



**DRIPPING SPRINGS**  
Texas

Attachment 1

**City of Dripping Springs**

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • [cityofdrippingsprings.com](http://cityofdrippingsprings.com)

## **ZONING/PDD AMENDMENT APPLICATION**

Case Number (staff use only): \_\_\_\_\_ - \_\_\_\_\_

### **CONTACT INFORMATION**

**PROPERTY OWNER NAME** Cypress Fork Ranch, L.P. - Attention: Doyle M. and Claireen Fellers

**STREET ADDRESS** 1300 Creek Road

**CITY** Dripping Springs      **STATE** Texas      **ZIP CODE** 78620

**PHONE** \_\_\_\_\_ **EMAIL** [REDACTED]

**APPLICANT NAME** Pat Helgeson

**COMPANY** Tri Pointe Homes

**STREET ADDRESS** 13640 Briarwick Drive, Suite 170

**CITY** Austin      **STATE** Texas      **ZIP CODE** 78729

**PHONE** 512-298-1170      **EMAIL** [REDACTED]

### **REASONS FOR AMENDMENT**

TO CORRECT ANY ERROR IN THE REGULATION  
OR MAP

TO RECOGNIZE CHANGES IN TECHNOLOGY, STYLE  
OF LIVING, OR MANNER OF CONDUCTING BUSINESS

TO RECOGNIZE CHANGED CONDITIONS OR  
CIRCUMSTANCES IN A PARTICULAR LOCALITY

TO MAKE CHANGES IN ORDER TO IMPLEMENT  
POLICIES REFLECTED WITHIN THE COMPREHENSIVE  
PLAN

## PROPERTY & ZONING INFORMATION

PROPERTY OWNER NAME	Cypress Fork Ranch, L.P. - Attention: Doyle M. and Claireen Fellers
PROPERTY ADDRESS	1300 Creek Road, Dripping Springs, TX 78620
CURRENT LEGAL DESCRIPTION	A0222 BENJAMIN F HANNA SURVEY, ACRES 52.7742
TAX ID#	136311
LOCATED IN	<input type="checkbox"/> CITY LIMITS <input checked="" type="checkbox"/> EXTRATERRITORIAL JURISDICTION
CURRENT ZONING	None (ETJ)
REQUESTED ZONING/AMENDMENT TO PDD	SF-2
REASON FOR REQUEST <i>(Attach extra sheet if necessary)</i>	This request is for the annexation of approximately 14 Acres of the existing tract listed above. The developer (Tri Pointe Homes) wishes to build a small single-family subdivision with City of Dripping Springs roads and wastewater service. Water service to be provided by DSWSC.
INFORMATION ABOUT PROPOSED USES <i>(Attach extra sheet if necessary)</i>	The developer intends to zone this subdivision as SF-2 and the development will consist of 18 - 0.5 acre lots with the necessary associated infrastructure (pond, streets, water, wastewater etc.).

### COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE? \*

*(See attached agreement).*

YES (REQUIRED)\*  YES (VOLUNTARY)\*  NO\*

\* If proposed subdivision is in the City Limits, compliance with Lighting Ordinance is **mandatory**. If proposed subdivision is in the ETJ, compliance is **mandatory** when required by a Development Agreement or as a condition of an Alternative Standard/Special Exception/Variance/Waiver.

Voluntary compliance is strongly encouraged by those not required by above criteria (see *Outdoor Lighting tab on the CODS webpage and online Lighting Ordinance under Code of Ordinances tab* for more information).

**APPLICANT'S SIGNATURE**

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Jacob Harris & Kimley Horn is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol.       , Pg.       .)

Maureen Feller Chanda

Name \_\_\_\_\_

Donner/mahler

**Title**

STATE OF TEXAS §

5

20

**COUNTY OF HAYS**

5

This instrument was acknowledged before me on the 16 day of October,

20125 by Claireen Fellers. Raymond Moreno

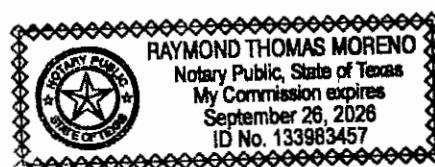
~~Notary Public, State of Texas~~

My Commission Expires: 9/26/26

Pat Helgeson

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**Name of Applicant**



## ZONING AMENDMENT SUBMITTAL

*All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. Incomplete submissions will not be accepted. By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:*

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

### **CHECKLIST**

STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee-Zoning Amendment or PDD Amendment (refer to Fee Schedule)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PDF/Digital Copies of all submitted Documents</u>  <b>When submitting digital files, a cover sheet must be included outlining what digital contents are included.</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	GIS Data
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (required if marked "Yes (Required)" on above Lighting Ordinance Section of application) <i>compliance with the ordinance will be shown on the preliminary plan and construction docs</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Concept Plan
<input type="checkbox"/>	<input type="checkbox"/>	Plans N/A - Prelim Plan and Construction Documents will be provided after zoning approval
<input type="checkbox"/>	<input type="checkbox"/>	Maps N/A
<input type="checkbox"/>	<input type="checkbox"/>	Architectural Elevation N/A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation for request (attach extra sheets if necessary)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information about proposed uses (attach extra sheets if necessary)
<input type="checkbox"/>	<input type="checkbox"/>	Public Notice Sign (refer to Fee Schedule)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Planned Development District (if applicable) N/A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Copy of the Proposed Zoning or Planned Development District Amendment

Received on/by: \_\_\_\_\_

Project Number: \_\_\_\_\_  
Only filled out by staff



DRIPPING SPRINGS  
Texas

### BILLING CONTACT FORM

Project Name: Roger Banks Cypress Fork

Project Address: 1300 Creek Road, Dripping Springs, TX 78620

Project Applicant Name: Pat Helgeson

#### Billing Contact Information

Name: Tri Pointe Homes Texas, Inc.

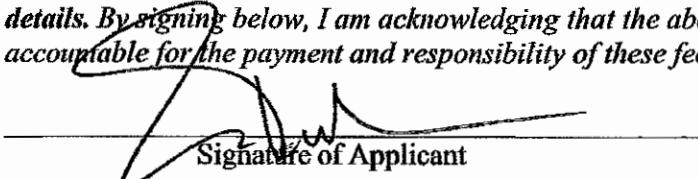
Mailing Address: 13640 Briarwick Drive, Suite 170  
Austin, TX 78729

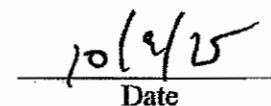
Phone Number: 512. 288. 1170

Type of Project/Application (check all that apply):

<input type="checkbox"/> Alternative Standard	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Certificate of Appropriateness	<input type="checkbox"/> Street Closure Permit
<input type="checkbox"/> Conditional Use Permit	<input checked="" type="checkbox"/> Subdivision
<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Waiver
<input type="checkbox"/> Exterior Design	<input type="checkbox"/> Wastewater Service
<input type="checkbox"/> Landscape Plan	<input type="checkbox"/> Variance
<input type="checkbox"/> Lighting Plan	<input type="checkbox"/> Zoning
<input type="checkbox"/> Site Development Permit	<input type="checkbox"/> Other _____

*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. Please see the online Master Fee Schedule for more details. By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date

14.06 ACRES OUT OF THE BENJAMIN F. HANNA SURVEY NUMBER 428, ABSTRACT NUMBER 222, AND BEING A PORTION OF A CALLED 111.181 ACRE  
TRACT DESCRIBED IN A DEED TO CYPRESS FORK RANCH, L.P., RECORDED IN DOCUMENT NUMBER 11011538,  
OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.



**BENJAMIN F. HANNA SURVEY NO. 428  
ABSTRACT NO. 222**

# LEGEND

— — — — —	PROPERTY LINE
— — — — —	ADJOINER PROPERTY LINE
— — — X — — —	EXISTING WIRE FENCE
— — — OE — — —	OVERHEAD ELECTRIC
— — — “ — — —	EDGE OF PAVEMENT
●	1/2" IRON ROD FOUND [UNLESS NOTED]
○	FENCE POST FOUND [AS NOTED]
○	1/2" IRON ROD WITH "DOUCET" CAP SET
→	DOWN GUY
□	MAILBOX
○	MARKER POST [AS NOTED]
○	POWER POLE
— — —	SIGN [AS NOTED]
W	WATER METER
○	WATER VALVE
R.C.P.	REINFORCED CONCRETE PIPE
P.O.B.	POINT OF BEGINNING
P.O.C	POINT OF COMMENCEMENT
DOC. NO.	DOCUMENT NUMBER
VOL. PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS

A graphic scale bar consisting of a horizontal line divided into four equal segments. The first and fourth segments are black, while the second and third are white. Above the bar, the number '1"' is centered above the white segments, and the number '2"' is at the far right end of the bar. Below the bar, the text 'GRAPHIC SCALE: 1" = 50'' is centered.

