

ATTACHMENT 5
CONVEYED EASEMENTS TO THE CITY

River Place Municipal Utility District Easements

1. All interests in water, wastewater, and public utility easements as shown on City of Austin approved subdivision plats.
2. All easements identified and described in the following Exhibit 5A. (No other water and/or wastewater easements dedicated to the District were identified through research. Any missing easements will be addressed by the District through the Criticality Assessment described in Section 7.06 of the Agreement.)

EXHIBIT 5A

- A. Lift Station Easement, Real Property Records, Travis County, Texas, Volume 12884, Pages 797-800 (Lift Station #8—River Place Blvd)
- B. Wastewater Easement, Real Property Records, Travis County, Texas, Volume 12884, Pages 801-804
- C. Public Utility Replacement Easement, Real Property Records, Travis County, Texas, Volume 13157, Pages 571-576
- D. Wastewater Utility Easement, Real Property Records, Travis County, Texas, Volume 11885, Pages 55-59
- E. Public Utility Easement, Real Property Records, Travis County, Texas, Volume 12002, Pages 163-166
- F. Lift Station Easement, Real Property Records, Travis County, Texas, Volume 12110, Pages 655-657 (Lift Station #4—Big View Drive)
- G. Easement, Real Property Records, Travis County, Texas, Volume 12261, Pages 395-396
- H. Access Easement Agreement, Real Property Records, Travis County, Texas, Volume 12439, Pages 1056-1058
- I. Access Easement Agreement, Real Property Records, Travis County, Texas, Volume 12501, Pages 1557-1563 (Ground Water Storage Reservoir)
- J. Public Utility Easement, Real Property Records, Travis County, Texas, Volume 12516, Pages 966-970 (Ground Water Storage Reservoir)
- K. Public Utility Easement, Real Property Records, Travis County, Texas, Volume 12516, Pages 971-975 (Ground Water Storage Reservoir)
- L. Grant of Easement, Real Property Records, Travis County, Texas, Volume 12822, Pages 1-7 (Interconnection with Out-of-District Service to LCRA)
- M. Access Easement Agreement, Real Property Records, Travis County, Texas, Volume 13348, Pages 415-448 (Intake Structure, Facilities, and Raw Water Discharge Line)

LIFT STATION EASEMENT

FILM CODE

THE STATE OF TEXAS

COUNTY OF TRAVIS

KNOW ALL BY THESE PRESENTS:

00005550164

That First River Place Reserve, Ltd., a Texas limited partnership acting herein by and through its Sole General Partner, Texas Highlands, Inc., whose Vice President is John Gravenor, of Travis County, State of Texas, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid River Place Municipal Utility District, hereinafter referred to as Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, or encumbrance expressed or implied, is retained, has this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto River Place Municipal Utility District, an easement for the construction, operation, maintenance, replacement, upgrade and repair of a lift station and associated improvements in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TO HAVE AND TO HOLD the same perpetually to the Grantee and its successors and assigns, together with the privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading and repairing said lift station, and for making connections therewith; all upon the condition that the public utility will, at all times after doing any work in connection with the construction or repair of said lift station, restore the surface of said property to the condition in which the same was found before such work was undertaken. Said easement shall be considered vacated, wholly or partially, upon the dedication of public right-of-way within the bounds of the easement.

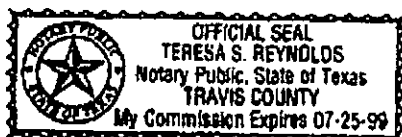
IN WITNESS THEREOF, Grantors have caused this instrument to be executed on this 5th day of March 1997.

First River Place Reserve, Ltd.

By: Texas Highlands, Inc., its Sole General Partner

John W. Gravenor
 By: John W. Gravenor - Vice President

This instrument was acknowledged before me on this 5th day of March 1997 by John W. Gravenor, Vice President of Texas Highlands, Inc., the Sole General Partner of First River Place Reserve, Ltd. on behalf of said partnership.



Terry S. Reynolds
 Notary Public, State of Texas
 Printed Name: *TERRY S. REYNOLDS*
 My Commission Expires: *7/25/99*

AFTER RECORDING, RETURN TO:

Terry S. Reynolds, Project Coordinator
 Espey, Huston & Associates, Inc.
 P.O. Box 519
 Austin, Texas 78767-0519

REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS

12884 0797

0.280 Acre
Proposed LIR Station 580
River Place

F.N. 6612 (DJK)
February 25, 1997
SRI Job No. 17289-23

A DESCRIPTION OF A 0.280 ACRE TRACT OF LAND OUT OF THE WILLIAM R. HOBBS SURVEY NO. 456, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT OF LAND AS DESCRIBED IN THAT DEED TO FIRST RIVER PLACE RESERVE, LTD., AS RECORDED IN VOLUME 11379, PAGE 379 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.280 ACRE TRACT OF LAND AS SHOWN ON THE ATTACHED SKETCH IS FURTHER DESCRIBED AS FOLLOWS:

COMMENCING at a 1/4-inch iron rod found, being at the northeast corner of that called 1.885 acre tract of land as described in that deed to Travis County, as recorded in Volume 12543, Page 179 of the Deed Records of Travis County, Texas, also being on the south line of the Villas at River Place, a subdivision recorded in Book 95, Page 57-60 of the Plat Records of Travis County, Texas;

THENCE, with the northeast line of the said 1.885 acre tract of land, S 41° 17' 02" E, a distance of 67.99 feet;

THENCE, crossing the said First River Place Reserve, Ltd. tract of land, the following four (4) courses:

1. N 48° 42' 58" E, a distance of 78.22 feet,
2. a distance of 175.60 feet with the arc of a curve to the right whose central angle is 41° 02' 32", with a radius of 245.00 feet and whose chord bears N 89° 14' 16" E, a distance of 171.77 feet,
3. N 89° 45' 31" E, a distance of 62.90 feet, and
4. a distance of 332.88 feet with the arc of a curve to the left whose central angle is 48° 17' 07", with a radius of 395.00 feet and whose chord bears N 65° 36' 58" E, a distance of 323.12 feet to the POINT OF BEGINNING of the herein described 0.280 acre tract of land;

THENCE, continuing across the said First River Place Reserve, Ltd. tract, the following four (4) courses:

1. continuing with aforementioned curve a distance of 81.17 feet with the arc of a curve to the left whose central angle is 11° 45' 28", with a radius of 395.00 feet and whose chord bears N 35° 35' 10" E, a distance of 81.03 feet,
2. S 52° 50' 45" E, a distance of 152.91 feet,
3. S 37° 09' 13" W, a distance of 81.00 feet, and
4. N 62° 50' 46" W, a distance of 150.69 feet to the POINT OF BEGINNING and containing 0.280 acres of land.

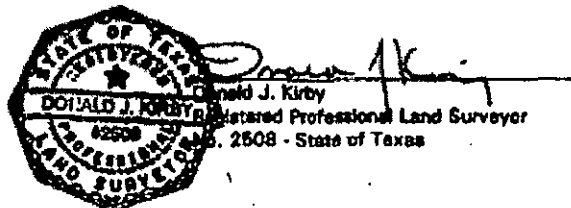
THE STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

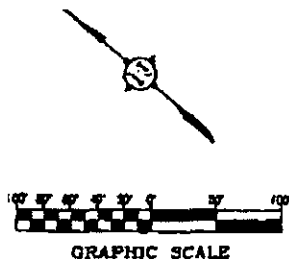
That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during February, 1997 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 25th day of February, 1997 A.D.

SURVEY RESOURCES, INC.
P.O. Box 182890
Austin, Texas 78718-2890



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
12884 0798



SCALE : 1" = 100'
 FEBRUARY, 1997
 TRAVIS COUNTY, TEXAS

First River
 Place Reserve, Ltd.
 Vol. 11379, Pg. 379

CURVE	DATA	ANGLE	LENGTH	CHORD	BEARING
1	174.27	180.00	0.17	0.17	174.27
2	174.27	180.00	0.17	0.17	174.27

First River
 Place Reserve, Ltd.
 Vol. 11379, Pg. 379

Tract L
 Cont'd 7.855 Ac.
 Travis County
 Vol. 12543, Pg. 179

First River
 Place Reserve, Ltd.
 Vol. 11379, Pg. 379

See also: At
 River Place
 Vol. 11379, Pg. 379

100'

River Place
 Section 1
 Bk. 24, Pg. 105A 105B

LEGEND

- 1/2" Iron Rod Found
- ▲ Calculated Point

REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS

DRAWING to ACCOMPANY FIELD NOTE No. 3512

SRI
 SURVEY RESOURCES INC.
 208 W. 14TH ST.
 SUITE 200
 P. O. BOX 12345
 AUSTIN, TEXAS 78714-3450
 (512) 325-4321

12884 0799
 12884 0799

FILED

97 MAR -5 PM 4:53

**OAK HILL
COUNTY CLERK
TRAVIS COUNTY, TEXAS**

DISPOSITIONS **COUNTY OF TRAVIS**
I hereby certify that this instrument was FILED on
the date and at the time indicated herein by me and
was duly RECORDED, in the Volume and Page of the
General RECORDS of Travis County, Texas as

MAR 5 1997



[Signature]
**COUNTY CLERK
TRAVIS COUNTY, TEXAS**

**REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS**

12884 0800

**RECEIVED: ACCORDING TO: ALICE: DEPT: KIDLAR RECORD: 115.00
CASHIER: NAMED FILE DATE: 3/5/97 TRMS DATE: 3/5/97
PMTD BY: CASH**

EXHIBIT 5B

WASTEWATER EASEMENT

FILM CODE

00005550165

THE STATE OF TEXAS §

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF TRAVIS §

§

That First River Place Reserve, Ltd., a Texas limited partnership acting herein by and through its Sole General Partner, Texas Highlands, Inc., whose Vice President is John Gravenor, of Travis County, State of Texas, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid River Place Municipal Utility District, hereinafter referred to as Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, or encumbrance expressed or implied, is retained, has this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto River Place Municipal Utility District, an easement for the construction, operation, maintenance, replacement, upgrade and repair of a wastewater line, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TO HAVE AND TO HOLD the same perpetually to the Grantee and its successors and assigns, together with the privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading and repairing said wastewater line, and for making connections therewith; all upon the condition that the public utility will, at all times after doing any work in connection with the construction or repair of said wastewater lines, restore the surface of said property to the condition in which the same was found before such work was undertaken. Said easement shall be considered vacated, wholly or partially, upon the dedication of public right-of-way within the bounds of the easement.

IN WITNESS THEREOF, Grantors have caused this instrument to be executed on this 5th day of March 1997.

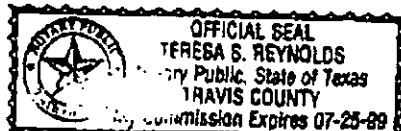
First River Place Reserve, Ltd.

By: Texas Highlands, Inc., its Sole General Partner

By:

John W. Gravenor - Vice President

This instrument was acknowledged before me on this 5th day of March 1997 by John W. Gravenor, Vice President of Texas Highlands, Inc., the Sole General Partner of First River Place Reserve, Ltd. on behalf of said partnership.



AFTER RECORDING, RETURN TO:

Terry S. Reynolds, Project Coordinator
Espey, Huston & Associates, Inc.
P.O. Box 519
Austin, Texas 78767-0519

Notary Public, State of Texas

Printed Name: TERRY S. REYNOLDSMy Commission Expires: 7-25-99

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12884 0801

Proposed 20-Foot Wide Wastewater Easement
River Place

F.N. 5511 (DJK)
February 25, 1997
SRI Job No. 17269-23

A DESCRIPTION OF A CENTERLINE OF A 20-FOOT WIDE WASTEWATER EASEMENT BEING OUT OF THE WILLIAM R. HOBBS SURVEY NO. 456, AND THE I. & G.N. RAILROAD SURVEY NO. 42, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT OF LAND AS DESCRIBED IN THAT DEED TO FIRST RIVER PLACE RESERVE, LTD. AS RECORDED IN VOLUME 11379, PAGE 379 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID CENTERLINE AS SHOWN ON THE ACCOMPANYING SKETCH IS FURTHER DESCRIBED AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found at the northwest corner of Lot 38 Block "A" of the proposed River Place Section 11, as currently on file at the City of Austin in File No. C8-83-068.06.2C and being the southwest corner of Lot 35 of said Section 11;

THENCE, crossing the said First River Place, Ltd. tract, the following four (4) courses:

1. N 78° 21' 25" W, a distance of 77.01 feet,
2. S 80° 45' 38" W, a distance of 538.08 feet,
3. N 88° 24' 18" W, a distance of 326.03 feet, and
4. N 41° 43' 51" W, a distance of 107.69 feet to the POINT OF TERMINATION of the herein described centerline of a 20-foot wide strip of land.

The intention of this description is to describe a contiguous 20-foot wide strip from the west line of the said River Place Section 11 to the east line of the proposed lift station site.

THE STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS |

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during February, 1997 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 25th day of February, 1997 A.D.

SURVEY RESOURCES, INC.
P.O. Box 182690
Austin, Texas 78718-2690



Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
No. 2508 - State of Texas

~~12884 0803~~
12884 0803

FILED

97 MAR -5 PM 4:54

DALLAS COUNTY CLERK
COUNTY CLERK
TRAVIS COUNTY, TEXAS

CERTIFICATE COUNTY OF TRAVIS
I hereby certify that the instrument was FILED on
the date and at the hour specified herein by me and
was duly RECORDED, in the volume and page of the
above RECORD of Travis County, Texas.

MAR 5 1997



L. H. Williams
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12884 0804

RECEIVED: ADDRESSED TRANS: 4/25/97 DEPT: REGULAR RECORD 4:53:12
CLERK: BAKER FILE DATE: 3/5/97 TRANS DATE: 3/5/97
PAID BY: CASH

EXHIBIT 5C

PUBLIC UTILITY REPLACEMENT EASEMENT

FILM CODE

00005711856

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, by instrument entitled "Public Utility Easement" dated June 18, 1984 and recorded at Volume 8656, Page 81 of the Deed Records of Travis County, Texas, Steve Topletz, Trustee, conveyed to River Place Municipal Utility District No. 1 (the "District") a 15-foot wide easement for the construction and maintenance of public utilities in, upon and across certain property located in Travis County, Texas (the "Prior Easement");

WHEREAS, First River Place Reserve, Ltd., a Texas Limited Partnership, is the successor-in-interest to Steve Topletz, Trustee and no person or entity other than First River Place Reserve, Ltd. has an ownership interest in the fee property on which the Prior Easement is located;

WHEREAS, the District and First River Place Reserve, Ltd. desire to abandon the Prior Easement and replace it with a 30-foot wide easement for the construction and maintenance of public utilities; NOW, THEREFORE,

W I T N E S S E T H

FIRST RIVER PLACE RESERVE, LTD. ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) cash and other good and valuable consideration in hand paid by RIVER PLACE MUNICIPAL UTILITY DISTRICT ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, has granted, sold and conveyed and does hereby grant, sell and convey unto Grantee, a permanent easement, together with the right of ingress and egress, in, through, over and across certain lands of Grantor and described as follows:

Being a permanent easement consisting of that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes to which reference is here made, to be used for the purposes of excavating for, laying, constructing, installing, maintaining, repairing, operating, replacing and removing underground piping, fittings, appliances, equipment and other public facilities.

TO HAVE AND TO HOLD the permanent easement perpetually unto Grantee, all conditioned on the reasonable exercise of the rights herein granted, and in the event of use beyond the reasonable scope of the rights granted or for unauthorized purposes, the Grantor shall have the right to abate such excessive or unauthorized uses and purposes by any lawful method.

