



Project Name: Premier Logistics Park Project
Assessment

Case Number: C8J-2019-0186PA

Update #: 0

Case Manager: Joe Arriaga

Team:

Initial Submittal: November 26, 2019

Formal Filed: January 06, 2020

Date Dist: January 07, 2020

Comments Due Date: January 27, 2020

Discipline	Name
Electric Review	Karen Palacios (3)
911 Addressing Review	Cathy Winfrey
Drainage Engineering Review	David Marquez *
Environmental Review	Pamela Abee-Taulli
Flood Plain Review	Karl McArthur
Hydro Geologist Review	Scott Hiers
Mapping Review	Mapping Review
Planner 1 Review	Ramon Rezvanipour No Dist
AW Utility Development Services	AWU-Utility Development Service
Water Quality Review	David Marquez *
Wetlands Biologist Review	Scott Hiers
Travis Co. Subdivision Review	Joe Arriaga
Travis Co. Transportation Review	Teresa Calkins *
Travis Co. Drainage Construction Review	Teresa Calkins *
City Arborist Review	City Arborist Reviewer
ATD Engineering Review	Sangeeta Jain
Fire For Site Plan Review	Tom Migl
PARD / Planning & Design Review	Scott Grantham
ERM Review	Scott Hiers
Site Plan Plumbing	Cory Harmon

19



Report run on: 1/6/20

TO:

FROM: SITE PLAN REVIEW DIVISION

CASE # C8J-2019-0186PA

TYPE/SUBTYPE: Preliminary Plan/Preliminary

PROJECT: Premier Logistics Park Project Assessment

LOCATION: 2900-1/2 FERGUSON LN

CASE MANAGER: Joe Arriaga

PHONE 512-854-7562

FILED FOR UPDATE:

COMMENT DUE DATE

TENTATIVE PC DATE

REPORT DATE: Feb 03, 2020 12:00

TENTATIVE CC DATE

LANDUSE::

AREA: 112 ACRES (SQ FT) 4878720 LOTS:

EXISTING ZONING:

EXISTING USE: Vacant

TRACT: ACRES/SQFT

PROPOSED ZONING

PROPOSED USE

112/4878720

Commercial

WATERSHED: Walnut Creek, ,

COUNTY: TRAVIS

JURISDICTION 2-Mile ETJ

Suburban Watershed

GRIDS:

WATER: COA

GRIDS:

ELECTRIC: COA

GRIDS:

SEWERAGE: COA

GRIDS:

PROPERTY DESCRIPTION:

PLAT: 0234210301

DEED REFERENCE:

VOL./PAGE /

LEGAL DESCRIPTION:

ABS 675 SUR 31 RICE J O ACR 78.54 (1-D-1)

RELATED CASES (if any):

CONTACTS:



Applicant

PARNELL ENGINEERING INC 512-431-8411
Will Parnell
2709 MELBA PASS CEDAR PARK TX 78613

Owner

PREMIER LOGISTICS PARK INC. A D 972-201-2826
Joe Bass
3000 TURTLE CREEK BOULEVARD DALLAS TX 75219

Billed To

PARNELL ENGINEERING INC 512-431-8411
Will Parnell
2709 MELBA PASS CEDAR PARK TX 78613

Engineer

PARNELL ENGINEERING INC 512-431-8411
Will Parnell
2709 MELBA PASS CEDAR PARK TX 78613



Project Assessment Application

PURPOSE: This application is for gathering sufficient information for City of Austin staff to provide preliminary feedback to applicants before submitting a formal development application for subdivision.

Any person considering development of land within the jurisdiction of the City of Austin (full-purpose and limited purpose city limits, and extraterritorial jurisdiction (ETJ) may request a Project Assessment. A Project Assessment is a preliminary analysis by City staff of the applicable general procedures and requirements of the Land Development Code relative to the subdivision requirements as it relates to an individual project.

A Project Assessment is a tool that may be used to provide an assessment of a project highlighting potential code and criteria deficiencies. Project assessments are required to be submitted prior to formal subdivision applications for items indicated in LDC 25-1-63 Project Assessment.

A Project Assessment application may constitute a fair notice application for the purposes of establishing vested right to current regulations for a new project. The requirements for requesting a Fair Notice with Project Assessment are included Section 15.9 of the Building Criteria Manual.

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).

Section 1: Project Information

Project Name: Premier Logistics Park

Project Street Address:
2900 1/2 Ferguson Lane, Austin, Texas

Zip: 78710

—OR—

If project address cannot be defined, such as utility lines, provide the following information:

Approximate distance: 1000 ft. direction: east from the intersection
of: Ferguson Lane and: Sprinkle Road
on the: North side

Subdivision Name:

148.2723 Acres out of the William Hotchkiss Survey No. 32, Abstract No. 374, and James D. Rice Survey No. 31, Abstract No. 675, City of Austin ETJ, Travis County Texas

Block(s): _____ Lot(s): _____ Outlot: _____

Plat Book: _____ Page Number: _____

Document Number: _____ Case Number: _____

Tax Parcel Number(s): _____

Section 2: Applicant/Agent Information

Applicant Name: Will Parnell, P.E.