PROPERTY ID: 202437  
CAMELA FELLERS JONES  
CALLED 1.52 ACRES  
DOC. NO. 24019945  
O.P.R.H.C.T.

PROPERTY ID: 16961  
LOT 4-A  
CF RANCH SUBDIVISION  
DOC. NO. 1901463  
O.P.R.H.C.T.

PROC  
CF  
DO

ITEM f.  
DRIPPING SPRINGS WA  
CORPORATION PUB  
EASEMENT  
15' WIDE WATER LIN  
DOC. NO. 180  
O.P.R.H.C.

ATER SUPPLY  
LIC WATER  
T  
E EASEMENT  
36828  
T.

292.40'  
303.21')

SURVEYOR'S C  
TO: CAPSTONE TIT  
FIDELITY NATI  
TRI POINTE H  
CYPRESS FOR

CERTIFICATION:  
LE  
ONAL TITLE INSURANCE CO  
OMES TEXAS, INC.  
K RANCH, L.P. A TEXAS L

COMPANY  
LIMITED PARTNERSHIP  
PROFESSIONAL LAND S

*L P. A.* 05/29/2025  
A. P. ARMENDARIZ DATE  
CERTIFIED PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 6822  
L, A KLEINFELDER COMPANY  
ARMENDARIZ@KLEINFELDER.COM

An octagonal seal for a Texas land surveyor. The top arc contains the text "STATE OF TEXAS" and the bottom arc contains "REGISTERED". The center features a five-pointed star. The bottom half of the seal contains the name "JOSHUA P ARMENDARIZ" and the number "6822". The bottom arc is labeled "PROFESSIONAL LAND SURVEYOR".

	<b>DOUCET</b> A Kleinfelder Company	Date: 05/29/2025
		Scale: 1" = 50'
		Drawn by: JRT
		Reviewer: JA
		Project: 24003214.001A
		Sheet: 1 OF 1
		Field Book: 5725
		Party Chief: AM
		Survey Date: 05-27-2025

s\24003214.001A Fellers Property\CAD\dwg\Active – Exhibits\24003214.001A – 14.06AC\_TITLE\_GRID.dwg

Hays County  
Liz Q. Gonzalez  
County Clerk  
San Marcos, Texas 78666



70 2011 11011538

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Instrument Number: 2011-11011538

As

Recorded On: May 23, 2011

OPR RECORDINGS

Parties: FELLERS DOYLE M

Billable Pages: 17

To CYPRESS FORK RANCH LP

Number of Pages: 18

**Comment:**

( Parties listed above are for Clerks reference only )

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**\*\* Examined and Charged as Follows: \*\***

OPR RECORDINGS 80.00

Total Recording: 80.00

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\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2011-11011538

Receipt Number: 274251

Recorded Date/Time: May 23, 2011 10:16:39A

Book-Vol/Pg: BK-OPR VL-4118 PG-681

User / Station: P Hernandez - Cashiering #3

**Record and Return To:**

STEVEN RAY HAKE ATTORNEY AT LAW

1306 GUADALUPE ST

AUSTIN TX 78701

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State of Texas |  
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and  
time stamped hereon and was recorded on the volume and page of the named records  
of Hays County, Texas



*Liz Q. Gonzalez*  
Liz Q. Gonzalez, County Clerk

## Special Warranty Deed

**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.

Date: May 5, 2011

Grantor: Doyle M. Fellers and wife Claireen Fellers

Grantor's Mailing Address: 1300 Creek Road  
Dripping Springs, Hays County, TX 78620

Grantee: Cypress Fork Ranch, L.P., a Texas limited partnership

Grantee's Mailing Address: 1300 Creek Road  
Dripping Springs, Hays County, TX 78620

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration.

Property (including any improvements):

That certain property in Hays County described on the attached Exhibit "A".

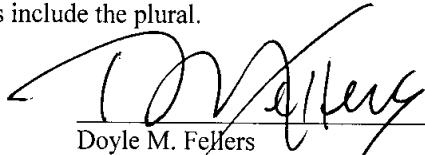
Reservations from Conveyance: Grantor reserves a perpetual, non-exclusive easement for Grantor and Grantor's successors for ingress and egress to and from Grantor's homestead property (referenced and described in Exhibit "A" and not conveyed herein) and Creek Road, Roger Hanks Parkway, and any other public streets or roadways adjacent to the Property now or in the future, including an easement over, on, and across the existing private drive currently providing access from Grantor's homestead property to Creek Road as shown on the attached Exhibit "B". The easement binds and inures to the benefit of both parties and their respective heirs, successors, and assigns. The easement is appurtenant to and runs with the Grantor's retained property, whether or not it is referenced in any conveyance of such property.

Exceptions to Conveyance and Warranty: All easements and rights-of-way of record; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor, that certain Lease dated December 30, 2009 between Doyle and Claireen Fellers as Lessor and Forestar (USA) Real Estate Group, Inc. as Lessee, and other instruments, other than conveyances of the surface fee estate, that affect the Property; any encroachments or overlapping of improvements; and taxes for the current year, the payment of which Grantee assumes.

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

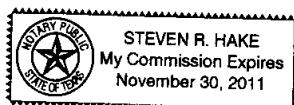
claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

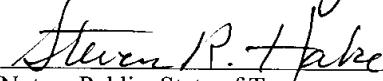
As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS", with any and all latent and patent defects, and that there is no warranty by Grantor that the Property is fit for a particular purpose. Grantee acknowledges that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for the limited warranties of title set forth in this deed. When the context requires, singular nouns and pronouns include the plural.

  
Doyle M. Fellers  
  
Claireen Fellers

**State of Texas** §  
§  
**County of Hays** §

This instrument was acknowledged before me on this 5<sup>th</sup> day of May, 2011 by Doyle M. Fellers and wife, Claireen Fellers.



  
Notary Public, State of Texas

After recording, please return to:

Doyle Fellers  
Cypress Fork Ranch, LP  
1300 Creek Road  
Dripping Springs, TX 78620

## Exhibit "A"

### Legal Description

The Property conveyed is described in this Exhibit "A" and may be generally described as a tract of land consisting of 111.181 acres out of the B. G. Hanna League, Hays County, Texas, as described by metes and bounds in this Exhibit "A", SAVE AND EXCEPT the following four (4) tracts of land which are also described in this Exhibit "A" and excluded from the Property as conveyed:

- (1) Excluding that certain parcel containing a 1.304 acre tract of land as described in that certain Deed Without Warranties from Doyle M. Fellers and Claireen H. Fellers to Hays County, Texas, recorded as document number 9815804 in the Real Property Records of Hays County, Texas;
- (2) And also excluding that certain parcel containing approximately 17.746 acres which comprise Lots 1, 2, and 3 as described in the plat of Cypress Fork Ranch, a Subdivision of Hays County, Texas, as recorded in the Real Property Records of Hays County, Texas, a copy of which plat is included as part of this Exhibit "A";
- (3) And also excluding that certain parcel containing 12.374 acres of land previously conveyed by Warranty Deed from Doyle Fellers and wife, Claireen Fellers to Forestar (USA) Real Estate Group and described by metes and bounds in the legal description included as part of this Exhibit "A";
- (4) And also excluding the Fellers homestead property consisting of a 7.0532 acre tract of land that is reserved and retained by Grantor and which is described by metes and bounds in the legal description and drawing included as part of this Exhibit "A".

Thus the Property conveyed consists of a tract of land of 111.181 acres less 1.304 acres, less 17.746 acres, less 12.374 acres, and less 7.5032 acres, for a resulting tract of approximately 72.7038 acres more or less, as described in this Exhibit "A".

111.181 ACRES  
OUT OF THE B. F. HANNA LEAGUE  
HAYS COUNTY, TEXAS

700 523

Being 111.181 acres out of the Benjamin F. Hanna League number 428, abstract 222, Hays County, Texas, and also being the same property described in deed from M. Z. Piland, receiver of the estate of Nona Ennis Follis, to Billy Floyd Peel recorded in volume 229, page 295, of the Real Property Records of Hays County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at the intersection of the centerline of Onion Creek also known as Archers Creek, and the centerline of Boiling Springs Branch, a point for corner of the herein described tract.