This easement supersedes and replaces the prior recorded easement held by the Grantee as the successor to River Place Municipal Utility District No. 1 and recorded in Volume 8656,

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13157 0571

Page 81 of the Deed Records of Travis County, Texas (the "Prior Easement"). The recording of this easement serves to vacate the Prior Easement.

It is understood and agreed that Grantor, its successors and assigns shall not construct or permit the construction of any improvements upon the Easement or use the same in any way that would interfere with Grantee's authorized use of the Easement and its safe operation; it being expressly understood that Grantee's rights granted herein shall at all times be dominant. Grantor, its successors and assigns shall not construct or permit the construction of any building or other permanent improvement or structure within the Easement which interferes with Grantee's access to the utilities to be constructed in the Easement and shall engage in no activity which may compromise the structural integrity of facilities or equipment constructed by Grantee within the Easement. Subject to the Easement, Grantor, for itself and its successors and assigns, reserves the right to construct or place improvements within the Easement which will not interfere with Grantee's underground facilities such as by way of example: landscaping, fences, driveways or removable structures. However, it is understood and agreed that Grantee shall not be responsible for any damages it causes by the exercise of its rights hereunder to any improvements or structures (specifically including, by way of example and not in limitation, driveways) placed on or within the Easement.

DATED as of the 9th day of March, 1998.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD.
a Texas Limited Partnership

BY: Texas Highlands, Inc.
a Texas corporation,
General Partner

By: John W. Hancock
Name: John W. Hancock
Title: Attorney-in-Fact, First Ltd.

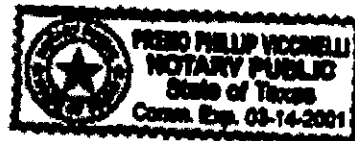
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

43157 0572

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 27th day of March, 1998, by John W. Gravenor, as authorized agent of Texas Highlands, Inc., general partner of First River Place Reserve, Ltd.



The name and address of the grantor is:

Mr. Bill Gravenor
First River Place Reserve, Ltd.
4207 River Place Boulevard
Austin, Texas 78730

The name and address of the grantee is:

River Place Municipal Utility
District
c/o Allied Utilities, Inc.
12710 Research Blvd, # 210
Austin, Texas 78759

After Recording, please return to:

River Place Municipal Utility District
c/o Philip S. Haag
Winstead Sechrest & Minick P.C.
100 Congress, Suite 800
Austin, Texas 78701

A1790460001
030798 v1
1002999993-1

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13157 0579

RIVER PLACE
30-FOOT WIDE
STRIP OF LAND

F.N. 8084 (JAG)
SEPTEMBER 4, 1997
SPS JOB NO. 18093-12

A DESCRIPTION OF THE CENTERLINE OF A THIRTY (30) FOOT WIDE STRIP OF LAND OUT OF THE E.R. MCLEAN SURVEY NO. 200, ABSTRACT NO. 2369 SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 1441.33 ACRE TRACT DESCRIBED IN A DEED TO FIRST RIVER PLACE RESERVE, LTD., AS RECORDED IN VOLUME 11379 PAGE 379 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID STRIP EXTENDING A PERPENDICULAR DISTANCE OF FIFTEEN (15) FEET FROM EACH SIDE OF THE CENTERLINE BEING SHOWN ON THE ATTACHED SKETCH AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the northwest line of River Place Boulevard, a seventy (70) foot wide right-of-way, as shown on the plat "River Place Section One", recorded in Book 84, Pages 103A, 103B, 103C, 103D, 104A, 104B, 104C, 104D, 105A, and 105B, and from which a 1/4-inch iron rod found at a Point of Curvature on the said northwest line bears, S 89° 41' 37" W, a distance of 37.53 feet;

THENCE, crossing the said 1441.33 acre tract, the following four (4) courses:

1. N 61° 58' 04" E, a distance of 181.06 feet to an angle point hereof,
2. N 16° 58' 04" E, a distance of 160.00 feet to an angle point hereof;
3. N 68° 58' 04" E, a distance of 140.00 feet to an angle point hereof, and
4. N 40° 40' 57" E, a distance of 382.31 feet to the POINT OF TERMINATION of the herein described centerline on the northwest line of said River Place Boulevard from which a concrete monument found at a Point of Curvature on the said northwest line bears, S 22° 20' 07" W, a distance of 328.00 feet.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during June, 1994 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this 8th day of September, 1997 A.D.

SURVEY RESOURCES, INC.
P.O. Box 182690
Austin, Texas 78718-2690



Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
No. 2508 - State of Texas

SCALE: 1" = 100'
 SEPTEMBER, 1997
 TRAVIS COUNTY, TEXAS

POINT OF
 TERMINATION

LEGEND

- 1/2" IRON ROD FOUND
- CONCRETE MONUMENT

FIRST RIVER PLACE
 RESERVE, LTD.
 VOLUME 11378, PAGE 379
 1441.33 ACRES

POINT OF
 BEGINNING

S89°41'37"W
 37.63'

MOLEAN SURVEY
 NO. 200
 ABST. 2359

RIVER PLACE SECTION ONE
 BOOK 84, PAGES 1034-1038

RIVER PLACE BOULEVARD (70' R.O.W.)

DRIVING IS ACCOMPANY FIELD NOTE No. 5564

SRI

SURVEY SUBSIDIARIES INC.

REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS

FILED

99 APR -6 PM 3:10

**DANA DEBEAUVOUR
COUNTY CLERK
TRAVIS COUNTY, TEXAS**

STATE OF TEXAS COUNTY OF TRAVIS
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
Public Records of Travis County, Texas, as

APR 8 1999



Dana Debeauvoir
**COUNTY CLERK
TRAVIS COUNTY, TEXAS**

**REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS**

13157 0576

RECEIVED: 4/8/99 TRAVIS COUNTY CLERK: REGULAR RECORDS 13157
CHARGE: 1000 FILE DATE: 4/8/99 TRAVIS COUNTY CLERK: 4/8/99
FID #1: 0576 13157

EXHIBIT 5D

DOC. NO.

93022562

FILM CODE

00004937345

WASTEWATER UTILITY EASEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS;

11.00 INDX
3 03/04/93

That FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership, acting herein by and through TEXAS HIGHLANDS, INC., its duly authorized General Partner, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid by the RIVER PLACE MUNICIPAL UTILITY DISTRICT, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, or encumbrance expressed or implied, is retained, have this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto the RIVER PLACE MUNICIPAL UTILITY DISTRICT, a political subdivision of the State of Texas ("Grantee"), an easement for the construction, operation, maintenance, replacement, upgrade and repair of wastewater lines and an easement for the construction, operation, maintenance, replacement, upgrade and repair of wastewater lines in, upon and across the following described land, to-wit:

2:11 PM 5678

3.00 RECH
3 03/04/93
16.37-CHX4
930225.62-DOC#

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described in Exhibit "A" attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TO HAVE AND TO HOLD the same perpetually to the Grantee and its successors and assigns, together with the privileges at any and all times to enter said premises, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading and repairing said wastewater lines, and for making connections therewith.

IN WITNESS THEREOF, Grantors have caused this instrument to be executed on this 25th day of FEBRUARY, 1993.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership

By: TEXAS HIGHLANDS, INC.,
a Texas corporation, its
General Partner

APPROVED AS TO FORM:

Don Sallinger 3-3-93
CITY OF AUSTIN
WATER AND WASTEWATER UTILITY

By: John W. Cravener
Printed Name: John W. Cravener
Title: AUTHORIZED AGENT

Date: 2/25/93

1458 EX-100/3495/022493
TRAVIS COUNTY, TEXAS

11885 U055

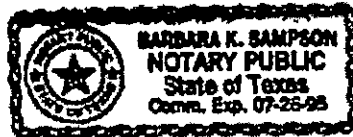
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on February 25,
1993 by JOHN W. GRAVENDR, AUTHORIZED AGENT of Texas
Highlands, Inc., a Texas corporation, General Partner of First
River Place Reserve, Ltd, a Texas limited partnership on behalf of
said partnership.

Barbara K. Sampson
Notary Public - State of Texas
Printed Name: _____
Commission Expires: _____

AFTER RECORDING, RETURN TO:

Kenneth N. Jones
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701



1450-1/LLP/1405/022493

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11885 0056

Exhibit "A"

15 Foot Strip
Lots 10, 11, 12 Block "H"
Riverplace Section 6

F.N. 4644 (DJT)
February 9, 1993
SRI Job No. 1881-15

A DESCRIPTION OF A CENTERLINE OF A 15 FOOT WIDE STRIP OF LAND, BEING OUT OF AND ACROSS LOTS 10, 11 AND 12 OF BLOCK "H" OF THE RIVERPLACE SECTION 6, A PLAT RECORDED IN PLAT BOOK #1, PAGES 160-162 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 15 FOOT STRIP OF LAND AND THE HEREIN DESCRIBED CENTERLINE AS SHOWN ON THE ATTACHED SKETCH, IS FURTHER DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at the east corner of the said Lot 12, being the south corner of the said Lot 11 and being on the northwesterly right-of-way line of Shelter Cove as shown on the said plat of Section 6;

THENCE with the northeast line of the said Lot 12, being the southwest line of the said Lot 11, N 52° 11' 57" W, a distance of 114.18 feet to a 1/2-inch iron rod found at the west corner of the said Lot 11, being the south corner of the said Lot 10;

THENCE continuing with the said northeast line of the said Lot 12, being the southwest line of the said Lot 10, N 52° 11' 57" W, a distance of 60.00 feet to a 1/2-inch iron rod found at the north corner of the said Lot 12, being the west corner of the said Lot 10 and being on the southeast line of Lot 5 of the said Block "H" of Riverplace Section 6 and being the Point of Termination of the herein described centerline of the 15 foot wide strip of land;

It is intended to include all the land within the 15 foot wide strip of land from the northwesterly line of Shelter Cove to the southeasterly line of Lot 5.

THE STATE OF TEXAS I
 I KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS I

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description and attached sketch are true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during August 1992, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 10th day of February, 1993, A.D.

SURVEY RESOURCES, INC.
P.O. Box 162690
Austin, Texas 78716-2690



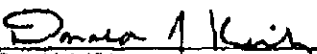
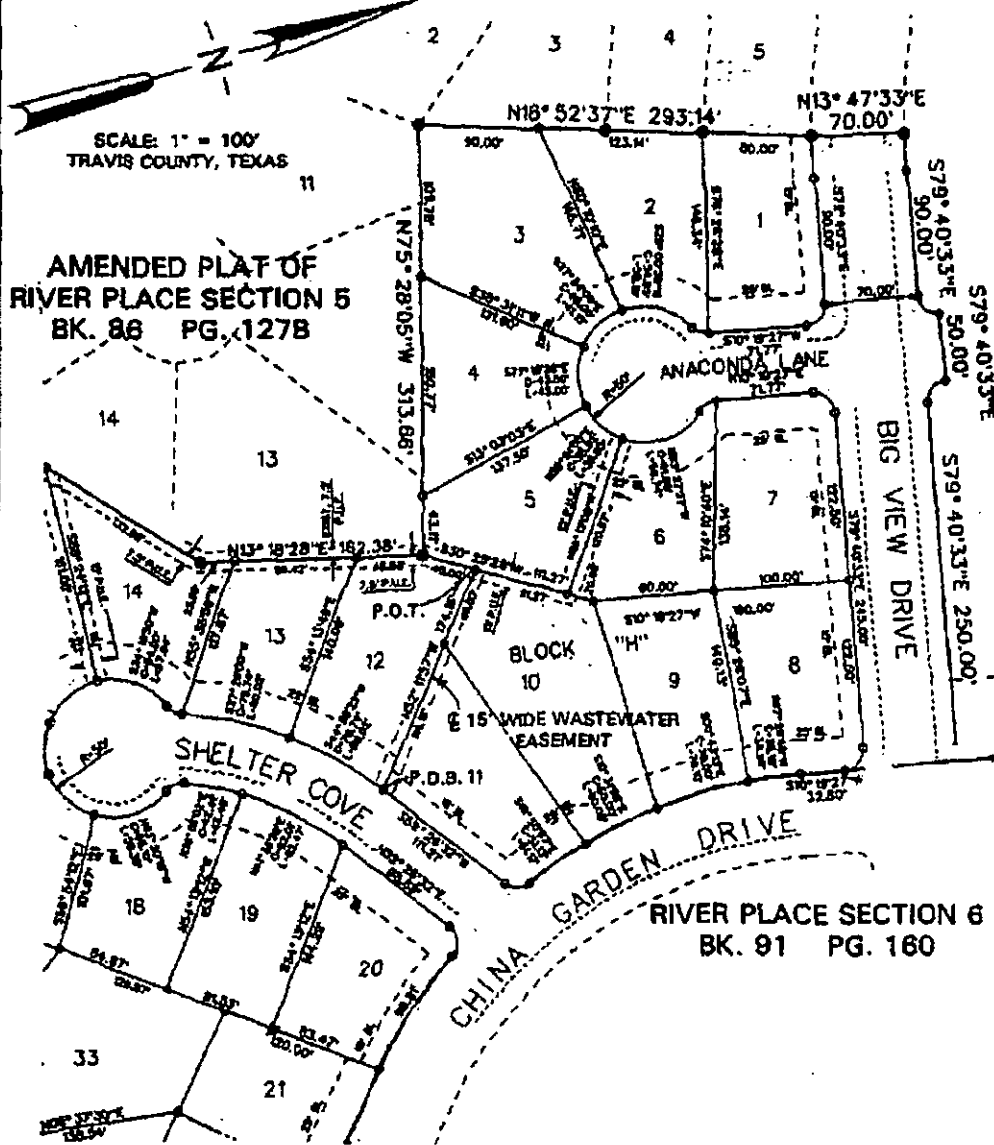

Donald J. Kirby
Registered Professional Land Surveyor
No. 2508 - State of Texas

Exhibit "A"



AMENDED PLAT OF
RIVER PLACE SECTION 5
BK. 88 PG. 127B

RIVER PLACE SECTION 6
BK. 91 PG. 160

LEGEND
 • 1/2" IRON ROD FOUND
 P.O.B. POINT OF BEGINNING
 P.O.T. POINT OF TERMINATION

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
11885 0058
11885 0058

SRI
SURVEY RESOURCES, INC.

916 CAPITAL OF TEXAS HWY. S.
P. O. BOX 162690
AUSTIN, TEXAS 78716-2690
(512) 328-8221

SKETCH TO ACCOMPANY
FIELD NOTE NO. 4644

FILED

1933 MAR -4 PM 2:10

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDED
I hereby certify that this instrument was FILED on
the date and at the place indicated herein by me, and
was duly RECORDED, in the Volume and Page of the
Public RECORDS of Travis County, Texas, on

MAR 4 1933



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM - As the time of
recording this instrument was found to be inadequate
for the best photographic reproduction, because of
faintness, carbon or photo copy, discolored paper,
etc. All blockouts, additions and changes were present
at the time the instrument was filed and recorded.

REAL PROPERTY
TRAVIS COUNTY, TEXAS

11885 0059

EXHIBIT 5E

DOC. NO:
93095843

FILM CODE

00005011438

PUBLIC UTILITY EASEMENT

1140 PM 6296

9.00 INDX
3 5 08/18/93

THE STATE OF TEXAS (1)

KNOW ALL BY THESE PRESENTS:

COUNTY OF TRAVIS (1)

1140 PM 6296

5.00 RECH
3 5 08/18/93

930958.43-0004

That FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership acting herein by and through Texas Highlands, Inc., its General Partner, of Travis County, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid by River Place Municipal Utility District, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, or encumbrance expressed or implied, is retained, have this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto River Place Municipal Utility District, a political subdivision of the State of Texas (Grantor), an easement for the construction, operation, maintenance, replacement, upgrade and repair of public utilities in, upon and across the following described land, to-wit:

All that certain tract, place or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.