Firm: Parnell Engineering, Inc.


Applicant Mailing Address: 2709 Melba Pass

City: Cedar Park State: TX Zip: 78613

Email: willparnell.ce@gmail.com Phone 1: 5124318411 Type 1: mobile

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

Section 3: Owner Information

☐ Same as Applicant Owner Name: Joe Bass, Sr. Vice President, Development
Owner Signature: 
Firm: Premier Logistics Park Inc., a Delaware corporation
Owner Mailing Address: 3000 Turtle Creek Blvd.
City: Dallas State: Texas Zip: 75219
Email: todd.finley@hillwood.com Phone 1: 972-201-2826 Type 1:
Phone 2: Type 2: Phone 3: Type 3:

Section 4: Engineer Information

☐ Not Applicable ☒ Same as Applicant Name: Will Parnell, P.E.
Firm: Parnell Engineering, Inc. F-19566
Mailing Address: 2709 Melba Pass
City: Cedar Park State: Texas Zip: 78613
Email: willparnell.ce@gmail.com Phone 1: 512-431-8411 Type 1:
Phone 2: Type 2: Phone 3: Type 3:

Section 5: Other Professional/Trade Information

☐ Not Applicable ☐ Same as Applicant Type:
Name: Pamela Madere
Firm: Jackson Walker
Mailing Address: 100 Congress Ave, Ste. 1100
City: Austin State: TX Zip: 78701
Email: pmadere@jw.com Phone 1: 512-236-2048 Type 1:
Phone 2: Type 2: Phone 3: Type 3:

Section 6: Property Attributes

Watershed: Watershed Class:

In City of Austin Edwards Aquifer Recharge Zone? ☐ Yes ☒ No

Land Development Jurisdiction: ☐ Full-Purpose ☐ Limited-Purpose ☒ 2-Mile ETJ ☐ 5-Mile ETJ

County: ☒ Travis ☐ Williamson ☐ Blanco ☐ Hays ☐ Burnet

If within a Municipal Utility District, give name: _____

Has there been a Development Assessment? ☐ Yes ☒ No File Number: _____

Size of Property: Acres 148.2723 Sq. Ft. 6,458,741.388

Size of Project: Acres 112 Sq. Ft. 4,915,452

Section 7: Proposed Land Use (by summary)

Existing Zoning: n/a Proposed Zoning: n/a

Land Use	Number of Lots	Number of Units	Acreage
Warehouse (majority)/Office (minority)	7	8	88.15
Detention and Water Quality	2	n/a	11.15
ROW Dedication	n/a	n/a	12.70
Totals:			

Section 8: Related Cases

Zoning Case? ☐ Yes ☒ No

Restrictive Covenant? ☐ Yes ☒ No

Subdivision? ☐ Yes ☒ No

Land Status Report? ☐ Yes ☒ No

Existing Site Plan? ☐ Yes ☒ No

Neighborhood Plan Amendment? ☐ Yes ☒ No

Other (specify): _____

FILE NUMBERS

Section 9: Inspection Authorization

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

Please type or print Name below Signature, and indicate Firm represented, if applicable:

	Nov.	14	2019
Signature	Month	Day	Year

Joe Bass, Sr. Vice President, Development

Name (Typed or Printed)

Premier Logistics Park, Inc.

Firm

Parkland	
Boundary lines and names of existing and proposed parks, open spaces, etc., either for public and private use, within the subdivision	N/A
Parkland dedication information: estimated number of residential units	N/A

Additional Exhibits Required	
Any residential subdivision utilizing a flag lot design must submit a driveway/utility plan exhibit showing the driveway location, width, and slope as well as the locations and dimensions of all proposed utilities for the flag lot	N/A
Outside of the Urban watershed, if slopes over 15% are present: show slopes from 15-25%, 25-35%, and in excess of 35%; proposed lot lines, proposed ROW lines, proposed pond locations, and proposed driveways.	provided
Estimates of the amount of water to be used and wastewater to be generated in all phases of development, identification of the source(s) of the water, a description of the new or existing water and wastewater facilities that will serve the development, a statement by a qualified engineer or geoscientist that the water source and the water and wastewater facilities will be of adequate capacity to serve the development, the owner and operator of the water and wastewater facilities and the location of the development with respect to any applicable certificates of convenience and necessity, and the schedule for creating any entity that will own or operate the facilities; and.	provided (see SER in report)

Section 10 (cont): Submittal Verification

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

Please type or print Name below Signature, and indicate Firm represented, if applicable:


11
18
2019
 Signature Month Day Year

Will Parnell, P.E.

Name (Typed or Printed)

Parnell Engineering, Inc.

Firm

Section 11: Additional Information

1. Please indicate the reason(s) a project assessment is required:

Premier Logistics Park will be a new subdivision in the City of Austin 2-mile ETJ, contained in Travis County. Premier Logistics Park will dedicate ROW, therefore a Preliminary Plan and a Final Plat will be required. This project will be governed by Title 30 of the City of Austin Land Development Code.