Thence S 64° 39' 27" E with the centerline of Onion Creek 2.91 feet to a point for corner of the herein described tract and the southwest corner of a 5.24 acre tract conveyed by Nona E. Follis to N. B. Hutto and wife by deed recorded in volume 217 page 340 of the Real Property Records of Hays County, Texas.

Thence with the west line of said 5.24 acre tract N 64° 53' 57" E, at 147.60 feet pass a fence corner and a 12 inch corner post in the south margin of County Road 190 (also known as Dripping Springs-Mt. Sharp Road) a total distance in all of 181.42 feet to a point in the centerline of said road and the northwest corner of the said 5.24 acre tract.

Thence with the centerline of County Road 190 the following courses and distances:

- 1) S 82° 36' 05" E 14.77 feet;
- 2) S 69° 50' 44" E 1327.88 feet;
- 3) S 82° 46' 16" E at 49.39 feet pass the northeast corner of said 5.24 acre tract and the northwest corner of a 3.5 acre tract exempted out of Tract One in volume 229 page 295 of the Hays County Real Property Records, a total distance in all of 85.67 feet;
- 4) N 67° 25' 45" E 76.81 feet;
- 5) N 44° 38' 27" E 310.65 feet;
- 6) N 28° 23' 27" E 70.85 feet;

Thence S 62° 23' 33" E 25.60 feet to a 5/8 inch iron rod set in the east margin of the said county road.

Thence N 02° 49' 45" E with the east line of the B. F. Hanna League as occupied and the west line of a 388 acre tract of land conveyed to Lois E. Slaughter by deed recorded in volume 184 page 597 of the Real Property Records of Hays County, Texas, at 600.99 feet pass a fence corner in the south margin of County Road 190 a total distance in all of 739.97 feet to a point in the north margin of County Road 190.

Thence N 85° 20' 15" W with an existing fence line 37.84 feet to a found fence corner.

Thence continuing with the east line of the B. F. Hanna League as fenced and occupied the following courses and distances:

- 1) N 04° 39' 45" E 636.32 feet to fence corner;
- 2) N 81° 02' 23" W 16.44 feet to a fence corner;
- 3) N 02° 21' 24" E 1426.91 feet to angle point;
- 4) N 03° 40' 47" E 275.86 feet to a fence post for angle point on the break of high bank of Cave Springs Branch;
- 5) N 29° 58' 14" E 33.90 feet to a point in the centerline of a stream known as Cave Springs Branch.

700 S.L.

111.181 Acres  
Page 2 of 2:

Thence with the centerline of said Cave Spring Branch the following meanders:

- 1) N 79° 46' 10" W 236.15 feet;
- 2) S 18° 53' 53" W 275.86 feet;
- 3) N 88° 36' 12" W 95.57 feet;
- 4) S 57° 07' 24" W 299.07 feet;
- 5) S 54° 04' 50" W 250.12 feet;
- 6) S 30° 01' 34" W 265.33 feet to the southeast corner of a called 8.35 acre tract described as Tract Two in volume 229, page 295 of the Hays County Real Property Records.

Thence leaving the centerline of Cave Spring Branch N 45° 31' 46" W at 25.29 feet pass a 1/2 inch iron rod found at a fence corner, a total distance in all of 204.83 feet to a 1/2 inch iron rod found at a fence corner.

Thence N 04° 56' 28" W with an existing fence line 277.78 feet to a 1/2 inch iron rod found for corner.

Thence N 44° 24' 00" W 277.89 feet to a 1/2 inch iron rod found for corner.

Thence S 86° 00' 39" W with the north line of the said 8.35 acre tract at 304.57 feet pass a 2 inch diameter iron fence post a total distance in all of 342.09 feet to the centerline of Boiling Springs Branch.

Thence with the centerline of Boiling Springs Branch the following meanders:

- 1) S 22° 16' 51" E 381.36 feet;
- 2) S 03° 50' 08" W 155.83 feet;
- 3) S 01° 59' 34" W 72.57 feet;
- 4) S 01° 47' 39" E 223.94 feet;
- 5) S 06° 22' 14" E 212.65 feet;
- 6) S 00° 31' 37" W 80.91 feet to the intersection with the centerline of Cave Springs Branch;
- 7) S 05° 41' 47" W 336.24 feet;
- 8) S 24° 36' 40" W 261.13 feet;
- 9) S 62° 01' 53" W 56.80 feet;
- 10) S 24° 40' 24" W 205.33 feet;
- 11) S 21° 51' 23" W 422.89 feet;
- 12) S 31° 26' 29" W 294.74 feet;

Thence continuing with the centerline of said Boiling Springs Branch S 24° 18' 47" E at 352.62 pass a "+" in the deck of a concrete bridge across Onion Creek a total distance in all of 361.97 feet to the place of beginning containing in all 4,843,041 square feet or 111.181 acres more or less.



5/6/87  
670601  
GWH/ts

*G. W. Hans*

Gordon W. Hans  
Registered Public Surveyor #1748  
COBB, FENDLEY AND ALLEN COMPANY  
3355 BEE CAVE, SUITE 606  
AUSTIN, TEXAS, 78746  
(512) 329-8208

STATE OF TEXAS  
COUNTY OF HAYS

I hereby certify that this instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED, in the Volume and Page of the named RECORDS of Hays County, Texas, as stamped herein to: *OCT 9 1987*



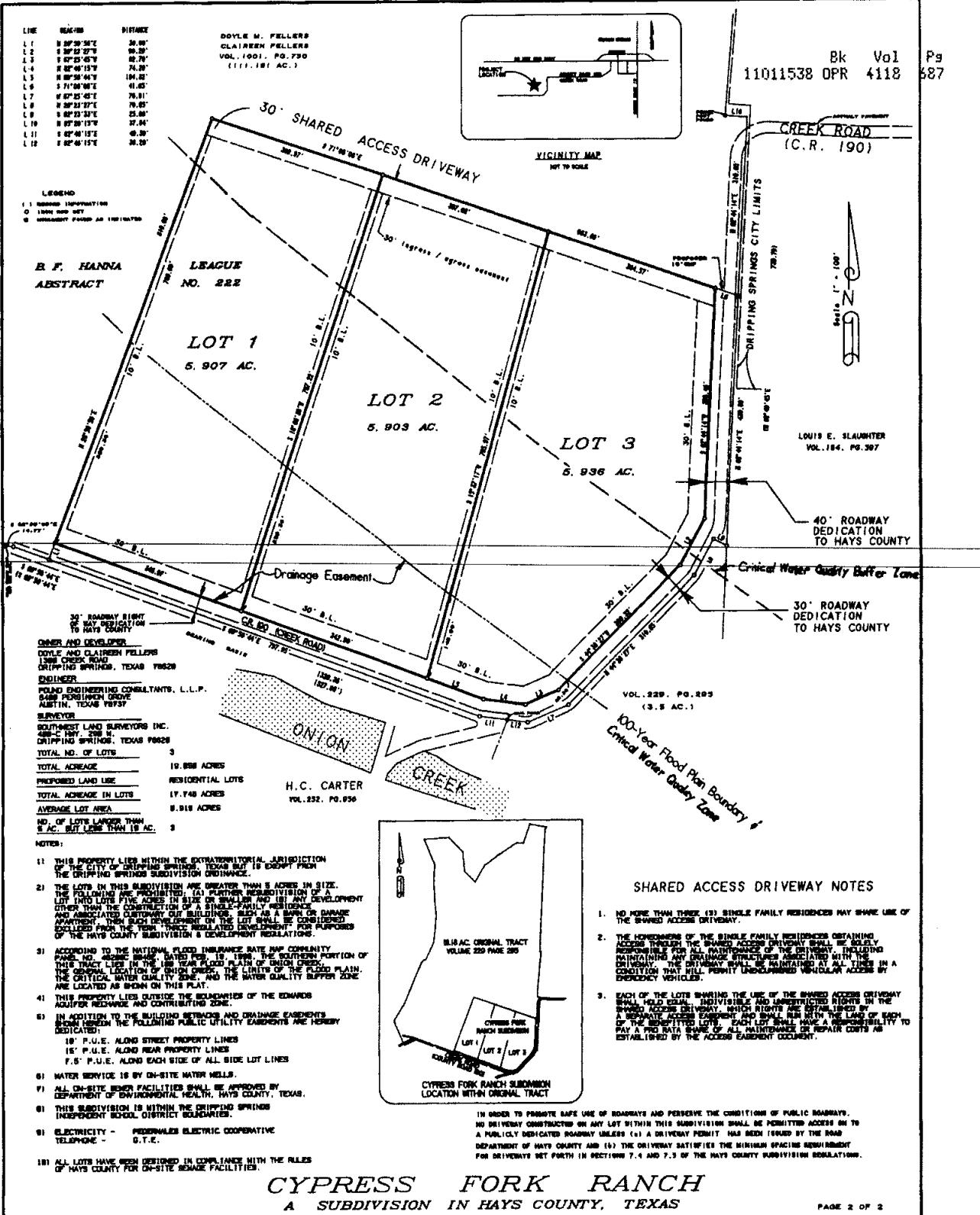
*Donald Damally*  
COUNTY CLERK  
HAYS COUNTY, TEXAS

