

Exhibit A

FN #917
UDG #05-351
Page 1 of 3

(Wastewater Easement)
A. E. Livingston Survey No. 155

DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 0.156 OF AN ACRE (6,808 SQUARE FEET) IN THE A. E. LIVINGSTON SURVEY NO. 155, TRAVIS COUNTY, TEXAS, SAID 0.156 OF AN ACRE TRACT BEING A PORTION OF THAT 0.86 OF AN ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2 EXECUTED ON APRIL 15, 1985 AND RECORDED IN VOLUME 9182 PAGE 661 OF THE REAL PROPERTY RECORDS OF SAID COUNTY (SUBSEQUENTLY TRANSFERRED TO CITY OF AUSTIN, NO RECORDING INFORMATION FOUND), SAID 0.156 OF AN ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a PK nail set at the southwest corner of said 0.86 of an acre tract, same being at an interior corner of that 0.36 of an acre tract described in a deed to Luther E. Smith and Homer D. Reed as recorded in Volume 7093 Page 397 of the Deed Records of said County (N: 10,132,310.66 E: 3,091,104.36)(NAD 83, Texas Central Zone, Grid Coordinates, Average projection scale factor: 0.99992967824):

THENCE, with the western most southwest line of said 0.86 of an acre tract, same being a northeast line of said 0.36 of an acre tract, N28°57'58"W, 14.02 feet to a point from which a PK nail set at the western most corner of said 0.86 of an acre tract, same being at an interior corner of said 0.36 of an acre tract bears N28°57'58"W, 76.86 feet;

THENCE, through the interior of said 0.86 of an acre tract, the following three courses;

- 1) N60°36'17"E, 71.29 feet to a point;
- 2) N30°40'10"E, 59.97 feet to a point;
- 3) N68°23'32"E, 68.04 feet to a point in the north line of said 0.86 of an acre tract, same being in the south line of Lot 5, Spicewood at Balcones Village Section Eleven, a subdivision recorded in Book 79 Page 168 of the Plat Records of said County, from which a PK nail set at an interior corner of said 0.86 of an acre tract, same being at the northern most southeast corner of said 0.36 of an acre tract bears N72°23'39"W, 125.62 feet to a calculated point at the northwest corner of said 0.86 of an acre tract, same being at the southwest corner of said Lot 5, same being at the northeast corner of said 0.36 of an acre tract, same being at the southeast corner of Lot 13, Kercheville Estates Section Two, a subdivision recorded in Book 89 Page 284 of said Plat Records and S13°34'02"W, 50.98 feet;

THENCE, with the common line of said 0.86 of an acre tract and said Spicewood at Balcones Village Section Eleven, S72°23'39"E, 23.73 feet to a point in the south line of Lot 4, of said Spicewood at Balcones Village Section Eleven, from which a PK nail set at the northeast corner of said 0.86 of an acre tract, same being at the southeast corner of said Lot 4 and in the west

right-of-way line of Pickfair Drive (60' R.O.W., dedicated in Book 79 Page 168 & Book 81 Page 156 of said Plat Records) bears $S72^{\circ}23'39''E$, 139.87 feet;

THENCE, through the interior of said 0.86 of an acre tract, the following four courses:

- 1) $S68^{\circ}23'32''W$, 68.57 feet to a point;
- 2) $S59^{\circ}19'50''E$, 20.29 feet to a point;
- 3) $S87^{\circ}07'14''E$, 46.91 feet to a point;
- 4) $N46^{\circ}41'42''E$, 41.21 feet to a point in the north line of said 0.86 of an acre tract, same being in the south line of said Lot 4, from which a calculated point at the northwest corner of said 0.86 of an acre tract, same being the southwest corner of said Lot 5 bears $N72^{\circ}23'39''W$, 181.39 feet;

THENCE, with the common line of said 0.86 of an acre tract and said Spicewood at Balcones Village Section Eleven, $S72^{\circ}23'39''E$, 17.17 feet to a point from which a PK nail set at the northeast corner of said 0.86 of an acre tract, same being at the southeast corner of said Lot 4 bears $S72^{\circ}23'39''E$, 90.66 feet;

