

**Planned Unit Development
Overlay District Amendment**

For

Kenwood Planned Unit Development

Prepared For:

Johnson Development

Prepared By:

BGE | Kerry Gilbert & Associates

March, 2015

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING ORDINANCE NO. XXXX-XX TO REZONE APPROXIMATELY 9.2 ACRES WITHIN THE KENWOOD PUD FROM "CGR" (COMMERCIAL GENERAL RESIDENTIAL WITH A PLANNED UNIT DEVELOPMENT OVERLAY) TO "RSF" (RESIDENTIAL SINGLE FAMILY WITH A PLANNED UNIT DEVELOPMENT OVERLAY), LEGALLY DESCRIBED AS A BEING A PORTION OF THE PERRY AND AUSTIN LOWER LEAGUE, ABSTRACT NO. 19, GENERALLY LOCATED TO THE NORTH OF LEAGUE CITY PARKWAY AND TO THE EAST OF LOUISIANA STREET IN LEAGUE CITY, TEXAS

WHEREAS, at the May 1, 1999 General Election the qualified voters of the City of League City voted that staff proceed with the concept of zoning for the City; and

WHEREAS, on August 10, 1999, the City Council of the City of League City, Texas (the Council") adopted Ordinance No. 99- 52 amending the Code of Ordinances of the City of League City to add Chapter 125 regarding zoning; and

WHEREAS, on _____, the City Council adopted Ordinance No XXXX-XX amending Chapter 125 of the Code of Ordinances of the City of League City and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, Chapter 125, Section 125- 49 of the Code of Ordinances establishes a procedure for a property owner, his authorized agent, or the City Planner to request zoning changes; and

WHEREAS, the City Council deems it necessary and in the best interest of the citizens to rezone approximately 9.2 acres within the Kenwood PUD from "CGR" (Commercial General Residential with a Planned Unit Development Overlay) to "RSF" (Residential Single Family with a Planned Unit Development Overlay), legally described as a being a portion of the Perry And Austin Lower League, Abstract No. 19, generally located to the north of League City Parkway and to the east of Louisiana Street in League City, Texas; and

WHEREAS, the City Council deems it necessary and in the best interest of the citizens to rezone to rezone approximately 9.2 acres within the Kenwood PUD from "CGR" (Commercial General Residential with a Planned Unit Development Overlay) to "RSF" (Residential Single Family with a Planned Unit Development Overlay), in accordance with Section 125-8 of the League City Code, development and improvement of said 9.2 acre property shall be subject to and comply with the municipal ordinances and regulations in effect at the time of City Council adoption of this ordinance unless otherwise provided for in Section 3; and

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, that:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

Section 3. A Planned Unit Development (PUD) Overlay with a base zoning of "RSF" (Residential Single Family) of approximately 9.2 acres, legally described as being a portion of the Perry And Austin Lower League, Abstract No. 19, generally located to the north of League City Parkway and to the east of Louisiana Street, is granted, subject to the following use and development regulations:

1. **Zoning Designation:** The property shall be developed and used in accordance with the development and use regulations of the "RSF" (Residential Single Family) Zoning district as set forth in the 2003 League City Zoning Ordinance except as supplemented or modified by this Ordinance.
2. **Planned Unit Development Overlay Area:** Kenwood Planned Unit Development Amendment ("the PUD"), generally described as 9.2 acres of land out of the Perry And Austin Lower League, Abstract No. 19, said land being more particularly described in **Exhibits A, B and C**, ("the Property), attached hereto.

