



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Land Status Determination Application

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal.

All information is required (if applicable).

For Office Use Only

Grandfather/Exception Date: _____

Application Accepted By: _____

Case Manager: _____

☐ Legal Tract (Grandfather)

☐ 1987 Rule Exception

☐ Health/Safety Exception

☐ Other

☐ 1995 Rule Exception

☐ Five-Acre Exception

Section 1: Property Information

Geographic ID (Travis County): _____

—OR—

Tax Parcel Identification Number: _____

Location Address: _____

Subdivision Name: _____

Whole Lot #s: _____ Partial Lot #s: _____ Block #s: _____

Plat Book: _____ Page: _____ County: _____

—OR if no subdivision—

Acres: _____ Out of (survey): _____ In (county): _____

Section 2: Deed Information

Deed conveying tract to current owner is filed for Record in (if no Volume/Page, use Document No.):

Volume: _____ Page: _____ or Doc #: _____

County: _____ Date: _____

Deed pre-dating (grandfather date or exception date) is filed for Record in:

Volume: _____ Page: _____ or Doc #: _____

County: _____ Date: _____

Section 3: Applicant/Agent Information

Applicant Name: _____

Firm: _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone 1: _____ Type 1:

Phone 2: _____ Type 2: Phone 3: _____ Type 3:

Section 4: Owner Information

☐ Same as Applicant Owner Name: _____

Firm: _____

Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone 1: _____ Type 1:

Phone 2: _____ Type 2: Phone 3: _____ Type 3:

Section 5: Signature



Applicant Signature

Month

Day

Year



August 24, 2020

City of Austin
Land Use Review
505 Barton Springs Road
Austin, Texas 78704

Project No.: 11034.008

Attn: City Of Austin Completeness Check Review

Subject: Land Status Determination – Permit #2020-082666 DA
Capital City Crushing LLC
10506 Barr Lane, Austin, Texas

To whom it may concern,

Westward Environmental, Inc. (WESTWARD) has been retained by Capital City Crushing, LLC (the applicant) to complete and submit a Non-Consolidated Site Plan Application (Tracking # 12490024; Case # SP-2020-0245D) concerning the approximately 119.325-acre Barr Lane tract located at 10506 Barr Lane in Austin, Travis County, Texas, hereafter referred to as the subject area. In response to completeness check comments received July 28, 2020, we are providing a Land Status Determination Application and required documentation. Work within the subject area will consist of concrete crushing and recycling, minor extraction of surface and subsurface resources, processing and hauling materials, stockpiling of materials, and subsequent reclamation of excavated areas. The proposed use is consistent with the surrounding development in the area. Subdivision of the subject area is not proposed.

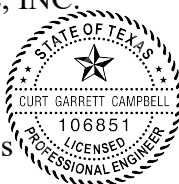
We have reached out to Austin Energy and Austin Water requesting a letter stating that both utility companies are able to provide service to the subject area without an extension of main lines and as of the date of this letter we have not heard back. However, we have confirmed via phone conversation with Austin Water that there is a water meter nearby and they are able to provide service. We have also confirmed with Austin Energy that they are able to provide service once we are able to send them a finalized electric utility plan.

WESTWARD will serve as the technical representative for Mr. Tre Leoni and Capital City Crushing, LLC on this project. **Please ensure that WESTWARD is copied on all correspondence.** If you have any questions regarding this information, please contact our office.

Respectfully submitted,

WESTWARD ENVIRONMENTAL, INC.