THENCE, through the interior of said 0.86 of an acre tract, the following two courses:

- 1) $S46^{\circ}41'42''W$, 35.39 feet to a point;
- 2) $S86^{\circ}35'00''E$, 112.04 feet to a point in the east line of said 0.86 of an acre tract, same being in the west line of said Pickfair Drive, from which a PK nail set at the northeast corner of said 0.86 of an acre tract, same being the southeast corner of said Lot 4 bears $N05^{\circ}21'08''E$, 3.55 feet;

THENCE, with the common line of said 0.86 of an acre tract and said Pickfair Drive, $S05^{\circ}21'08''W$, 15.01 feet to a point from which an iron rod found at the southeast corner of said 0.86 of an acre tract, same being at the northeast corner of Lot 1, Block DD, Spicewood at Bullcreek Section One, a subdivision recorded in Book 81 Page 156 of said Plat Records bears $S05^{\circ}21'08''W$, 106.51 feet;

THENCE, through the interior of said 0.86 of an acre tract, the following five courses:

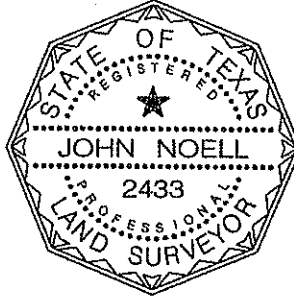
- 1) $N86^{\circ}35'00''W$, 128.86 feet to a point;
- 2) $N87^{\circ}07'14''W$, 53.79 feet to a point;
- 3) $N59^{\circ}19'50''W$, 31.78 feet to a point;
- 4) $S30^{\circ}40'10''W$, 53.92 feet to a point;
- 5) $S60^{\circ}36'17''W$, 61.55 feet to a point in the southeast line of said 0.86 of an acre tract, same being in the northwest line of said 0.36 of an acre tract, from which a PK nail set at an interior corner of said 0.86 of an acre tract, same being at the southern most north corner of said 0.36 of an acre tract bears $N64^{\circ}39'17''E$, 80.26 feet;

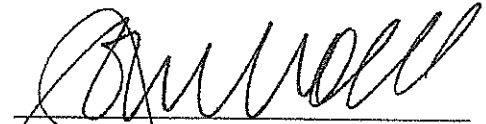
THENCE, with the southeast line of said 0.86 of an acre tract, same being the northwest line of said 0.36 of an acre tract, $S64^{\circ}39'17''W$, 13.89 feet to the POINT OF BEGINNING and containing 0.156 of an acre (6,808 square feet) of land.

FN #917
UDG #05-351
Page 3 of 3

(Wastewater Easement)
A. E. Livingston Survey No. 155

Field Notes Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040





John Noell, R.P.L.S. #2433

Date: 8-1-08

Map attached.

Bearing Basis: Texas State Plane Coordinate System, NAD 83, Texas Central Zone
References: TCAD: 01 7019 0643
Austin Grid: MF-37

FIELD NOTES REVIEWED
By CHILL MOORE Date 9-29-2008
Engineering Support Section
Department of Public Works
and Transportation

- LEGEND
- = IRON ROD FOUND
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - S.F. = SQUARE FEET
 - NSΔ = PK NAIL SET

KERCHEVILLE ESTATES
SECTION TWO
BK. 89 PG. 284
LOT 13



LOT 5
SPICEWOOD AT
BALCONES VILLAGE
SECTION ELEVEN
BK. 79 PG. 168

LOT 4

LUTHER E. SMITH
AND
HOMER D. REED
0.36 ACRES
VOL. 7093 PG. 397

0.156 OF
AN ACRE
6,808 S.F.

NORTHWEST TRAVIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 2
0.86 ACRES
VOL. 9182 PG. 661
(SUBSEQUENTLY TRANSFERRED TO
CITY OF AUSTIN
NO RECORDING INFORMATION FOUND)

