
AFTER RECORDING, PLEASE RETURN TO:

W. Thomas Buckle, Esq.
Scanlan, Buckle & Young, P.C.
602 West 11th Street
Austin, Texas 78701-2099

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 17th day of February, 1998, by William S. Walters, III, as Attorney-in-Fact for Brodie-Weaver, Inc., general partner of J. D. Weaver Family Limited Partnership, a Texas family limited partnership, on behalf of said limited partnership.

Michelle T. Gonzales
Notary Public, State of Texas



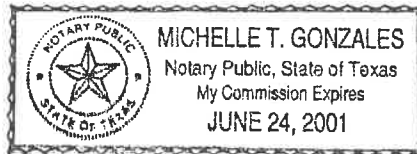
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

STATE OF TEXAS §
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COUNTY OF TRAVIS §

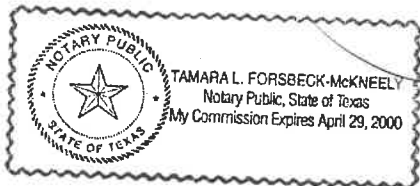
This instrument was acknowledged before me on this the 17th day of ~~January~~ ^{February}, 1998, by John Dale Weaver, Jr., as President of Brodie-Weaver, Inc., general partner of J. D. Weaver Family Limited Partnership, a Texas family limited partnership, on behalf of said limited partnership.

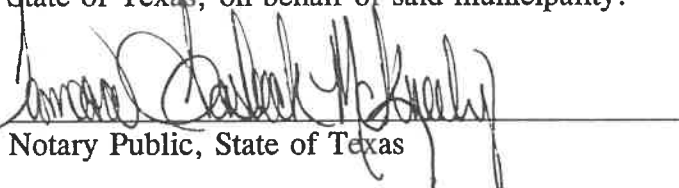

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §



This instrument was acknowledged before me on this the 26 day of ~~January~~ ^{February}, 1998, by MICHAEL C. FRANCIS, MAYOR of the City of Sunset Valley, a municipality existing under the laws of the State of Texas, on behalf of said municipality.




Notary Public, State of Texas

Exhibits:

- "A" - Description of Property
- "B" - Description of Sunset Valley Village

6.872 ACRES
LOT 2, BLOCK "A"
SUNSET VALLEY VILLAGE

FN NO. 98-006(JCF)
JANUARY 8, 1998
BPI JOB NO. 579-09.92

DESCRIPTION

OF 6.872 ACRES OF LAND OUT OF THE THEODORE BISSELL SURVEY NO. 18 SITUATED IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 280.5 ACRES OF LAND CONVEYED TO J.D. WEAVER FAMILY LIMITED PARTNERSHIP BY DEED OF RECORD IN VOLUME 12345, PAGE 1715 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.872 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found, being the northwesterly corner of a said 280.5 acre J.D. Weaver Family Limited Partnership Tract, at the intersection of the southeasterly right-of-way cut-back corner of Brodie Lane (R.O.W. varies) and U.S. Highway 290 (R.O.W. varies) with the southerly line of Jones Road (60' R.O.W.);

THENCE, along the easterly line of Brodie Lane being the westerly line of said 280.5 acres, the following three (3) courses and distances:

- 1) S65°26'53"W, a distance of 89.20 feet to a 1/2 inch iron rod found;
- 2) S28°59'31"W, a distance of 498.23 feet to a 1/2 inch iron rod found;
- 3) S28°28'47"W, a distance of 220.23 to the **POINT OF BEGINNING**, and northwesterly corner hereof;

THENCE, leaving the easterly line of Brodie Lane, along the northerly line hereof, over and across said 280.5 acres, the following fourteen (14) courses and distances:

- 1) S49°12'23"E, a distance of 330.00 feet to an angle point;
- 2) N04°27'51"E, a distance of 126.00 feet to an angle point;
- 3) S48°32'55"E, a distance of 122.00 feet to an angle point;
- 4) S32°14'44"W, a distance of 96.00 feet to an angle point;
- 5) S46°26'08"E, a distance of 84.00 feet to an angle point;
- 6) N00°08'14"W, a distance of 68.00 feet to an angle point;
- 7) N81°38'51"E, a distance of 28.00 feet to an angle point;
- 8) S32°02'05"E, a distance of 56.00 feet to an angle point;
- 9) S12°40'23"E, a distance of 48.00 feet to an angle point;
- 10) N84°17'11"E, a distance of 26.00 feet to an angle point;
- 11) N24°39'56"E, a distance of 53.00 feet to an angle point;

