PATHWAYS AT CHALMERS COURT WEST
SITE DESIGN & FEASIBILITY REPORT
February 2020

Prepared by:
Dunaway Associates
5707 Southwest Parkway
Building 2, Suite 250
Austin, TX 78735
(512) 306-8252

All persons who have a property interest in this report hereby acknowledge that the Department may publish the full report on the Department’s website, release the report in response to a request for public information and make other use of the report as authorized by law.
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I. INTRODUCTION

Pathways at Chalmers Court West is a proposed affordable housing project with five buildings for a total of 156-units, and two surface parking lots. A small 2,944 SF retail space is also included. The project site, located at 1600 East 3rd Street, is 4.425 acres in area and is owned by the Housing Authority of the City of Austin (Volume 5944, Page 318 of the Records of Travis County, Texas). The site is currently developed with 17 buildings (low density multi-family and support services) and two very small surface parking lots. All of this will be demolished. In preparing this report the available City of Austin and Travis County records were searched, as well as those records made available from some of the surrounding utility providers.

1. Zoning

The property is within the City of Austin Full Purpose Jurisdiction and is zoned TOD-NP (Plaza Saltillo TOD, C14-2018-0050; Resolution 20171012-018). This project is also a part of the East Caesar Chavez Neighborhood Plan Combing District (C14-00-2102; NPA-2018-0002.01).

2. Subdivision

The site is 4.037 acres with a legal description of “Blocks 3 & 4, Outlot 5, Division O of the Original City of Austin, Travis County”. The Divisions were created by an Act of Congress of the Republic of Texas passed on January 5th, 1840 and are considered as legally platted parcels. A new subdivision plat will not be needed.

3. Site Development Permit

The Site Development Permit application is reviewed by the City if Austin for compliance with the development regulations as provided in the Land Development Code. This tract will fall under the current version of the City of Austin Land Development Code. At the time of this writing, the current version is dated June 15, 2017. Site Development regulations are in Chapter 25-5 of the Land Development Code.

City staff reviews the applications for compliance with core provisions of the Land Development Code including zoning, design standards, subdivision, drainage and floodplain, water quality, transportation, tree protection, and other environmental concerns. Review of plans is also coordinated with other city departments such as Austin Energy, Austin Water Utility, Austin Fire Department, Public Works, Right-of-Way (ROW), Utility Coordination, and Accessibility. Reviews are also coordinated with agencies including the county, school districts, Texas Commission on Environmental Quality (TCEQ), Capital Metro and Texas Department of Transportation (TxDOT).
The Site Development Permit application and plans are first submitted on any business day before 10:30 AM at the City of Austin Intake Center for a Completeness Check review. During Completeness Check review, City staff look through the application and plans to make sure no items from the submittal checklist are missing. This process can take from 10 to 45 days, and the City charges a flat fee of $479.44.

After being found complete, an appointment is made with the City of Austin Intake Center for formal submittal of the Site Development Permit (SDP) application and plans. Each SDP application is assigned to a Case Manager and a review team. A written report from staff (typically 20 Business Days after submittal) will be available to the applicant and the public. Once those comments are addressed, an update is submitted. This process of comments and updates repeats as needed in order to clear all the City comments. The entire process, if variances are not requested, requires approximately 8 to 12 months. The SDP application fee was determined by the City to be $20,961.60; however, with participation in the City’s SMART Housing program the Site Development Permit fee is waived.

4. Building Permit

The Building Permit application is reviewed by the City of Austin for compliance with the building regulations as provided in the local building codes. This tract will fall under the following versions of the codes.

- 2015 International Building Code w/ local amendments
- 2015 International Energy Code w/ local amendments
- 2015 International Fire Code w/ local amendments
- 2015 International Residential Code w/ local amendments
- 2015 International Property Maintenance Code w/ local amendments
- 2015 Uniform Mechanical Code w/ local amendments
- 2015 Uniform Plumbing Code w/ local amendments
- 2017 National Electric Code w/ local amendments

The Building Permit application is submitted to the Commercial Plan Review Division, and the process of comment report and update is similar to that of the Site Development Permit. The Building Permit process takes approximately 2 to 4 months, and may be processed concurrently with the Site Development Permit; however, the SDP must be issued before the Building Permit may be issued. The associated fee anticipated for the Building Permit is approximately $50,000.