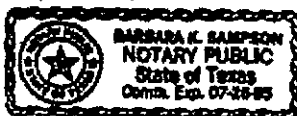
TO HAVE AND TO HOLD the same perpetually to the Grantee and its successors and assigns, together with the privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading and repairing said public utility lines, and for making connections therewith; all upon the condition that River Place Municipal Utility District will, at all times after doing any work in connection with the construction or repair of said public utility, restore the surface of said premises to the condition in which the same was found before such work was undertaken. Said easement shall be considered vacated, wholly or partially, upon the dedication of public right-of-way within the bounds of the easement.

IN WITNESS THEREOF, Grantors have caused this instrument to be executed on this 17th day of August 1993

First River Place Reserve, Ltd., a Texas Limited Partnership.
By: Texas Highlands, Inc., a Texas Corporation, its General Partner

BY: John W. Shaver
Printed Name: John W. Shaver
Title: AUTHORIZED AGENT

This instrument was acknowledged before me on August 17, 1993 by John W. Shaver, AUTHORIZED AGENT of Texas Highlands, Inc., a Texas Corporation, General Partner of First River Place Reserve, Ltd., a Texas limited partnership on behalf of said partnership.



Barbara K. Sampson
Notary Public - State of Texas
Printed Name: _____
Commission Expires: _____

AFTER RECORDING, RETURN TO:

Frank Del Castillo
Espey, Huston & Associates, Inc.
918 Loop 360 South
Austin, Texas 78748

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12002 0163

"EXHIBIT A"

River Place Section 4-A
15' Wide Public Utility Easement

F.N. 4713 (RLM)
July 27, 1993
SRI Job No. 1898-01

A DESCRIPTION OF THE CENTERLINE OF A 15 FOOT WIDE STRIP OF LAND OUT OF THE H. E. & W. T. RAILROAD COMPANY SURVEY NO. 189, BEING OUT OF A 1441.33 ACRE TRACT OF LAND DESCRIBED IN THAT DEED TO FIRST RIVER PLACE RESERVE, LTD., AS RECORDED IN VOLUME 11378, PAGE 378 OF THE TRAVIS COUNTY DEED RECORDS; SAID CENTERLINE OF THE 15 FOOT WIDE STRIP, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found in a southwest line of River Place Section 4-A, a proposed subdivision currently in review with the City of Austin, File No. C8-63-063.03.20, for the most southerly corner of Lot 2, Block "A" of the said River Place Section 4-A, being the westerly corner of Lot 1, Block "A" of the said River Place Section 4-A;

THENCE with the projection of the northwest line of the said Lot 1, being the southeast line of the said Lot 2, S 24° 25' 15" W, a distance of 69.02 feet to the POINT OF TERMINATION, being in the centerline of a 20 foot wide Public Utility Easement, as described in an easement to River Place Municipal Utility District No. 1 and recorded in Volume 8858, Page 65 of the Travis County Deed Records.

STATE OF TEXAS

I
I
I

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description and attached sketch are true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during March 1993 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 5th day of August, 1993, A.D.

SURVEY RESOURCES, INC.
P.O. Box 182690
Austin, Texas 78718-2690



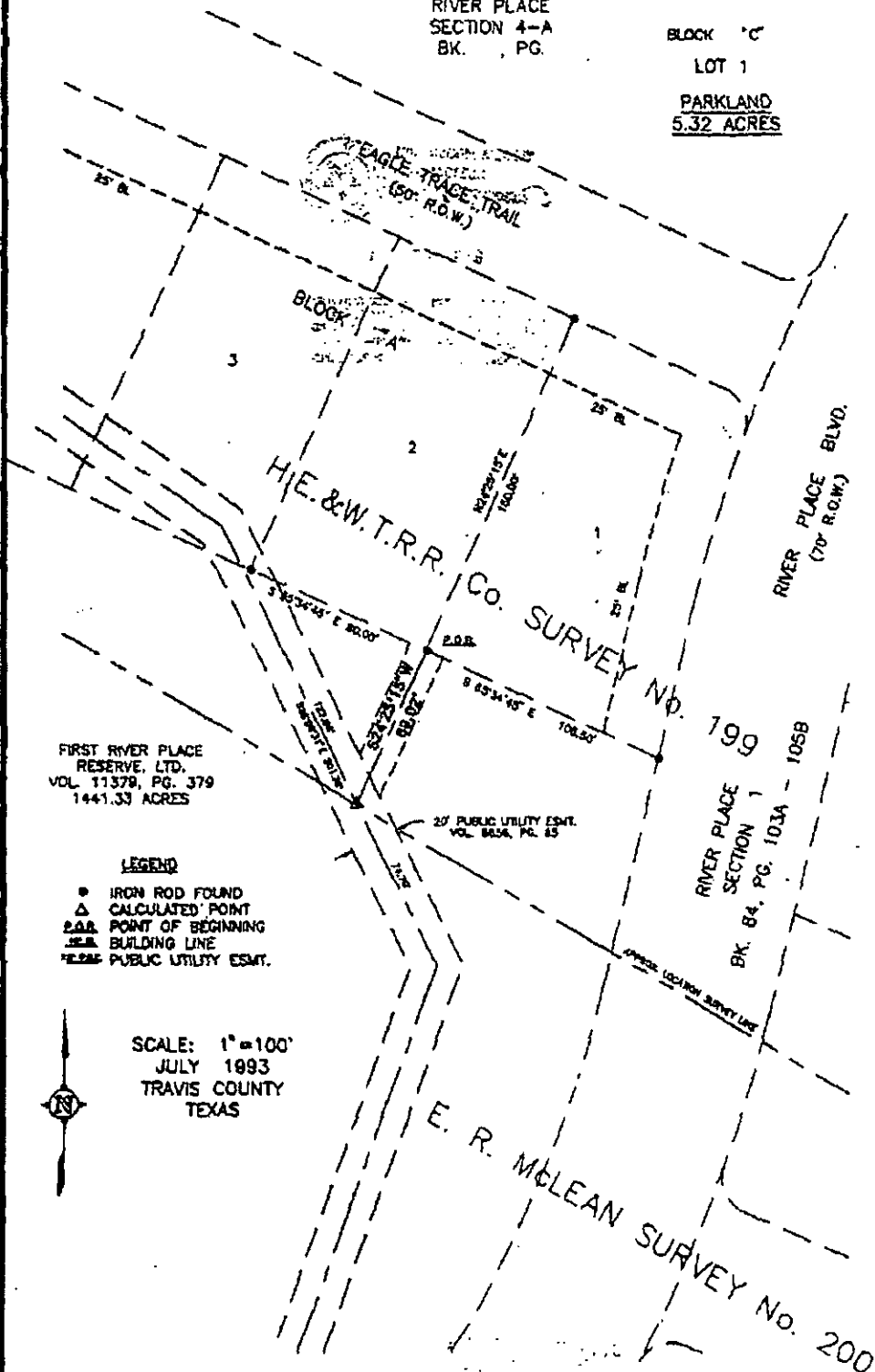
Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
No. 2509 - State of Texas

RIVER PLACE
SECTION 4-A
BK. PG.

BLOCK "C"

LOT 1

PARKLAND
5.32 ACRES



SRI

SURVEY RESOURCES

ONE CAPITAL OF TEXAS HWY. E.
P.O. BOX 182880
AUSTIN, TEXAS 78718-2880
TRAVIS COUNTY, TEXAS

SKETCH TO ACCOMPANY
FIELD NOTE 4713

REAL PROPERTY RECORDS
Travis County, Texas

12002 0165

KEY INDEXED 3103 3103

FILED

93 AUG 18 AM 11-55

DANA DEBEAUVOR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

EXCEPTIONS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the 18th day of the 8th month 1993 by me and
was duly RECORDED, in the Public and Page of the
INDEXED INSTRUMENTS of Travis County, Texas, as

AUG 18 1993



Dana Debeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12002 0166

RECORDED MEMORANDUM - At the time of
recording this instrument was found to be inadequate
for the best photographic reproduction, because of
faintness, carbon or ghost copy, discolored paper,
etc. All blockouts, additions and changes were present
at the time the instrument was filed and recorded.

EXHIBIT 5F

FLM CODE

00005086207

1300/41

LIFT STATION EASEMENT

3:57 PM 2/26/94

7.00 INDX
1 3 01/26/94

THE STATE OF TEXAS

(1)

3:57 PM 2/26/94

5.00 RECH
1 3 01/26/94

KNOW ALL BY THESE PRESENTS;

COUNTY OF TRAVIS

(0)

3:57 PM 2/26/94

1.00 SEC
1 3 01/26/94
20.68-CHRG

That FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership acting herein by and through Texas Highlands, Inc., its General Partner, of Travis County, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid by River Place Municipal Utility District, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, or encumbrance expressed or implied, is retained, have this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto River Place Municipal Utility District, a political subdivision of the State of Texas (Grantee), an easement for the construction, operation, maintenance, replacement, upgrade and repair of a wastewater lift station in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TO HAVE AND TO HOLD the same perpetually to the Grantee and its successors and assigns, together with the privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading and repairing said lift station, and for making connections therewith; all upon the condition that River Place Municipal Utility District will, at all times after doing any work in connection with the construction or repair of said lift station, restore the surface of said premises to the condition in which the same was found before such work was undertaken. Said easement shall be considered vacated, wholly or partially, upon the dedication of public right-of-way within the bounds of the easement.

IN WITNESS THEREOF, Grantors have caused this instrument to be executed on this 11th day of January, 1994.

First River Place Reserve, Ltd., a Texas Limited Partnership.
By: Texas Highlands, Inc., a Texas Corporation, its General Partner

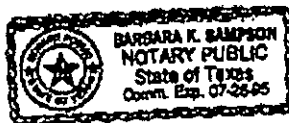
BY: John W. Grafton
Printed Name: JOHN W. GRAFTON
Title: AUTHORIZED AGENT

This instrument was acknowledged before me on January 11, 1994 by John W. Grafton, AUTHORIZED AGENT of Texas Highlands, Inc., a Texas Corporation, General Partner of First River Place Reserve, Ltd., a Texas limited partnership on behalf of said partnership.

Barbara K. Sampson
Notary Public - State of Texas
Printed Name: BARBARA K. SAMPSON
Commission Expires: 7/26/95

AFTER RECORDING, RETURN TO:

Frank Del Castillo
Espey, Huston & Associates, Inc.
818 Loop 380 South
Austin, Texas 78748



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12110 0655

EXHIBIT "A"

0.048 Acres
River Place
Section 7B
Lift Station

F.N. 4753 (JMM)
October 17, 1993
SRI Job No. 1991-57
Ref: SRI Plat No. E001-1991-02

A DESCRIPTION OF 0.048 ACRES OF LAND OUT OF THE CHARLES CLARK SURVEY NO. 612, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 1441.33-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO FIRST RIVER PLACE RESERVE, LTD., AS RECORDED IN VOLUME 11378, PAGE 379 OF THE TRAVIS COUNTY DEED RECORDS; THE SAID 0.048 ACRES, AS SHOWN ON THE PLAT OF THE PROPOSED SUBDIVISION KNOWN AS RIVER PLACE SECTION 7B, CITY OF AUSTIN PLANNING DEPARTMENT NO. C8-83-088.03.8A, IS FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a 1/2-inch iron rod set in concrete at an interior ell corner on the southwest boundary line of the said River Place Section 7B, being a point on the west right-of-way line of Big View Drive, a street dedicated to the public by the said plat of River Place Section 7B, also being the southeast corner of Lot 5, Block "D" of the said River Place Section 7B,

THENCE crossing the said 1441.33-acre tract, with the said west right-of-way line of Big View Drive as shown on the said plat of River Place Section 6, the following two (2) courses and distances:

1. S 32° 05' 44" W, a distance of 80.62 feet, and
2. a distance of 46.67 feet with an arc of a curve to the left, whose central angle is 03° 38' 18", with a radius of 735.00 feet and whose chord bears S 80° 16' 38" W, a distance of 48.67 feet to the POINT OF BEGINNING of the herein described 0.048-acre tract;

THENCE continuing to cross the said 1441.33-acre tract, with the said west right-of-way line of Big View Drive, a distance of 49.01 feet with an arc of a curve to the left whose central angle is 03° 49' 15" with a radius of 735.00 feet and whose chord bears S 28° 32' 48" W, a distance of 49.01 feet.

THENCE leaving the said west right-of-way line of Big View Drive, continuing to cross the said 1441.33-acre tract, the following three (3) courses and distances:

1. N 62° 38' 04" W, a distance of 40.63 feet,
2. N 27° 21' 56" E, a distance of 49.00 feet, and
3. S 62° 38' 04" E, a distance of 40.13 feet to the POINT OF BEGINNING, and containing 0.048 acres of land.

THE STATE OF TEXAS

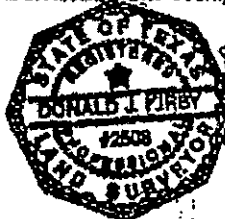
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during October 1993 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 20th day of October, 1993 A.D.

SURVEY RESOURCES, INC.
P.O. Box 162690
Austin, Texas 78716-2690



Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
No. 2508 - State of Texas

5116 22

FILED

JAN 26 3 55 PM '94

DANA DEBEAUVOR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

NOTED FOR RECORD
I hereby certify that this instrument was filed in
the office of the County Clerk of Travis County, Texas, and
was duly recorded, in the volume and page of the
public records of Travis County, Texas, as

JAN 26 1994



Dana Debeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12110 0657

EXHIBIT 5G

1149

FILM CODE

00005190380

EASEMENT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership, hereinafter called "Grantor," for the sum of One Dollar (\$1.00) and other valuable consideration, paid by RIVER PLACE MUNICIPAL UTILITY DISTRICT, a municipal utility district created and operating pursuant to Chapter 54 of the Texas Water Code, hereinafter called "Grantee," does hereby GRANT, SELL and CONVEY unto Grantee, on the terms and conditions set forth below, an easement and right-of-way upon, over, through and across the following described property of the Grantor:

Lots 5, 6 and 7, Block B, River Place Section 4A, a subdivision located in Travis County, Texas, recorded in Book 92, Pages 285-286, Plat Records of Travis County, Texas; and Lots 57, 58, 59, 60, 61 and 63, Block A, Section 7B, a subdivision located in Travis County, Texas, recorded in Volume 93, Pages 29-32, Plat Records of Travis County, Texas (collectively, the "Property").

1. Character of Easement. The easement granted herein is an easement in gross.

2. Purpose of Easement. The right-of-way, easement, rights and privileges herein granted shall be used only for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating or removing sewage and waste disposal grinder pumps located on the Property.

3. Duration of Easement. The easement, rights and privileges herein granted shall be perpetual. Grantor hereby binds itself, its successors and assigns, to warrant and forever defend the above described easement and rights to Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

4. Exclusiveness of Easement. The easement, rights and privileges granted herein are non-exclusive, and Grantor reserves and retains the right to convey similar easements to such other persons as Grantor may deem proper to the extent such future easements do not interfere with the easement granted to Grantee hereunder.

5. Rights Reserved. Grantor also retains, reserves and shall continue to enjoy the use of the surface of the Property for any and all purposes which do not interfere with and prevent the use by Grantee of the easement granted hereunder, including the right to build and use the surface of the herein granted easement for a drainage ditch, and other like uses.

6. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

7. Attorney's Fees. In the event of any controversy, claim or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

14801.1/SP/JEA/1056/041194

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12261 0395

8. Binding Effect. This Agreement shall bind and inure to the benefit of the respective parties, their personal representatives, successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this 20th day of April, 1994.

GRANTOR:

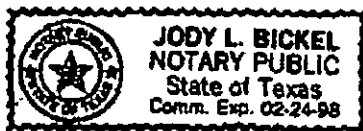
FIRST RIVER PLACE RESERVE, LTD., a
Texas limited partnership

By: TEXAS HIGHLANDS, INC., a Texas
corporation, General Partner

By: John W. Gravenor
John W. Gravenor
Authorized Agent

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 20th day of April, 1994, by John W. Gravenor, Authorized Agent of Texas Highlands, Inc., a Texas Corporation, on behalf of said limited partnership.



Jody L. Bickel
Notary Public in and for the
State of Texas

After Recording Please Return To:
Kenneth N. Jones
2600 One American Center
600 Congress Avenue
Austin, Texas 78701-3286

STATE OF TEXAS COUNTY OF TRAVIS
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
Record RECORDS of Travis County, Texas, on

AUG 30 1994

FILED

94 AUG 30 AM 11:01

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

14801.1/89/JEA/1059/041394

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12261 0396

EXHIBIT 5H

ACCESS EASEMENT AGREEMENT

FILM CODE

00005287120

THE STATE OF TEXAS

COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

This Access Easement Agreement (the "Agreement") is made by and between **FIRST RIVER PLACE RESERVE, LTD.**, a Texas limited partnership, ("Grantor") for the benefit of **RIVER PLACE MUNICIPAL UTILITY DISTRICT**, a political subdivision of the State of Texas ("Grantee") and is as follows:

1. Grant of Easement. For and in consideration of Ten and No/100 Dollars (\$10.00) cash paid to Grantor by Grantee, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, and for which no lien or encumbrance, express or implied is retained, Grantor **GRANTS, SELLS, CONVEYS, and ASSIGNS** unto Grantee, a non-exclusive easement and right-of-way (the "Easement") upon and across property owned by Grantor described and referred to below as the "Easement Tract," to be used solely for the purposes and pursuant to the terms and conditions set forth below subject to the liens securing payment for ad valorem taxes as well as to all liens, encumbrances, and other matters of record in Travis County, Texas or visible or apparent on the ground which affect the Easement Tract. The Easement Tract shall consist of that certain strip of land, approximately twenty feet (20') in width, improved with a paved roadway known as the golf course maintenance road (the "Maintenance Road"), commencing at the west right-of-way line of River Place Boulevard (an existing public right-of-way) at the intersection of said River Place Boulevard and the Maintenance Road and continuing along the Maintenance Road to the River Place Water Storage Site, a subdivision located in Travis County, Texas, according to the map or plat thereof recorded in Book 84, Pages 189C through 190A, Plat Records of Travis County, Texas (the "Tank Lot"). Notwithstanding the foregoing or anything herein to the contrary, Grantor shall have the unilateral right, without the joinder of any other party, to realign the Easement or designate a different Easement Tract at any time and from time to time, as determined by Grantor in its sole and absolute discretion, provided (i) Grantor gives Grantee twenty (20) day advance written notice of the realignment or substitute Easement Tract; and (ii) Grantor records notice of the Realignment or substitute Easement Tract in the Real Property Records of Travis County, Texas. Upon satisfaction of the requirements of (i) and (ii) of the preceding sentence, Grantee still have no further rights in or claim to any prior Easement Tract.

2. Character of Easement. The Easement is an easement in gross.

3. Purpose of Easement. The Easement, and appurtenant rights and privileges herein granted, shall be used only for the purpose of ingress and egress to the Tank Lot.

4. Duration of Easement. The Easement shall continue in effect until such time as dedicated public access is provided to the Tank Lot.

5. Rights Reserved and Limitations. Grantor reserves the right to enter upon and use the Easement Tract for any purpose; provided, however, that Grantor shall not (i) use the Easement Tract in any manner; or (ii) grant any easement on or across the Easement Tract which interferes in any material way, or is inconsistent with, the rights granted to Grantee hereunder or the terms and conditions hereof. Nothing contained in this Agreement shall be deemed to be a gift or dedication of all or any part of the Easement Tract or any other property interest to or for the general public or for any public purpose whatsoever, it being the intention of both parties that this Agreement be strictly limited to and for only those purposes expressly set out in this Agreement.

6. Interference with Grantor's Operations. In using the Easement, Grantee shall avoid, to the extent reasonably practicable, interfering with Grantor's operation and use of Grantor's property.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

49340.2/SPA/1058/1058/051795

12439 1056

7. Indemnity/Mechanic's Liens. Grantee shall indemnify and hold Grantor harmless from all claims arising out of Grantee's activities on the Easement Tract. Grantee agrees to promptly remove any mechanic's liens which encumber the Easement Tract and arise out of Grantee's activities on the Easement Tract.

8. Entire Agreement. Any oral representation or modification concerning this Instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

9. Binding Effect. This Agreement shall bind and inure to the benefit of the respective parties hereto, their permitted successors and assigns.

10. Assignability. This Agreement and the rights of Grantee hereunder may not be assigned by Grantee without Grantor's express prior written consent to any party other than a party purchasing all of Grantee's rights in the Treatment Plant.

EXECUTED to be effective the 17th day of May, 1995.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD. a
Texas limited partnership

By: TEXAS HIGHLANDS, INC. a Texas
corporation, General Partner

By: John W. Gravenor
John W. Gravenor,
Authorized Agent

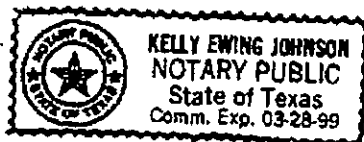
GRANTEE'S ADDRESS:

RIVER PLACE MUNICIPAL UTILITY DISTRICT
c/o Allied Utilities
12710 Research Blvd., Suite 210
Austin, Texas 78759

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on 17th of May, 1995 by John W. Gravenor, Authorized Agent of Texas Highlands, Inc., General Partner of First River Place Reserve, Ltd., a Texas limited partnership, on behalf of said partnership.

(Seal)



Kelly Ewing Johnson
Notary Public Signature

FILED

95 MAY 17 PM 4: 09

COUNTY CLERK
TRAVIS COUNTY, TEXAS

AFTER RECORDING, RETURN TO:

Robert D. Burton
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

STATE OF TEXAS COUNTY OF TRAVIS
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
Public RECORDS of Travis County, Texas, on

MAY 17 1995



Chris Abraham
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECEIPT#: A0001510 TRANS#: A3864 DEPT: REGULAR F

CASHIER: NAC FILE DATE: 5/17/95 TRANS DATE:
PAID BY: DECK# 4221

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

3

12439 1058

49340.2/SPA/1058/1058/051795

EXHIBIT 5I

ACCESS EASEMENT AGREEMENT

FILM CODE

00005321737

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

This Access Easement Agreement (the "Agreement") is made by and between FIRST RIVER PLACE RESERVE, LTD. a Texas limited partnership, ("Grantor") for the benefit of RIVER PLACE MUNICIPAL UTILITY DISTRICT, a political subdivision of the State of Texas ("Grantee") and is as follows:

1. Grant of Easement. For and in consideration of Ten and No/100 Dollars (\$10.00) cash paid to Grantor by Grantee, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, and for which no lien or encumbrance, express or implied is retained, Grantor GRANTS, SELLS, CONVEYS, and ASSIGNS unto Grantee, a non-exclusive easement and right-of-way (the "Easement") upon and across property owned by Grantor described and referred to below as the "Easement Tract," to be used solely for the purposes and pursuant to the terms and conditions set forth below subject to the liens securing payment for ad valorem taxes as well as to all liens, encumbrances, and other matters of record in Travis County, Texas or visible or apparent on the ground which affect the Easement Tract. The Easement Tract shall consist of that certain strip of land approximately twenty (20) feet in width, the center line of which is described on Exhibit "A" attached hereto and incorporated herein by reference. Notwithstanding the foregoing or anything herein to the contrary, Grantor shall have the unilateral right, without the joinder of any other party, to realign the Easement or designate a different Easement Tract at any time and from time to time, as determined by Grantor in its sole and absolute discretion, provided (i) Grantor gives Grantee twenty (20) day advance written notice of the realignment or substitute Easement Tract; and (ii) Grantor records notice of the realignment or substitute Easement Tract in the Real Property Records of Travis County, Texas. Upon satisfaction of the requirements of (i) and (ii) of the preceding sentence, Grantee still have no further rights in or claim to any prior Easement Tract.

2. Character of Easement. The Easement is an easement in gross.

3. Purpose of Easement. The Easement, and appurtenant rights and privileges herein granted, shall be used only for the purpose of ingress and egress to the River Place Water Storage Site, a subdivision located in Travis County, Texas, according to the map or plat thereof recorded in Book 84, Pages 189C through 190A, Plat Records of Travis County, Texas (the "Tank Lot").

4. Duration of Easement. The Easement shall continue in effect until such time as dedicated public access is provided to the Tank Lot.

5. Rights Reserved and Limitations. Grantor reserves the right to enter upon and use the Easement Tract for any purpose; provided, however, that Grantor shall not (i) use the Easement Tract in any manner; or (ii) grant any easement on or across the Easement Tract which interferes in any material way, or is inconsistent with, the rights granted to Grantee hereunder or the terms and conditions hereof. Nothing contained in this Agreement shall be deemed to be a gift or dedication of all or any part of the Easement Tract or any other property interest to or for the general public or for any public purpose whatsoever, it being the intention of both parties that this Agreement be strictly limited to and for only those purposes expressly set out in this Agreement.

6. Interference with Grantor's Operations. In using the Easement, Grantee shall avoid, to the extent reasonably practicable, interfering with Grantor's operation and use of Grantor's property.

7. Indemnity/Mechanic's Liens. Grantee shall indemnify and hold Grantor harmless from all claims arising out of Grantee's activities on the Easement Tract. Grantee agrees to promptly remove any mechanic's liens which encumber the Easement Tract and arise out of Grantee's activities on the Easement Tract.

8. Entire Agreement. Any oral representation or modification concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

9. Binding Effect. This Agreement shall bind and inure to the benefit of the respective parties hereto, their permitted successors and assigns.

10. Assignability. This Agreement and the rights of Grantee hereunder may not be assigned by Grantee without Grantor's express prior written consent to any party other than a party purchasing all of Grantee's rights in the Treatment Plant.

EXECUTED to be effective the 7th day of July, 1995.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD. a
Texas limited partnership

By: TEXAS HIGHLANDS, INC. a Texas
corporation, General Partner

By: John W. Gravenor
John W. Gravenor,
Authorized Agent

GRANTEE'S ADDRESS:

RIVER PLACE MUNICIPAL UTILITY DISTRICT
c/o Allied Utilities
12710 Research Blvd., Suite 210
Austin, Texas 78759

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on 7th of July, 1995 by John W. Gravenor, Authorized Agent of Texas Highlands, Inc., General Partner of First River Place Reserve, Ltd., a Texas limited partnership, on behalf of said partnership.

(Seal)



Kelly Ewing Johnson
Notary Public Signature

AFTER RECORDING, RETURN TO:

Robert D. Burton
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

AUSTIN SURVEYORS

P.O. BOX 180241
AUSTIN, TX 78718

2105 JUSTIN LANE #111
TELEPHONE (512) 454-6605

FIELD NOTES DESCRIBING THE CENTERLINE OF AN EXISTING ROADWAY SERVING GROUND STORAGE TANK

All that certain tract or parcel of land situated in the E.R. McLean Survey No. 200 and being also a part of a 1441.33 acre tract of land conveyed to First River Place Reserve, Ltd. by deed recorded in Volume 11379, Page 379 of the Real Property Records of Travis County, Texas and being also a part of Lot 3 of River Place Center as recorded in Book 86, Page 196A of the Plat Records of Travis County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the Northwest line of River Place Boulevard from which point an iron pin found in the East corner of River Place Section 3A, as recorded in Book 91, Page 30 of the said Plat Records, bears S 31°07'43" W 169.68 feet.

THENCE with the centerline of an existing road for the following twenty-six (26) courses:

- (1) N 52°31'09" W 220.64 feet to the PC of a curve to the right said curve having a radius of 300.00 feet and a central angle of 37°05'09".
- (2) with the arc of the said curve 194.18 feet, the long chord of which bears N 34°06'38" W 190.81 feet.
- (3) N 15°34'04" W 81.95 feet to an angle point.
- (4) N 57°35'15" W 92.75 feet to an angle point.
- (5) S 78°53'36" W 68.53 feet to an angle point.
- (6) S 88°40'17" W 122.50 feet to the PC of a curve to the right said curve having a radius of 75.00 feet and a central angle of 81°17'57".
- (7) with the arc of the said curve 106.42 feet, the long chord of which bears N 50°40'45" W 97.72 feet.
- (8) N 10°01'46" W 188.93 feet to an angle point.
- (9) N 07°12'11" W 87.74 feet to an angle point.
- (10) N 01°19'30" W 152.06 feet to an angle point.

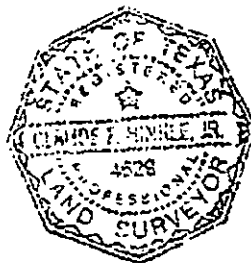
EXHIBIT A


REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12501 1560

- (11) N 10°01'49" E 47.96 feet to an angle point.
- (12) N 46°22'34" E 74.90 feet to an angle point.
- (13) N 68°39'57" E 55.50 feet to an angle point.
- (14) N 84°37'25" E 170.70 feet to the PC of a curve to the left said curve having a radius of 230.00 feet and a central angle of 31°25'55".
- (15) with the arc of the said curve 126.18 feet, the long chord of which bears N 68°54'28" E 124.60 feet.
- (16) N 53°11'31" E 463.198 feet to an angle point.
- (17) N 76°34'05" E 172.46 feet to an angle point.
- (18) N 62°04'47" E 52.09 feet to an angle point.
- (19) N 26°59'46" E 75.00 feet to an angle point.
- (20) N 08°17'41" W 62.00 feet to an angle point.
- (21) N 19°27'05" W 117.58 feet to an angle point.
- (22) N 25°48'41" W 120.94 feet to an angle point.
- (23) N 78°42'34" W 69.17 feet to an angle point.
- (24) N 62°18'45" W 106.73 feet to an angle point.
- (25) N 87°41'57" W 104.04 feet to an angle point.
- (26) N 36°08'14" W 6.09 feet to the POINT OF TERMINATION of this description, a point on the Southeast line of Lot 2, Block A of the River Place Water Storage Site as recorded in Book 84, Page 189C of the said Plat Records, from which point an iron pin found in an angle point of the said Lot 2 bears S 37°51'47" W 207.16 feet.

I, Claude F. Hinkle Jr, a Registered Professional Land Surveyor, do hereby certify that these field notes accurately represent the results of an on-the-ground survey made under my supervision during June, 1995 and are correct to the best of my knowledge and belief.