LOT 73

LINE TABLE

#	L	B
L1	14.02'	N28°57'58"W
L2	71.29'	N60°36'17"E
L3	59.97'	N30°40'10"E
L4	68.04'	N68°23'32"E
L5	23.73'	S72°23'39"E
L6	68.57'	S68°23'32"W
L7	20.29'	S59°19'50"E
L8	46.91'	S87°07'14"E
L9	41.21'	N46°41'42"E
L10	17.17'	S72°23'39"E
L11	35.39'	S46°41'42"W
L12	112.04'	S86°35'00"E
L13	15.01'	S05°21'08"W
L14	128.86'	N86°35'00"W
L15	53.79'	N87°07'14"W
L16	31.78'	N59°19'50"W
L17	53.92'	S30°40'10"W
L18	61.55'	S60°36'17"W
L19	13.89'	S64°39'17"W

POINT OF
BEGINNING

N: 10,132,310.66
E: 3,091,104.36
GRID COORDINATES

LOT 71

LOT 72

BLOCK B

SPICEWOOD AT BULLCREEK
SECTION FOUR
BK. 87 PG. 180B
180C, 180D, 181A

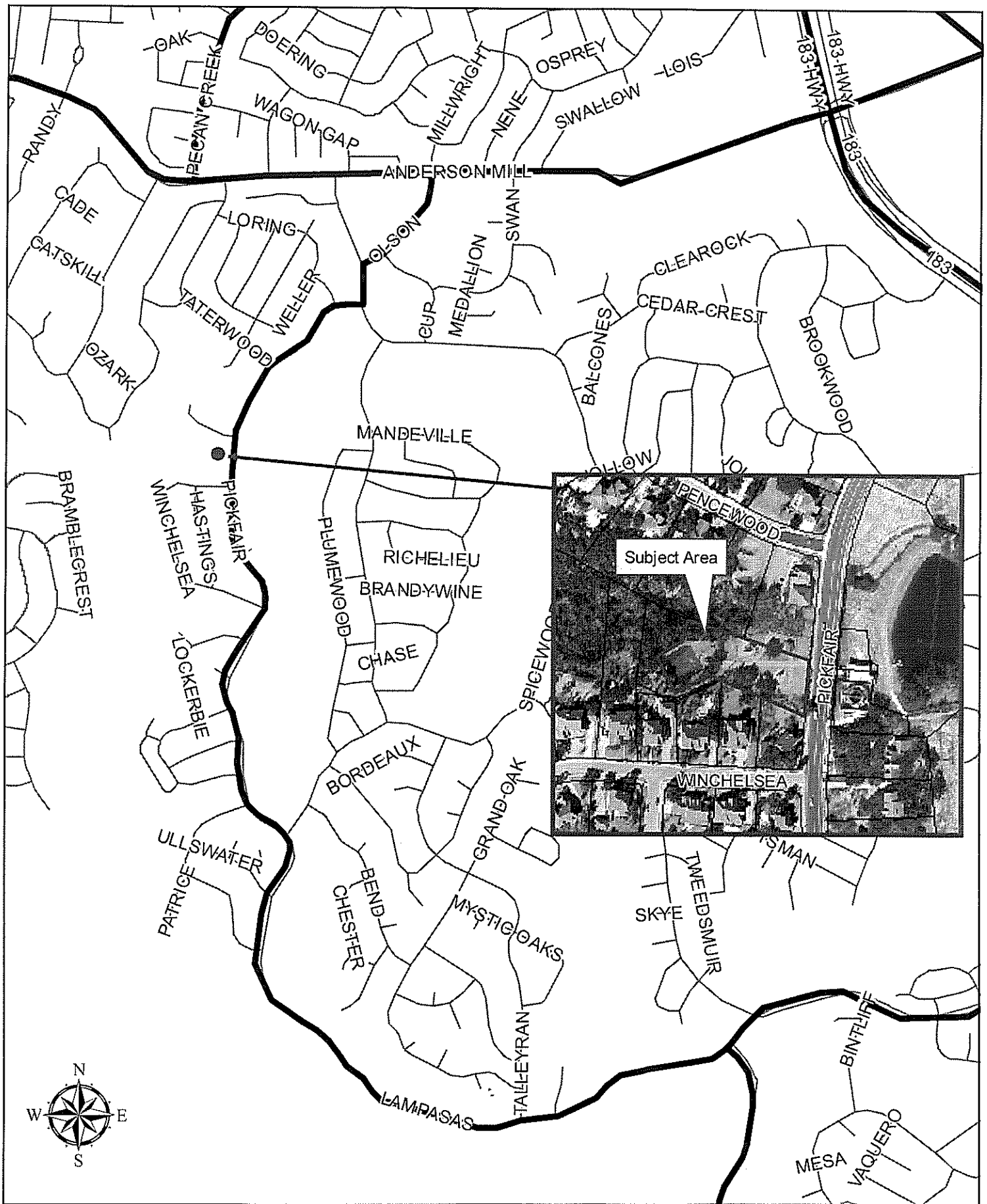
LOT 1
BLOCK DD

SPICEWOOD AT BULLCREEK
SECTION ONE
BK. 81 PG. 156

PICKFAIR DRIVE
(60' R.O.W.)

WINCHELSEA DRIVE
(50' ROW)

FN NO. 917 TO ACCOMPANY THIS MAP





MEMORANDUM OF UNDERSTANDING

TO: Gopal Guthikonda, P.E.
Assistant Director, Austin Water Utility Department

M.O.U. # PARD – 08-023

FROM: Stuart Strong
Acting Director, Parks and Recreation Department

SUBJECT: Pickfair Wastewater Lift Station Abandonment

FDU #: 4480-2307-8280; Subproject I.D.: 3168.042

DATE: 5/27/08

Austin Water Utility (AWU) is allowed to use the parkland located at **10904 Pickfair Drive, known as Pickfair Park**, to conduct a wastewater improvement.

The estimated Project Advertisement for Bids Date is Summer, 2008

The estimated Project Start Date is Fall/Winter, 2008

The estimated duration of the project is 90 - 120 Calendar Days.

Estimated Date of Final Completion is Spring/Summer, 2009.

Extension/modification of parkland use must receive prior written approval from PARD.

Austin Water Utility is in agreement to provide the following mitigation in return for use of the parkland:

During Construction

1. Install temporary fencing with an access gate that separates the park users from the work being done. This temporary fencing and gate will be removed upon completion and acceptance of Contractor's work. Work area remaining unrestored will be unavailable for use until acceptance by Environmental Inspector and PARD.