5. Access and Fire Department Requirements
Driveway access to the parking lot will be from East 3rd Street. The Austin Fire Department requires that all exterior portions of the building be within 150 feet of a fire access lane. In this case, the fire access lanes available are East 3rd, East 4th, Comal Street, and a portion of the new parking lot.

6. **Taxing Authorities and Rates**

The Travis County Central Appraisal District parcel ID number for this tract is 0204080201. The parcel is taxed at the following rates.

- Austin Independent School District (AISD) - 1.122%
- City of Austin – 0.4431%
- Travis County – 0.369293%
- Travis County Healthcare District – 0.105573%
- Austin Community College District – 0.10490%

The total tax rate is 2.144866%. The parcel is currently appraised at $16,418,322, and the taxes without exemptions would be $352,151.01; however, with the exemptions, the taxes are $0.

7. **Off-Site Requirements**

No off-site improvements are anticipated at this time. However, during the course of the Site Development Permit review, the City of Austin may identify existing infrastructure that they feel needs to be upgraded in order to serve this project.

II. **UTILITY SERVICE**

1. **Water and Wastewater**

Water service for most of the project is available from the new 12” PVC water line in East 4th Street. Domestic, irrigation, and fire protection water will come from this tap for Buildings 2-5. All water service for Building 1 will come from a new 8” DI water line in Comal Street.

Wastewater service for Buildings 2-5 is available from an 8” PVC line in East 3rd Street and service for Building 1 is from the 15” concrete line in Comal Street.

The Austin Fire Department requires that all exterior portions of the building be within 500 feet of two fire hydrants. There are several hydrants nearby.
(hydrants 158613, 827320, 159099, 159135, 821958, 159267, 656187, and 158635) so no additional hydrants will be required.

No additional off-site improvements are anticipated at this time; however, should the Austin Water Utility determine that there is not sufficient available capacity in the surrounding lines, then additional capacity may need to be added with this project.

2. Electric and Gas

Electric service is provided by City of Austin via existing overhead lines which surround the project. Gas service is available from Texas Gas Service in East 4th Street.

III. DRAINAGE AND WATER QUALITY

The existing site has approximately 45.7% impervious cover, and consists of two small parking lots, numerous buildings, and interconnecting sidewalks. The proposed site will have approximately 68.7% impervious cover. Parking lot run-off and run-off from the roofs will be collected in a series of roof drains and downspouts and piped to either one of three rain gardens designed in accordance with ECM 1.6.7.5.H. Since the proposed impervious cover and run-off rates will be higher than the existing condition, some detention is required. The mitigation for the increase in runoff has been provided by stacked detention on top of the rain gardens.

2. Off-Site Drainage

The boundary streets and topography prevent off-site flows from entering the site.

3. Miscellaneous

No portion of this site is within a 100-year floodplain of a significant waterway according to FEMA Map No. 48453C0465J, dated January 6, 2016. Existing drainage patterns consist of water flowing overland from the north to the southwest and southeast, and then into the adjacent streets.

This project is located within the Lady Bird Lake Watersheds which is classified as an Urban Watershed. The project must comply with the current City of Austin Land Development Code.

IV. ENVIRONMENTAL ASSESSMENT
1. **Soil**

Soils in the southern edge of the area are described by the USDA SCS Soil Survey for Travis County as Bh (Bergstrom soils and Urban land) and is above the Lower Colorado River terrace deposits, which is made up of sand, silt, clay, and gravel. Per the USDA NRCS data, this soil has a moderate to high ability to transmit water, making it well suited for the rain gardens. The remaining northern portion of the site is described as Ur (Urban land).

2. **Critical Environmental Features**

There are no known C.E.F.’s on the site.

3. **Underground Storage Tanks**

No underground storage tanks are known to exist on the site.

4. **Slopes**

There are no portions of the site with natural slopes greater than 15%.

5. **Trees**

There are several protected and heritage trees on the site.

V. **SPOIL DISPOSAL**

Spoil disposal will be at City of Austin approved site or outside the city.

VI. **VARIANCE / WAIVER**

An administrative waiver will be requested to remove three Heritage Trees.