LINE	HEAD	DISTANCE	DOYLE M. FELLER
L.1	8 00 22 297	50.80'	CLAIREE FELLER
L.2	8 00 22 279	55.30'	VOL. 1001, PO. 730
L.3	8 00 22 279	55.70'	(111.18) AC.)
L.4	8 00 22 279	74.30'	
L.5	8 00 22 279	104.40'	
L.6	8 00 22 279	141.40'	
L.7	8 00 22 279	79.11'	
L.8	8 00 22 279	55.30'	
L.9	8 00 22 279	55.30'	
L.10	8 00 22 279	17.94'	
L.11	8 00 22 197	46.30'	
L.12	8 00 22 197	35.30'	

DOYLE M. FELLERS  
CLAIREEN FELLERS  
VOL. 1001. PG. 730

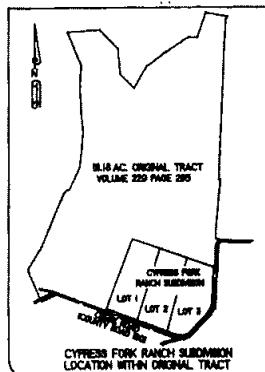
Bk	Vol	Pg
11011538	OPR	4118

Pg  
687



SHARED ACCESS DRIVEWAY NOTES

1. NO MORE THAN THREE (3) SINGLE FAMILY RESIDENCES MAY SHARE USE OF THE SHARED ACCESS DRIVEWAY.
2. THE OWNERSHIP OF THE SINGLE FAMILY RESIDENCES OBTAINING ACCESS THROUGH THE SHARED ACCESS DRIVEWAY SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING THE SHARED ACCESS DRIVEWAY AND MAINTAINING ANY DRIVeway STRUCTURES ASSOCIATED WITH THE DRIVEWAY. THE DRIVEWAY SHALL BE MAINTAINED AT ALL TIMES IN A CONDITION WHICH PERMITS UNOBSTRUCTED VEHICLE ACCESS BY EMERGENCY VEHICLES.
3. EACH OF THE LOTS SHARING THE USE OF THE SHARED ACCESS DRIVEWAY SHALL HOLD EQUAL, INDIVISIBLE AND UNRESTRICTED RIGHTS IN THE SHARED ACCESS DRIVEWAY WHICH RIGHTS SHALL BE HELD IN COMMON AS A TENURE IN EASEMENT IN COMMON WITH THE OWNERSHIP OF EACH OF THE EIGHTY-TWO (82) LOTS. EACH LOT OWNER HAS A RESPONSIBILITY TO PAY FOR THE MAINTENANCE AND REPAIR COSTS AS ESTABLISHED IN THE ACCESS EASEMENT DOCUMENT.



IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PERMUTE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ON TO A PUBLICLY DEEDED ROADWAY UNLESS: (a) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE ROAD DEPARTMENT OF HAYES COUNTY AND (b) THE DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENT FOR DRIVEWAYS SET FORTH IN SECTION 7.4 AND 7.5 OF THE HAYES COUNTY SUBDIVISION REGULATIONS.

Hays County, Vol. 8 Page: 167 CYPRESS FORK RANCH LOTS 1--3

Exhibit "A"-Page 4 of 14

STATE OF TEXAS  
COUNTY OF HAYS

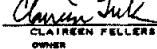
KNOW ALL MEN BY THESE PRESENTS: THAT WE, DOYLE M. FELLERS AND AND WIFE, CLAIREEN FELLERS OWNERS OF 111.181 ACRES OF LAND OUT OF THE B.F. HANNA LEAGUE, ABSTRACT NO. 222, HAYS COUNTY, TEXAS, AS CONVEYED TO US BY DEED DATED JUNE 25, 1985, AND RECORDED IN VOLUME 10, PAGE 145 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, DO HEREBY SUBDIVIDE 19.030 ACRES OUT OF SAID 111.181 ACRE TRACT, TO BE KNOWN AS THE "CYPRESS FORK RANCH" SUBDIVISION, THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF STREETS AND EASEMENTS SHOWN HEREON.

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, WARRANT THAT ANY RIGHT, PRIVILEGE, OR OBLIGATION, OR HEREBY GRANTED TO ME BY THE FOREGOING INSTRUMENT, SHALL NOT BE RUN IN FAVOR OF MY SUCCESSORS IN INTEREST, ASHONS, AGENTS, EMPLOYEES, OR ANY OTHER PERSON ACTING PURSUANT TO THE DIRECTIONS OF ANY OF THE FOREGOING, OR UNDER COLOR OF THE SAME.

IN WITNESS WHEREOF: DOYLE M. FELLERS AND CLAIREEN FELLERS HAS CAUSED THESE PRESENTS TO BE EXECUTED, AND THERE DULY AUTHORIZED.

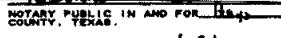
THIS THE 9<sup>th</sup> DAY OF JULY A.D., 1995.

  
DOYLE M. FELLERS  
OWNER

  
CLAIREEN FELLERS  
OWNER

STATE OF TEXAS  
COUNTY OF HAYS

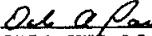
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DOYLE M. FELLERS AND CLAIREEN FELLERS, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN STATED.

  
NOTARY PUBLIC IN AND FOR Hays  
COUNTY, TEXAS.  
COMMISSION EXPIRES 1-24-96  
PRINT NAME Debbie Galt



IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES, OR BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED, OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES, OR IN CONNECTION WITH THE PLAT, SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF HAYS COUNTY. THE COMMISSIONERS COURT OF HAYS COUNTY ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES, OR BRIDGES AND CULVERTS, OR OF CONSTRUCTING ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENTS AS SHOWN HEREON.

  
DALE A. POUND, P.E.  
P.E. NO. 61578

7-14-95  
DATE



STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS: THAT I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEY RELATED TO THE FOREGOING INSTRUMENT, AND IS ACCORDINGLY APPROVED, AND FURTHER CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, AND FURTHER CERTIFY THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

  
BARRY F. PENNINGTON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4404 - STATE OF TEXAS  
BUTTERFIELD SURVEYORS, INC.  
400-C HIGHWAY 290 WEST  
DRIPPING SPRINGS, TEXAS 78620

7-14-95  
DATE



HEALTH DEPARTMENT NOTES:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNAL WATER SYSTEM. NO INDIVIDUAL WATER SUPPLY SHOULD BE CONNECTED TO A COMMUNAL WATER SYSTEM UNTIL THE WATER QUALITY OF THE COMMUNAL WATER SYSTEM IS DETERMINED AND IN SOME CASES MAY OFFER THE BEST RENEWABLE WATER SOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY ENVIRONMENTAL HEALTH.

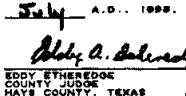
NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BE COMMENCED UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

  
ALLEN O. WALTHER, DIRECTOR  
HAYS COUNTY ENVIRONMENTAL HEALTH  
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

STATE OF TEXAS  
COUNTY OF HAYS

I, MARGIE T. VILLALPANDO, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE 14<sup>th</sup> DAY OF JULY A.D., 1995, THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND SAID ORDER HAS BEEN ENTERED IN THE MINUTES OF SAID COURT IN BOOK B, PAGE 73.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 14<sup>th</sup> DAY OF

  
MARGIE T. VILLALPANDO  
COUNTY CLERK  
HAYS COUNTY, TEXAS  
Deputy

STATE OF TEXAS  
COUNTY OF HAYS

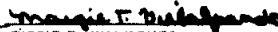
I, MARGIE T. VILLALPANDO, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 14<sup>th</sup> DAY OF JULY A.D., 1995 AT 11:00 O'CLOCK

P.M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS

IN BOOK B, PAGE(S) 16. WITNESS MY HAND AND SEAL OF

OFFICE, THIS THE 14<sup>th</sup> DAY OF JULY A.D., 1995.