2. Please indicate any questions, clarification, or specific feedback you are requesting with this project assessment:

Assessment Fees

Preliminary Plan Fees

Final Plat Fees

City of Austin and Travis County Development Fees

**City of Austin – Travis County
Single Subdivision Office
Subdivision Completeness Check**



Case Number:

A completeness check application **must be deemed complete** before formal application can be submitted.

Completeness Check Results: Complete		45 Day Expiration date: 01/10/2020	
Tracking #: 12370058		Revision #: 00	
		Watershed: Walnut Creek	
Project Name: Premier Logistics Park Project Assessment			
Ch.245 Team Review Req'd: No		Orig. Submittal Date: 11/26/2019	
		Resubmittal Date: 12/20/2019	
Date Sent to Ch.245:		Current Results to Applicant: 12/30/2019	
Date Rec'd.back in LUR:			



Commission Approved



Administratively Approved

Checked for Completeness by the following reviewers:

			Complete/Incomplete	Initials
DR/WQ	Danielle Guevara	974-3011	Complete	DG
Transportation	Ivan Naranjo	974-7649	Complete	IN
Subdivision	David Wahlgren	974-6455	Complete	DW
Environmental	Mike McDougal	974-6380	Complete	MM
DSD Trans Eng.	Leslie Daniel	974-6316	NR	LD
Env.Res.Mgmt.	Andrew Clamann	974-2694	Complete	AC
Floodplain	Katina Bohrer	974-3358	Complete	KB
AWU	Bradley Barron	972-0078	Complete	BB
Travis County	Sarah Sumner	854-7687	Complete	SS
RSMP	Emily Booth	974-2605	NRR	EB
ROW	Isaiah Lewallen	974-1479	NRR	IL
City Arborist	Dillon Olsen	974-2515	NRR	DO
Austin Energy	Dave Lambert	972-1686	Incomplete	DL

Mandatory Distribution:		Case Manager: Joe Arriaga	
Joey De-La-Garza-(SR)	Pamela Lopez-Fauli (EV)	Adam Fiss-(TR)	Laura Arthur (DR/WQ)
Steve-Hopkins-(SR)	Alex Butler (EV)	Jaron-Hogenson-(TR)	Jay Baker (DR/WQ)
Sylvia-Limon-(SR)	Jonathon Garner (EV)	Ryan-Johnson-(TR)	Ron Czajkowski (DR/WQ)
Don-Perryman-(SR)	Hank Marley (EV)	Mark Kere-(TR)	Laura Kofahl (DR/WQ)
David-Wahlgren-(SR)	Mike McDougal (EV)	Ivan-Naranjo-(TR)	David Marquez (DR/WQ)
Cesar-Zavala-(SR)	Kristy Nguyen (EV)	-(TR)	Christine Perez (DR/WQ)
			Kena Pierce (DR/WQ)
DSD TR Engineering		Sona Singh (DR/WQ)	Kyle Virr (DR/WQ)
Partner Department Mandatory Distribution (13):			
911 Addressing	ATD Trans Eng	AW/UDS	
Electric (3)	Fire For Site Plan	Floodplain	Hydrogeologist
Mapping	P&ID	RSMP	Wetlands Biologist
AWU-Pipeline-Services (Mandatory for Construction Plans)			
Travis County	Joe Arriaga (SR/TR)	Teresa Galdino (DR/TR)	Christine Conner (DR/TR)
John Ellis (DR/TR)	Mohammad Farhoud (DR/TR)	Daniela Guthrie (DR/TR)	Paul Scoggins (SR/TR)
Sarah Sumner (SR/TR)	Sue Welch (SR/TR)		
Optional Distribution: Circle to receive distribution		AWU Facilities Engineering	Site Plan Modification
ERM (Functional Assessment)	Site Plan Plumbing	RSMP	Zoning

A formal application must be filed within 45 calendar days of the initial completeness check (by 01/10/2020) or the application will expire and a new completeness check application must be filed.

Applicants must pick up the completeness check packet at the Intake office within 72 hours of receiving a response. The City is not responsible for lost or stolen packets. **The applicant must schedule an appointment with the Intake office for formal application submittal.** Please call 974-1770 for more information.

ZAP or PC

Desired Development Zone (DDZ) or Drinking Water Protection Zone (DWPZ)

Near Term Annexation: Yes/No

Fees: \$19,654.32 Due at Project Assessment Submittal

Total # of Plans 18 / Engineering Reports 4 required at formal

(Applicant is responsible for submitting one (1) plan set for the respective county on all ETJ applications)

This project will require an Electronic Submittal (flash drive) at time of formal submittal as described in the Subdivision Application Instructions packet. Exhibit III Worksheet also due at time of formal submittal. (Exhibit V for Subdivision Construction Plans as described in the Subdivision Construction Plans Application.

Comments: (Please respond to each comment in letter form)

******Intake: Please charge fee for: Final with Preliminary of Project Assessment******

WPD-Final with Prelim Wetland Bio

WPD-Final with Prelim Floodplain Mod

~~FP1. It appears that the tributary on the SW corner of your lot has more than 64 acres of contributory drainage area. Per LDC 30-4-33, the 100-year floodplain must be delineated. Please delineate floodplain (per LDC 30-4-33), and associated drainage easement which must be dedicated (per LDC 30-4-152).~~

FP2. FYI: Provide associated floodplain model and report for review at formal submittal. Please supply these items to floodplain review on the 12th floor of One Texas Center.