2. Protect existing crushed granite driveway to lift station, and repair or replace any damaged areas to driveway to meet existing conditions.

Improvements to Pickfair Park

1. Upon decommissioning of lift station, fill and regrade existing overflow pond to establish an additional 0.25 (approximate) acre usable area for the Pickfair Park

2. Remove existing wood and chain link fencing around lift station area. Install new 6 foot tall metal fencing of similar style to existing metal fencing in the park
3. Extend a water service line to the lift station area for future PARD installation of permanent irrigation system
4. Should the City of Austin acquire the 0.36 acre Homer Reed tract behind the lift station as part of this project, AWU shall transfer that tract to PARD control and include the approximately 0.12 acre of usable area in the fenced area to be added to Pickfair Park

Real Estate

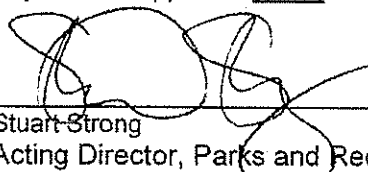
1. Wastewater easements for the existing wastewater lines that are to remain in the park areas as well as the new wastewater lines in the existing lift station area will be drafted by AWU's consultant and granted by PARD


Austin Water Utility Point of Contact is: **Kathy Hardin, P.E.**
Public Works Project Management Point of Contact is: **Connie Smith**
PARD Point of Contact is: **Ricardo Soliz**

Phone Number: **972-0156**
Phone Number: **974-7274**
Phone Number: **974-6765**

Parks & Recreation Board Approval: **(Scheduled for May 27, 2008)**

City Council Approval: **(Date)**


Stuart Strong
Acting Director, Parks and Recreation Department
Date 5/27/08

CONCURRENCE

Gopal Guthikonda, P.E.
Assistant Director, Austin Water Utility Department
Date 5/28/08



Parks and Recreation Department
Tuesday, May 27, 2008

Meeting

A regularly scheduled meeting of the Parks and Recreation Department Parks Board was held on Tuesday, May 27, 2008 at the Boards and Commissions Conference Room, 301 West 2nd St. Room 1101.