VII. **PARK IMPROVEMENTS**

This project will participate in the City’s SMART Housing program, and as such the parkland fees are waived for the affordable units. Standard parkland fees apply for the market rate units.
Site Location Map
SITE PLAN FOR PATHWAYS AT CHALMERS COURTS WEST

1600 EAST 3RD AUSTIN, TX 78702

LEGAL DESCRIPTION

4.037 ACRES

BLOCKS 3 & 4
OUTLOT 5, DIVISION "O"
ORIGINAL CITY OF AUSTIN

MAPSCO GRID K-21, PAGE 615C
VICINITY MAP (NTS)

LADY BIRD LAKE WATERSHED
URBAN WATERSHED
Zoning Map
**Property Profile Report**

**General Information**

<table>
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<th>Location:</th>
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<td>Grid:</td>
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**Planning & Zoning**

- **Future Land Use (FLUM):** Specific Regulating District
- **Regulating Plan:** Plaza Saltillo TOD
- **Zoning:** MF-4-NP
- **Zoning Cases:**
  - C14-00-2102
  - C14-2008-0029
  - C14-2018-0051 SH
  - NPA-2008-0002.01
  - NPA-2018-0002.01
- **Zoning Ordinances:** 001214-20
- **Zoning Overlays:**
  - ADU Approximate Area Reduced Parking
  - Neighborhood Planning Areas: EAST CESAR CHAVEZ
  - Residential Design Standards: LDC/25-2-Subchapter F
  - Transit Oriented Development: PLAZA SALTILLO
- **Infill Options:** Secondary Apartment Infill Option, Small Lot Amnesty Infill Option
- **Neighborhood Restricted Parking Areas:** --
- **Mobile Food Vendors:** --
- **Historic Landmark:** --
- **Urban Roadways:** Yes

**Zoning Guide**

The [Guide to Zoning](#) provides a quick explanation of the above Zoning codes, however, the Development Assistance Center provides general zoning assistance and can advise you on the type of development allowed on a property. Visit [Zoning](#) for the description of each Base Zoning District. For official verification of the zoning of a property, please order a [Zoning Verification Letter](#). General information on the Neighborhood Planning Areas is available from Neighborhood Planning.

**Environmental**

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<td>Austin Watershed Regulation Areas:</td>
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<td>Watershed Boundaries:</td>
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<td>Creek Buffers:</td>
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**Political Boundaries**

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<tr>
<td>School District:</td>
<td>Austin ISD</td>
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<td>Community Registry:</td>
<td>Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Barrio Unido Neighborhood Assn., Bike Austin, Capital Metro, Del Valle Community Coalition, East Austin Conservancy, East Cesar Chavez Neighborhood Association, East Cesar Chavez Neighborhood Plan Contact Team, El Concilio Mexican-American Neighborhoods, Friends of Austin Neighborhoods, Greater East Austin Neighborhood Association, Guadalupe Neighborhood Development Corporation, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Plaza Saltillo TOD Staff Liaison, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Tejano Town</td>
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The Information on this report has been produced by the City of Austin as a working document and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Date created: 12/27/2019
Aerial
DECLARATION OF TRUST
AMENDED DECLARATION OF TRUST

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the Housing Authority of the City of Austin, in the City of Austin, State of Texas, (herein called the "Authority"), has developed and is now operating a low-rent housing project (herein called the "Project") in the City of Austin, County of Travis, State of Texas, which Project consists of 330 dwelling units and includes the elimination of a substantially equal number of unsafe and insanitary dwellings in said City and which is designated as "Project No. TEX-1-1-A, 2, 2A, 3" to aid in the development of which the United States Housing Authority (created under the United States Housing Act of 1937, Public No. 412, Seventy-Fifth Congress and herein called the USHA) and the Authority have entered into a certain Loan Contract, dated October 2, 1939, providing for a loan by the USHA to assist in the development of the Project, and a certain Annual Contributions Contract dated October 2, 1939, providing for annual contributions to be made by the USHA to assist the Authority in achieving and maintaining the low-rent character of the Project; and

WHEREAS, the Authority, on the 18th day of September, 1940, a resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF HOUSING AUTHORITY BONDS (FIRST ISSUE) OF THE HOUSING AUTHORITY OF THE CITY OF AUSTIN IN THE PRINCIPAL AMOUNT OF ONE MILLION FOUR HUNDRED SIXTY-FIVE THOUSAND DOLLARS ($1,126,000) OF BONDS, (HEREIN CALLED "OLD BONDS") SECURED BY A FIRST PLEDGE OF AND LIEN UPON THE RENTS, REVENUES, FEES AND INCOME DERIVED FROM AND IN CONNECTION WITH THE OPERATION OF THE PROJECT AFTER PROVISION ONLY FOR REASONABLE OPERATING EXPENSES AND BY A PLEDGE OF ANNUAL CONTRIBUTIONS PAYABLE TO THE AUTHORITY AS PROVIDED IN SAID RESOLUTION (WHICH RESOLUTION HAS BEEN DULY RECORDED IN THE MINUTES OF THE AUTHORITY AND IS ON FILE AT THE OFFICE OF THE AUTHORITY); AND