FP3. FYI: Site is affected by Atlas 14 which became City effective on 11/25/2019. Because floodplain is considered life/safety, there is no grandfathering available and subsequent submittals (e.g. prelim, plat, sub const.) will be subject to the Atlas 14 regulations. Applicant is strongly encouraged to take Atlas 14 into account in the floodplain studies and subsequent design of the roadways and lots.

FP4. FYI: Travis County has been regulating the 500-year floodplain since May 1, 2019.

FP5. FYI: It appears that the proposed roadway crossing (which is over a creek with more than 64 acres of contributory drainage area) does not include culverts to convey water from one side to the other. This would be considered an adverse floodplain impact and will not be allowed. Please update plans accordingly.

FP6. FYI: Applicant has shown 500-year floodplain "slivers", but does not show the 100-year floodplain. Please also "turn on" the 100-year floodplain in the GIS layer so that it shows properly on the plan set.

ERM (FYI): There are Wetlands on site and these Wetlands need to be shown on the plans with 150' setbacks to avoid unnecessary delays in the review process

TR 1: LUR-TR defers to Travis County Transportation signee this development is in the 2 mile ETJ, outside city limits and is not a PUD

EL 1: Given the nature of this development in a fifteen (15) foot electric easement is required adjacent to all ROW LDC 25-4-132. Show a plan and final plat

EL 2 (FYI): On the final plat, the standard Austin Energy notes (see completeness packet, online) must be shown.

Project Review Form (PRF) – Statement of Applicable Codes

This completed form must accompany all applications for site plans or subdivisions

For Office Use Only

File # Assigned

Date Filed

Original Application Vesting Date

Signature

Date

Director's Determination of Vested Rights (select one)

Not Applicable

Approved

Denied

— See Vested Rights Determination (if applicable) for additional information

Proposed Project Name: Premier Logistics Park

Address/Location: Southeast corner of Sprinkle Rd and Ferguson Lane

Legal Description: See attached sheet

☒ A The proposed application is submitted for review under regulations currently in effect

*** NOTE If "A" is checked above, proceed to the signature block at the bottom

☐ B The proposed application is for a project requesting review under regulations other than those currently in effect based on a claim of vested rights (i.e., "grandfathering") to earlier City of Austin regulations under Chapter 245 or Section 43.002 of the Texas Local Government Code. Please list file number and type of prior permit here

Original Application Filing Date

File #

Type

*** NOTE If "B" is checked above, the applicant must complete the "Information Required for Vested Rights Review" below and attach a Vested Rights Petition that provides additional information and more fully describes the basis for the claim

☐ C The proposed application is for a project requesting review under regulations other than those currently in effect based on a City of Austin ordinance or agreement that establishes entitlements specific to the property which differ from those generally applicable under current regulations. Provide a brief description of the basis for this request here

*** NOTE If "C" is checked above, the applicant must attach a copy of the City of Austin ordinance or agreement for which rights are claimed

Information Required for Vested Rights Review

In addition to providing the information below, attach a completed Vested Rights Petition (VRP) and supporting documentation, including project history from the Original Application to the present, with a copy of the original application for which vested rights are claimed and any subsequent permits or approvals issued for the property

Project Application History	File #	Application Date	Approval Date
Annexation/Zoning Cases			
Preliminary Subdivision			
Final Subdivision Plat			
Site Plan/Development Permit			

Proposed Project Application (select one)

Preliminary Subdivision

Final Plat

Site Plan

Building Permit

Proposed Project Land Use Acreage (specify acreage in each of the following land use categories)

Single-Family/Duplex

Townhouse/Condo/Multifamily

Office

Commercial

Industrial/R&D

Other (specify)

Total acreage

Watershed Select an Option

Watershed Class Select an Option

This proposed project application will still be reviewed under those rules and regulations that are not subject to chapter 245 such as those to prevent imminent destruction of property or injury to person, including regulation dealing with stormwater detention, temporary erosion and sedimentation controls, and regulations to protect critical/significant recharge features

Property Owner/Agent Printed Name

Will Pennell

Phone

(512) 431-8411

Signature

Will Pennell

Date

6/17/2019

SAVE Form

November 18, 2019

Ms. Denise Lucas, Acting Director – City of Austin Development Services Department
505 Barton Springs Road
Austin, Texas 78704

RE: Engineer's Summary Letter – Project Assessment
Premier Logistics Park, Ferguson Lane & Sprinkle Road, Austin, Travis County, Texas
78754

Dear Ms. Lucas:

Please accept this Engineer's Summary Letter and report along with the accompanying Project Assessment application submittal package for the above-referenced project. The proposed project is located at the northeast corner of the intersection of Ferguson Lane and Sprinkle Road, located within the 2-mile Extra Territorial Jurisdiction (ETJ) of the City of Austin, in Travis County, Texas. The subject site is approximately 148 acres and is currently undeveloped, agricultural land. The future planned development of this property is a commercial use with the majority being warehouse and the minority of the site being office. The proposed preliminary plan and plat are made up of eight lots. Two of the eight lots are designated for drainage purposes and are dedicated for detention and water quality. These two areas will detain and treat runoff from the extension of public rights of way through the warehouse logistics park. A Travis County public roadway extension of Rundberg Lane is proposed to cut through the development. Our team has worked tirelessly with The County, adjacent property owners and stakeholders, neighborhood groups and various design teams to obtain a memorandum of understanding from Cynthia McDonald, County Executive, Transportation and Natural Resource Division to connect Rundberg through the subject tract and comply with the Capital Area Metropolitan Planning Organization's 2040 Mobility Road Plan, Project ID No. 293. The letter memorializing the future Rundberg alignment is attached at the end of this report.