3. **Land Use Classification Definitions:** In cases where a specific land use or activity is not defined either in this section or in the 2003 League City Zoning Ordinance, the City Planner or their designee shall assign the land use or activity to a classification that is substantially similar in character.
- a. Townhome: A single building that contains 2 or more dwelling units each on a single lot with the property line at the common wall. Each townhouse lot and/or unit is owned in fee under a single ownership. A cluster or grouping of townhome units shall contain no less than two or more than six townhome dwelling units contiguous to one another. See **Exhibit D**, Proposed Conceptual Townhome Plan, attached hereto.
 - b. Duplex: A single building that contains 2 dwelling units on a single lot, or a single lot with 2 freestanding buildings, each of which is designed for occupancy by 1 household and is owned in fee under a single ownership. See **Exhibit E**, Proposed Conceptual Duplex Plan, attached hereto.
4. **Lot Frontage and Building Height:** The minimum lot frontage, and maximum building height for properties located in the PUD shall be as follows:
- a. Lot Size – Minimum 2,000 square feet
 - b. Lot Width – Minimum twenty-five feet (25')
 - c. Front Yard Setback – Minimum twenty feet (20')
 - d. Side Yard Setback – Minimum ten feet (10')
 - e. Side Yard Setback – Corner Lot – Minimum ten feet (10')
 - f. Rear Yard Setback – Minimum ten feet (10')
 - g. Height – Maximum ten feet (45')
 - h. Maximum Lot Coverage – 55 percent

Where a rear alley is provided, the rear yard setback for attached or detached garages may be reduced to 6 feet. The side yard requirement on the zero-lot line or attached side will be waived. In no case shall a distance of less than 10 feet separate dwelling units along the opposite side yard. A perpetual easement related to maintenance, eaves, and drainage of at least 4 feet shall be provided the lot adjacent to the zero-lot line property, which with the exception of walls and fences, shall be kept clear of structures. This easement shall be noted on the plat and incorporated into each deed transferring title to property.

5. **Development Regulations – Duplex Buildings**

The following regulations apply specifically to Duplex buildings:

1. Building Form: Duplex buildings shall be of a similar form and appearance to single family homes; duplexes on single lots shall not be distinguishable from single family homes except for the presence of an additional exterior entrance.

6. **Permanent Access Easements:** Permanent access easement shall mean a privately maintained and owned street easement that provides for vehicular access to three or more single-family residential units which is defined in this section.
- a. A permanent access easement at least 28 feet in width that is designed and constructed like a private street serving a development that has no public utilities other than a public water line connected only to one or more fire hydrants that provides no domestic water services.

Intersections of permanent access easements:

- (a) Intersections along permanent access easements shall be spaced a minimum of 65 feet apart and shall not intersect at less than an 80 degree angle.
- (b) When a permanent access easement intersects with another permanent access easement at a 90-degree angle, the permanent access easement shall provide a 20-foot radius at the intersection.
- (c) When a permanent access easement intersects with another permanent access easement at an angle of between 80 and 90 degrees each acute angle shall have a 25-foot radius at the intersection.

(d) A permanent access easement may not be a direct straight-line extension of a public street.

Lots that front on or take access from a permanent access easement must be a part of a unified development scheme where the owners of all lots within the subdivision are legally bound together by deed restriction, contract or any other constituted and binding homeowners association, corporation, or other organization with, as one of its purposes, the continued care and maintenance of all commonly owned properties within the subdivision, particularly the areas established as permanent access easements, and the authority and means to impose binding assessments upon the lot owners for that purpose. Each subdivision plat that contains a permanent access easement shall contain the following notation on the face of the plat:

"THIS SUBDIVISION CONTAINS ONE OR MORE PERMANENT ACCESS EASEMENTS THAT HAVE NOT BEEN DEDICATED TO THE PUBLIC OR ACCEPTED BY THE CITY OF LEAGUE CITY OR ANY OTHER LOCAL GOVERNMENT AGENCY AS PUBLIC RIGHTS-OF-WAY. THE CITY OF LEAGUE CITY HAS NO OBLIGATION, NOR DOES ANY OTHER LOCAL GOVERNMENT AGENCY HAVE ANY OBLIGATION, TO MAINTAIN OR IMPROVE ANY PERMANENT ACCESS EASEMENT WITHIN THE SUBDIVISION, WHICH OBLIGATION SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS OF PROPERTY IN THIS SUBDIVISION."