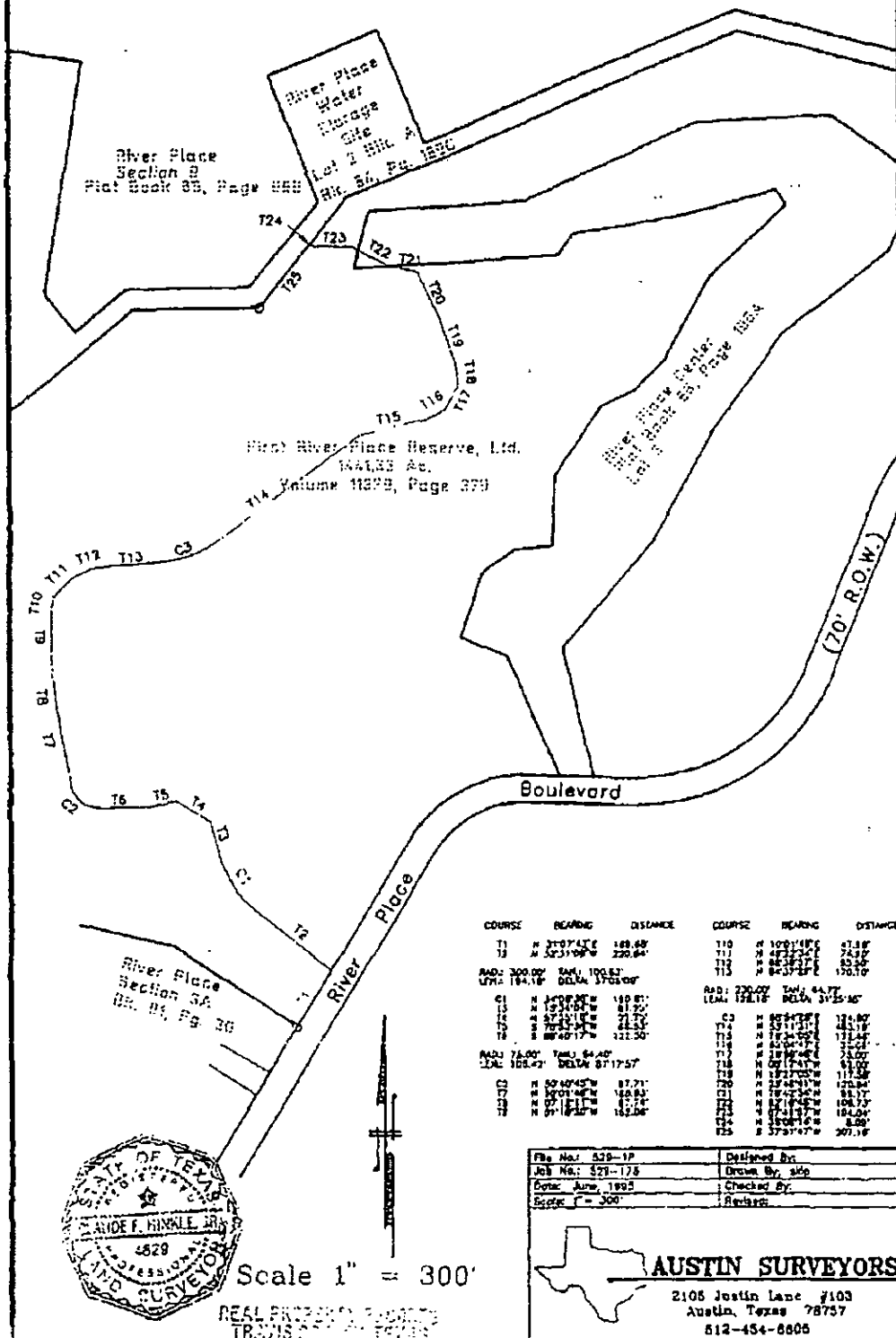



Claude F. Hinkle, Jr.
R.P.L.S. #4629

REAL ESTATE BROKER
TRANSACTING BUSINESS

12501 1561

Sketch to accompany field notes
for the centerline of an existing
roadway in the E.R. McLean Survey
No. 200, Travis County, Texas



12501 1552

FILED

95 AUG 15 PM 4:40

DANIEL J. BROWN
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
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
public RECORDS of Travis County, Texas, as

AUG 15 1995



Dan J. Brown
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECEIVED: TRAVIS COUNTY CLERK'S OFFICE
COUNTY CLERK'S OFFICE
12501 1563

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12501 1563

EXHIBIT 5J

PUBLIC UTILITY EASEMENT

FILM CODE

THE STATE OF TEXAS §

00005331239

COUNTY OF TRAVIS §

That **FIRST RIVER PLACE RESERVE, LTD.**, a Texas limited partnership ("Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, to Grantors in hand paid by the **RIVER PLACE MUNICIPAL UTILITY DISTRICT**, a political subdivision of the State of Texas ("Grantee"), the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day GRANTED, SOLD AND CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY, subject to the reservations of Grantor contained herein, unto Grantee an easement for the construction, operation, maintenance, replacement, upgrade, and repair of public utilities in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described on Exhibit "A", attached hereto and incorporated herein by reference (the "Easement Tract").

TO HAVE AND TO HOLD the Easement Tract perpetually to Grantee, its successors and assigns, together with the right and privilege at any and all times to enter said Easement Tract or any part thereof, for the purpose of construction, operation, maintenance, replacement, upgrade, and repair of public utilities and making connections therewith; provided, however, that Grantor reserves the right to enter upon and use the Easement Tract for any purpose, but in no event shall Grantor use the Easement Tract in any manner which interferes in any material way or is inconsistent with the rights granted to Grantee hereunder. Grantee shall be obligated to replace and restore, at Grantee's sole cost and expense, any and all improvements located upon or adjacent to the Easement Tract which may have been removed, relocated, altered, damaged, or destroyed as a result of Grantee's use of the easement granted hereunder. Grantor does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement Tract, unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under Grantor, subject to the matters and reservations set forth herein.

August IN WITNESS HEREOF, Grantor has caused this instrument to be executed on this 31st day of 1995.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD., a
Texas limited partnership

By: Texas Highlands, Inc., a
Texas corporation, its
General Partner

By: John W. Gravenor
John W. Gravenor, Attorney-In-Fact

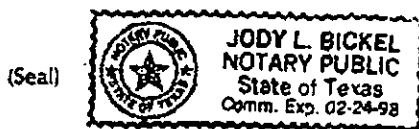
GRANTEE:

RIVER PLACE MUNICIPAL UTILITY DISTRICT,
a political subdivision of the State of Texas

By: John E. Maher
Printed Name: JOHN E. MAHER
Title: PRESIDENT

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

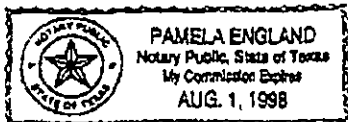
This instrument was acknowledged before me on August 31, 1995, by John W. Cravenor, Authorized Agent of Texas Highlands, Inc., a Texas corporation, General Partner of First River Place Reserve, Ltd., a Texas limited partnership, on behalf of said partnership.



Jody L. Bickel
Notary Public Signature

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on August 31, 1995, by John E. Maher, President of River Place Municipal Utility District, a political subdivision of the State of Texas, on behalf of said subdivision.



Pamela England
Notary Public Signature

Grantee's Address:

River Place Municipal Utility District
c/o Allied Utilities Services, Inc.
12710 Research Blvd., Suite 210
Austin, Texas 78759

AFTER RECORDING, RETURN TO:

Robert D. Burton
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

57638.1/SPA/DAM/1058/082995

12516 0967



EXHIBIT "A"

20 Foot Wide Public Utility Easement
River Place Water Storage Site

F.N. 5162 (JAY)
August 21, 1995
SRI Job No. 2500-08

A DESCRIPTION OF THE CENTERLINE OF A TWENTY (20) FOOT WIDE STRIP OF LAND TO BE USED AS A PUBLIC UTILITY EASEMENT IN THE E.R. McLEAN SURVEY NO. 200, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A, OF RIVER PLACE WATER STORAGE SITE, A SUBDIVISION, AS RECORDED IN BOOK 84, PAGES 189C-190A, OF THE PLAT RECORDS OF TRAVIS COUNTY, SAID 20 FOOT STRIP BEING PARALLEL AND CONCENTRIC AND AT A PERPENDICULAR DISTANCE OF TEN (10) FEET ON EACH SIDE OF SAID CENTERLINE AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/4-inch iron rod found being a northerly corner of said Lot 2, Block A, being in the southwesterly line of River Place Section 9, a subdivision, as recorded in Book 85, Pages 96B-97A, of the Plat Records of Travis County, Texas, being an old corner of said Lot 2, Block A;

THENCE with the northeasterly line of said Lot 2, Block A, S 22° 33' 13" E, a distance of 276.40 feet to a point;

THENCE leaving the said northeasterly line of Lot 2, Block A, and crossing said lot, S 67° 26' 47" W, a distance of 1.38 feet to a corner of a chain link fence;

THENCE with the said chain link fence and continuing to cross the said lot, the following three (3) courses:

1. S 37° 32' 30" W, a distance of 144.81 feet to a point, being a fence corner,
2. S 87° 36' 11" W, a distance of 103.14 feet to a point, being a fence corner, and
3. N 54° 37' 31" W, a distance of 38.56 feet to a point for the POINT OF BEGINNING;

THENCE leaving the said fence and continuing to cross the said lot, S 37° 45' 20" W, a distance of 278.58 feet to a point on the north line of a thirty (30) foot wide Public Utility Easement, as recorded in Volume 10057, Page 1 of the Good Records of Travis County, Texas for the POINT OF TERMINATION.

THE STATE OF TEXAS
COUNTY OF TRAVIS

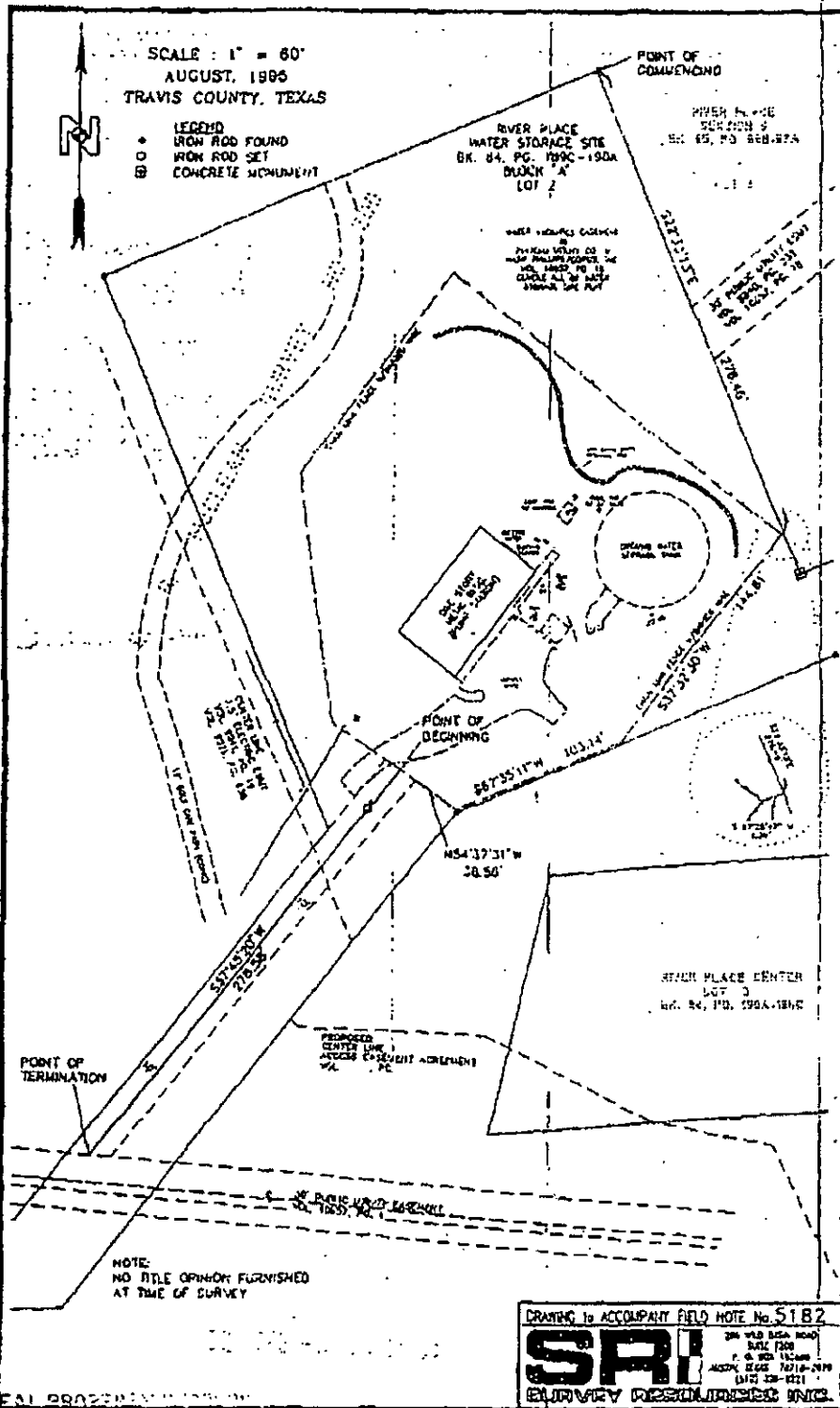
KNOW ALL MEN BY THESE PRESENTS:

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during August, 1995 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 22nd day of August, 1995 A.D.

SURVEY RESOURCES, INC.
P.O. Box 182690
Austin, Texas 78718-2690





REAL PROPERTY MAP OF
TRAVIS COUNTY, TEXAS

SHEET 2 OF 2

12516 0969

FILED

95 SEP -6 PM 3:31

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

**RECORDERS MEMORANDUM:
ORIGINAL IS OF POOR QUALITY!!**

STATE OF TEXAS COUNTY OF TRAVIS
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
aforesaid RECORDS of Travis County, Texas, on

SEP 6 1995



Dana DeBeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12516 0970

RECEIVED: DECEMBER 1995: 0305: 1074: REGULAR RECORDS: 117.03
CASHIER: 0305: FILE DATE: 9/6/95: TRAVIS DATE: 9/6/95
FMS BY: DECEMBER 1994

EXHIBIT 5K

PUBLIC UTILITY EASEMENT

FILM CODE

00005331240

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

That FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership ("Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, to Grantors in hand paid by the RIVER PLACE MUNICIPAL UTILITY DISTRICT, a political subdivision of the State of Texas ("Grantee"), the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day GRANTED, SOLD AND CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY, subject to the reservations of Grantor contained herein, unto Grantee an easement for the construction, operation, maintenance, replacement, upgrade, and repair of public utilities in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described on Exhibit "A", attached hereto and incorporated herein by reference (the "Easement Tract").

TO HAVE AND TO HOLD the Easement Tract perpetually to Grantee, its successors and assigns, together with the right and privilege at any and all times to enter said Easement Tract or any part thereof, for the purpose of construction, operation, maintenance, replacement, upgrade, and repair of public utilities and making connections therewith; provided, however, that Grantor reserves the right to enter upon and use the Easement Tract for any purpose, but in no event shall Grantor use the Easement Tract in any manner which interferes in any material way or is inconsistent with the rights granted to Grantee hereunder. Grantee shall be obligated to replace and restore, at Grantee's sole cost and expense, any and all improvements located upon or adjacent to the Easement Tract which may have been removed, relocated, altered, damaged, or destroyed as a result of Grantee's use of the easement granted hereunder. Grantor does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement Tract, unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under Grantor, subject to the matters and reservations set forth herein.