The subject tract is located entirely within Walnut Creek watershed, which is classified as a Suburban Watershed. An intermediate waterway, named the Ferguson Branch Creek cuts through the west corner of the site. Since the classification of this waterway is intermediate, the critical water quality zone creek buffer is 200-ft defined from the centerline of the creek. No portion of the subject site is located within the Edwards Aquifer Recharge or Contributing Zone as defined by the Texas Commission on Environmental Quality (TCEQ). A small portion located on the northeast portion of the subject tract (3,420 sq-ft +/-) is located within a 500-year FEMA designated flood plain as shown on FEMA Map Panel No. 48453C0460K, dated January 06, 2016. However, no portion of the City of Austin 100-year fully developed flood plain encroaches the property. This project proposes no modifications to designated floodplains.



Because the development falls within The City's extraterritorial 2-mile jurisdiction, the project will be reviewed by a single office (LDC 30-1-47) and regulated under Title 30 of The City of Austin Development code for combined City of Austin and Travis County requirements for projects within the City of Austin ETJ.

We anticipate requesting the following variances for this project:

LDC-30-5-341 (Cut) – The project will not exceed 13-ft of cut

LDC-30-5-342 (Fill) – The project will not exceed 13-ft of fill

LDC-30-3-21 (ROW) – non-standard ROW widths are proposed within this project

LDC-30-2-159 (Private Streets) – Private Street connecting two public streets

LDC-30-3-191 (Sidewalks) – the project proposes limited sidewalks within the commercial warehouse park

To our knowledge, the enclosed application materials are complete, correct, and in full compliance with the Land Development Code and Technical Criteria Manuals of the City of Austin. Should you have any questions regarding this project or application, please do not hesitate to contact our office.

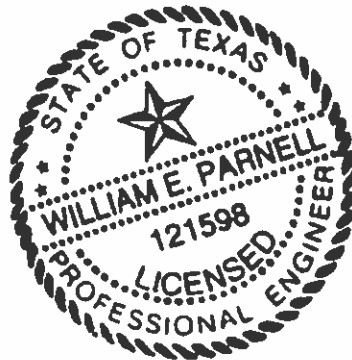
Sincerely,

A handwritten signature in cursive script that reads 'Will Parnell'.

Will Parnell, P.E.



Texas Engineering Firm No. F-19566

A handwritten signature in cursive script that reads 'Will Parnell'.
11 - 1 - 2019

Special Warranty Deed

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.

Date: April 8, 2019

Grantor: ABGN CORPORATION

Grantor's Mailing Address: 4615 Bunny Run, Austin, Texas 78746

Grantee: PREMIER LOGISTICS PARK, INC.

Grantee's Mailing Address: 3000 Turtle Creek Blvd., Dallas, Texas 75219

Consideration: Cash and other good and valuable consideration, the receipt and sufficiency of which being hereby acknowledged.

Property (including any improvements): See Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: See Exhibit "B" attached hereto and made a part hereof.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

ABGN CORPORATION

By: 

Name: Brian Nalle

Title: Vice President

Chicago Title
GF# 1700512

Chicago Title
1501 S. Mopac, Suite 130
Austin, TX 78746



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

April 08 2019 04:39 PM

EEF \$ 46.00 2019040754

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When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

ABGN CORPORATION

By: 

Name: Brian Nalle

Title: Vice President

THE STATE OF TEXAS

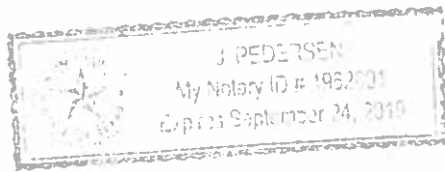
§

§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on April 8, 2019 by Brian Nalle, the Vice President of ABGN corporation, a Texas corporation, on behalf of said corporation. Such person is personally known to me or have produced DL as identification.



A handwritten signature in black ink, appearing to be "J. Pedersen", written over a horizontal line.