For all permanent access easements, there shall be a sidewalk located along the front of each lot contained within the front lot building line.

7. **Schedule of Permitted Uses:** Within this PUD, Townhouses and Duplexes are permitted by right and no special use permit shall be required for their development as described within Section 3.3, Land Use Classification Definitions, within this ordinance. All other uses allowed within the Residential Single Family Zoning District shall also be permitted as described in Article V, Use Regulations, Section 125-80, of the 2003 League City Zoning Ordinance.

PASSED on first reading the _____.

PASSED on second reading the _____.

PASSED AND ADOPTED on the _____.

ATTEST:



OPTION
A

an aerial map for
TUSCAN LAKES
± 9.2 ACRES OF LAND
prepared for
JOHNSON DEVELOPMENT

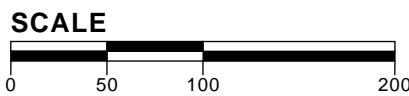


— Land Planning Consultants —
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494

7000 North Mopac, Suite 330
Austin, TX 78731

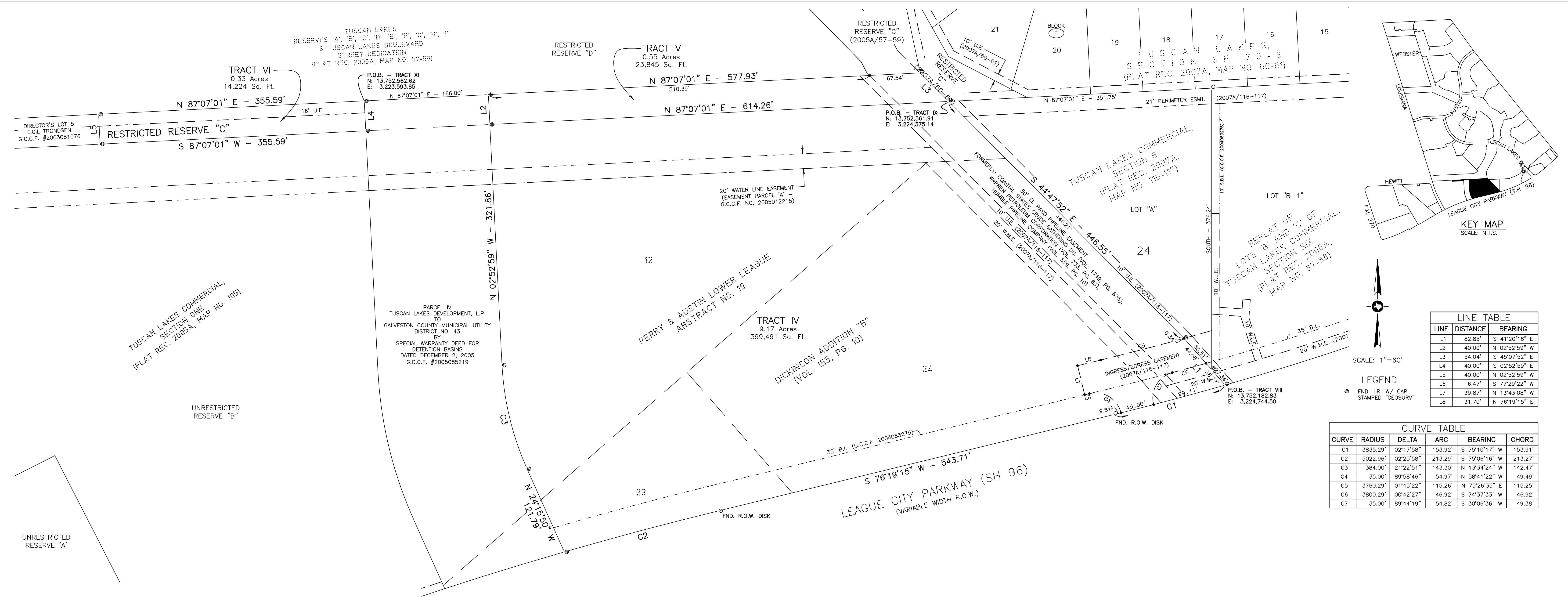
2595 Dallas Parkway, Suite 204
Frisco, TX 75034