IN WITNESS HEREOF, Grantor has caused this instrument to be executed on this 31st day of AUGUST, 1995.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD., a
Texas limited partnership

By: Texas Highlands, Inc., a
Texas corporation, its
General Partner

By: John W. Gravenor
John W. Gravenor, Attorney-In-Fact

GRANTEE:

RIVER PLACE MUNICIPAL UTILITY DISTRICT,
a political subdivision of the State of Texas

By: John E. Maher
Printed Name: JOHN E. MAHER
Title: PRESIDENT

57638.1/SPA/DAH/1058/082995

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12516 0971

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

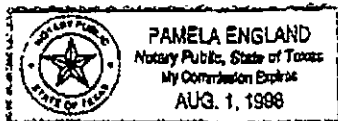
This instrument was acknowledged before me on August 31, 1995, by John W. Gravenor, Authorized Agent of Texas Highlands, Inc., a Texas corporation, General Partner of First River Place Reserve, Ltd., a Texas limited partnership, on behalf of said partnership.



Jody L. Bickel
Notary Public Signature

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on August 31, 1995, by John E. Maher, President of River Place Municipal Utility District, a political subdivision of the State of Texas, on behalf of said subdivision.



Pamela England
Notary Public Signature

Grantee's Address:

River Place Municipal Utility District
c/o Allied Utilities Services, Inc.
12710 Research Blvd., Suite 210
Austin, Texas 78759

AFTER RECORDING, RETURN TO:

Robert D. Burton
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

57638.1/EPA/DAM/1058/082995

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12516 0972

30 Foot Wide Public Utility Easement
River Place Water Storage Site

F.N. 5180R (JAY)
August 21, 1995
SRI Job No. 2500-08

A DESCRIPTION OF THE CENTERLINE OF A THIRTY (30) FOOT WIDE STRIP OF LAND TO BE USED AS A PUBLIC UTILITY EASEMENT IN THE E.R. McLEAN SURVEY NO. 200, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A, OF RIVER PLACE WATER STORAGE SITE, A SUBDIVISION, AS RECORDED IN BOOK 84, PAGES 189C-180A, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 30 FOOT STRIP BEING PARALLEL AND CONCENTRIC AND AT A PERPENDICULAR DISTANCE OF FIFTEEN (15) FEET ON EACH SIDE OF SAID CENTERLINE AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/8-inch iron rod found being a northerly corner of said Lot 2, Block A, being in the southwesterly line of River Place Section 9, a subdivision, as recorded in Book 85, Pages 96B-97A, of the Plat Records of Travis County, Texas, being an ell corner of said Lot 2, Block A;

THENCE with the northeasterly line of said Lot 2, Block A, S 22° 33' 13" E, a distance of 157.42 feet to the POINT OF BEGINNING;

THENCE leaving the said northeasterly line of Lot 2, Block A, and crossing said lot, S 38° 04' 58" W, a distance of 80.38 feet to a point on the northeasterly fence line as located for the POINT OF TERMINATION;

THE STATE OF TEXAS

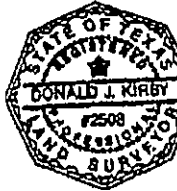
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during August, 1995 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 22nd day of August, 1995 A.D.

SURVEY RESOURCES, INC.
P.O. Box 182690
Austin, Texas 78716-2690



Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
No. 2508 - State of Texas

EXHIBIT A

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

Page 1 of 2

12516 0973

FILED

95 SEP -6 PM 3 32

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDERS MEMORANDUM
ORIGINAL IS OF POOR QUALITY

STATE OF TEXAS COUNTY OF TRAVIS
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
Record RECORDS of Travis County, Texas, on

SEP 6 1995



Dana DeBeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12516 0975

RECORD: 12516.9 TRAVIS COUNTY, TEXAS RECORDS OFFICE
OWNER: 12516 FILE DATE: 9/6/95 TIME DATE: 3:32
PUB IN: CHECK 12516

EXHIBIT 5L

21.
FILM CODE *mt*
00005515025

STATE OF TEXAS §
COUNTY OF TRAVIS §
GRANT OF EASEMENT

GRANTOR: MABE, INC., a Texas corporation

GRANTEE: GLENLAKE WATER SUPPLY CORPORATION, a water supply corporation organized under Art. 1434a of the Texas Civil Statutes, the mailing address of which is 9809 Glenlake Drive, Austin, Texas 78730 and RIVER PLACE MUNICIPAL UTILITY DISTRICT, a conservation and reclamation district organized under Chapter 54 of the Texas Water Code, the mailing address of which is 11855 Research Blvd., Austin, Texas 78759. Glenlake Water Supply Corporation and River Place Municipal Utility District are jointly referred to herein as "Grantee".

GRANT: Grantor has GRANTED, SOLD, and CONVEYED, and does hereby GRANT, SELL and CONVEY, unto the Grantee, the Easement described below.

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration cash in hand paid to Grantor by Grantee, the receipt and sufficiency of which is hereby acknowledged by Grantor.

EASEMENT: A water line easement in, on, and across that certain 3,401 square feet of land in Travis County, Texas described by metes and bounds in the attached Exhibit "A" and further illustrated by the sketch attached as Exhibit "B".

USES OF EASEMENT: The Easement granted herein may be used for the construction or installation, and the maintenance, repair and replacement, of an underground water line or lines, together with other facilities common to and/or reasonably necessary to the use of such line or lines, including without limitation meters, meter vaults and backflow preventers. However, use of the Easement shall be subject to the conditions set forth below.

CONDITIONS: The use of the Easement by Grantee is subject to the following conditions. Grantee shall in all respects observe and shall not violate the provisions of the endangered species permit No. PRT-793122 issued to Grantor by the U. S. Fish and Wildlife Service effective February 24, 1995, for so long as such permit shall be in effect. Said endangered species permit, which is on file with the U. S. Fish and Wildlife Service, is incorporated herein by this reference.

OBLIGATION OF GRANTEE: Upon completion of any construction, installation, maintenance, repair or replacement of the water line in the Easement, Grantee shall restore the surface of the Easement to substantially the same condition as existed prior to such work.

HABENDUM: The Grantee shall have and hold the Easement and all and singular the rights and appurtenances thereunto belonging.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12822 0001

01- 92040404- JB

SUCCESSORS AND ASSIGNS: The Easement granted hereby and all of the rights, agreements and burdens pertaining thereto shall inure to the benefit of and shall be binding upon the Grantor, any other owner in the future of any part of the property across which the Easement runs, and the Grantee, and all of their respective successors, heirs, legal representatives, executors, administrators and assigns. The Easement shall be an easement in gross for the benefit of Grantee, its successors and assigns.

WARRANTY: Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular, the said Easement unto the said Grantee, its successors and assigns, against every person whomsoever claiming or to claim the same or any part thereof.

FUTURE DEDICATION: It is expressly agreed that Grantee, its successors and assigns, may dedicate the Easement to the public without the consent of Grantor or any other future owner of the property across which the Easement runs.

EXECUTED to be effective the 25 day of November, 1996

MABE, INC., a Texas corporation

By: 

Name

Its:

Stephen D. Lowder

President

THE STATE OF TEXAS

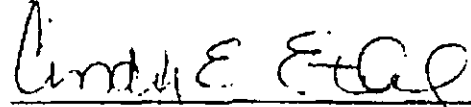
COUNTY OF Dallas

§
§
§

This document was acknowledged before me on this 25th day of Nov., 1996, by Stephen A. Lowder, President of MABE, Inc., a Texas corporation, on behalf of said corporation.



CINDY E. ETHEL
NOTARY PUBLIC
THE STATE OF TEXAS
COMMISSION EXPIRES
11-02-97



Notary Public, State of Texas

Consent of Lienholder

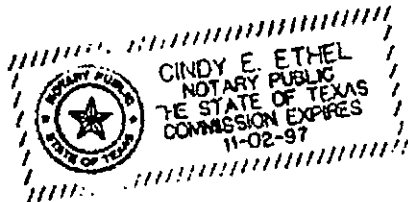
The undersigned, being the lienholder on the tract of land from which the foregoing Easement is granted, by virtue of the deed of trust recorded at Volume _____, Page _____, of the Real Property Records of Travis County, Texas, does hereby consent to the grant of the Easement.

FIDELITY BANK, N.A.

By: C. Mulcolun Holland SVP
Name: C. Mulcolun Holland
Its: SVP

THE STATE OF TEXAS §
COUNTY OF Dallas §

This instrument was acknowledged before me on November - 25, 1996, by C. Mulcolun Holland, SVP of Fidelity Bank, N.A. on behalf of said Fidelity Bank, N.A.



Cindy E. Ethel
Notary Public - State of Texas

EXHIBIT "A"

WATER LINE EASEMENT

FIELD NOTES FOR A 15 FOOT WIDE WATER LINE EASEMENT SITUATED IN THE JAMES COLE SURVEY NO. 542, ABSTRACT NO. 165, TRAVIS COUNTY, TEXAS, BEING OUT OF THE RESIDUE OF A CALLED 268.7745 ACRE TRACT OF LAND CONVEYED BY LANTOWER REALTY TO MaBe, INC. BY SPECIAL WARRANTY (DISTRIBUTION) DEED DATED MARCH 15, 1994, AND RECORDED IN VOLUME 12165, PAGE 2251, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID CALLED 268.7745 ACRE TRACT BEING THE REMAINDER OF A CALLED 269.8438 ACRE TRACT OF LAND CONVEYED BY QUITCLAIM DEED DATED JUNE 23, 1988, AND RECORDED IN VOLUME 10720, PAGE 210, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 15 FOOT WIDE WATER LINE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at point in the west line of said residue tract at the westerly most corner of Proposed Water Line Easement "C", from which a 1/2 inch iron rod found at an angle point in said westerly line, bears, S 36°29'13" W, a distance of 2745.26 feet,;

THENCE, over and across said residue tract the following three (3) courses and distances:

- 1) S 61°20'03" E, a distance of 229.34 feet to a point;
- 2) N 16°37'02" E, a distance of 23.23 feet to a point;
- 3) N 61°20'03" W , a distance of 224.08 feet to a point in the west line of said residue tract, from which a 1/2 inch iron rod found for the northwest corner of said residue tract bears, N 36°29'13" E, a distance of 254.40 feet;

THENCE, with the west line of said residue tract, S 36°29'13" W, a distance of 15.14 feet to the POINT OF BEGINNING, containing 3,401 square feet within these metes and bounds.

SKETCH TO ACCOMPANY FIELD NOTES

SHEET 1 OF 2

EXHIBIT "B"

N.T.S.

FIRST RIVER PLACE RESERVE LTD.
VOL. 11379, PG. 379, R.P.R.T.C.

RESIDUE OF 288.7745 ACRES
LANTOWER REALTY, INC.
VOL. 12165, PG. 2251, R.P.R.T.C.

EASEMENT
3,401 SQUARE FEET

EASEMENT "B"
0.721 ACRES

EASEMENT "A"
1.349 ACRES

WESTMINSTER GLEN AVENUE
(70' R-O-W)

WESTMINSTER GLEN
PHASE 1
VOL. 85, PG. 101B, P.R.T.C.

NORMA ROOKE CANFIELD
VOL. 3497, PG. 401, D.R.T.C.

GLENLAKE PHASE 1
VOL. 77, PG. 233-239, P.R.T.C.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12822 0005

CUNNINGHAM-ALLEN, INC.

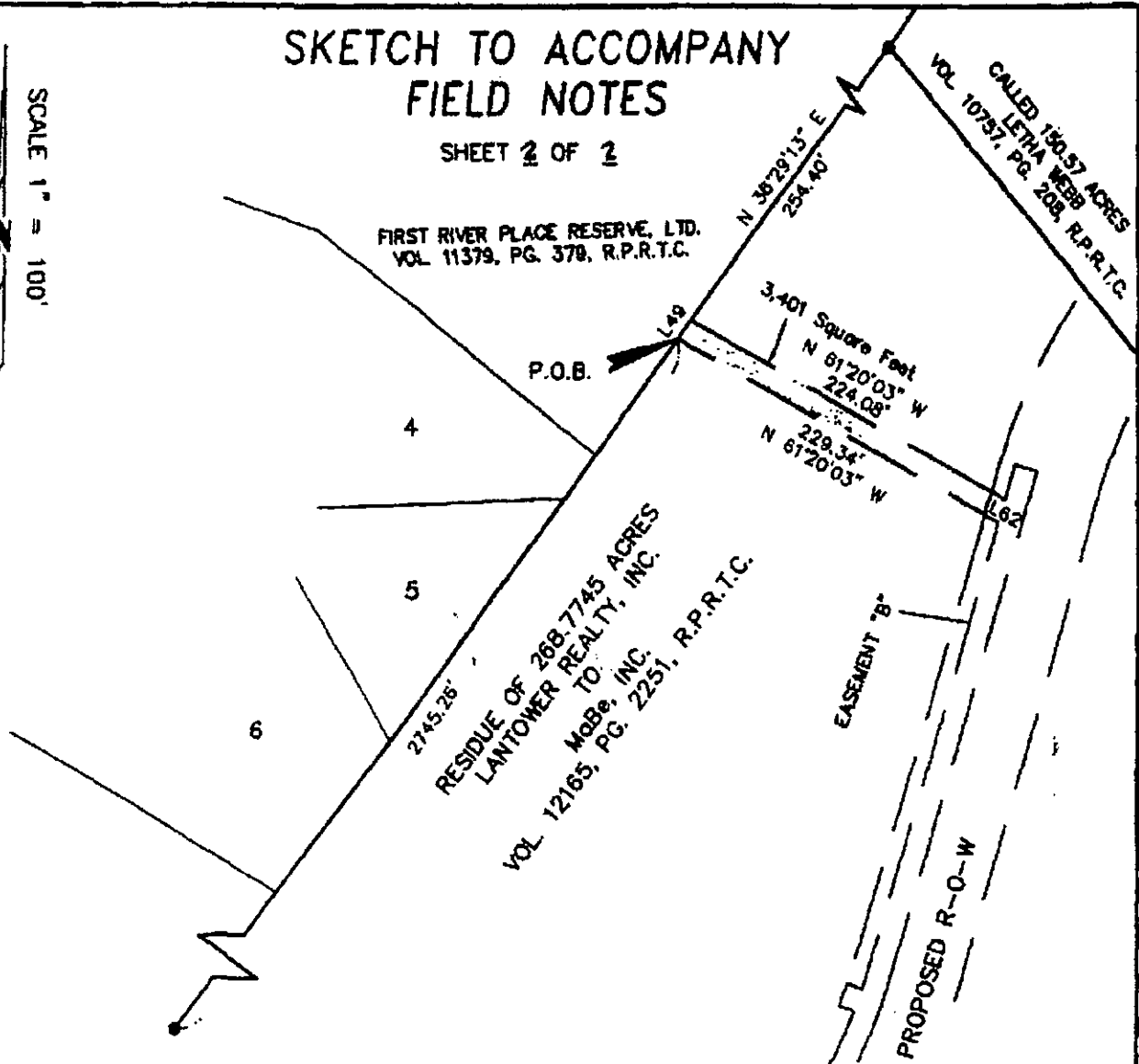


3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TEXAS 78748
PHONE (512) 327-2948
FAX (512) 327-2973

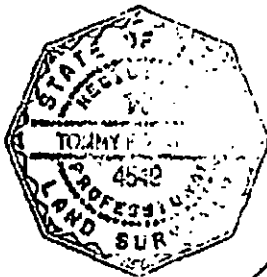
SKETCH TO ACCOMPANY FIELD NOTES

SHEET 2 OF 2

SCALE 1" = 100'



LINE	DIRECTION	DISTANCE
L49	S 36°29'13" W	15.14'
L62	N 16°37'02" E	15.34'



SURVEYED BY:

Tommy P. Watkins

TOMMY P. WATKINS
REG. PROF. LAND SURVEYOR
NO. 4549
DATE: NOVEMBER 8, 1998

CUNNINGHAM-ALLEN, INC.