FN NO. 98-006 (JCF)
JANUARY 8, 1998
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- 12) S49°49'51"E, a distance of 120.00 feet to an angle point;
- 13) S24°21'51"E, a distance of 280.00 feet to an angle point;
- 14) S35°18'51"E, a distance of 233.00 feet to a point for the southeasterly corner hereof, from which a 1/2 inch iron rod found in the northerly line of a 110 feet wide Proposed Roadway "B" bears N74°01'40"E, a distance of 78.82 feet;

THENCE, S74°01'40"W, continuing over and across said 280.5 acre tract, along the northerly line of said 110 feet wide Proposed Roadway "B", being the southerly line hereof, a distance of 320.86 feet to a 1/2 inch iron rod found being the most southerly corner of Lot 2, Block "F", Sunset Valley Subdivision Section Two, of record in Book 98, Page 341, of the Plat Records of Travis County, Texas;

THENCE, leaving the northerly line of said 110 feet wide Proposed Roadway "B", along the northerly line of said Lot 2, Block "F", over and across said 280.5 acres, the following three (3) courses and distances:

- 1) N55°36'57"W, a distance of 116.00 feet to a 1/2 inch iron rod found;
- 2) N27°43'01"W, a distance of 430.00 feet to a 1/2 inch iron rod found;
- 3) N49°27'52"W, a distance of 410.00 feet to a 1/2 inch iron rod found in the easterly line of Brodie Lane, being the westerly line of said 280.5 acre tract for the southwesterly corner hereof, same being the northwesterly corner of said Lot 2, Block "F", from which a 1/2 inch iron rod found being the southwesterly corner of said Lot 2, Block "F", bears S28°28'47"W, a distance of 278.48 feet;

THENCE, N28°28'47"E, along the easterly line of Brodie Lane, same being the westerly line hereof, a distance of 204.29 feet to the **POINT OF BEGINNING**, containing an area 6.872 acres (299,332 sq. ft.) of land, more or less, within these metes and bounds.

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

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

JOHN T. BILNOSKI, R.P.L.S.
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13134 1001



280.5 ACRES
CHARLOTTE WEAVER
JOHN DALE WEAVER

FN. NO. 93-247 (PTR)
JANUARY 4, 1994
BPI JOB NO. 579-01.99

DESCRIPTION

OF A 280.5 ACRE TRACT OR PARCEL OF LAND OUT OF AND PART OF THE THEODORE BISSELL SURVEY NO. 18, SITUATED IN THE CITY OF SUNSET VALLEY, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF THAT CERTAIN 280 ACRES CONVEYED TO CHARLOTTE WEAVER BY DEED OF RECORD IN VOLUME 774, PAGE 569 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND THE REMAINDER OF 2.16 ACRES CONVEYED TO JOHN DALE WEAVER BY DEED OF RECORD IN VOLUME 3709, PAGE 1846 OF SAID REAL PROPERTY RECORDS, SAID 280.5 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the most westerly northwest corner of said Charlotte Weaver tract, same being the intersection of the east line of Brodie Lane (R.O.W. varies) and the south line of U.S. Highway 290 (R.O.W. varies), for the most westerly, northwest corner of the herein described tract;

THENCE, N65°26'53"E, leaving the east line of Brodie Lane, along the south line of U.S. Highway 290, a distance of 89.20 feet to a 1/2 inch iron rod set at the intersection of the south line of U.S. Highway 290 and the south line of Jones Road (60' R.O.W.), same being the north line of said Charlotte Weaver tract, for the most easterly northwest corner of the herein described tract;

THENCE, along the south line of Jones Road, same being the north line of said Charlotte Weaver tract, the following three (3) courses and distances:

- 1) S61°26'36"E, a distance of 1984.36 feet to a fence post found for an angle point;
- 2) S56°23'13"E, a distance of 229.43 feet to a fence post found for an angle point;
- 3) S61°45'27"E, a distance of 610.56 feet to a 1/2 inch iron rod found for the northeasterly corner of said Charlotte Weaver Tract, same being the northwesterly corner of the 3.00 acre tract conveyed to the City of Sunset Valley by Deed of Record in Volume 3610, Page 589 of said Real Property Records;