Tel: 281-579-0340



MARCH, 2015
KGA #04102

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOODPLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



TRACT IV

All of that certain 9.17 acres tract or parcel of land out of and a part of **DICKINSON ADDITION "B"**, a Subdivision situated in the **PERRY AND AUSTIN LOWER LEAGUE, Abstract No. 19**, according to the map or plat of said Subdivision of record at Volume 155, Page 10 in the Office of the County Clerk of Galveston County, Texas; said 9.17 acres tract being out of and a part of that certain tract, called Tract I, described in a Special Warranty Deed, dated May 3, 2004, from Kenwood Investments, L.P. to Tuscan Lakes Investors I, L.P., recorded in Clerk's File Number 2004029458 of the Official Public Records of Real Property of Galveston County, Texas, said 9.17 acres tract being more particularly described by metes and bounds as follows:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM 1993 ADJUSTMENT). COORDINATES LISTED ARE BASED ON SURFACE COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE DISTANCE. ALL COORDINATES AND DISTANCES SHOWN HEREON MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999867458.

BEGINNING at an iron rod with cap stamped "GeoSurv" found for the most Southerly corner of Lot "B-1" of the REPLAT OF LOTS "B" AND "C" OF TUSCAN LAKES COMMERCIAL, SECTION SIX, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2008A, Map Numbers 87-88 of the Map Records of Galveston County, Texas, said point being at the Northwest line of League City Parkway, also known as Texas State Highway 96, a variable width roadway right-of-way, and having Texas State Plane Coordinate Values of Y = 13,752,182.83 and X = 3,224,744.50;

THENCE Southwesterly, along the Northwest line of said League City Parkway and along the arc of a curve to the right, said curve having a radius of 3835.29 feet and a central angle of 02°17'58", a distance of 153.92 feet, the chord of which bears S 75°10'17" W, 153.91 feet to a right-of-way disk found for point of tangency;

THENCE S 76°19'15" W, along the Northwest line of said League City Parkway, a distance of 543.71 feet to a right-of-way disk found for point of curvature of a tangent curve to the left, said curve having a radius of 5022.96 feet;

THENCE Southwesterly, along the Northwest line of said League City Parkway and along the arc of a said tangent curve to the left, passing through a central angle of 02°25'58", a distance of 213.29 feet, the chord of which bears S 75°06'16" W, 213.27 feet, to an iron rod with cap stamped "GeoSurv" found for the Southwest corner of the herein described tract, said point also being the Southeast corner of that certain tract, called Parcel IV, described in a Special Warranty Deed for Detention Basins from Tuscan Lakes Development, L.P. to Galveston County Municipal Utility District No. 43 recorded in Clerk's File Number 2005085219 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE N 24°15'50" W, along the East line of said Parcel IV, a distance of 121.79 feet to an iron rod with cap stamped "GeoSurv" found for point of curvature of a tangent curve to the right, said curve having a radius of 384.00 feet;

THENCE Northwesterly, along the East line of said Parcel IV and the arc of said tangent curve to the right, passing through a central angle of 21°22'51", a distance of 143.30 feet, the chord of which bears N 13°34'24" W, 142.47 feet, to an iron rod with cap stamped "GeoSurv" found for point of tangency;

THENCE N 02°52'59" W, along the East line of said Parcel IV, a distance of 321.86 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for the Northwest corner of the herein described tract, said point being at the North line of said Tuscan Lakes Investors I tract;

THENCE N 87°07'01" E, along the North line of said Tuscan Lakes Investors I tract, a distance of 614.26 feet to an iron rod with cap stamped "GeoSurv" found for the Northeast corner of the herein described tract, said point also being the most Southerly corner of Restricted Reserve "C" of TUSCAN LAKES, SECTION SF 70-3, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 60-61, and being the Northwest corner of Lot "A" of TUSCAN LAKES COMMERCIAL, SECTION SIX, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 116-117, both being recorded in the Map Records of Galveston County, Texas;