3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TEXAS 78748
PHONE (512) 327-2946
FAX (512) 327-2973

CLIENT: STEVE LONDER
DATE: 11/8/98
OFFICE: GUNVW
CREW:
F.B.:
PROJ #: 71-0350
FILE NAME: E:\710350\20\710350.DWG

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12822 0006

ATER RECORD IN RETURN TO:
ATTN: JOHN BRUCE
STEWART TITLE
P.O. BOX 1808
AUSTIN, TX 78787-0180

FILED

96 NOV 26 PM 12: 51

DANIELA HANCOCK
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF TRAVIS
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
Public Records of Travis County, Texas as

NOV 26 1996



Dan Hancock
COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12822 0007

RECEIPT#: A00054007 TRASH#: A5977 DEPT: REGULAR RECORD \$21.00
CASHIER: BAYNE FILE DATE: 11/26/96 TRANS DATE: 11/26/96
PAID BY: CHECK# 3691

EXHIBIT 5M

ASSIGNMENT AND ASSUMPTION OF ACCESS EASEMENT AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION OF ACCESS EASEMENT AGREEMENT (this "*Assignment*") is made and entered into this 7th day of March, 2008, by and between RIVER PLACE GOLF GROUP, LP, a Texas limited partnership ("*Assignor*"), and RIVER PLACE MUNICIPAL UTILITY DISTRICT ("*Assignee*").

RECITALS:

WHEREAS, First River Place Reserve, Ltd., a Texas limited partnership, BSL Golf/Austin Corporation, a Texas corporation ("*BSL*"), entered into that certain Access Easement Agreement dated January 11, 1999 and recorded in the Real Property Records of Travis County under Volume 13348, Page 415 (the "*Easement*"), a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes.

WHEREAS, BSL and Country Club at Riverplace, Inc., a Texas corporation ("*CCR*") entered into that certain Assignment of Easements and Agreements dated March 3, 1999 and recorded in the Real Property Records of Travis County as Document Number 1999004076, whereby BSL assigned all of its rights, title, interests and privileges to CCR under the Easement.

WHEREAS, CCR and Assignor entered into that certain Assignment and Assumption of Easements and Agreements dated June 11, 2003 and recorded in the Real Property Records of Travis County as Document Number 2003153876, whereby CCR assigned all of its right, title, interest and benefit to Assignor under the Easement.

WHEREAS, Assignor has agreed to assign to Assignee and Assignee has agreed to assume from Assignor the Easement as described herein.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid to Assignor by Assignee, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee agree as follows:

1. Assignment by Assignor. Assignor shall and does hereby transfer and assign to Assignee all of Assignor's right, title, interest and benefit in and under the Easement.
2. Assumption by Assignee. Assignee shall and does hereby assume all of the duties, obligations, liabilities and commitments of Assignor accruing after the date hereof with respect to or arising from the Easement.
3. Indemnification. Assignor agrees to indemnify and hold Assignee harmless from any and all duties, obligations, liabilities, and commitments arising under the Easement prior to the date hereof, and Assignee agrees to indemnify and hold Assignor harmless from any and all duties, obligations, liabilities, and commitments arising under the Easement after the date hereof.
4. Survival of Provisions. The covenants, representations and obligations contained in this Assignment shall survive the consummation of all transactions contemplated herein, and this

Assignment shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

5. Captions. The captions of sections in this Assignment are for convenient reference only and are not to be construed in any way as part of this Assignment.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed as of
March 7th, 2008.

ASSIGNOR:

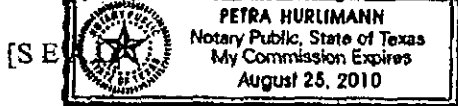
RIVER PLACE GOLF GROUP, LP,
a Texas limited partnership

By: River Place Golf Group GP, Inc.,
a Texas corporation,
its general partner

By: [Signature]
Name: STEVEN HELD
Title: Pres. 0015

THE STATE OF TEXAS §
§
COUNTY OF Tarrant §

The foregoing instrument was ACKNOWLEDGED before me this 7th day of
March, 2008, by STEVEN HELD, the PRESIDENT of
River Place Golf Group GP, Inc., a Texas corporation, the general partner of River Place Golf
Group LP, a Texas limited partnership, on behalf of said corporation and limited partnership.



My Commission Expires: 8-25-2010

[Signature]
Notary Public - State of Texas
Petra Hurlimann
Printed Name of Notary Public

ASSIGNEE:

RIVER PLACE MUNICIPAL UTILITY DISTRICT

By: [Signature]

Name: JAMES CASEY

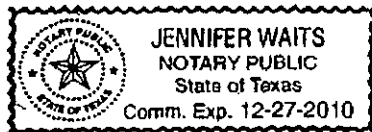
Title: PRESIDENT, BOARD OF DIRECTORS

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The foregoing instrument was ACKNOWLEDGED before me this 22nd day of APRIL, 2008, by JAMES CASEY, the PRESIDENT of the River Place Municipal Utility District, on behalf of said utility district.

[SEAL]

My Commission Expires: 12.27.2010



[Signature]
Notary Public - State of Texas

JENNIFER WAITS
Printed Name of Notary Public

EXHIBIT "A"

Access Easement Agreement

(see attached)

EXHIBIT "A"

RETURN TO:
ALAMO TITLE COMPANY
3305 NORTHLAND DR., #100
AUSTIN, TEXAS 78731
GF# 98116715-9

FILM CODE

00005859175

⑨
75

ACCESS EASEMENT AGREEMENT

(Raw Water Intake Structure - Intake Pumps on Lake Austin)

THE STATE OF TEXAS

§

COUNTY OF TRAVIS

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This Access Easement Agreement is between FIRST RIVER PLACE RESERVE, LTD., a Texas limited partnership ("Grantor"), and BSL GOLF/AUSTIN CORPORATION, a Texas corporation ("Grantee"), and is as follows:

RECITALS

A. Grantor is the owner of certain real property in Travis County, Texas, described in a deed dated February 21, 1991 to Grantor from Southwest Federal Savings Association, and recorded at Volume 11379, Page 379, Real Property Records of Travis County, Texas, and more particularly described on the attached Exhibit "A" ("FRP Tract").

B. Within the FRP Tract is a parcel of land adjacent to Lake Austin on which are located various water intake facilities, which is described in a "Public Utility Easement" dated June 21, 1984, and recorded at Volume 8917, Page 313, Real Property Records of Travis County, Texas, and described on Exhibit "B" (the "Intake Tract").

C. Grantee is the owner of the raw water intake system more particularly described on Exhibit "C" (the "Facilities"), which are located adjacent to the Intake Tract on the parcel more particularly described on Exhibit "D" (the "Facilities Tract").

D. Grantee has requested that Grantor grant Grantee an easement over, through, under and across the FRP Tract from River Place Section 12, a subdivision in Travis County, Texas, according to the plat recorded at Book 101, Page 81, Travis County Plat Records ("Section 12"), to the Facilities Tract as depicted on Exhibit "E", and across the Facilities Tract, and across the Intake Tract (collectively referred to hereafter as the "Easement Tract"), for the purpose of accessing, maintaining, repairing, replacing, and otherwise using the Facilities, and Grantor has agreed to grant such request.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grant of Easement. Grantor does hereby grant an easement and right-of-way which shall be enjoyed and used without cost, fee or charge, over, through, under and across the Easement Tract for the benefit of Grantee for the purpose of accessing operating, maintaining, repairing, replacing, and otherwise using the Facilities and no other purpose (the "Easement").

2. Character of Easement. The Easement is appurtenant to the real property owned by Grantee as more particularly described on Exhibit "E" (the "BSL Tracts").

3. Duration of Easement. The Easement shall terminate and be of no further force and effect upon the dedication of a public right-of-way by final plat or other means which creates reasonably adequate

44292.6/010699

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0415

access between Section 12 and the Facilities Tract and between Section 12 and the Intake Tract. If a public right-of-way is dedicated so that only a portion of the Easement Tract is affected, then this Easement shall be amended to delete from the Easement Tract that portion of the Easement Tract which can be accessed via a public right-of-way. Grantor and Grantee agree to execute and record such reasonable and necessary documents as required to effectuate such amendment.

4. **Exclusiveness of Easement.** The Easement is non-exclusive, and Grantor shall have the right to enter upon and use the Easement Tracts for any purpose which does not unreasonably interfere with Grantee's use of the Easement. Grantor shall also be entitled to grant such other easements on or across the Easement Tracts not otherwise inconsistent with Grantee's use of the Easement, provided that no beneficiary under any such easement shall have the right to unreasonably interfere with Grantee's use of the Easement. Grantor covenants and agrees not to erect or maintain any barriers to access to the Easement Tracts from the BSL Tracts.

5. **Improvement and Maintenance.** Grantee shall not have the right to improve the Easement Tract, except to the extent described above with respect to the Facilities. The cost of maintaining any improvements on or in the Easement Tract, excluding the Facilities, shall be the sole responsibility of Grantor, and its successors and assigns. All costs related to the Facilities shall be the responsibility of Grantee, and its successors and assigns.

6. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the Easement. Any oral representations or modifications concerning this Agreement shall be of no force and effect except in a subsequent modification in writing, signed by the party to be charged.

7. **NO REPRESENTATIONS OR WARRANTIES.** EXCEPT FOR THE WARRANTY OF TITLE CONTAINED HEREIN, GRANTEE ACCEPTS THE CURRENT AND FUTURE CONDITION OF THE EASEMENT PROPERTY AS IS AND WITH ALL FAULTS. GRANTOR MAKES NO IMPLIED OR EXPRESS REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER REGARDING THE EASEMENT PROPERTY, INCLUDING BUT NOT LIMITED TO, THE FITNESS FOR ANY USE BY GRANTEE, THE SAFETY OR SECURITY OF THE EASEMENT PROPERTY, THE COMPLIANCE OF THE EASEMENT PROPERTY WITH ANY APPLICABLE LAW, OR THE COMPLIANCE OF THE CONSTRUCTION OF ANY IMPROVEMENTS ON THE PROPERTY WITH ANY APPLICABLE LAWS, RULES, REGULATIONS, AND RESTRICTIONS. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS ACCESS EASEMENT AGREEMENT.

8. **Release.** Grantee hereby releases Grantor from liability for claims with respect to the condition of the Facilities, provided that this release shall not apply to any damage hereafter caused by Grantor, or Grantor's tenants, contractors, agents, and invitees. This provision shall survive the termination of this Easement Agreement.

9. **No Liability.** Grantor shall not be liable to Grantee, or Grantee's tenants, agents, and invitees, or any third party for any damage to persons or property related to Grantee's construction, maintenance, or repair of the Facilities or the use of the Facilities; and Grantee shall indemnify and hold harmless Grantor from all claims, demands, actions, suits, and liabilities of any kind whatsoever, for any such damage; provided that such damage is not caused after the date hereof by the negligence or willful misconduct of Grantor, or Grantor's tenants, contractors, agents or invitees. Grantee shall not be liable to Grantor, or Grantor's tenants, agents, and invitees, or any third party for any damage to persons or property

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

44281-6/010699

2

13348 0416

related to Grantor's construction, maintenance, or repair of the Facilities or Grantor's use of the Facilities; and Grantor shall indemnify and hold harmless Grantee from all claims, demands, actions, suits, and liabilities of any kind whatsoever, for any such damage; provided that such damage is not caused after the date hereof by the negligence or willful misconduct of Grantee, or Grantee's tenants, contractors, agents or invitees. This provision shall survive the termination of this Easement Agreement.

10. **Attorney's Fees.** In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the non-prevailing party reasonable expenses, attorney's fees, and costs. Further, Grantee does hereby agree to defend and hold Grantor harmless from any and all claims or causes of action of any nature made against Grantor by any person or other claimant which results from or relates to the Easement, whether directly or indirectly, in whole or in part.

11. **Binding Effect.** This Agreement shall bind and inure to the benefit of the respective parties, their personal representatives, successors, and assigns.

12. **No Waiver.** Except for a written waiver signed by Grantor, any action or inaction by Grantor with respect to any provision of this Access Easement Agreement, including, but not limited to, Grantor's failure to enforce any provision of this Access Easement Agreement, shall not constitute a waiver of that provision or any other provision of this Access Easement Agreement. Any waiver by Grantor of any provision of this Access Easement Agreement shall not constitute a waiver of any other provision of this Access Easement Agreement.

13. **Assignment.** The rights and obligations of Grantee hereunder may be assigned by Grantee, but only by written instrument pursuant to which the assignee expressly assumes the obligations of Grantee under this Agreement and only upon the delivery to Grantor of a copy of the executed assignment and filing a copy of the same in the Travis County Real Property Records.

14. **Headings.** Any section headings in this Access Easement Agreement are for reference only and shall not modify or affect the interpretation of this Access Easement Agreement in any manner whatsoever.

15. **Title.** Grantor hereby binds itself, its successors and assigns, to warrant and defend title to the Easement unto Grantee, its successors and assigns forever against every person whomsoever lawfully claiming or to claim such herein described property or any part thereof by, through, or under Grantor, but not otherwise. This grant is made subject to any and all easements, covenants, restrictions and matters of record or visible on the ground, to the extent in force and effect and applicable to the Easement Tract.

IN WITNESS WHEREOF, this instrument is executed this 11 day of JAN, 1999.

GRANTOR:

FIRST RIVER PLACE RESERVE, LTD.,
a Texas limited partnership

BY: TEXAS HIGHLANDS, INC.,
a Texas corporation, General Partner

By: John W. Gravenor
John W. Gravenor, Authorized Agent

GRANTEE:

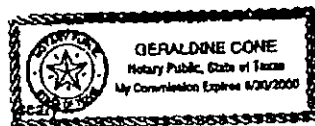
BSL GOLF/AUSTIN CORPORATION,
a Texas corporation

By: [Signature]
Name: Richard L. Burch
Title: President

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

This instrument was acknowledged before me on the 11th of January, 1999 by John W. Gravenor, Authorized Agent of Texas Highlands, Inc., a Texas corporation, General Partner of First River Place Reserve, Ltd., a Texas limited partnership, on behalf of said corporation and partnership.

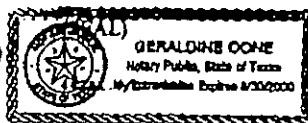


Geraldine Cone
Notary Public Signature

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

This instrument was acknowledged before me on the 11th of January, 1999 by Richard L. Burch the President of BSL Golf Corp., a Texas corporation, on behalf of said corporation.