Board Members Present: Interim Board Chair, Linda Guerrero, Interim Vice-Chair Danette Chimenti, Jeb Boyt, Marilyn Bostick, Hector Ortiz and Jeff Francell.

Board Members Absent: Mark Vane, Stephen Shang

Staff Members Present: Stuart Strong, Cora Wright, Ricardo Soliz, Farhad Madani, Tony Arnold and Tino Garcia.

A. Meeting called to order

Board Chair Guerrero called the meeting to order at 6:18 p.m.

B. Approval of Minutes

Board Member Francell moved to approve both the March 25, 2008 and April 22, 2008 minutes, seconded by Board Member Bostick. Motion carried 5-0.

C. Citizen Communication

Ora Houston, Chair of the Huston-Tillotson University alumni association, addressed the Board regarding Downs Field, currently a home field for the Huston-Tillotson University baseball team. She expressed concern with the bathroom and locker facilities that are deplorable and are not in code compliance. Although this is her main concern, there are other issues that need to be addressed; such as whether the exclusive rights to play there along belong to the university and with the baseball teams from the Austin Metro league. The Rosewood Neighborhood Contact Team has acknowledged that they want to extend the park usage to include the surrounding neighborhood. Ms. Houston requested that a face-to-face meeting be held with members from Huston-Tillotson University, the Parks and Recreation Department, members of the Rosewood Neighborhood Contact Team and the Austin Metro League. She wants to reach consensus on a common understanding of the issues and develop agreed upon outcomes. Board Member Bostick suggested that the

bathroom to be closed immediately. Board Chair Guerrero announced that the issue would be sent to the Land and Facilities sub-committee for further discussion. That meeting would be held on June 10, 2008

Stan Kerr, a member of the Downs family, appeared before the Board and also addressed the deplorable maintenance of Down's field. He requested that renovation and upkeep of the field be started.

Charlie McCabe, Executive Director, Austin Parks Foundation, briefed the Board on the Auction Oaks project at Republic Square.

D. Briefs – None

E. New Business and Action Items

1. Make a recommendation to the City Council regarding the adoptions of the Barton Springs Pool Master Plan.

Al Godfrey, Godfrey, Limbacher and Associates, provided a review of the proposed Barton Springs Pool Master Plan. Since the beginning of the Plan, four public forums have been held which have produced a list of short terms goals. These goals were presented to the City Council in Sep. 2007. He indicated that the plan should be completed by June 2008. In his brief, Mr. Godfrey reported that the Plan's goal statement (which was also produced as a result from input from stakeholder meetings) has been compared to the City Council resolution and appears to be on track. His brief also included the following items; 1) a review of the site plan of the area; 2) the project approach; 3) a review of the short term goals; 4) a discussion of the pool and it's infrastructure; 5) examples of the principle springs, especially a new concept for Eliza Springs and Sunken Gardens; 6) the downstream park; 7) the North and South grounds; and finally 8) the Bathhouse.

Board Member Boyt reported that a memo had been provided to the Board by the Barton Springs Scientific Advisory Committee. In it, concerns were raised regarding; 1) the lack of input from hydrologists, biologists and ecologists; 2) the plan does not strike a balance between historic habitat from its historic infrastructure; and 3) the lack of ecological and hydrological studies that would help make informed decisions for both the habitat and the recreational facility.

David Johns, Watershed Protection Department, was asked to provide comments. He indicated that the scientific advisory committee was made up of independent and voluntary scientific members. He also said that they were looking at ways in which the pool could be more functional and natural, benefiting both the swimmers as well as the salamanders.

Tony Arnold, Project Manager, reported that staff is currently responding to comments from the stakeholder forums and that they were ready to present the plan to various board

and commissions. They include the following: 1) Parks Board; 2) Environmental Board; 3) Planning Commission; 4) Design Commission and 5) the Historic Landmark Commission. Board Chair Guerrero reminded that Board that the plan is a draft and is subject to change. She also indicated that the joint subcommittee, comprised of the Parks Board and Environmental Board, is considering changing the name from a master plan to an improvement plan. Mr. Arnold responded that the reason it is being called a master plan is because that was the direction given to them by the City Council.