  
MARGIE T. VILLALPANDO

COUNTY CLERK

HAYS COUNTY, TEXAS

  
Margie T. Villalpando

**CYPRESS FORK RANCH**

**A SUBDIVISION IN HAYS COUNTY, TEXAS**

PAGE 1 OF 2

## DESCRIPTION

OF 12.374 ACRES OF LAND OUT OF THE B.F. HANNA SURVEY,  
ABSTRACT NO. 222; SITUATED IN HAYS COUNTY, TEXAS; BEING A  
PORTION OF THAT CERTAIN 111.181 ACRE TRACT DESCRIBED IN THE  
DEED TO DOYLE M. FELLERS AND WIFE, CLAIREEN FELLERS, OF  
RECORD IN VOLUME 1001, PAGE 750, OF THE OFFICIAL PUBLIC  
RECORDS OF HAYS COUNTY, TEXAS; SAID 12.374 ACRES BEING MORE  
PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod found for the southerly most corner of that certain 18.37 acre "Tract One" described in the deed to Lester E. R. Doty, of record in Volume 1197, Page 162, of the said Official Public Records, being an angle point in the northerly line of said 111.181 acre tract, also being in the approximate centerline of a creek locally known as Cave Springs Branch, for an angle point in the easterly line hereof, from which a 1/2-inch iron rod found in the southerly line of said 18.37 acre tract, bears along the approximate centerline meanders of Cave Springs Branch, N24°50'24"E, a distance of 120.80 feet;

**THENCE**, leaving the southerly line of said 18.37 acre tract, over and across said 111.181 acre tract along a portion of the easterly and irregular southerly lines hereof, the following ten (10) courses and distances:

- 1) S09°42'35"E, a distance of 23.08 feet to a 1/2-inch iron rod with cap set;
- 2) S62°49'07"E, a distance of 67.45 feet to a 1/2-inch iron rod with cap set;
- 3) S15°12'57"W, a distance of 309.27 feet to a 1/2-inch iron rod with cap set;
- 4) S47°32'45"W, a distance of 188.44 feet to a 1/2-inch iron rod with cap set;
- 5) S43°49'18"W, a distance of 191.91 feet to a 1/2-inch iron rod with cap set;

- 6) N42°24'49"W, a distance of 263.24 feet to a 1/2-inch iron rod with cap set;
- 7) S77°25'19"W, a distance of 43.88 feet to a 1/2-inch iron rod with cap set;
- 8) S05°23'39"E, a distance of 287.17 feet to a 1/2-inch iron rod with cap set;
- 9) S25°06'46"W, a distance of 37.38 feet to a 1/2-inch iron rod with cap set;
- 10) N87°22'16"W, a distance of 21.35 feet to a 1/2-inch iron rod with cap set in the approximate centerline meander of a creek locally known as Boiling Springs Creek, being on the easterly line of that certain 361.83 acre tract described in the deed to Forestar (USA) Real Estate Group, Inc., of record in Volume 3083, Page 733, of said Official Public Records, for the southwesterly corner hereof;

**THENCE**, along the approximate centerline meanders of said Boiling Springs Creek, being a portion of the easterly line of said 361.83 acre tract, for the westerly line hereof, the following seven (7) courses and distances:

- 1) N02°45'03"E, a distance of 240.39 feet to a calculated point;
- 2) N02°25'07"W, a distance of 80.90 feet to a calculated point;
- 3) N09°18'58"W, a distance of 212.62 feet to a 1/2-inch iron rod with cap set;
- 4) N04°44'23"W, a distance of 223.91 feet to a calculated point;
- 5) N08°20'46"W, a distance of 245.40 feet to a calculated point;
- 6) N28°21'28"W, a distance of 295.23 feet to a calculated point;

7) N03°42'45"E, a distance of 51.04 feet to a calculated point for the southwesterly corner of said 18.37 acre tract, and the northwesterly corner of said 111.181 acre tract and hereof, from which a 1/2-inch iron rod found for an angle point in the westerly line of said 18.37 acre tract, same being the easterly line of said 361.83 acre tract, bears N03°42'45"E, a distance of 173.70 feet;

**THENCE**, leaving the easterly line of said 361.83 acre tract and the approximate centerline meanders of Boiling Springs Creek, along a portion of the northerly line of said 111.181 acre tract, being a portion of the southerly line of said 18.37 acre tract, the following five (5) courses and distances:

- 1) N82°55'33"E, a distance of 340.85 feet to a 1/2-inch iron rod found;
- 2) S47°24'23"E, a distance of 277.77 feet to a 1/2-inch iron rod found;
- 3) S08°01'22"E, a distance of 277.75 feet to a 1/2-inch iron rod found;
- 4) S48°33'56"E, a distance of 179.56 feet to a 1/2-inch iron rod found;

5) S52°45'32"E, a distance of 26.36 feet to the **POINT OF BEGINNING**, and containing an area of 12.374 acres of land, more or less, within these metes and bounds.

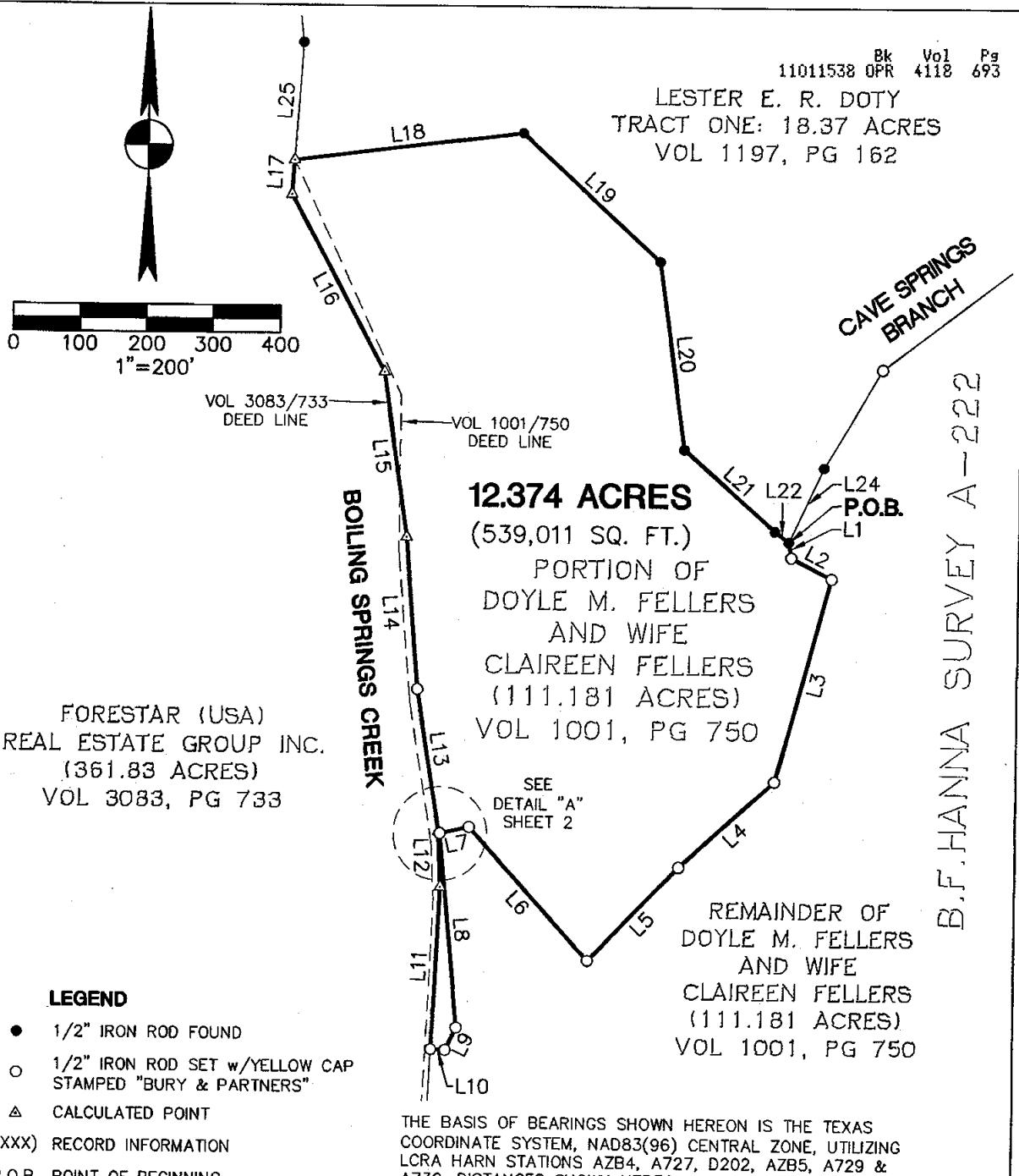
**BEARING BASIS:** THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM, NAD83-HARN CENTRAL ZONE, UTILIZING GPS CALIBRATION TO LCRA HARN NETWORK CONTROL STATIONS AZB4, AZB5, A728, & A730,