THENCE S 44°47'52" E, along the Southwest line of said Lot "A", a distance of 446.55 feet to an iron rod with cap stamped "GeoSurv" found for angle point to the right;

THENCE S 41°20'16" E, at 55.51 feet passing an iron rod with cap stamped "GeoSurv" found for the most Southerly corner of said Lot "A" and the Southwest corner of said Lot "B-1", and continuing for a total distance of 82.85 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 9.17 acres.

TRACT V

All of that certain 0.55 acre (23,845 square feet) tract or parcel of land out of and a part of **LEAGUE CITY SUBDIVISION "D"**, an unrecorded subdivision as shown on those certain maps prepared by R.W. Luttrell, C.E., for J.C. League dated December 1893, December 1907 and July 1909, said maps now in common and accepted use, and being situated in the **MICHAEL MULDOON TWO LEAGUE GRANT, Abstract Number 18**, said 0.55 acre being out of and a part of Tract I: Parcel A-1 as described in that certain Special Warranty Deed, dated July 15, 2003, from Binco Investments, N.V. to Kenwood Investments, L.P. of record at Film Code Number 018-66-0188 of the Official Public Records of Real Property of Galveston County, Texas, said 0.55 acre tract being more particularly described by metes and bounds as follows:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM 1993 ADJUSTMENT). COORDINATES LISTED ARE BASED ON SURFACE COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. ALL COORDINATES AND DISTANCES SHOWN HEREON MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999867458.

BEGINNING at a 5/8 inch iron rod with cap found for the most Southerly corner of Restricted Reserve "C" of TUSCAN LAKES, SECTION SF 70-3, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 60-61, and being the Northwest corner of Lot "A" of TUSCAN LAKES COMMERCIAL, SECTION SIX, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 116-117, both being recorded in the Map Records of Galveston County, Texas, said point having Texas State Plane Coordinate Values of Y = 13,752,561.91 and X = 3,224,375.14;

THENCE S 87°07'01" W, a distance of 614.26 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for the Southwest corner of the herein described tract, said point being at the East line of that certain tract, called Parcel IV, described in a Special Warranty Deed for Detention Basins from Tuscan Lakes Development, L.P. to Galveston County Municipal Utility District No. 43 recorded in Clerk's File Number 2005085219 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE N 02°52'59" W, along the East line of said Parcel IV, a distance of 40.00 feet to an iron rod with cap stamped "GeoSurv" found for the Northwest corner of the herein described tract, said point also being the Southwest corner of said Restricted Reserve "D", said point also being the Southwest corner of Restricted Reserve "C" of said TUSCAN LAKES RESERVES A, B, C, D, E, F, G, H, I AND TUSCAN LAKES BOULEVARD DEDICATION, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2005A, Map Numbers 57-59 of the Map Records of Galveston County, Texas;

THENCE N 87°07'01" E, at 510.39 feet passing an iron rod with cap stamped "GeoSurv" found for the Southeast corner of said Restricted Reserve "D", said point also being the Southwest corner of Restricted Reserve "C" of said TUSCAN LAKES RESERVES A, B, C, D, E, F, G, H, I AND TUSCAN LAKES BOULEVARD DEDICATION, and continuing for a total distance of 577.93 feet to an iron rod with cap stamped "GeoSurv" found for the Northeast corner of the herein described tract, said point also being the Southeast corner of Restricted Reserve "C" of said TUSCAN LAKES RESERVES A, B, C, D, E, F, G, H, I AND TUSCAN LAKES BOULEVARD DEDICATION and the most Westerly South corner of Restricted Reserve "C" of said TUSCAN LAKES, SECTION SF 70-3;

THENCE S 45°07'52" E, a distance of 54.04 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 0.55 acre (23,845 square feet).