Notary Public in and for the
State of Texas

Printed/Typed Name of Notary

EXHIBIT "A"
Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 148.2723 ACRES (6,458,741 SQUARE FEET) OUT OF THE JAMES D. RICE SURVEY NO. 31, ABSTRACT NO. 675, AND THE WILLIAM S. HOTCHKISS SURVEY NO. 32, ABSTRACT NO. 374, BOTH OF TRAVIS COUNTY, TEXAS, BEING ALL OF A 148.24 ACRE TRACT (DESCRIBED AS TRACT NO. 2) CONVEYED TO ABGN CORPORATION IN VOLUME 5080, PAGE 1179 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), SAID 148.2723 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with "LanDesign" cap found at an angle point in the south line of a called 42.653 acre tract conveyed to Global Worldwide International, LLC, in Document No. 2018014595 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), and being the northwest corner of a tract conveyed to John William Bohn and Helen Bohn Frady in Volume 13217, Page 40 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), said tract previously described (as Tract No. 1) in Volume 750, Page 554 (D.R.T.C.T.), and being the northeast corner of said ABGN tract, for the northeast corner and **POINT OF BEGINNING** hereof, from which a fence corner post bears S30°46'41"W, a distance of 1.85 feet, and also from which, a 1/2-inch iron rod with "LanDesign" cap found at an angle point in the apparent north line of a called 11.95 acre tract conveyed to John William Bohn and Helen Bohn Frady in Volume 13217, Page 40 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), said tract previously described (as Tract No. 2) in Volume 750, Page 554 (D.R.T.C.T.), and being the south line of said Global Worldwide tract bears, S61°05'07"E, a distance of 14.93 feet;

THENCE, with the common line of said Bohn Tract No. 1 and said ABGN tract, S27°30'48"W, a distance of 1,983.12 feet to a cedar fence post found for the southwest corner hereof, said point being in the north right-of-way line of Ferguson Lane (right-of-way varies), and being the common south corner of said Bohn Tract No. 1 and said ABGN tract, from which a 1/2-inch iron rod found in the north right-of-way line of said Ferguson Lane, and being the southwest corner of Lot 3, Block "E" of Walnut Place, Section One, recorded in Volume 8, Page 55 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being the southeast corner of said Bohn Tract No. 1 bears, S64°50'30"E, a distance of 16.00 feet;

THENCE, with the north right-of-way line of said Ferguson Lane and the south line of said ABGN tract, the following three (3) courses and distances:

- 1) N63°16'05"W, a distance of 1,115.99 feet to a 1/2-inch iron pipe found for an angle point hereof,
- 2) N62°57'07"W, a distance of 1,540.51 feet to a 1/2-inch iron pipe found for an angle point hereof, and
- 3) N62°05'27"W, a distance of 596.52 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the southwest corner hereof, said point being at the intersection of the east right-of-way line of Sprinkle Road (right-of-way varies) with the north right-of-way line of said Ferguson Lane, and being the southwest corner of said ABGN tract;

THENCE, with the east right-of-way line of said Sprinkle Road and the west line of said ABGN tract, N27°33'33"E, a distance of 1,980.88 feet to a 1-inch iron pipe found for the northwest corner hereof, said point being the southwest corner of a called 3.878 acre tract (described as Tract 1) conveyed to Drum Property, Ltd., in Document No. 2018107822 (O.P.R.T.C.T.), and being the northwest corner of said ABGN tract, from which a 1/2-inch iron rod with "Holt Carson" cap found bears, N54°37'31"W, a distance of 1.23 feet;

THENCE, leaving the east right-of-way line of said Sprinkle Road, with the common line of said Drum tract and said ABGN tract, **S62°45'15"E**, passing at a distance of 266.06 feet, a calculated point, from which a 1/2-inch iron rod found bears, **N27°14'45"E**, a distance of 0.87 feet, and continuing for a total distance of **721.43** feet to a bent 1-inch iron pipe found for an angle point hereof, said point being at the common southeast corner of a called 3.878 acre tract (described as Tract 1) and a called 22.43 acre tract (described as Tract 2) conveyed to Drum Property, Ltd., in Document No. 2018107822 (O.P.R.T.C.T.), and being an angle point in the north line of said ABGN tract;

THENCE, with the common line of said Drum Tract 2 and said ABGN tract, **S62°57'02"E**, a distance of **1,459.98** feet to a 1/2-inch iron rod found on the east side of an old cedar fence post for an angle point hereof, said point being the southeast corner of said Drum Tract 2;

THENCE, with the north line of said ABGN tract, and in part with the south line of said Global World tract, **S63°03'27"E**, a distance of **1,069.97** feet to the **POINT OF BEGINNING** and containing 148.2723 Acres (6,458,741 Square Feet) more or less.

EXHIBIT "B"

Exceptions to Conveyance and Warranty

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Austin
Purpose: As provided in said instrument
Recording Date: June 24, 1970
Recording No: Volume 3872, Page 107, Deed Records of Travis County, Texas
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Austin
Purpose: As provided in said instrument
Recording Date: December 31, 2008
Recording No: Document No. 2008206341, Official Public Records of Travis County, Texas
3. Matters shown on or disclosed by survey of the Property dated April 3, 2019, prepared by Steven M. Duarete, RPLS No. 5940.
4. Terms and conditions of unrecorded Farming and Grazing Lease executed buy and between ABGN Corporation, as owner, and Bryan Weiss, as tenant.