THENCE, S27°57'11"W, leaving the south line of Jones Road, along the east line of said Charlotte Weaver Tract, same being the west line of said City of Sunset Valley Tract, a distance of 502.20 feet to a 1/2 inch iron rod found at the southwesterly corner of said City of Sunset Valley Tract, same being the northwesterly corner of Huebner Estates, a subdivision of record in Book 80, Page 6, of the Plat Records of Travis County, Texas;

THENCE, S28°02'41"W, continuing along the easterly line of said Charlotte Weaver Tract, same being the westerly line of said Huebner Estates, a distance of 342.17 feet to a 1/2 inch iron rod found at the southwesterly corner of said Huebner Estates, same being the northwesterly corner of Lot 1 Sunset Oaks, a subdivision of record in Book 85, Page 28D of said Plat Records;

THENCE, continuing along the easterly line of said Charlotte Weaver Tract, same being the westerly line of said Sunset Oaks, the following three (3) courses and distances:

- 1) S27°55'41"W, passing at a distance of 839.69 feet a 1/2 inch iron rod found for the southwesterly corner of Lot 7 Sunset Oaks, and continuing for a total distance of 999.69 feet to a 1/2 inch iron rod set for the southwesterly corner of Lot 8, Sunset Oaks;
- 2) S27°55'27"W, passing at a distance of 1118.59 feet a 60-d nail found in a tree stump, at the apparent southwesterly corner of Lot 15 Sunset Oaks, and continuing for a total distance of 1264.07 feet to a 1/2 inch iron rod found for an angle point of Lot 16 Sunset Oaks;

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3) S27°50'34"W, a distance of 520.44 feet to a 1/2 inch iron rod found at the southwesterly corner of said Lot 16 for an interior ell corner hereof;

THENCE, S47°46'39"E, along the southerly line of said Lot 16, a distance of 199.91 feet to a 1/2 inch iron rod found for an angle point;

THENCE, S82°01'49"E, passing at a distance of 49.06 feet, a 1/2 inch iron rod found at the southeasterly corner of said Lot 16, same being the southwesterly corner of Lone Oak Trail Right of Way, (55' R.O.W.), and continuing for a total distance of 144.59 feet to an iron pipe found in concrete in the southerly line of that certain tract conveyed to Anita Elizabeth Fowler by deed of record in Volume 10833, Page 19 of said Real Property Records, same being the northwesterly corner of that 45.299 acre tract conveyed to Scott Yong W. Choi and Yong B. Choi by Deed of Record in Volume 11812, Page 1665 of said Real Property Records;

THENCE, S42°13'56"W, along the westerly line of said 45.299 acre tract, same being the southernmost, easterly line of said Charlotte Weaver Tract, a distance of 454.40 feet to a 1/2 inch iron rod found for the southernmost, southeasterly corner of the herein described tract;

THENCE, N69°42'01"W, along the southerly line of said Charlotte Weaver Tract, same being the westerly, north line of said 45.299 acres and the northerly line of that 4.35 acres conveyed to Beverly Nance by Deed of Record in Volume 2404, Page 84 of said Real Property Records, for a distance of 359.24 feet to an iron pipe found in concrete at the northeasterly corner of that tract conveyed to Burford L. Westlund and wife, Dorothy Ann Westlund by Deed of Record in Volume 2433, Page 23 of said Real Property Records;

THENCE, N62°31'06"W, continuing along the southerly line of said Charlotte Weaver Tract, same being the northerly line of said Westlund Tract, a distance of 290.25 feet to a fence post found for the northwesterly corner of said Westlund Tract, same being the northeasterly corner of that 5.0 acre tract conveyed to Edgar Lind and wife, Ima Lee Lind by Deed of Record in Volume 995, Page 288 of said Real Property Records;

THENCE, N61°42'07"W, continuing along the southerly line of said Charlotte Weaver Tract, same being the northerly line of said Lind Tract, a distance of 251.24 feet to a 1/2 inch iron rod found at the northwesterly corner of said Lind Tract, same being the northeasterly corner of Lot 4 Follis Acres, a subdivision of record in Book 81, Page 177 of said Plat Records;