WHEREAS, pursuant to the resolution authorizing the Old Bonds, the Authority executed a certain Declaration of Trust dated September 19, 1940, which was filed on the 21st day of September, 1940, in the Office of the Clerk of the County Court of Travis County, Texas, and recorded in Volume 658, pages 28 to 32 of the Deed Records of Travis County, Texas; and

WHEREAS, by Executive Order No. 9070 of February 20, 1942, the President of the United States consolidated into the National Housing Agency the United States Housing Authority and its functions, powers, and duties, including those of the Administrator thereof and ordered among other things that the United States Housing Authority and its functions, powers and duties shall be administered as the Federal Public Housing Authority (herein called the "FPHA") one of the main constituent units in the National Housing Agency; and

WHEREAS, the Authority on May 27, 1947, adopted a resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF HOUSING AUTHORITY REFUNDING BONDS (FIRST ISSUE) OF THE HOUSING AUTHORITY OF THE CITY OF AUSTIN IN THE PRINCIPAL AMOUNT OF ONE MILLION HUNDRED NINETY THOUSAND DOLLARS ($1,190,000) TO AID IN FINANCING A LOW-RENT HOUSING PROJECT AND PURPOSES INCIDENTAL THERETO" and the Authority proposes to issue all of the Bonds authorized by said resolution (herein called "New Bonds") for the purpose of refunding the outstanding Old Bonds, to be secured, after making provision for the redemption and retirement of the Old Bonds, by a first pledge of and lien upon the rents, revenues, fees,
income derived from and in connection with the operation of the Project, after provision only for reasonable operating expenses, and by a pledge of the Annual Contributions payable to the Authority as provided in said resolution (which resolution has been duly recorded in the minutes of the Authority and is on file in the office of the Authority); and

WHEREAS, under date of May 27, 1947, the Authority and the FHA have entered into an agreement amending in certain respects the Consolidated Contract for Loan and Annual Contributions (which amending agreement together with the Consolidated Contract for Loan and Annual Contributions is here called the "Assistant Contract"); and

WHEREAS, in said Resolution (the term "Resolution" as used herein shall mean the resolution authorizing the Old Bonds, and after the date of delivery of the New Bonds the resolution authorizing the New Bonds) and in the Assistant Contract the Authority covenants not to sell, convey, lease, mortgage or otherwise encumber the Project or any part thereof or any properties used in connection therewith, except that, with the approval of the FHA, the Authority may

(1) convey or otherwise dispose of certain lands (hereinafter called "Excess Land") being such portion or portions of the site of the Project as may subsequently become unnecessary to the proper and adequate development and administration thereof,

(2) dedicate to the public any lands for laying out, constructing, maintaining, or widening any streets or alleys within the area of the Project, or

(3) use any Excess Lands for the development of an additional low-rent housing project and pledge all the rents, revenues and annual contributions received from or in connection with such additional low-rent housing project for the payment of the principal of and interest on any bonds, debentures, notes, or other obligations issued to finance such additional cost of low-rent housing project; and

WHEREAS, except for certain properties or funds as may have been donated to the Authority, all of the properties possessed by the Authority and used as the site of the Project, and the dwelling units constructed thereon, have been acquired and constructed with moneys obtained from the sale of the Bonds (the term "Bonds" as used herein shall mean the Old Bonds and after the date of their delivery the New Bonds) issued in pursuance of the aforesaid Resolution;

NOW, THEREFORE, to assure the FHA and the holder or holders of the aforesaid Bonds or any of them, of the performance by the Authority of said covenants contained in the aforesaid Assistance Contract and the aforesaid Resolution, the Authority, does hereby acknowledge and declare that it is possessed of and holds in trust, for the benefit of said FHA and the holders of said Bonds, for the purposes hereinafter stated, the following described real property situated in the City of Austin, County of Travis, State of Texas, to wit:

(1) Tracts known as Chalmers Court, Project TEX-1-1, and 1-1A, and described as follows:

TEX-1-1: All of that certain tract or parcel of land, being a part of the South half of Outlot 6, in Division "O", of the City of Austin, in Travis County, Texas, which tract or parcel of land is meted and bounded as follows:

BEGINNING at an iron pipe set for corner at the intersection of the North line of East 3rd Street with the East line of Chalmers Street;

THENCE North 23 deg. 03 min. East 292, feet with the East line of Chalmers Street to an iron pipe set at the intersection of said line with the South line of East 4th Street, which pipe is set 22.56 feet from the center line of said East 4th Street;
THENCE South 67 deg., 14 min. East 622.78 feet with the South line of East 4th Street, as now opened and improved, to iron pipe at the intersection of said line with the west line of Chicon Street for corner;

THENCE South 22 deg., 56 min. West 292 feet with the West line of Chicon Street to iron pipe set for corner at the intersection of said line and the north line of East 3rd Street;

THENCE North 67 deg., 14 min. West 623.21 feet with the North line of East 3rd Street to the place of Beginning.

TEX-1-1A: All of that certain tract or parcel of land, being a part of the south half of Outlot 5, in Division "O", of the City of Austin, in Travis County, Texas, which tract or parcel of land is meted and bounded as follows:

BEGINNING at an iron pipe set for corner at the intersection of the North line of East 3rd Street, with the West line of Chalmers Street;

THENCE North 23 deg., 53 min. East 292 feet with the West line of Chalmers Street to an iron pipe set in said line with its intersection with the South line of East 4th Street as now opened and improved, said pipe being 22.94 feet from the center line of said East 4th Street;

THENCE North 67 deg., 14 min. West with the south line of said East 4th Street as now opened and improved 622.67 feet to an iron pipe for corner set in said line where it intersects the East line of Comal Street;

THENCE South 23 deg., 10 min. West with the East line of Comal Street 292 feet to iron pipe set in said line where it intersects the North line of East 3rd Street;

THENCE South 67 deg., 14 min. East with the North line of East 3rd Street 623.14 feet to the place of beginning.

(2) Tract known as Rosewood, Project TEX-1-2, and 1-2A, and described as follows:

All of that certain tract or parcel of land part of the Northwest part of Outlot 61, in Division "B", of the City of Austin, in Travis County, Texas, which tract or parcel of land is meted and bounded as follows:

BEGINNING at an iron pipe set at the intersection of the East line of Chicon Street and the South line of Rosewood Avenue,

THENCE North 81 deg. East 345.98 feet with the south line of Rosewood Avenue to an iron pipe for corner set at the intersection of the south line of Rosewood Avenue and the West line of Poquito Street for corner;

THENCE South 9 deg., 03 min. East 639.35 feet with the west line of Poquito Street to an iron pipe the Southeast corner of Lot 8 of the Hart Addition, for corner;

THENCE South 80 deg., 56 min. West 158.56 feet to iron pipe for corner;

THENCE North 10 deg. West 2.1 feet to bolt set in concrete for corner;

THENCE South 81 deg., 17 min. West 425.9 feet to iron pipe, continuing South 81 deg. 07 min. West 161.6 feet to an iron pipe on the East line of Chicon Street for corner;

THENCE North 23 deg., 12 min. East 750.16 feet with the East line of Chicon Street to the place of beginning.

The above tract or parcel of land is conveyed in trust subject to the dedication to the City of Austin of the 30-foot street running from west to east through the Southern portion of said property, as shown by deed of dedication of record in the Deed Records of Travis County, Texas.

(3) Tract known as Santa Rita, Project TEX-1-3, and described as follows:

All of that certain tract or parcel of land part of Outlots Nos. 10 and 26, in Division
"O", in the City of Austin, in Travis County, Texas, and meted and bounded as follows:

BEGINNING at an iron pipe set at the Northeast corner of Lot 14, of the Industrial Addition at the intersection of the West line of Perdeneales Street with the South line of Santa Rita Street;

Thence North 67 deg. 12 min. West with the south line of Santa Rita Street, 333.31 feet to the Northwest corner of Lot 8 of said Industrial Addition to an iron pipe for corner;

Thence South 22 deg. 54 min. West with the West line of said Lot 8, a distance of 75 feet to iron pipe, its Southwest corner;

Thence South 67 deg. 12 min. East with the South line of said Lot 8 a distance of 22.7 feet to the center point for said Lot 8 for corner;