TRACT VI

All of that certain 0.33 acre (14,224 square feet) tract or parcel of land out of and a part of Restricted Reserve "C" of **TUSCAN LAKES COMMERCIAL, SECTION ONE**, a Subdivision situated in the **PERRY AND AUSTIN LOWER LEAGUE, Abstract No. 19**, according to the map or plat of said Subdivision of record at Plat Record 2005A, Map Number 105 in the Map Records of Galveston County Galveston County, Texas, said 0.33 acre tract being more particularly described by metes and bounds as follows:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM 1993 ADJUSTMENT). COORDINATES LISTED ARE BASED ON SURFACE COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE DISTANCE. ALL DISTANCES SHOWN HEREON MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999867458.

BEGINNING at an iron rod with cap stamped "GeoSurv" found for the Northeast corner of both the herein described tract and of said Restricted Reserve "C", said point also being the Northwest corner of that certain tract, called Parcel IV, described in a Special Warranty Deed for Detention Basins from Tuscan Lakes Development, L.P. to Galveston County Municipal Utility District No. 43 recorded in Clerk's File Number 2005085219 of the Official Public Records of Real Property of Galveston County, Texas; being at the South line of Restricted Reserve "D" of TUSCAN LAKES RESERVES A, B, C, D, E, F, G, H, I AND TUSCAN LAKES BOULEVARD DEDICATION, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2005A, Map Numbers 57-59 of the Map Records of Galveston County, Texas; and having Texas State Plane Coordinate Values of Y = 13,752,562.62 and X = 3,223,593.85;

THENCE S 02°52'59" E, along the West line of said Parcel IV, a distance of 40.00 feet to an iron rod with cap stamped "GeoSurv" found for the Southeast corner of both the herein described tract and of said Restricted Reserve "C", said point also being the Northeast corner of Restricted Reserve "B" of said **TUSCAN LAKES COMMERCIAL, SECTION ONE**;

THENCE S 87°07'01" W, along the South line Restricted Reserve "C" and the North line of said Restricted Reserve "B", a distance of 355.59 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for the Southwest corner of the herein described tract, said point also being the Southeast corner of that certain tract, called Director's Lot 5, described in a Special Warranty Deed from Kenwood Investments, L.P. to Eigil Trondsen recorded in Clerk's File Number 2003081076 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE N 02°52'59" W, a distance of 40.00 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for the Northwest corner of the herein described tract, said point also being the Northeast corner of said Director's Lot 5, being at the North line of said Restricted Reserve "C", and being at the South line of said Restricted Reserve "D";

THENCE N 87°07'01" E, along the North line of said Restricted Reserve "C" and the South line of said Restricted Reserve "D", a distance of 355.59 to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 0.33 acre (14,224 square feet).

LINE TABLE			
LINE	DISTANCE	BEARING	
L1	82.85'	S 41°20'16" E	
L2	40.00'	N 02°52'59" W	
L3	54.04'	S 45°07'52" E	
L4	40.00'	S 02°52'59" E	
L5	40.00'	N 02°52'59" W	
L6	6.47'	S 77°29'22" W	
L7	39.87'	N 13°43'08" W	
L8	31.70'	N 76°19'15" E	

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	3835.29'	02°17'58"	153.92'	S 75°10'17" W	153.91'
C2	5022.96'	02°25'58"	213.29'	S 75°06'16" W	213.27'
C3	384.00'	21°22'51"	143.30'	N 13°34'24" W	142.47'
C4	35.00'	89°58'46"	54.97'	N 58°41'22" W	49.49'
C5	3760.29'	01°45'22"	115.26'	N 75°26'35" E	115.25'
C6	3800.29'	00°42'27"	46.92'	S 74°37'33" W	46.92'
C7	35.00'	89°44'19"	54.82'	S 30°06'36" W	49.38'

January 7, 2014

I hereby attest to Tuscan Lakes Investors I, L.P.; Kenwood Investments, L.P., d/b/a/ Tuscan Lakes Development, L.P.; Moody National Bank; and Charter Title Company that on the above date the herein described tract, together with improvements located thereon, was surveyed on the ground and under my direction; that this map, together with dimensions shown hereon, accurately represents the facts as found on the ground this date, and; that this professional service substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 1 Survey.