Chicago Title
GP# L100512

Chicago Title
1501 S. Mopec, Suite 130
Austin, TX 78746

WARRANTY DEED

THE STATE OF TEXAS *
COUNTY OF TRAVIS *

KNOW ALL MEN BY THESE PRESENTS:

DEC 31 7 42 AM '98 9858 * 2.50

107-1519

That I, George S. Nalle, Jr., of the County of Travis and State of Texas, for and in consideration of the sum of Ten 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 ABCN Corporation, a Texas Corporation with principal office at 203 Colorado Street, Austin, Travis County, Texas, all of the following described real property in Travis County, Texas, to-wit:

Tract No. 1: Beginning at an iron stake at corner of fence at the intersection of the south line of Ferguson Lane with the west line of the H. T. Davis Survey #30, abstract #214, and in the east line of the John Applegate Survey #58, in Travis County, Texas, and being an east line of a 112.54 acre tract of land out of the John Applegate Survey #58 in Travis County, Texas, as described in deed from Marie Arnold and husband, Richard Arnold, to Ouida F. Nalle, as recorded in Book 555, pages 637-639, Travis County Deed Records, being also the west line of a 61.0 acre tract designated as First Tract and described in a deed from the Board of Directors of The Bosque Creamery, a corporation, to Mrs. Dorrace F. Watt, Mrs. Ouida F. Nalle and Miss Nellie Horan, as recorded in Book 743, Pages 605-608, Travis County, Texas, Deed Records, said tract also being described in a deed from Nellie Horan to Ouida F. Nalle, as recorded in Book 746, Pages 542-544, Travis County, Texas, Deed Records, said iron stake at corner of fence being also in the west line of said 61.0 acre tract described as Tract #3 of the Estate of Giles H. Burditt, Decd. in a partition of a 576.0 acre tract out of the H. T. Davis Survey #30, Abstract #214, in Travis County, Texas, as described in a deed from J. H. Burditt, Exctr., to Levina Hamilton, as recorded in Book 183, Page 526, Travis County, Texas, Deed Records:

(1) Thence with the east line of the said 112.54 acre tract, being also the west line of the said 61.0 acre tract described as Tract #3 of the Estate of Giles H. Burditt, Decd., as fenced and used upon the ground, S29°55'W 744.15 varas to an iron stake at corner of fence for the southeast corner of the said 112.54 acre tract;

Thence with an old fence line on the south line of the said 112.56 acre tract, courses numbered 2-5 inclusive as follows:

- (2) N82°07'W 470.47 varas to an iron stake;
- (3) N83°41'W 193.71 varas to an iron stake;
- (4) N82°21'W 261.3 varas to an iron stake;

(5) N81°44'W at about 164 varas more or less, crossing a fence in the east line of an abandoned lane, in all 274.81 varas to an iron stake in the center line of said abandoned lane;

(6) Thence with the center line of the said abandoned lane, N50°08'E 265.64 varas to an iron stake at corner of fence for the most southerly northwest corner of the said 112.54 acre tract, as fenced and used upon the ground;

(7) Thence with a north line of the said 112.54 acre tract, as fenced and used upon the ground, S80°49'E 420.17 varas to an iron stake at corner of fence;

(8) Thence with a west line of the said 112.54 acre tract, as fenced and used upon the ground, N29°51'E 805.61 varas to an iron stake in the south line of Ferguson Lane for the most northerly northwest corner of the said 112.54 acre tract, as fenced and used upon the ground;

Thence with the south line of Ferguson Lane, being also a north line of the said 112.54 acre tract, as fenced and used upon the ground, courses 9-12 inclusive, as follows:

- (9) S60°13'E 114.86 varas to an iron stake;
- (10) S59°45'E 263.74 varas to an iron stake;
- (11) S55°11'E 33.53 varas to an iron stake;

(12) S59°43'E 214.87 varas to the place of beginning, containing 113.39 acres of land;

Tract No. 2: Beginning at an iron stake at corner of fence for the northeast corner of a 150 acre tract, being described as 70 acres out of the Wm. S. Hotchkiss Survey #32 and 80 acres out of the James O. Rice Survey #31 in Travis County, Texas, and being described as Fourth Tract in a deed from The Board of Directors of The Bosque Creamery to Mrs. Dorace F. Watt, Mrs. Ouida F. Nalle and Miss Nellie Moran, as recorded in Book 743, pages 605-608, Travis County, Texas, Deed Records, and being also described as Fourth Tract in a deed from Nellie Moran to Ouida F. Nalle as recorded in Book 746, pages 542-544, Travis County, Texas, Deed Records;

(1) Thence with the east line of the said 150 acre tract, as fenced and used upon the ground S29°57'W 713.38 varas to a post at corner of fence in the north line of Ferguson Lane;

(2) Thence with the north line of Ferguson Lane, as fenced and used upon the ground, courses numbered 3-5 inclusive, as follows:

(3) N60°49'W 401.66 varas to an iron stake;

(4) N60°32'W at 149.01 varas crossing the west line of the Wm. S. Hotchkiss Survey #32 and being also the east line of the James O. Rice Survey #31 in Travis County, Texas, in all 554.34 varas to an iron stake;

(5) N59°39'W 214.8 varas to an iron stake near corner of fence at the intersection of the north line of Ferguson Lane with the east line of the Austin and Sprinkle Road;

(6) Thence with the east line of the Austin and Sprinkle Road, as fenced and used upon the ground, N30°00'E 713.29 varas to an iron stake in the north line of the said 150 acre tract as fenced and used upon the ground;

Thence with the north line of the said 150 acre tract, as fenced and used upon the ground, courses numbered 7-8 inclusive, as follows:

(7) S60°18'E 259.56 varas to an iron stake at corner of fence;

(8) S60°31'E at 360.14 varas, crossing an east line of the James O. Rice Survey #31 and the west line of the Wm. S. Hotchkiss Survey #32, in all 910.81 varas to the place of the beginning, containing 148.24 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the right and appurtenances thereto in anywise belonging, unto the said grantee, its successors and assigns forever; and I do hereby bind my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 31st day of December, 1974.