THENCE, N62°11'53"W, continuing along the southerly line of said Charlotte Weaver Tract, same being the north line of said Lot 4, a distance of 213.45 feet to a 1/2 inch iron rod found at the northwesterly corner of said Lot 4, same being the northeasterly corner of that 4.48 acres conveyed to Lelah B. Kleas by Deed of Record in Volume 6463, Page 1365 of said Real Property Records;

THENCE, N62°06'46"W, continuing along the southerly line of said Charlotte Weaver Tract, same being the northerly line of said Lelah B. Kleas Tract and also continuing along the northerly line of that 4.48 acre tract conveyed to Philip L. Kleas and wife, Lelah B. Kleas by Deed of Record in Volume 5469, Page 1740 of said Real Property Records, a distance of 473.79 feet to a 1/2 inch iron rod found at the northwesterly corner of said Philip L. Kleas Tract, same being the northeasterly corner of that 3.363 acre tract conveyed to Michael Earl Warnken and wife, Carolyn Warnken by Deed of Record in Volume 6059, Page 1544 of said Real Property Records;

THENCE, N62°16'27"W, continuing along the southerly line of said Charlotte Weaver Tract and also into the southerly line of said John Dale Weaver Tract, same being the northerly line of said

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TRAVIS COUNTY, TEXAS

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Warnken Tract, a distance of 436.46 feet to a fence post found for the northwesterly corner of said Warnken Tract, same being the northeasterly corner of that 7.45 acres conveyed to Earl R. Chase and wife, Eva K. Chase by Deed of Record in Volume 1537, Page 200 of said Real Property Records;

THENCE, along the southerly line of said John Dale Weaver Tract, same being the northerly line of said Chase Tract, the following two (2) courses and distances:

- 1) N60°03'02"W, a distance of 47.77 feet to a fence post found for an angle point;
- 2) N73°12'01"W, a distance of 243.84 feet to a 1/2 inch iron rod found in concrete for the northwesterly corner of said Chase Tract, same being the northeasterly corner of that 5.362 acre tract conveyed to the Behren's Family Trust by Deed of Record in Volume 10917, Page 197 of said Real Property Records;

THENCE, continuing along the southerly line of said John Dale Weaver Tract, same being the northerly line of said Behren's Family Tract, the following two (2) courses and distances:

- 1) N72°27'12"W, a distance of 136.65 feet to an elm tree found for an angle point;
- 2) N66°50'32"W, a distance of 699.64 feet to a fence post found in the easterly line of Brodie Lane, for the northwesterly corner of said Behren's Family Tract, same being the southwesterly corner of said John Dale Weaver Tract, also being the most southwesterly corner of the herein described tract;

THENCE, N28°28'47"E, along the easterly line of Brodie Lane, same being the westerly line of said John Dale Weaver Tract, passing at an approximate distance of 145 feet the apparent northerly deed line of said John Dale Weaver Tract, and continuing along the westerly line of said Charlotte Weaver Tract for a total distance of 3726.88 feet to a 1/2 inch iron rod found for an angle point;


THENCE, N28°59'31"E, continuing along the westerly line of said Charlotte Weaver Tract, same being the easterly line of Brodie Lane, a distance of 498.23 feet to the POINT OF BEGINNING, containing an area of 280.5 acres of land, more or less, within these metes and bounds.

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

THAT I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

WITNESS MY HAND AND SEAL AT AUSTIN, TRAVIS COUNTY, TEXAS THIS 4TH DAY OF JANUARY, 1994. A.D.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD, SUITE 200
AUSTIN, TEXAS 78746