GeoSurv, LLC

Dale L. Hardy
Registered Professional
Land Surveyor 4847

Notes:

- 1.) This property lies in Zone "X", defined by FEMA as Special Flood Hazard Areas (SFHAs) of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood, as scaled from Flood Insurance Rate Map Community-Panel Number FIRM 485488 0013 D, map revised September 22, 1999.
- 2.) This survey has been prepared based on Title Commitment provided by Charter Title Company, G.F. #1044001302, issued January 31, 2014.
- 3.) Tract VI is subject to that certain landscape easement set forth in instrument recorded in Clerk's File Number 2005085216 of the Official Public Records of Real Property of Galveston County, Texas.

EXHIBIT C

TRACT IV

All of that certain 9.17 acres tract or parcel of land out of and a part of **DICKINSON ADDITION "B"**, a Subdivision situated in the **PERRY AND AUSTIN LOWER LEAGUE, Abstract No. 19**, according to the map or plat of said Subdivision of record at Volume 155, Page 10 in the Office of the County Clerk of Galveston County, Texas, said 9.17 acres tract being out of and a part of that certain tract, called Tract I, described in a Special Warranty Deed, dated May 3, 2004, from Kenwood Investments, L.P. to Tuscan Lakes Investors I, L.P. recorded in Clerk's File Number 2004029458 of the Official Public Records of Real Property of Galveston County, Texas, said 9.17 acres tract being more particularly described by metes and bounds as follows:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM 1993 ADJUSTMENT). COORDINATES LISTED ARE BASED ON SURFACE COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE DISTANCE. ALL COORDINATES AND DISTANCES SHOWN HEREON MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999867458.

BEGINNING at an iron rod with cap stamped "GeoSurv" found for the most Southerly corner of Lot "B-1" of the REPLAT OF LOTS "B" AND "C" OF TUSCAN LAKES COMMERCIAL, SECTION SIX, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2008A, Map Numbers 87-88 of the Map Records of Galveston County, Texas, said point being at the Northwest line of League City Parkway, also known as Texas State Highway 96, a variable width roadway right-of-way, and having Texas State Plane Coordinate Values of $Y = 13,752,182.83$ and $X = 3,224,744.50$;

THENCE Southwesterly, along the Northwest line of said League City Parkway and along the arc of a curve to the right, said curve having a radius of 3835.29 feet and a central angle of $02^{\circ}17'58''$, a distance of 153.92 feet, the chord of which bears $S\ 75^{\circ}10'17''\ W$, 153.91 feet to a right-of-way disk found for point of tangency;

THENCE $S\ 76^{\circ}19'15''\ W$, along the Northwest line of said League City Parkway, a distance of 543.71 feet to a right-of-way disk found for point of curvature of a tangent curve to the left, said curve having a radius of 5022.96 feet;

THENCE Southwesterly, along the Northwest line of said League City Parkway and along the arc of a said tangent curve to the left, passing through a central angle of $02^{\circ}25'58''$, a distance of 213.29 feet, the chord of which bears $S\ 75^{\circ}06'16''\ W$, 213.27 feet, to an iron rod with cap stamped "GeoSurv" found for the Southwest corner of the herein described tract, said point also being the Southeast corner of that certain tract, called Parcel IV, described in a Special Warranty Deed for Detention Basins from Tuscan Lakes Development, L.P. to Galveston County Municipal Utility District No. 43 recorded in Clerk's File Number 2005085219 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE $N\ 24^{\circ}15'50''\ W$, along the East line of said Parcel IV, a distance of 121.79 feet to an iron rod with cap stamped "GeoSurv" found for point of curvature of a tangent curve to the right, said curve having a radius of 384.00 feet;