George S. Nalle, Jr.
GEORGE S. NALLE, JR.

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared George S. Nalle, Jr., 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 on this the 31st day of December, 1974.

NOTARY SEAL

FILED
DEC 31 3 21 PM '74
Travis County, Texas

5680 1130

Joe Proctor
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS
STATE OF TEXAS
I hereby certify that this instrument was filed on the
date and at the place above stated, and was duly
RECORDED in the Public Records of Travis County, Texas, on the
of Travis County, Texas.

DEC 31 1974



Joe Proctor
COUNTY CLERK
TRAVIS COUNTY, TEXAS

Bryan Acuff

Subject: FW: New Project Assessment Process - ETJ

----- Forwarded message -----

From: Madere, Pamela <pmadere@jw.com>
Date: Thu, Nov 14, 2019 at 4:27 PM
Subject: New Project Assessment Process - ETJ
To: Will Parnell <willparnell.ce@gmail.com>

From: Joe Arriaga <Joe.Arriaga@traviscountytexas.gov>
Sent: Tuesday, November 12, 2019 5:19 PM
To: Madere, Pamela <pmadere@jw.com>
Cc: Teresa Calkins <Teresa.Calkins@traviscountytexas.gov>; Anna Bowlin <Anna.Bowlin@traviscountytexas.gov>
Subject: RE: New Project Assessment Process - ETJ

The TIA would not be required with the Project Assessment but is required by the time you are ready to submit the Preliminary Plan.

From: Madere, Pamela [<mailto:pmadere@jw.com>]
Sent: Tuesday, November 12, 2019 2:49 PM
To: Joe Arriaga <Joe.Arriaga@traviscountytexas.gov>
Subject: [CAUTION EXTERNAL] New Project Assessment Process - ETJ

CAUTION: This email is from OUTSIDE Travis County. Links or attachments may be dangerous. Click the Phish Alert button above if you think this email is malicious.

Hi Joe –

Next week I will submit a Project Assessment application to the City of Austin for property in the Travis County ETJ (the Rundberg/Ferguson project we have discussed with you and Teresa). I am sure the TIA is not required for the Project Assessment application (as opposed to a preliminary plan or subdivision plat application) but please confirm.

Pam Madere | Partner – Land Use & Real Estate
106 Congress Avenue Suite 1100 | Austin, TX | 78701
V: (512) 236-2048 | F: (512) 236-2002 | pmadere@jw.com





*First American Title*TM

Commitment For Title Insurance T-7

ISSUED BY

First American Title Insurance Company

SCHEDULE B

G.F. No. or File No. **1002-284879-RTT**

EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

Item 1 of Schedule B is hereby deleted in its entirety.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any, of any spouse of any insured. (Applies to the Owner's Policy only.)
4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.

(Applies to the Owner's Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year 2019, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2019 and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the

Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan Policy of Title Insurance (T-2R) only). Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
 - a. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
 - b. This item has been intentionally deleted.
 - c. This item has been intentionally deleted.
 - d. Rights of parties in possession and rights of tenants under any unrecorded leases or rental agreements. (May be amended or deleted upon execution of satisfactory affidavit with respect to parties in possession and tenants at closing.)
 - e. The terms, conditions and stipulations of that certain Oil, Gas and/or Mineral Lease described in that Assignment recorded in Volume 405, Page 633 of the Deed Records of Travis County, Texas, Executed by and between J. Alexieus Johnson, as Lessor, and J. Gregg Hill, as Lessee.
 - f. This item has been intentionally deleted.
 - g. An electric and telephone easement granted to the City of Austin, by instrument dated December 10, 1969, recorded in Volume 3872, Page 107 of the Deed Records of Travis County, Texas as shown on the Survey by Steven M. Duarte last revised _____, 2018.
 - h. A drainage easement granted to the City of Austin, by instrument dated December 29, 2008, recorded under Document No. 2008206341 of the Official Public Records of Travis County, Texas as shown on the Survey by Steven M. Duarte last revised _____, 2018.
 - i. The terms, conditions and stipulations of that certain unrecorded Farming and Grazing Lease, executed by and between ABGN Corporation, as Lessor, and Bryan Weiss, as Lessee, as assigned by Lessor to Premier Logistics Park, Inc. per unrecorded Assignment of Lease dated April 8, 2019, and evidenced by Special Warranty Deed recorded under Document No. 2019049251 of the Official Public Records of Travis County, Texas.
 - j. Section 13 of the Conditions of this Policy is hereby deleted.