JOHN T. BILNOSKI, R.
NO. 4998
STATE OF TEXAS

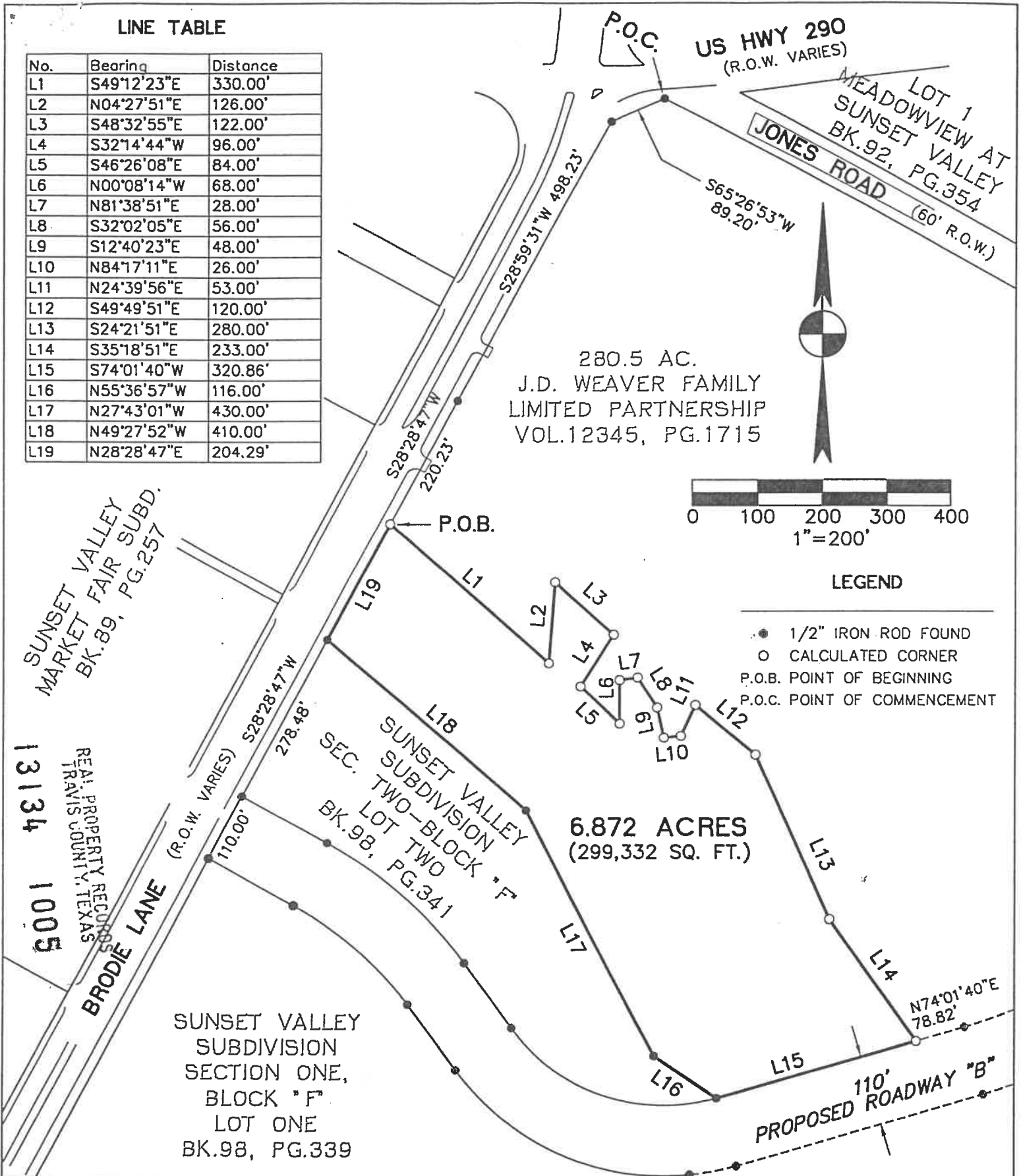


REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13134 1004

LINE TABLE

No.	Bearing	Distance
L1	S49°12'23"E	330.00'
L2	N04°27'51"E	126.00'
L3	S48°32'55"E	122.00'
L4	S32°14'44"W	96.00'
L5	S46°26'08"E	84.00'
L6	N00°08'14"W	68.00'
L7	N81°38'51"E	28.00'
L8	S32°02'05"E	56.00'
L9	S12°40'23"E	48.00'
L10	N84°17'11"E	26.00'
L11	N24°39'56"E	53.00'
L12	S49°49'51"E	120.00'
L13	S24°21'51"E	280.00'
L14	S35°18'51"E	233.00'
L15	S74°01'40"W	320.86'
L16	N55°36'57"W	116.00'
L17	N27°43'01"W	430.00'
L18	N49°27'52"W	410.00'
L19	N28°28'47"E	204.29'



SKETCH TO ACCOMPANY DESCRIPTION

OF 6.872 ACRES OF LAND, BEING A PORTION OF 280.5 ACRES J.D. WEAVER FAMILY LIMITED PARTNERSHIP OF RECORD IN VOLUME 12345, PAGE 1715, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

SUNSET VALLEY VILLAGE

Bury+Pittman, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel 512/328-0011 Fax 512/328-0325
© Copyright 1996 Bury+Pittman, Inc.