I, MARK A. ZIENTEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, INC., UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES. A SURVEY SKETCH PLAT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION

BURY + PARTNERS, INC.  
ENGINEERING-SOLUTIONS  
221 SIXTH STREET, SUITE 600  
AUSTIN, TEXAS 78701

MARK A. ZIENTEK, R.P.L.S.  
NO. 5683  
STATE OF TEXAS

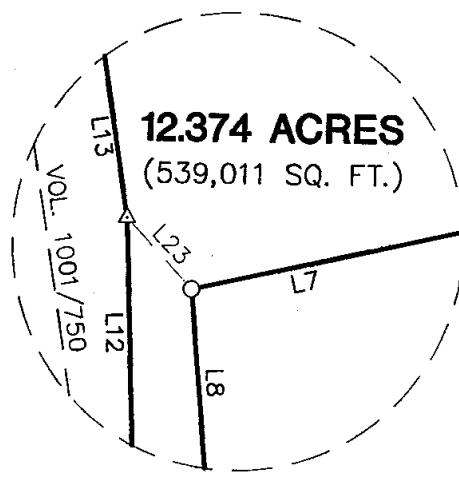
LESTER E. R. DOTY  
TRACT ONE: 18.37 ACRES  
VOL 1197, PG 162



PAGE 5 OF 6

<b>Bury+Partners</b> ENGINEERING SOLUTIONS 221 West Sixth Street, Suite 600 Austin, Texas 78701 Tel. (512)328-0011 Fax (512)328-0325 Bury+Partners, Inc. ©Copyright 2007	<b>SKETCH TO ACCOMPANY DESCRIPTION</b> OF A 12.374 ACRE TRACT, BEING A PORTION OF THAT CERTAIN 111.181 ACRE TRACT DESCRIBED IN THE DEED TO DOYLE M. FELLERS AND WIFE CLAIREEN FELLERS, OF RECORD IN VOLUME 1001, PAGE 750 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.	<b>FORESTAR REAL ESTATE</b>
DATE: 12/27/2007 FILE: H:\177901EX4.dwg	FN No.: FN07-836TM DRAWN BY: TM	PROJ. No: 1779-01

Exhibit "A"-Page 10 of 14



LINE TABLE

NO.	BEARING	DISTANCE
L1	S09°42'35"E	23.08'
L2	S62°49'07"E	67.45'
L3	S15°12'57"W	309.27'
L4	S47°32'45"W	188.44'
L5	S43°49'18"W	191.91'
L6	N42°24'49"W	263.24'
L7	S77°25'19"W	43.88'
L8	S05°23'39"E	287.17'
L9	S25°06'46"W	37.38'
L10	N87°22'16"W	21.35'
L11	N02°45'03"E	240.39'
L12	N02°25'07"W	80.90'
L13	N09°18'58"W	212.62'
L14	N04°44'23"W	223.91'
L15	N08°20'46"W	245.40'
L16	N28°21'28"W	295.23'
L17	N03°42'45"E	51.04'
L18	N82°55'33"E	340.85'
L19	S47°24'23"E	277.77'
L20	S08°01'22"E	277.75'
L21	S48°33'56"E	179.56'
L22	S52°45'32"E	26.36'
L23	N43°37'48"W	3.00'
L24	N24°50'24"E	120.80'
L25	N03°42'45"E	173.70'

PAGE 6 OF 6

**Bury+Partners**

ENGINEERING SOLUTIONS  
221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512)328-0011 Fax (512)328-0325  
Bury+Partners, Inc. ©Copyright 2006

**SKETCH TO ACCOMPANY DESCRIPTION**  
OF A 12.374 ACRE TRACT, BEING A PORTION OF THAT  
CERTAIN 111.181 ACRE TRACT DESCRIBED IN THE DEED TO  
DOYLE M. FELLERS AND WIFE CLAIREEN FELLERS, OF RECORD  
IN VOLUME 1001, PAGE 750 OF THE OFFICIAL PUBLIC RECORDS  
OF TRAVIS COUNTY, TEXAS.

**FORESTAR  
REAL ESTATE**

**ARROWHEAD  
RANCH**

DATE: 12/27/2007	FILE: H:\177901EX4.dwg	FN No.: FN07-836TM	DRAWN BY: TM	PROJ. No: 1779-01
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Exhibit "A"-Page 11 of 14

EXHIBIT "A"

**DESCRIPTION OF A TRACT OF LAND CONTAINING 7.0532 ACRE (307,237 SQUARE FEET), SITUATED IN HAYS COUNTY TEXAS, BEING OUT OF THE BENJAMIN F. HANNA LEAGUE SURVEY NO. 428, ABSTRACT NO. 222, AND BEING A PORTION OF THE DOYLE M. FELLERS, AND WIFE, CLAIREEN FELLERS TRACT PER DEED RECORDED IN VOLUME 1001, PAGE 750, OF OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 7.0532 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE (4204), NAD83 (CORS), ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000080832644):**

**BEGINNING**, at a 1/2-inch iron rod with "Bury" cap found at the most southerly corner of that certain 12.374 acre tract conveyed by Doyle Fellers and wife, Claireen Fellers to Forestar (USA) Real Estate Group, Inc., per warranty deed recorded as Instrument No. 2010-10000170, in Volume 3802, Page 475 of the Official Public Records of Hays County, Texas;

**THENCE**, along the boundary of said 12.374 acre tract the following four (4) courses:

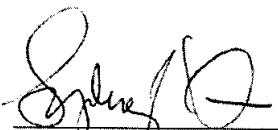
1. N25°48'45"E, a distance of 37.37 feet to a found 1/2-inch iron rod with "Bury" cap,
2. N04°41'40"W, a distance of 287.17 feet to a found 1/2-inch iron rod with "Bury" cap,
3. N78°18'13"E, a distance of 44.20 feet to a found 1/2-inch iron rod with "Bury" cap, and the most northerly corner hereof,
4. S41°41'26"E, a distance of 263.28 feet to a found 1/2-inch iron rod with "Bury" cap,

**THENCE**, departing the boundary of said 12.374 acre tract, and continuing over and across said Doyle Fellers and wife, Claireen Fellers tract the following nine (9) courses and distances:

1. S48°57'59"E, a distance of 355.80 feet to a calculated point for the most easterly corner hereof and the beginning of a non-tangent 387.00 foot radius curve concave southeasterly, a radial to which bears N48°57'59"W,
2. Southwesterly along the arc of said curve a distance of 63.26 feet through a central angle of 9°21'58" to a calculated point,
3. Tangent to said curve, S31°40'03"W, a distance of 191.17 feet to a calculated point and the beginning of a tangent 237.00 foot radius curve concave easterly,

4. Southerly along the arc of said curve a distance of 169.33 feet through a central angle of  $40^{\circ}56'08''$  to a calculated point,
5. S $83^{\circ}09'01''$ W, a distance of 563.50 feet to a calculated point for the most westerly corner hereof,
6. N $22^{\circ}25'39''$ E, a distance of 195.10 feet to a calculated point,
7. N $59^{\circ}47'08''$ E, a distance of 56.79 feet to a calculated point,
8. N $22^{\circ}21'55''$ E, a distance of 261.10 feet to a calculated point,
9. N $03^{\circ}27'02''$ E, a distance of 95.81 feet to a found  $\frac{1}{2}$ -inch iron rod with "Bury" cap at a corner of said 12.374 acre tract;

**THENCE**, S $86^{\circ}40'21''$ E, a distance of 21.35 feet along the boundary of said 12.374 acre tract to the **POINT OF BEGINNING** and containing 7.0532 acres of land, more or less.