Bill Bunch, Save Our Springs Alliance, asked the Board to not consider the proposal at this time. He expressed concern with the revolving architectural firms that are rotated to provide architectural services to small and medium size projects and that the Barton Springs Pool Master Plan does not fit into this category. He is also concerned that the community was not embraced in order to get all the best ideas and that the south bathhouse was decided without community input. In closing, he suggested that all of the things that everyone had agreed on should continue, but to reconsider all others not agreed on.

Board Chair Guerrero reminded everyone that the presentation could continue to be presented to the other scheduled board and commissions.

2. Make a recommendation to the City Council regarding temporary work or parkland. This is a Austin Water Utility project to use parkland located at 10904 Pickfair Drive, known as Pickfair to conduct a wastewater improvement. Upon the decommissioning of the lift station, improvement to the park will be to fill and re-grade an existing overflow pond to establish an additional 0.25 acre usable area for the park. Improvements will also include removing existing wood and chain link fencing around lift station area and installing new 6 foot tall metal fencing similar in style to existing metal fencing in the park. The project is estimated to start in the fall/winter 2008 with a completion date of 90-120 days. Board Member Boyt moved approval of the project, seconded by Board Member Chimenti. Motion carried 5-0.

3. Make a recommendation to the City Council regarding permanent and temporary use of parkland along Blunn Creek Preserve.

Item pulled by Board Chair Guerrero.

4. Make a recommendation to the City Council regarding temporary use of parkland. The Austin Water Utility is requesting use of parkland located at Duncan Park along Shoal Creek north of 9th street as part of the work site to construct two manholes on an existing wastewater line. The staging and temporary access area will require 4, 000 sq. ft for the four week project. A temporary trail closure will be in effect throughout the duration of the project. The project start date is June 2, 2008 and the expected duration period is 20 days. Board Member Francell moved to approved the project, seconded by Board Member Ortiz. Motion carried 5-0.

5. Make a recommendation to the City Council regarding permanent and temporary of parkland at Waterloo Park and near the mouth of Waller Creek at Lady Bird Lake.

Board Member Francell indicated a reluctance to vote on this project in light of the fact that it was not discussed at the Land and Facilities subcommittee (due to a lack of quorum). As a result, he requested that it be pulled. Land and Facilities Chair Boyt concurred but requested that staff determine and report the loss of event dollars that will be lost due to the closure of the park.

F. Director's Report

Acting Director Strong briefed the Board on the following:

- ? The FY08-09 budget forecast for the upcoming year. Also, with the anticipated shortfall in tax revenues, the department has been asked to save 1.4 million dollars in this fiscal year. To accomplish this, the department will not fill any current vacancies, purchases will be looked at more carefully, and the costs of park improvements will be done by using trust and agency monies instead of the general fund.
- ? The department has received an award as part of the livable city initiative. An esthetic category was awarded to the department for Butler Park.
- ? A video was shown highlighting the grand opening of the Gus Garcia Recreation Center. The success was due in large part to the after school attendance by kids from Dobie Middle School.
- ? The damage caused by the May 15th storm. Mr. Strong was very pleased with the work of staff to clear the logs and limbs from the streets and parks.

Note: Board Chair Guerrero requested that Item #5 (regarding the temporary and permanent use of Waterloo Park) be revisited. In order to move part of the project along, Board Member Francell moved to approve the outflow only, seconded by Board Member Boyt. Motion passed 5-0.

G. Future Agenda Items for Board Members

Board Chair Guerrero requested an explanation of the rotation list for professional architectural services. Acting Director Strong explained as requested. Tony Arnold, Project Manager, explained the Chair's question regarding the master plan scope statement.

Board Member Boyt expressed concern over the lack of a quorum for the land and facilities subcommittee. Also, reported on the lack of fair and open discussion regarding public access to the BCP. He is growing increasingly pessimistic about the public access process.

With no further business, the meeting was adjourned at 8:25 p.m.