The area known as the Homestead is in a designated floodway (meaning, it WILL flood, not MAY) and an area used for greenspace. However, there are creative uses for floodway areas. FEMA encourages greenspace uses for these areas. In addition, the area is limited by deed restrictions on the property. The deed restrictions on the property state that ...” the Property may be used for non-profit conservation, water quality, flood control, and landscaping purposes only, and there shall be no construction permitted on the property by grantee, its successors and assigns, except in such limited construction as may be required for such conservation, water quality, flood control, and landscaping purposes...”

Art

The single word thoughts – **Explore, Pause, Reflect, Listen, Emerge, and Observe** – are placed at ground level in unexpected areas along the new bayou-side Kinder Footpaths. The four-foot-tall sculptures feature turn-of-the century capital serif type and are crafted from 4” high density polyethylene (high-grade plastic), a material used in marine dock bumpers. The public art project was commissioned by [Buffalo Bayou Partnership](#), through [Houston Arts Alliance](#).

<https://buffalobayou.org/monumental-moments-new-public-art-installed/> -

Bollards – Decorative and can be an art project or involve the school, or even educational

Nature

Butterfly garden – natural habitat

Ducks – enhance the pond where this is occurring naturally

Walking/Seating/Cover

Walkways are used – expand wayfinding signs

Natural sitting areas not obstructing the flow of water

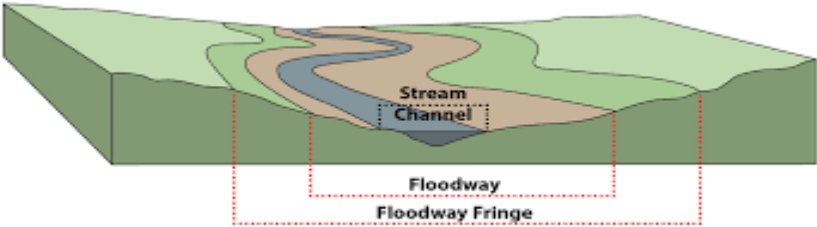
Canvas style poles which are easily removed and installed

Solar lighting

Items to Consider

1. Requirements for Development in the Floodway Once a community has adopted a floodway, it must prohibit development in the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed using standard engineering practice that the development will not result in any increase in flood levels during the base flood. FEMA defines “any” as meaning a zero increase (greater than 0.00 feet). This analysis is usually called a “no-rise” or “zero-rise” analysis and results in a “no-rise” or “zero-rise” certification by a qualified register professional engineer.

44CFR 60.3(d)(3): Prohibit encroachments in the floodway, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during occurrence of the base flood discharge.



2. Appropriate uses of floodways There are a number of economic uses that can be conducted in floodways that do not impact flood stages. Where possible these uses should be encouraged. • Agriculture and forestry uses that do not involve buildings or use of fill. • Back yards, lawns, gardens, parking areas and play areas. Often subdivisions can be designed so that there are building sites on each lot that are outside of the floodplain or at least the floodway and that all floodway areas are preserved. • Private or public open space and recreation uses such as golf courses, campgrounds, picnic grounds, boat launching ramps, wildlife and nature reserves, and similar uses. When in public ownership, floodways can provide corridors for trail systems for hiking, jogging, biking, or horse-back riding. Often these uses enhance the value of adjoining properties. • Industrial and commercial uses such as parking lots and loading areas and airport landing strips for light airplanes that do not involve buildings or use of fill. If these uses require fill or construction of buildings, the developer will have to demonstrate that the use will cause no rise in flood stages. Some of these uses such as campgrounds or parking lots may not be suitable for areas subject to flash floods or areas that flood frequently.

https://www.fema.gov/media-library-data/1578062957793-0274cb6a7a3801a07a3db7916e64e80d/FloodwayAnalysis_and_Mapping_Nov_2019.pdf

3. Electrical can be mitigated with Solar or will need to have electrical installed as part of landscaping improvements.

4. Any gathering space will need restrooms. We can't build a structure there so will need a contract for temporary restrooms during any event.