Curt G. Campbell, PE 8/24/2020
VP Engineering & Natural Resources



Office P.O. Box 2205 Boerne, TX 78006

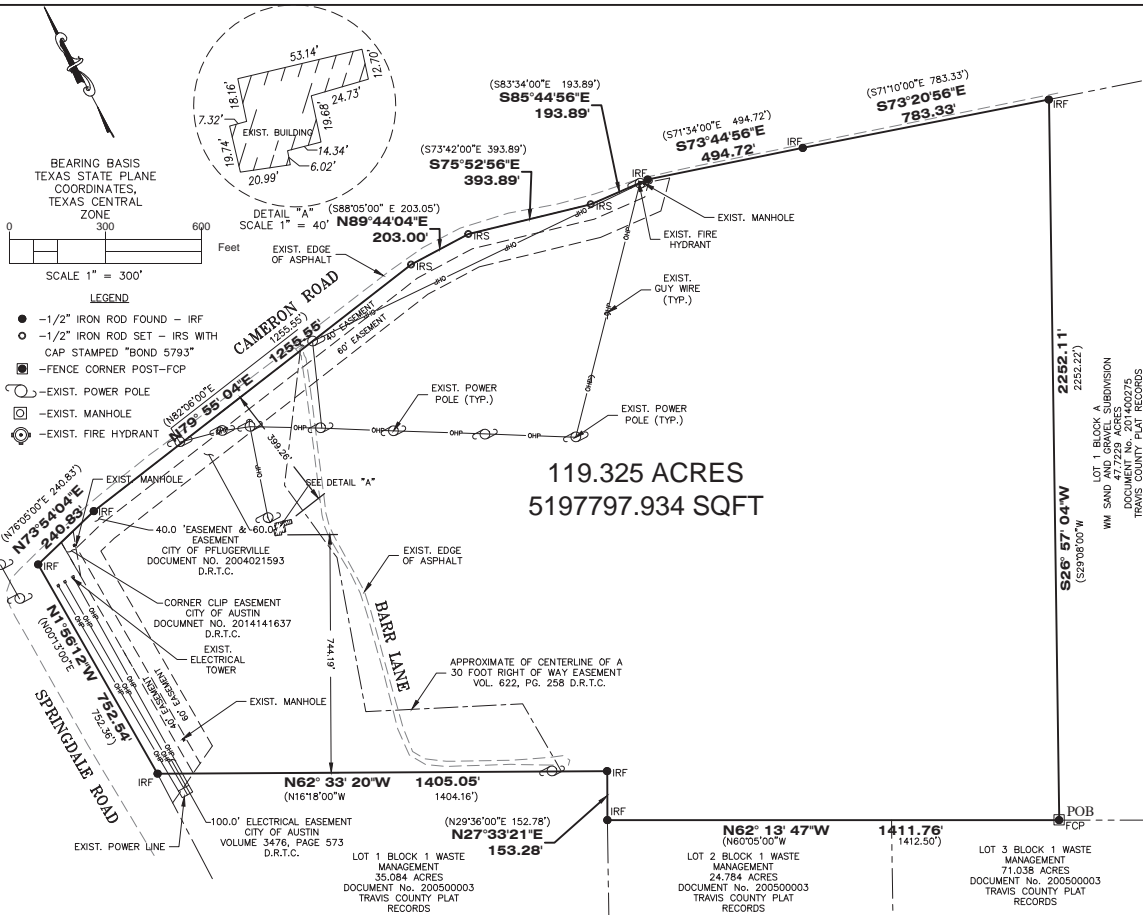
Texas Registered **Engineering** Firm # F-4524



Main 830.249.8284 | Fax 830.249.0221

Texas Registered **Geoscience** Firm # 50112

westwardenv.com



TITLE SURVEY
BEING 119.325 ACRES OF LAND BEING OUT OF AND A PORTION OF THE LUCAS MUNOS SURVEY NO 55 AND THE J.O. RICE SURVEY NO 31, IN TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED IN DOCUMENT # 2014-117145, OFFICIAL RECORDS, OF TRAVIS COUNTY, TEXAS

TITLE COMMITMENT
COMMITMENT FOR TITLE INSURANCE ISSUED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, OF NO. 201902133, EFFECTIVE DATE: NOVEMBER 21, 2019, ISSUED DECEMBER 05, 2019.

THE FOLLOWING ITEMS ARE LISTED UNDER ITEM 10 OF SCHEDULE B OF THE SAID TITLE COMMITMENT:

- A. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, BY INSTRUMENT DATED MAY 8, 1936, RECORDED IN VOLUME 544, PAGE 191 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (DOES NOT AFFECT THIS TRACT)
- B. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, BY INSTRUMENT DATED AUGUST 17, 1936, RECORDED IN VOLUME 551, PAGE 452 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (DOES NOT AFFECT THIS TRACT)
- C. SUBJECT TO ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED MAY 1, 1968, RECORDED IN VOLUME 551, PAGE 372 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (BLANKET/UNPLOTTABLE)
- D. SUBJECT TO ELECTRIC AND TELEPHONE LINES AND SYSTEMS EASEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED MAY 1, 1968, RECORDED IN VOLUME 544, PAGE 191 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.
- E. INTENTIONALLY DELETED.
- F. UNRECORDED LEASE WITH WILBUR E. WRIGHT, DATED APRIL 26, 1968, AND WITH RUPERT CEDER DATED AUGUST 28, 1971, EVIDENCED BY DEED RECORDED IN VOLUME 4286, PAGE 1023 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