THENCE Northwesterly, along the East line of said Parcel IV and the arc of said tangent curve to the right, passing through a central angle of $21^{\circ}22'51''$, a distance of 143.30 feet, the chord of which bears $N\ 13^{\circ}34'24''\ W$, 142.47 feet, to an iron rod with cap stamped "GeoSurv" found for point of tangency;

THENCE N 02°52'59" W, along the East line of said Parcel IV, a distance of 321.86 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for the Northwest corner of the herein described tract, said point being at the North line of said Tuscan Lakes Investors I tract;

THENCE N 87°07'01" E, along the North line of said Tuscan Lakes Investors I tract, a distance of 614.26 feet to an iron rod with cap stamped "GeoSurv" found for the Northeast corner of the herein described tract, said point also being the most Southerly corner of Restricted Reserve "C" of TUSCAN LAKES, SECTION SF 70-3, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 60-61, and being the Northwest corner of Lot "A" of TUSCAN LAKES COMMERCIAL, SECTION SIX, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 116-117, both being recorded in the Map Records of Galveston County, Texas;

THENCE S 44°47'52" E, along the Southwest line of said Lot "A", a distance of 446.55 feet to an iron rod with cap stamped "GeoSurv" found for angle point to the right;

THENCE S 41°20'16" E, at 55.51 feet passing an iron rod with cap stamped "GeoSurv" found for the most Southerly corner of said Lot "A" and the Southwest corner of said Lot "B-1", and continuing for a total distance of 82.85 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 9.17 acres.



OPTION
D

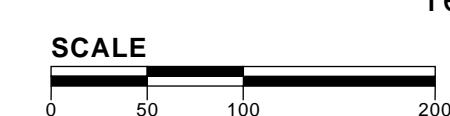
a conceptual townhome plan for
TUSCAN LAKES
± 9.2 ACRES OF LAND
prepared for
JOHNSON DEVELOPMENT



— Land Planning Consultants —
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494

7000 North Mopac, Suite 330 Austin, TX 78731
2595 Dallas Parkway, Suite 204 Frisco, TX 75034

Tel: 281-579-0340



MARCH, 2015
KGA #04102

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOODPLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

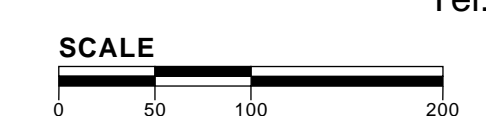


OPTION E

a conceptual duplex plan for
TUSCAN LAKES
± 9.2 ACRES OF LAND
prepared for
JOHNSON DEVELOPMENT



— Land Planning Consultants —
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494
7000 North Mopac, Suite 330
Austin, TX 78731
2595 Dallas Parkway, Suite 204
Frisco, TX 75034
Tel: 281-579-0340



APRIL, 2015
KGA #04102

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOODPLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



a conceptual utility exhibit for
TUSCAN LAKES
± 9.2 ACRES OF LAND
prepared for
JOHNSON DEVELOPMENT



**KERRY R. GILBERT
& ASSOCIATES**


– Land Planning Consultants –
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494

7000 North Mopac, Suite 330
Austin, TX 78731

2595 Dallas Parkway, Suite 204
Frisco, TX 75034

Tel: 281-579-0340

SCALE



0 50 100 200

APRIL 2015
KGA #04102

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOODPLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE, NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



LEGEND

- 8" WATER LINE
- 8" SANITARY SEWER
- 24" RCP. STORM

a conceptual utility exhibit for
TUSCAN LAKES
± 9.2 ACRES OF LAND
prepared for
JOHNSON DEVELOPMENT

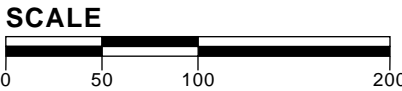


— Land Planning Consultants —
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494

7000 North Mopac, Suite 330
Austin, TX 78731

2595 Dallas Parkway, Suite 204
Frisco, TX 75034

Tel: 281-579-0340



APRIL, 2015
KGA #04102

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOODPLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.