5. Art can be considered landscaping improvements.

Aerial view of the area



View from Ernest Robles

Brodie Homestead
5211 Brodie Ln
Austin, TX 78749
30.22°N 97.83°W



View from Ernest Robles

Brodie Homestead
5211 Brodie Ln
Austin, TX 78745
30.23°N, 97.82°W

View from Ernest Robles



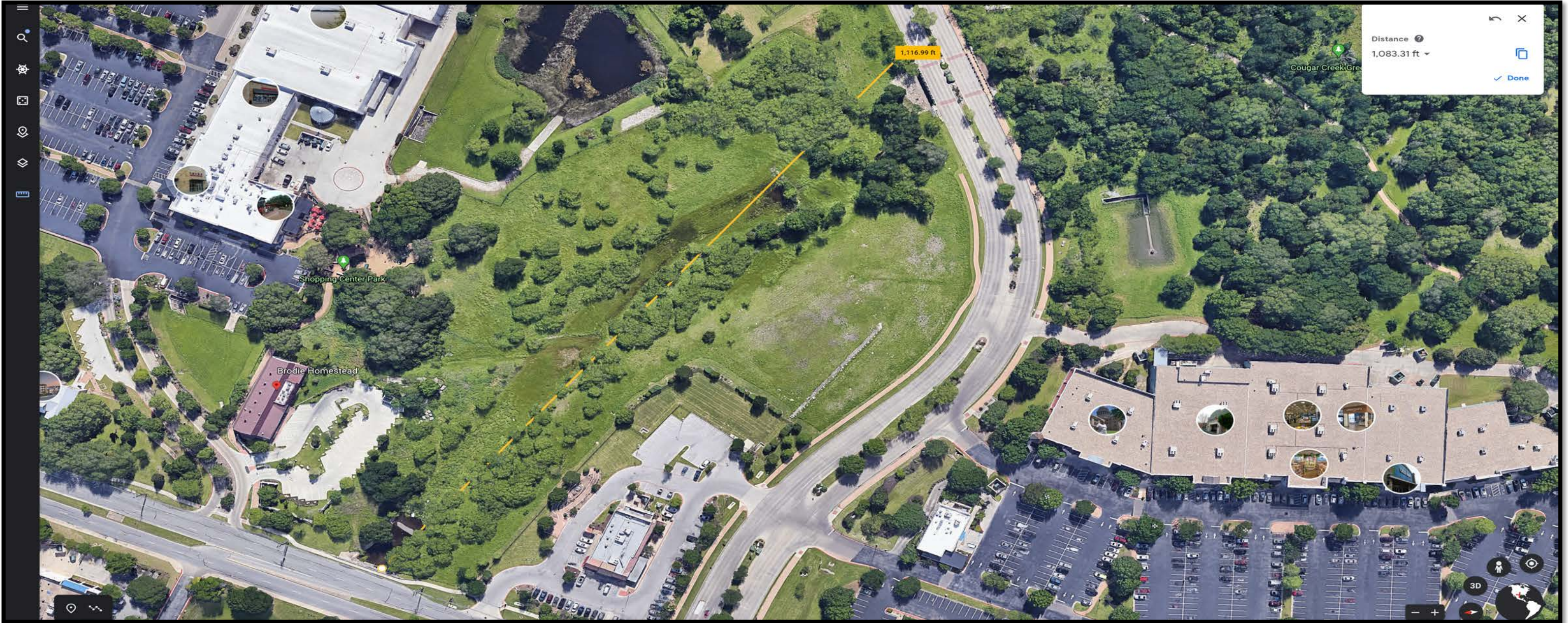
Navigation controls including a person icon, a compass, a 2D button, a globe icon, and zoom in (+) and zoom out (-) buttons.

View from Ernest Robles



View from Brodie





Length is approx. 1,100 feet
Width is approx, 550 feet

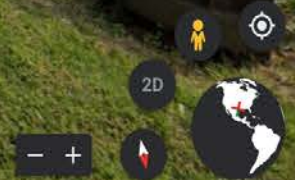
View from Dock's



View from Shopping Center



TOW AWAY ZONE





← Sunset Valley, Texas



View from Shopping Center



Example of existing
landscaping we would use
along Ernest Robles



View from Shopping Center





← Sunset Valley, Texas



View from Shopping Center



LISTEN