(MAY BE DELETED UPON OUR RECEIPT OF A SATISFACTORY AFFIDAVIT EXECUTED BY THE SELLER THAT INDICATES THE LEASES ARE NO LONGER IN EFFECT.)
- G. SUBJECT TO WATER UTILITY AND ACCESS EASEMENT AGREEMENT GRANTED TO THE CITY OF PFLUGERVILLE, TEXAS, BY INSTRUMENT DATED JANUARY 7, 2004, RECORDED UNDER DOCUMENT NO. 2004021593 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
- H. SUBJECT TO AERIAL ELECTRIC TRANSMISSION AND DISTRIBUTION UTILITY EASEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED SEPTEMBER 19, 2014, RECORDED UNDER DOCUMENT NO. 2014141637 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
- I. RIGHTS OF ACCESS BY ADJACENT TRACTS ACROSS SUBJECT PROPERTY TO A DEDICATED RIGHT OF WAY.
- J. UPON RECEIPT OF AN ACCEPTABLE AFFIDAVIT FROM THE SELLER(S), THE FOLLOWING WILL BE DELETED AS AN EXCEPTION:
"ANY AND ALL LEASES, RECORDED OR UNRECORDED, WITH RIGHTS OF TENANTS IN POSSESSION."
- K. EASEMENTS, OR CLAIMS OF EASEMENTS, WHICH ARE NOT RECORDED IN THE PUBLIC RECORDS.

SURVEY REQUESTED BY: TRE LEONI

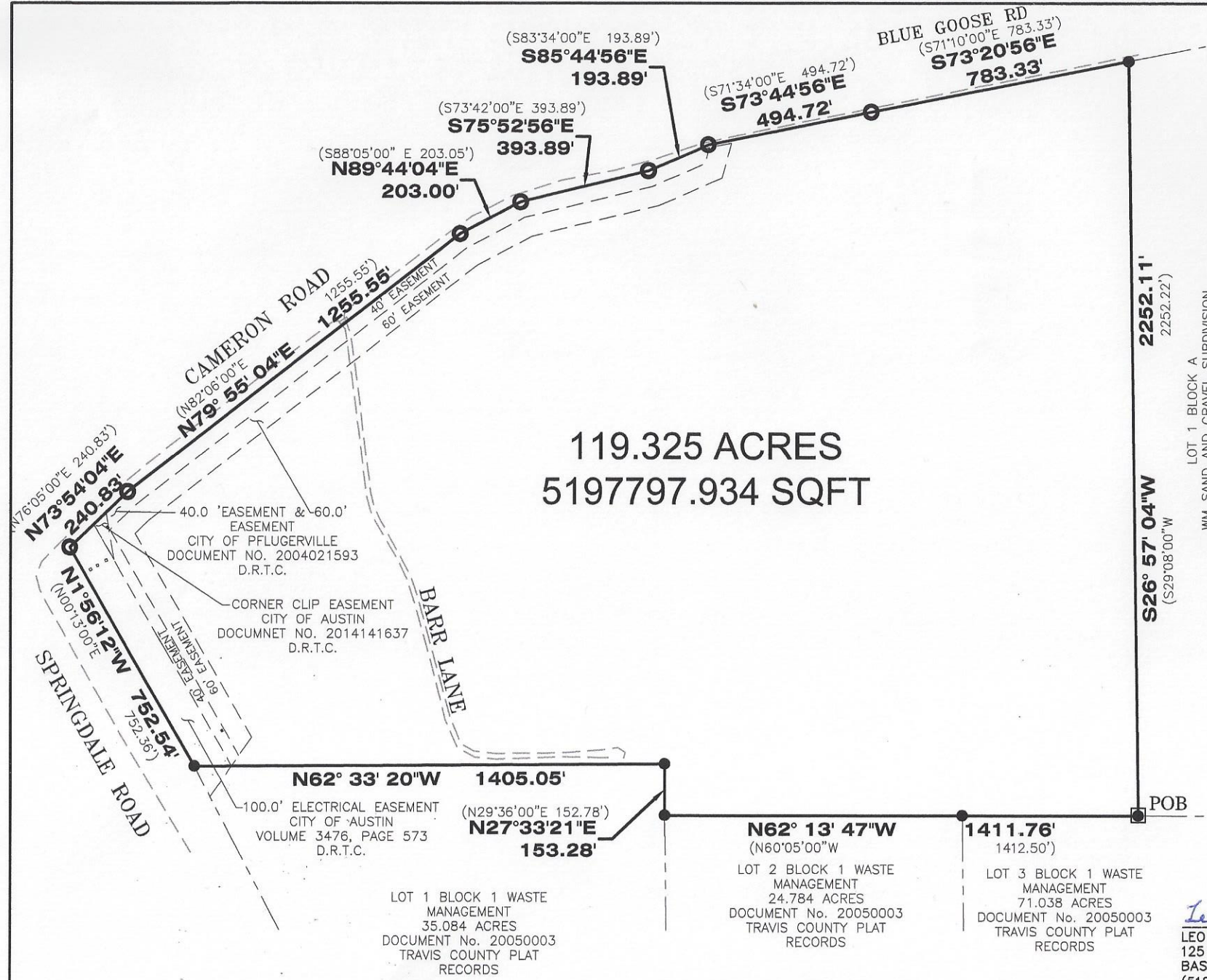
NOTE:
VOL. 1871, PG. 537 DEED RECORDS OF TRAVIS COUNTY, TEXAS DOES NOT AFFECT THIS TRACT.