  
\_\_\_\_\_  
Sydney Smith Xinos, R.P.L.S. 5361      Date  
Doucet & Associates Inc.,  
7401 B Hwy. 71 West, Suite 160,  
Austin, Texas 78735

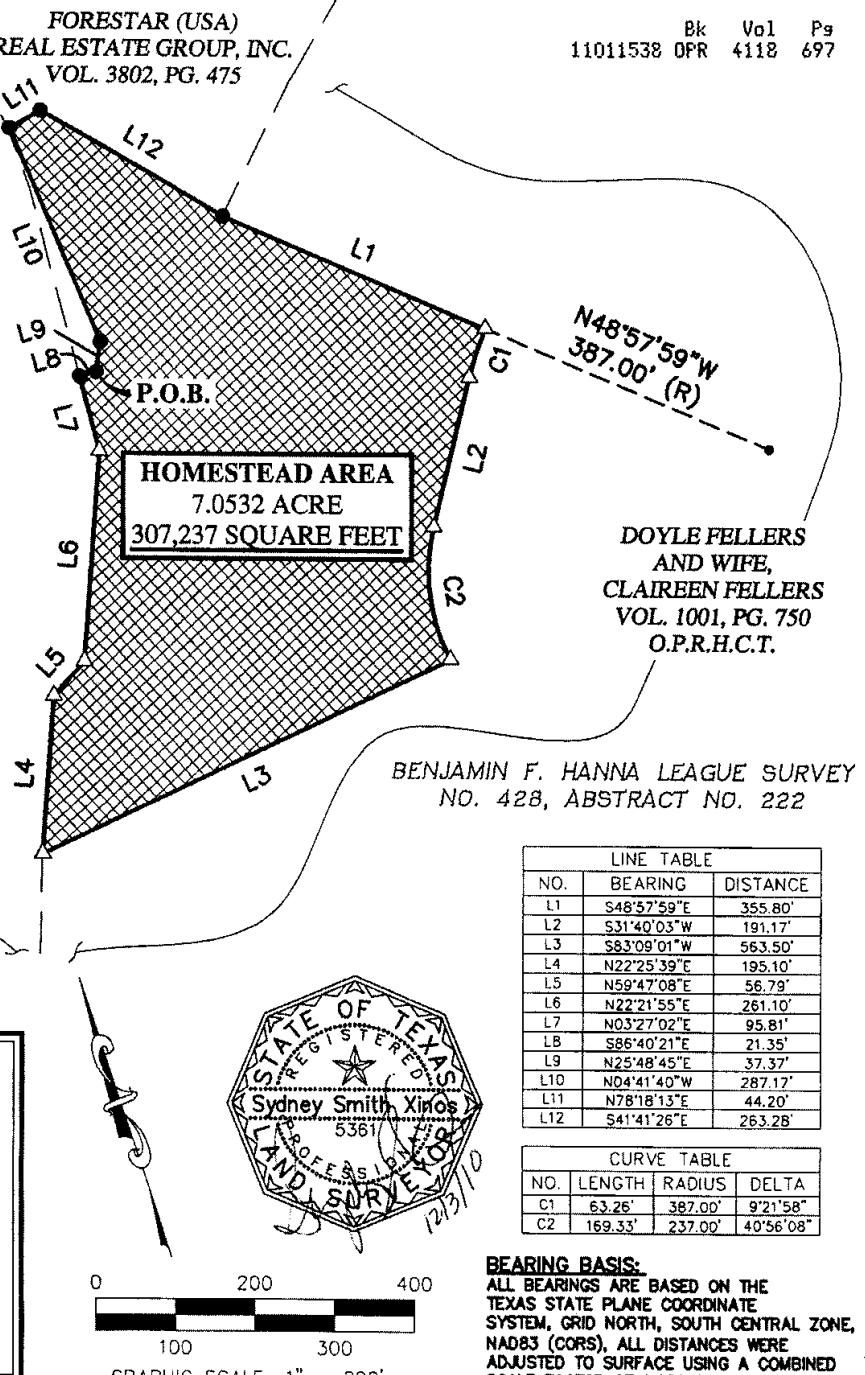
12/3/10



FORESTAR (USA)  
REAL ESTATE GROUP, INC.  
VOL. 3802, PG. 475

Bk Vol Pg  
11011538 OPR 4118 697

FORESTAR (USA)  
REAL ESTATE GROUP, INC.  
VOL. 3083, PG. 733



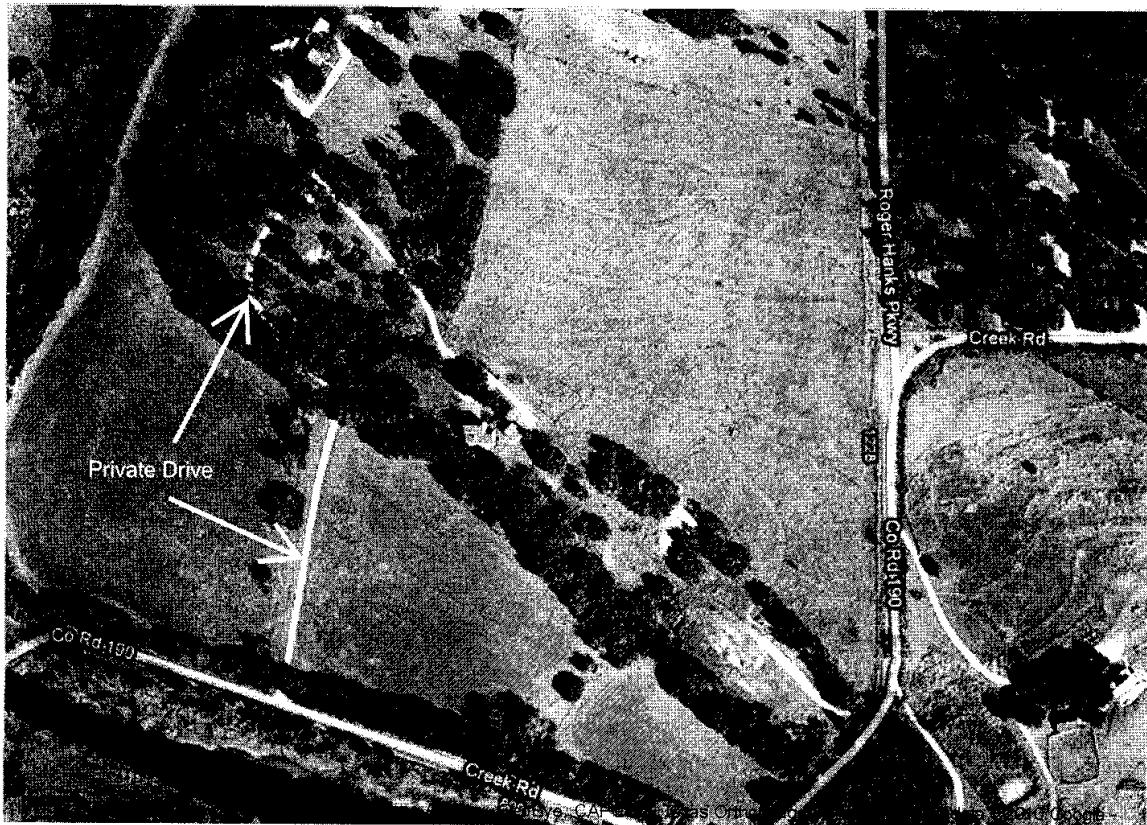
A TRACT OF LAND TOTALING  
7.0532 ACRE  
HOMESTEAD AREA  
CITY OF DRIPPING SPRINGS,  
HAYS COUNTY, TEXAS

P:\1039-002\survey\DA\_drawings\1039-001\_HOMESTEAD.dwg

**D&A** Doucet & Associates, Inc.  
7401 B Hwy. 71 West, Suite 160  
Austin, TX 78735, Phone: (512) 583-2600 Fax: (512) 583-2601  
AUSTIN, TEXAS - NORTHAMPTON, MASSACHUSETTS - ROSEVILLE, CALIFORNIA  
[www.doucetandassociates.com](http://www.doucetandassociates.com)

Date:	12/3/2010
Scale:	1"=200'
Drawn by:	RC
Reviewer:	SSX
Project:	1039-002
Sheet:	3 of 3
Field Book:	-
Party Chief:	-
Survey Date:	-

### Homestead Location



Map showing existing private drive to Creek Road

## Exhibit "B"

Hays County  
Liz Q. Gonzalez  
County Clerk  
San Marcos, Texas 78666



70 2012 12008148

Instrument Number: 2012-12008148

Recorded On: March 30, 2012

As

OPR RECORDINGS

Parties: FELLERS DOYLE M

Billable Pages: 2

To CYPRESS FORK RANCH LP

Number of Pages: 3

Comment:

( Parties listed above are for Clerks reference only )

\*\* Examined and Charged as Follows: \*\*

OPR RECORDINGS	20.00
Total Recording:	20.00

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2012-12008148

Receipt Number: 299689

Recorded Date/Time: March 30, 2012 03:04:06P

Book-Vol/Pg: BK-OPR VL-4310 PG-698

User / Station: L Curry - Cashiering #4

Record and Return To:

STEVEN RAY HAKE

1306 GUADALUPE STREET

AUSTIN TX 78701



State of Texas |  
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and  
time stamped hereon and was recorded on the volume and page of the named records  
of Hays County, Texas

Liz Q. Gonzalez, County Clerk

# Correction Deed

State of Texas §  
County of Hays §

This deed of correction is made on March 28, 2012, by Doyle M. Fellers and wife Claireen Fellers of 1300 Creek Road, Dripping Springs, Hays County, Texas 78620, referred to as Grantor, and Cypress Fork Ranch, L.P., a Texas limited partnership, of 1300 Creek Road, Dripping Springs, Hays County, Texas 78620, referred to as Grantee.