Thence South 23 deg. 25 min. West 15 feet to iron pipe, the Northeast corner of the tract of 2.62 acres conveyed to the Housing Authority by the University of San Antonio;

Thence North 67 deg. 97 min. West with the North line of said 2.62 acre tract 337.70 feet to an iron pipe, continuing same course 30.85 feet to iron pipe set in fence line, the Northwest corner of said 2.62 acre tract;

Thence South 22 deg. 56 min. West 309.87 feet with said fence line to iron pipe the Southwest corner of said 2.62 acre tract;

Thence South 66 deg. 53 min. East with North line of East 2nd Street iron pipe at 32.78 feet, another iron pipe at 333.24 feet more, the Southeast corner of said tract of 2.62 acres, and the southwest corner of the tract of 2.22 acres conveyed to the Housing Authority of Austin, by L. Alff and wife; continuing South 66 deg. 53 min. East 310.85 feet with the North line of East 2nd Street to the Southeast corner of said tract of 2.22 acres an iron pipe set at the intersection of the North line of East 2nd Street with the West line of Perdeneales Street;

Thence North 23 deg. 16 min. East with the West line of Perdeneales Street, 402.72 feet to the place of beginning;

That this conveyance in trust is made subject to an easement over the West half of said Lot no. 8, as a right-of-way passage to the alley on the South of said Lot 8; and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The Authority hereby declares and acknowledges that during the existence of the trust hereby created the FHA and the holders from time to time of any of the Bonds issued or to be issued pursuant to the provisions of the aforesaid Resolution and the holders from time to time of any bond, debentures, or other obligations (herein collectively called "Refunding Bonds") which may be used to refund any of said Bonds have been granted and are possessed of an interest in the above described property, to wit: The right to require the Authority:

(1) to remain seized of the title to the above described property and to refrain from selling, conveying, leasing, mortgaging or otherwise encumbering the Project or any part thereof or any properties used in connection therewith, except that the Authority may, with the approval of the FHA,

(a) sell any excess lands,

(b) dedicate to the public any lands for the laying out, constructing, maintaining or widening of any streets or alleys within the area of the Project, or

(c) use any excess lands for the development of an additional low-rent housing project and pledge all of the rents, revenues and annual contributions received from or in connection with such additional low-rent housing project for payment on the principal of and
interest on any bonds, debentures, notes or other obligations issued to finance the development cost of such addition low-rent housing project; and

(2) to maintain and operate said Project in accordance with the covenants of the Authority contained in said Assistance Contract and said Resolution.

In the event that the Authority determines to sell any Excess Lands in accordance with the above provisions, the approval of the FFHA endorsed by an officer of the FFHA upon any conveyance made by the Authority of such Excess Lands shall be effective to release such Excess Lands from the trust hereby created.

In the event the Authority determines to use any Excess Lands for the development of an additional low-rent housing project in accordance with the provisions of the FFHA endorsement, any instrument releasing such Excess Lands from the trust hereby created shall be sufficient to effect such release.

Nothing herein contained shall be construed to prohibit the Authority from leasing dwellings in the Project or from leasing any other rentable space or facilities included in the Project in accordance with the provisions for the Assistance Contract or from conveying the Project as an entirety, subject to the trust created by this Indenture, together with all the rights and benefits secured to the Authority by the Assistance Contract to a public housing agency which shall be approved by the FFHA and which shall assume all of the obligations of the Authority under or in connection with said Assistance Contract, said Resolution, said Bonds or Refunding Bonds and the Project.

When the Authority, shall have paid or made provision for the payment of the principal of and interest on all outstanding Bonds issued under the provisions of the aforesaid Resolution and the principal of and interest on all Refunding Bonds, this trust shall terminate and it shall no longer be in effect.

In no event shall this declaration of trust be construed as conferring upon the holders of any of the Bonds issued in pursuance of said Resolution, or of any of the coupons appertaining thereto, or of any Refunding Bonds the remedy of foreclosure or any other remedy pursuant to which they or any of them may cause the above described property to be sold or the title of the Authority thereto to be divested or forfeited.

In Witness Whereof, the Authority has by its proper officers caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this 27th day of May, 1947.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

By Hubert B. Jones
Chairman

[Seal]

Witness:

N. W. Stewart
Secretary

The State of Texas,
County of Travis.