A PORTION OF THIS TRACT LIES WITHIN ZONE A, AND SHADED ZONE X, AS PER FEMA MAP 48453 C0460K, EFFECTIVE DATE 1/6/2016.

I, LEO BOND, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, BUFFALO BILL FARMS, LLC., HERITAGE TITLE COMPANY OF AUSTIN, INC. AND SPIRIT OF TEXAS BANK, THAT THIS SURVEY IS TRUE AND CORRECT AND IS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OR BOUNDARY LINE CONFLICTS, EXCEPT AS SHOWN.

Leo Bond DATE 01-29-20
LEO STENGEL BOND, RPLS # 5793
125 LOST PINE DRIVE
BASTROP, TEXAS 78602
(512)629-2768





Leo S. Bond DATE 08-03-17
 LEO STENGEL BOND, RPLS # 5793
 125 LOST PINE DRIVE
 BASTROP, TEXAS 78602
 (512)303-0377

BEING 119.325 ACRES OF LAND BEING OUT OF AND A PORTION OF
 THE LUCAS MUNOS SURVEY NO 55 AND THE J.O. RICE SURVEY NO
 31, IN TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF
 LAND DESCRIBED IN DOCUMENT # 2014-117145, OFFICIAL
 RECORDS, OF TRAVIS COUNTY, TEXAS

SURVEY PREPARED WITHOUT THE BENEFIT OF
 A TITLE COMMITMENT.

I, LEO STENGEL BOND, A REGISTERED
 PROFESSIONAL LAND SURVEYOR IN THE STATE
 OF TEXAS, HEREBY CERTIFY THAT THIS PLAT
 IS TRUE AND CORRECT AND IS PREPARED
 FROM AN ACTUAL SURVEY MADE ON THE
 GROUND UNDER MY SUPERVISION.



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Jan 28, 2020 04:05 PM Fee: \$46.00

2020014061

Electronically Recorded

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF TRAVIS §

THAT, BARR LANE, LLC, a Texas limited liability company ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid by BUFFALO BILL FARMS, LLC, a Texas limited liability company ("Grantee"), whose address is 8127 Industrial Drive, Grand Blanc, Michigan 48439, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor and a note of even date herewith executed by Grantee payable to the order of SPIRIT OF TEXAS BANK ("Lender"), the note being secured in whole or in part by vendor's lien and superior title retained in favor of Lender in this Deed and also secured by a deed of trust of even date herewith from Grantee to Dean O. Bass, Trustee, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto Grantee, that certain tract of real property situated in Travis County, Texas, and described in Exhibit "A" attached hereto and made a part hereof for all purposes, together with all and singular the rights, privileges, hereditaments, and appurtenances pertaining to such real property, including any and all improvements and fixtures currently attached to and located thereon (the "Property").