## Recitals

1. Grantor conveyed a parcel of land to Grantee by Special Warranty Deed dated May 5, 2011, which instrument is recorded as Instrument Number 2011-11011538 in the Real Property Records of Hays County, Texas.

2. In that instrument, the property conveyed was, by mistake, incorrectly described in that the legal description failed to exclude from the parcel described a strip of land comprising 2.14 acres of land that was not conveyed and should have been excluded from the legal description, for that 2.14 acres had previously been dedicated by Grantor to the public for roadway purposes as shown on the face of the final approved plat for the Roger Hanks Park Subdivision, recorded in Volume 11, Page 324-326, of the Official Public Records of Hays County, Texas.

3. In order to correct the error and to reflect the true agreement of the parties in every respect, Grantor and Grantee desire to make and execute this Correction Deed.

Now, therefore, Grantor, in and for the considerations expressed in the above-described Special Warranty Deed paid by Grantee, the receipt and sufficiency of which are acknowledged and confessed, grants, sells, and conveys to Grantee that certain property in Hays County, Texas described on the Exhibit "A" attached to that certain Special Warranty Deed dated May 5, 2011 recorded as Instrument Number 2011-11011538 in the Real Property Records of Hays County, Texas, except that the following described tract of land is hereby excluded from the legal description of the property as conveyed:

(5) And also excluding that certain parcel containing 2.14 acres of land previously dedicated by Grantor to the public for roadway purposes as shown on the final approved plat for the Roger Hanks Park Subdivision, recorded in Volume 11, Page 324-326, of the Official Public Records of Hays County, Texas.

Thus, the Property conveyed consists of a tract of land of 111.181 acres (1) less 1.304 acres, (2) less 17.746 acres, (3) less 12.374 acres, (4) less 7.0532 acres, and (5) less 2.14 acres, for a resulting tract of approximately 70.5638 acres more or less.

This Correction Deed is subject to the same Reservations from Conveyance and the same Exceptions to Conveyance and Warranty as stated in the original Special Warranty Deed described above.

To have and to hold the above-described Property, together with all and singular the rights, ways, and appurtenances belonging or appertaining to the premises, to Grantee and Grantee's heirs, successors, and assigns, and Grantor by this instrument binds Grantor and Grantor's heirs,

successors, and assigns 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.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS", with any and all latent and patent defects, and that there is no warranty by Grantor that the Property is fit for a particular purpose. Grantee acknowledges that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for the limited warranties of title set forth in this deed. When the context requires, singular nouns and pronouns include the plural.

This deed is executed as a correction deed given and accepted in place of that deed executed by the Grantor to the Grantee as above set forth and is made to correct the above-mentioned error and confirm the deed, and it will be effective as of, and retroactive to, the date of the original deed. Except as corrected, the original deed shall remain in full force and effect.

Executed on the date first above mentioned.



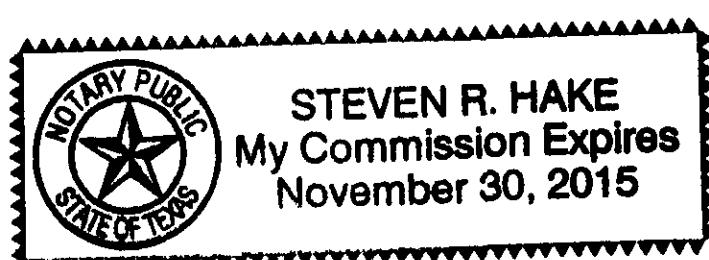
Doyle M. Fellers



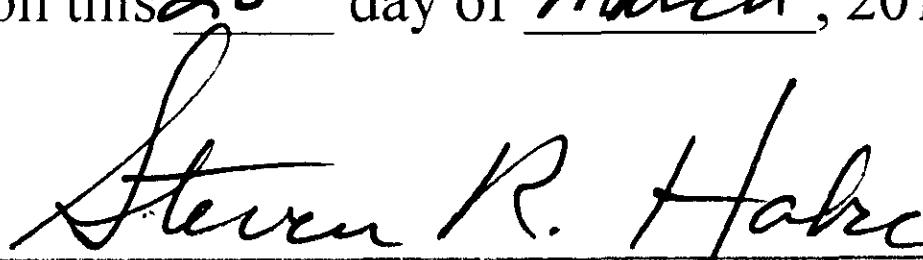
Claireen Fellers

**State of Texas** §  
§  
**County of Hays** §

This instrument was acknowledged before me on this 28<sup>th</sup> day of March, 2012 by Doyle M. Fellers and wife, Claireen Fellers.



Notary Public, State of Texas



After recording, please return to:

Steven R. Hake  
1306 Guadalupe Street  
Austin, TX 78701

## **Exhibit “D”**

### **Capacity Reservation**

WHEREAS, Owner has agreed to grant to City a Wastewater Easement, as further detailed in this Agreement; and

WHEREAS, City, as further consideration for that Wastewater Easement being granted by Owner, has agreed to reserve capacity in its wastewater collection system as set forth in this Agreement; and

WHEREAS, the parties desire to enter into this Agreement to set forth in writing their respective rights, duties, and obligations;

#### **A. Definitions.**

“City” means the City of Dripping Springs, an incorporated Type A, general law municipality located in Hays County, Texas.

“Land” means that certain approximately 54.0822-acre tract of land in Hays County, Texas, with the legal description of the tracts of land as described in Document No. 2012-12008148 recorded 3/30/2012, and Document No. 20058437 recorded 12/16/2020, save and except the property sold in Document No. 20044978 recorded 10/6/2020, and save and except the property conveyed in Document No. 22008563 recorded 2/22/2022, Official Public Records of Hays County, Texas.

“LUE” means Living Unit Equivalent of sewer usage, as established from time to time by City Ordinance.

“Owner” means Cypress Fork Ranch, L.P., a Texas limited partnership.

#### **B. City’s Obligations**

1. Reserve Capacity. City will reserve 80 LUEs of capacity in the Wastewater Collection System for Owner for up to eight (8) years, with the term beginning after notification from the City that the TPDES WWTP permitted under WQ0014488003 is operational. City will not charge any reservation fees to reserve this capacity. If the Land is fully platted within this eight-year-period and all 80 LUEs are not utilized, all remaining reserved LUEs are terminated.

#### **C. Owners’ Obligations**

1. Prior to obtaining wastewater service, Owner must negotiate and execute a Wastewater Utility Agreement with the City.

2. Facilities on the Land. Owner and future wastewater customers on Owner's property shall be responsible for the cost, construction, installation and maintenance of all sewer lines, wastewater taps, and other wastewater infrastructure between the service connection that has been constructed by the City and the facilities on the Land. Further, notwithstanding this Agreement, the Owner and all future wastewater customers on the Land remain subject to but not limited to applicable City ordinances, as these ordinances may be amended from time to time, including requirements related to development plans or site plans, and all provisions related to wastewater service availability, application, and commencement of retail wastewater service; payment of all wastewater rates, fees and charges, including all connection fees and Impact Fees; all applicable pretreatment requirements; and service termination, interest, and other charges as provided in the ordinance for delinquent accounts.

#### D. Assignment

1. Assignment. Owner may assign this Agreement as to all or part of the reserved LUEs without the written consent of the City to transferees of the Land from Owner.

EXECUTED this the 4th day of April, 2022.

CITY:  
CITY OF DRIPPING SPRINGS, TEXAS

By: Bill Foulds  
Mayor Bill Foulds

OWNER:  
CYPRESS FORK RANCH, L.P.  
BY: Cypress Fork Management, LLC, its General Partner

By: Doyle M. Fellers  
Doyle M. Fellers, Manager

By: Claireen Fellers  
Claireen Fellers, Manager