Before me, the undersigned authority, on this day personally appeared Hubert B. Jones, Chairman of the Commission of the Housing Authority of the City of Austin, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated as the act and deed of said Housing Authority of the City of Austin.

Given under my hand and seal of office, this 27th day of May, 1947.
Carmelita Davis
Notary Public in and for Travis County, Texas.

My commission expires June 1, 1947.

(Notary Seal)

Filed for Record May 28, 1947 at 3:45 P.M.---- Recorded May 29, 1947 at 12:30 P.M.----

STATE OF TEXAS / KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS

THAT I, W. M. Graham, of Travis County, Texas, in consideration of the sum of
Ten Dollars ($10.00) and other good and valuable considerations to me in hand said,
receipt of which is hereby acknowledged, and for the payment of which no lien is retained,
either expressed or implied, subject to the reservations, restrictions, covenants and
conditions hereinafter referred to, have GRANTED, SOLD, AND CONVEYED, and by these
presents do GRANT, SELLS AND CONVEY, unto H. E. Turner, of the County of Travis, State of
Texas, that certain tract of land situated in Travis County, Texas, more fully described as
follows:

The South one-half (1/2) of Lot No. Forty-Six (#46), and all of Lot No. Forty-
Seven (#47), in Tarry Town Oaks, a subdivision of the George W. Spear League, according
to the plat of said subdivision recorded in Volume 4, pages 146 and 147 incl. of the
Pit Records of Travis County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular
the rights and appurtenances thereto in anywise belonging or appertaining, unto the
said H. E. Turner, his heirs and assigns, forever.

And I, W. M. Graham hereby bind myself, my heirs, executors, and administrators
TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said H. E.
Turner, his heirs and assigns, against every person whomsoever lawfully claiming or to
claim the same, or any part thereof, except as to any and all taxes assessed against
said premises subsequent to the year 1945; the taxes for the year 1946 to be prorated
as of date of sale, April 18, 1946.

It is expressly agreed and understood that this conveyance is made subject to
all the restrictions, covenants and conditions set out in that certain instrument
executed by Enfield Realty & Home Building Company dated March 6, 1941, recorded in
Book 676, Pages 609-610 incl., of the Deed Records of Travis County, Texas, to which
reference is here made for the same, which said covenants, restrictions and conditions
are hereby made a part of this instrument as fully and completely as if the same were
here set out in full.

The Above property is in no way any part of my homestead.

WITNESS MY HAND, This 14th day of June, 1947 A.D.

$1.65 US. REV. Stamps Cam.
W. M. GRAHAM

STATE OF TEXAS / BEFORE ME, the undersigned authority, on this day personally
COUNTY OF TRAVIS / appeared W. M. Graham, known to me to be the person whose name is subscribed to the

foregoing instrument, and acknowledged to me that he executed the same for the purposes
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14th day of June A.D., 1947.

MARY LEE QUINN (Mary Lee Quinn)

Notary Seal
ITEMIZED FEES

To the best of our knowledge, the following fees are applicable.

Site Development Permit Fees
• Completeness Check fee: $479.44*
• Site Development Permit application fee: $20,961.60*
• Landscape Inspection fee: $423.28
• Erosion & Sedimentation Control Fiscal: Approximately $60,000 (this fiscal may be posted with check, Bond, or Letter of Credit, and is returned upon the completion of the project)
• Park Development Fee: $506.62 per unit x 156 = $79,032.72**
• Fee-in-Lieu of Parkland Dedication: $1,077.27 per unit x 156 = $168,054.12**
• City Arborist Site Plan Review Fee: $2,009.28*
• Heritage Tree Review Variance: $804.96 each x 3 = $2,414.88*

Impact Fees
• Water Capital Recovery and Meter fee: $269,778.96 (w/ SMART Housing $31,580.61)
• Wastewater Capital Recovery fee: $101,250.00 (w/ SMART Housing $10,428.75)

Building Permit Fees
• Commercial Plan Review Application Processing fee: $119.60*
• Building Permit: Approximately $50,000
• Temporary Certificate of Occupancy: $122.72 each x 5 = $613.60
• Demolition Permit: $72.80 each x 17 = $1,237.60*
• Certificate of Occupancy: $17.00 each x 5 = $85.00

* Waived by SMART Housing
** Partial waiver by SMART Housing
AS-BUILT & TREE SURVEY
Civil Engineered Site Plan