The conveyance of the Property is being made by Grantor and accepted by Grantee subject to (a) general real estate taxes on the Property for the current year (which having been prorated, Grantee hereby assumes and agree to pay) and subsequent years, and (b) the items listed on the attached Exhibit "B" (all of the foregoing being hereinafter collectively referred to as the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's successors and assigns forever; Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, legal representatives, successors, and assigns to warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject however, to the Permitted Exceptions.

The vendor's lien and superior title to the Property are retained until the note described herein is fully paid according to its terms, at which time this deed shall become absolute. The vendor's lien and superior title are transferred to Lender without recourse on Grantor.

Grantee acknowledges and agrees that Grantee is a sophisticated real estate investor Grantee has conducted its own independent investigation and inspection of all aspects of the Property. Grantee further acknowledges and agrees that it has relied on such independent investigation and inspection, is not relying on any information provided by Grantor or Grantor's broker and is fully and completely satisfied that the Property is satisfactory in all respects for its intended use and after Closing. Except for Grantor's warranty of title contained in this Deed, Grantee shall have no recourse whatsoever against Grantor or Grantor's broker in connection with the Property.

Grantee further acknowledges and agrees that Grantor has not made, does not make, and specifically disclaims any and all representations, warranties, promises, covenants, agreements, or guaranties of any kind or character whatsoever, whether express or implied, oral or written, past, present, or future, for, related to, or in connection with the Property, including, but not limited to (a) the nature, quality, or condition of the Property; (b) the income to be derived from the Property; (c) the suitability of the Property for any and all activities and uses which Grantee may conduct thereon; (d) the compliance of or by the Property or its operation with any laws, rules, ordinances, or regulations of any applicable governmental authority or body, including, but not limited to, any state or federal environmental law, rule, or regulation; (e) the habitability, merchantability, or fitness of the Property for a particular purpose; or (f) any other matter with respect to the Property. Grantee hereby waives any such representation, warranty, promise, covenant, agreement, or guarantee and Grantee, for Grantee and Grantee's successors and assigns, hereby releases Grantor from, and waives, any and all claims and liabilities against Grantor for, related to, or in connection with the Property.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE "AS IS," "WHERE IS," AND "WITH ALL FAULTS," AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM OR ON BEHALF OF THE GRANTOR, EXCEPT FOR GRANTOR'S WARRANTY OF TITLE CONTAINED IN THIS DEED.

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EXECUTED to be effective the 24 day of January, 2020.

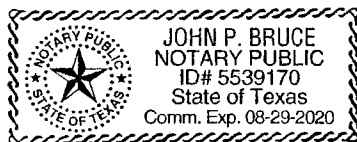
GRANTOR:

BARR LANE, LLC,
a Texas limited liability company

By: *John A. Wilkins*
Name: John A. Wilkins
Title: President

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The foregoing instrument was acknowledged before me this 24 day of January, 2020, by John A. Wilkins, as President of Barr Lane, LLC, a Texas limited liability company, on behalf of the limited liability company.



[Signature]
Notary Public, State of Texas

WARRANTY DEED

03954076

900
OK

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

AUG 12-85 8832 KNOW ALL MEN BY THESE PRESENTS:

That I, A. N. WILKINS, TRUSTEE, owning, claiming and occupying other property as my homestead, of the County of Travis and State of Texas for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto JOHN ALLEN WILKINS, TRUSTEE of the County of Smith and State of Texas, all of the following described real property in Travis County, Texas, to-wit:

All that certain 119.38 acre tract or parcel of land lying and being situated in Travis County, Texas, more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all pertinent purposes.

This conveyance is expressly made and accepted subject to all valid and subsisting easements, restrictions, reservations, covenants and conditions relating to said property, to the extent the same are valid and enforceable against said property, as same are shown by instruments filed of record in the office of the County Clerk 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 unto the said grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 24 day of June, 1985.

A. N. Wilkins
A. N. WILKINS, TRUSTEE

REAL PROPERTY RECORDS
Travis County, Texas

09303 0026

THE STATE OF TEXAS §
COUNTY OF SMITH §

This instrument was acknowledged before me on the 21st day of June, 1985 by A. N. WILKINS, TRUSTEE, in his capacity therein stated.

Tina Terry
Notary Public, State of Texas
MY COMMISSION EXPIRES: 2-25-86
Tina Terry
(Printed name of Notary)

NOTARY SEAL

ADDRESS OF GRANTEE:

JOHN ALLEN WILKINS, TRUSTEE
P. O. Box 6605
Tyler, Texas 75711

09303 0027

EXHIBIT "A"

All that certain lot, tract or parcel of land lying and being situated in Travis County, Texas, known and described as follows, to-wit:

119.38 acres of land, being a part of that land in the Lucas Munos Survey No. 55, and the J. O. Rice Survey No. 31, in Travis County, Texas, as partitioned by decree in Cause Number 23171, entitled Mrs. M. V. J. Westfall, et al. v. Chellie Barr, et al, as recorded in Book 16, Pages 82-102, of the Minutes of the 53rd District Court of Travis County, Texas; said 119.38 acres being described by metes and bounds as follows:

BEGINNING at fence post at the southeast corner of that tract of land last described in deed to Mrs. Chellie Barr Jamison in Book 1212, Page 387, of the Deed Records of Travis County, Texas. Said place of beginning also being the southeast corner of Block No. 10 of a subdivision of 569 acres in the Lucas Munos Survey No. 55, plat of said subdivision being recorded in Book V, Page 545, of the said Deed Records.

THENCE with fence on south boundary of Block 10 N. $60^{\circ} 05'$ W. (variation 10° E. used throughout this survey) 508.5 varas to an iron stake at point of intersection of two fences and in the west boundary of Block 10 and in the east boundary of a 2 acre tract deeded to Mrs. R. E. Jarmon as described in Book 287, Page 441, of the Deed Records of said County.

THENCE with fence N. $29^{\circ} 36'$ E. 55.0 varas to an iron stake (replaces cedar stake) at the northeast corner of the said 2 acre tract and an ell corner of the aforementioned Jamison tract, from which a 10" hackberry marked x bears N. $49^{\circ} 15'$ W. 13.8 varas and a 14" mesquite stump bears S. 60° E. 0.6 varas.

THENCE with the fence N. $60^{\circ} 18'$ W. 505.5 varas to an iron stake on the east boundary of the Missouri-Kansas and Texas Railroad Company right-of-way for the most western southwest corner of the said Jamison tract.

THENCE with the fence along the Railroad Company right-of-way N. $0^{\circ} 13'$ E. 270.85 varas to an iron stake at the intersection of said fence and the fence on the south side of the old Austin and Cameron Road (passing at 177.8 varas an old iron pipe under the right-of-way fence) for the northwest corner of the Jamison tract;

THENCE, with the fence on the south side of the old Austin and Cameron Road N. $76^{\circ} 05'$ E. 86.7 varas to an iron stake in same, N. $82^{\circ} 06'$ E. 452.0 varas to a fence post in angle of fence, S. $88^{\circ} 05'$ E. 73.1 varas to an iron stake in angle of same, S. $73^{\circ} 42'$ E. 141.8 varas to a wood stake in angle of same, and S. $83^{\circ} 34'$ E. 69.8 varas to a wood stake on the south boundary of a gravel road leading to Manor.

THENCE, with fence on south boundary of the Manor Road S. $71^{\circ} 34'$ E. 178.1 varas to a 6" hackberry in same, and S. $71^{\circ} 10'$ E. 282.0 varas to an iron stake at the corner of fence and in the east boundary of Block 11 of the aforesaid 569 acre subdivision and at the northeast corner of that tract of land awarded to Earnest Barr in Cause No. 23171.

THENCE with the fence on the east boundary of Blocks 11 and 10, S. $29^{\circ} 08'$ W. 810.8 varas to the PLACE OF BEGINNING; as surveyed by T. A. Jackson, Licensed State Land Surveyor, August 11, 1952, and as resurveyed by Claude F. Bush, Jr., Registered Public Surveyor, February 7, 1968.

FILED

AUG 12 11 24 AM '85

Doris J. ...
COUNTY CLERK
TRAVIS COUNTY, TEXAS

JOHN A. WILKINS
P.O. BOX 8605
TYLER, TEXAS 75701

STATE OF TEXAS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED in the Volume and Page of the
named RECORDS of Travis County, Texas, on

COUNTY OF TRAVIS

AUG 12 1985



Doris J. ...
COUNTY CLERK
TRAVIS COUNTY, TEXAS

09303 0029