Geraldine Cone
Notary Public Signature

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0418

EXHIBIT "A"

[FRP Tract]

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0419

64281.6/010699

River Place
1441.33 Acres

FM 421871 (D.S.)
December 11, 1900
SPE Job No. 1380-01
Reference SPE Drawing
#9025-1484-01R

EXHIBIT A

Property Description

A 1441.33 ACRE TRACT OF LAND OUT OF THE W.R. HOBBS SURVEY NO. 408, W.R. HOBBS SURVEY NO. 457, E.R. MCLEAN SURVEY NO. 200, HOHN RAILROAD SURVEY NO. 42, DAY AND LAND CATTLE CO. SURVEY NO. 1, CHARLES CLARK SURVEY NO. 812, D. & W. RAILROAD SURVEY NO. 71, MRS. DOLLIE WOODUL SURVEY NO. 2, R.L. FREECE SURVEY NO. 2, HOUSTON EAST & WEST RAILROAD SURVEY NO. 108, LOUIS FRITZ SURVEY NO. 291, B. PAYNE SURVEY NO. 258 AND THE WILLIAM BELL SURVEY NO. 802 IN TRAVIS COUNTY, TEXAS. SAID 1441.33 ACRE TRACT BEING A PORTION OF THAT 1447.23 ACRE TRACT I AND ALL OF THAT 6.5 ACRE TRACT II AS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED FROM STEVE TOPLETZ, TRUSTEE TO LAMAR REAL ESTATE SERVICES, INC., TRUSTEE, AS RECORDED IN VOLUME 10185 PAGE 410 OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS; AND REFERENCED IN THAT CERTAIN TRANSFER AND ASSIGN DOCUMENT FROM LAMAR SAVINGS ASSOCIATION TO SOUTHWEST SAVINGS ASSOCIATION, RECORDED IN VOLUME 10703, PAGE 1 OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS AND BEING FURTHER REFERENCED IN THAT CERTAIN MASTER DEED OF RESOLUTION TRUST CORPORATION AS RECEIVER OF SOUTHWEST SAVINGS ASSOCIATION TO SOUTHWEST FEDERAL SAVINGS ASSOCIATION AS RECORDED IN VOLUME 11222, PAGE 3 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID 1441.33 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set in the south right-of-way line of FM 2222 (varying width) for the northeast corner of Lot 1 of "River Place Center", a subdivision of record in Book 86 Pages 198A-198C of the Travis County, Texas Plat Records, also being the most northwest corner of "River Place Section 1", a subdivision of record in Book 84 Pages 103A-105B of the Travis County, Texas Plat Records.

THENCE with the south line of said FM 2222, being the north line of said "River Place Section 1", S 48° 30' 25" E, a distance of 308.54 feet to an iron rod found for the northeast corner of said "River Place Section 1".

THENCE with the east line of said "River Place Section 1", S 29° 43' 03" W, a distance of 796.27 feet to an iron rod found for a southeast corner of said "River Place Section 1", being the northeast corner of a 0.35 acre tract as described in that deed to Don Engeling as recorded in Volume 8253, Page 979 of the Travis County, Texas Deed Records;

THENCE with the west line of said 0.35 tract, S 29° 43' 03" W, a distance of 204.08 feet to an iron rod set at the southwest corner of said 0.35 acre tract, being the northeast corner of a 0.96 acre tract as described in that certain quit claim deed to Steve Topletz, Trustee as recorded in Volume 8577, Page 469 of the Travis County, Texas Deed Records;

THENCE with the north line of said 0.96 acre tract, N 60° 02' 22" W, a distance of 10.00 feet to an iron rod set for the northwest corner of said 0.96 acre tract;

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0420

River Place
1441.03 Acres

FM 431891 (JLQ)
December 11, 1988
SPS Job No. 1880-01
Reference SPS Drawing
#8083-1434-010

THENCE with the westerly line of said 0.98 acre tract the following four (4) courses and distances:

1. S 28° 43' 02" W, a distance of 1807.08 feet to an iron rod found,
2. S 21° 56' 45" W, a distance of 1302.94 feet to an iron rod set,
3. S 08° 47' 22" W, a distance of 738.24 feet to an iron rod set, and
4. S 27° 44' 22" W, a distance of 488.45 feet to an iron rod set for the southwest corner of said 0.98 acre tract,

THENCE with the north line of said 1447.23 acre tract being south line of said 0.98 acre tract, S 59° 57' 18" E, passing at a distance of 10.00 feet the southeast corner of said 0.98 acre tract, being the southwest corner of a tract of land described in that certain deed to Robert V. Thurmond, Jr. recorded in Volume 2722 Page 486 of the Travis County, Texas Deed Records, continuing with said north line of the 1447.23 acre tract being the south line of said Thurmond tract a total distance of 354.22 feet to an iron pipe found;

THENCE continuing with said north line of the 1447.23 acre tract being the south line of said Robert V. Thurmond, Jr. tract, S 60° 58' 31" E, passing at a distance of 2072.94 feet a point for the southeast corner of said Robert V. Thurmond, Jr. tract, continuing with the said north line of the said 1447.23 acre tract in conflict with that tract of land described in that deed to Sunbelt Savings Association of Texas as recorded in Volume 10123, Page 1 of the Travis County, Texas Deed Records, for a total distance of 3548.31 feet to an iron pipe found;

THENCE continuing with said north line of the 1447.23 acre tract the following two (2) courses and distances:

1. S 58° 52' 08" E, a distance of 151.43 feet to an oak tree in a fence, and
2. S 54° 30' 18" E, a distance of 68.76 feet to a 80d nail found in a fence corner post, from which a 1/2-inch iron rod found in a rock mound found for the northwest corner of that tract described in that deed to Lerna Webb as recorded in Volume 10757, Page 208 of the Travis County, Texas Deed Records, bears N 44° 28' 18" E, a distance of 11.24 feet;

THENCE with the east line of said 1447.23 acre tract being in conflict with said Webb tract S 38° 27' 26" W, a distance of 1302.18 feet to an 18-inch oak tree;

THENCE continuing with said east line the 1447.23 acre tract being in conflict with said Webb tract passing at 289.10 feet, 3.17 feet right an iron rod found for the northwest corner of that tract as described in that deed to Consolidated Federal Bank FSB as recorded in Volume 10814, Page 118

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0421

River Place
1441.33 Acres

FN 4318F1 (DJG)
December 11, 1990
OFF Job No. 1850-01
Reference OFF Drawing
#6025-1434-01R

of the Travis County, Texas Deed Records and continuing in conflict with said Consolidated Federal Bank tract, S 36° 40' 10" W, a distance of 3318.39 feet to an iron rod found;

THENCE continuing with said east line of the 1447.23 acre tract being the west line of said Bank tract, S 30° 23' 23" W, a distance of 1238.52 feet to a 3/4 inch iron pipe found for the most northerly corner of Lot 42, Phase One, Glenlake Subdivision, as recorded in Book 77, Pages 233-239 of the Plat Records of Travis County, Texas, said point also being the southwesterly corner of said Consolidated Bank tract, and also being the beginning of Segment 1 of a boundary line agreement between Lake Austin Properties, Ltd. and Walter Caven, Trustee, as recorded in Volume 8116, Page 199, and corrected in Volume 8171, Page 43, Travis County Deed Records, said point also being the northeast corner of that tract of land as described in that deed to Chas Schreiner Bank as recorded in Volume 10807, Page 805 of the Travis County, Texas Deed Records;

THENCE with the south line of said 1447.23 acre tract along said boundary line agreement, being the north line of said Schreiner Bank tract the following three (3) courses and distances:

1. S 72° 05' 38" W, a distance of 4009.85 feet to an iron rod found,
2. S 28° 43' 28" W, a distance of 312.53 feet to an iron rod set, and
3. S 08° 10' 28" W, a distance of 209.50 feet to a point being the approximate centerline of a slough;

THENCE continuing with said boundary line agreement, being an easterly line of said 1447.23 acre tract also being a westerly line of said Schreiner Bank tract, along the approximate centerline of said slough the following eleven (11) courses and distances:

1. S 78° 34' 04" E, a distance of 65.21 feet to a point,
2. S 77° 22' 55" E, a distance of 66.17 feet to a point,
3. S 69° 20' 14" E, a distance of 68.81 feet to a point,
4. S 45° 07' 32" E, a distance of 35.14 feet to a point,
5. S 21° 02' 59" W, a distance of 41.13 feet to a point,
6. S 24° 57' 16" W, a distance of 112.83 feet to a point,
7. S 50° 35' 45" W, a distance of 59.94 feet to a point,
8. S 49° 26' 37" W, a distance of 80.25 feet to a point,
9. S 11° 14' 35" W, a distance of 221.72 feet to a point,

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

13348 0422

River Place
1441.33 Acres

FN 4318R1 (DJR)
December 11, 1960
SP# Job No. 1590-01
Reference SP# Drawing
#5025-1454-01R

10. S 35° 01' 23" W, a distance of 57.19 feet to a point, and
11. S 16° 29' 29" W, a distance of 570.21 feet to a point at the approximate mouth of said slough on the north shore of Lake Austin and the end of Segment I of said boundary line agreement;

THENCE along the north shore of Lake Austin the following four (4) courses and distances:

1. S 60° 43' 08" W, a distance of 114.47 feet to a point,
2. S 53° 03' 36" W, a distance of 624.91 feet to a point,
3. S 50° 47' 16" W, a distance of 2197.12 feet to a point, and
4. S 54° 44' 35" W, a distance of 1017.06 feet to an iron rod found for the southeast corner of a tract of land conveyed to Randall A. Miller by those certain deeds recorded in Volume 7695, Page 724 and Volume 7715, Page 664 of the Travis County, Texas Deed Records;

THENCE leaving the edge of Lake Austin around said Randall A. Miller tract the following six (6) courses and distances:

1. N 00° 53' 35" W, a distance of 287.25 feet to an iron rod found,
2. N 00° 52' 57" W, a distance of 410.66 feet to an iron rod found,
3. S 47° 13' 06" W, a distance of 246.90 feet to an iron rod found,
4. S 00° 54' 28" E, a distance of 293.21 feet to an iron rod found,
5. S 07° 03' 38" E, a distance of 201.03 feet to an iron rod found, and
6. S 35° 24' 18" E, a distance of 117.00 feet to a point on the said north shore of Lake Austin;

THENCE along said north shore S 60° 34' 24" W, a distance of 441.30 feet to a point for the beginning point of Segment II of said boundary line agreement being the southeast corner of that called 2 acre tract as described in that certain deed to First Federal Savings and Loan as recorded in Volume 10733, Page 786 of the Travis County, Texas Deed Records and referenced in that certain Master Deed of Resolution Trust Corporation as received of First Federal Savings and Loan Association of Laredo as recorded in Volume 11121, Page 181 of the Travis County Deed Records;

THENCE with a southerly line of said 1447.23 acre tract being a northerly line of said 2.00 acre tract passing the northwest corner of said 2.00 acre tract, and along a northerly line of that tract of land

River Place
1441.33 Acres

FM 4318A1 (DJR)
December 11, 1990
SPL Job No. 1800-01
Reference SPL Drawing
#8026-1484-01R

described in that certain deed to Western Savings Association as recorded in Volume 10133, Page 77 of the Travis County, Texas Deed Records N 32° 45' 31" W, a distance of 853.64 feet to an iron rod found for a common ss corner of said 1447.23 acre tract, said Western Savings tract and said boundary line agreement;

THENCE with the westerly line of said 1447.23 acre tract also being the easterly line of said Western Savings Association tract and being said boundary line agreement, the following thirty-five (35) courses:

1. N 47° 09' 14" E, a distance of 969.72 feet to an iron rod found,
2. N 57° 36' 09" E, a distance of 1761.45 feet to an iron rod found,
3. N 51° 43' 35" E, a distance of 973.27 feet to an iron rod found,
4. N 50° 51' 18" E, a distance of 163.07 feet to an iron rod found,
5. N 72° 42' 06" E, a distance of 268.75 feet to an iron rod found,
6. N 10° 22' 15" E, a distance of 140.28 feet to an iron rod set,
7. N 15° 05' 54" E, a distance of 162.89 feet to an iron rod set,
8. N 00° 00' 05" E, a distance of 820.02 feet to an iron rod set,
9. N 38° 14' 54" W, a distance of 449.92 feet to an iron rod found,
10. N 11° 25' 37" W, a distance of 334.39 feet to an iron rod found,
11. N 08° 27' 23" E, a distance of 1215.59 feet to an iron rod found,
12. N 09° 22' 32" W, a distance of 700.07 feet to an iron rod found,
13. N 25° 58' 55" W, a distance of 1082.36 feet to an iron rod found,
14. S 64° 40' 12" E, a distance of 768.94 feet to an iron rod found,
15. N 09° 44' 24" W, a distance of 392.36 feet to an iron rod found,
16. N 09° 27' 00" E, a distance of 868.22 feet to an iron rod found,
17. N 14° 34' 37" W, a distance of 899.09 feet to an iron rod set,
18. N 03° 30' 19" E, a distance of 150.00 feet to an iron rod set,

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

River Place
1441.33 Acres

FM 431891 (2.80)
December 11, 1980
SPS Job No. 1880-01
Reference SPS Drawing
#8028-1434-01B

18. S 89° 22' 50" W, a distance of 829.48 feet to an iron rod found,
20. N 78° 50' 04" W, a distance of 808.03 feet to an iron rod found,
21. N 64° 48' 08" E, a distance of 1021.12 feet to an iron rod found,
22. N 13° 04' 21" E, a distance of 728.02 feet to an iron rod found,
23. N 25° 25' 04" E, a distance of 1170.30 feet to an iron rod found,
24. N 37° 03' 23" E, a distance of 1180.04 feet to an iron rod found,
25. N 23° 44' 18" E, a distance of 588.63 feet to an iron rod found,
26. S 64° 04' 38" E, a distance of 1127.98 feet to an iron rod found,
27. S 23° 34' 13" E, a distance of 250.67 feet to an iron rod found,
28. S 28° 47' 43" W, a distance of 478.80 feet to an iron rod found,
29. S 23° 27' 34" E, a distance of 250.86 feet to an iron rod found,
30. S 63° 19' 54" E, a distance of 772.72 feet to an iron rod set,
31. N 42° 57' 28" E, a distance of 182.47 feet to an iron rod set,
32. S 77° 40' 48" E, a distance of 413.91 feet to an iron rod found,
33. N 38° 58' 48" E, a distance of 358.53 feet to an iron rod found,
34. N 67° 48' 22" W, a distance of 172.10 feet to an iron rod found, and
35. N 48° 30' 50" W, a distance of 174.84 feet to an iron rod found for the southeast corner of Lot 21 Block C of River Place Section 4, a plat recorded in Book 85, Page 40 of the Travis County Plat Records;

THENCE around said Lot 21 the following three (3) courses:

1. N 25° 04' 21" E, a distance of 156.28 feet to an iron rod found,
2. a distance of 83.58 feet with an arc of a curve to the right whose center angle is 18° 12' 48" with a radius of 200.00 feet whose chord bears N 53° 42' 18" W, a distance of 83.81 feet to an iron rod found, and

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

River Place
1441.33 Acres

FN 4318R1 (DJQ)
December 11, 1990
SFI Job No. 1590-01
Reference SFI Drawing
#5025-1454-01A

3. S 42° 28' 19" W, a distance of 138.23 feet to an iron rod found on said westerly line of the 1447.23 acre tract being said easterly line of the Western Savings tract as also being said boundary line agreement;

THENCE with the said westerly line of the 1447.23 acre tract being said easterly line of the Western Savings tract and being the said boundary line agreement the following eight (8) courses:

1. N 48° 36' 58" W, a distance of 108.00 feet to an iron rod found,
2. N 13° 52' 40" W, a distance of 218.58 feet to an iron rod found,
3. N 58° 30' 58" W, a distance of 331.29 feet to an iron rod found,
4. N 19° 06' 22" W, a distance of 148.97 feet to an iron rod found,
5. N 73° 22' 51" E, a distance of 111.41 feet to an iron rod found,
6. S 55° 12' 48" E, a distance of 199.12 feet to an iron rod found,
7. S 74° 14' 25" E, a distance of 242.81 feet to an iron rod found, and
8. S 82° 57' 00" E, a distance of 348.31 feet to an iron rod found for the end of Segment II and beginning of Segment III of said boundary line agreement;

THENCE with Segment III of said boundary line agreement and being said westerly line of the 1447.23 acre tract being said easterly line of the Western Savings tract the following four (4) courses and distances:

1. N 29° 48' 43" E, a distance of 2520.77 feet to an iron rod found,
2. N 60° 11' 50" W, a distance of 2865.48 feet to an iron rod found from which a 3/4-inch iron pipe found in a rock mound bears N 48° 53' 30" E, a distance of 3.41 feet,
3. N 29° 55' 29" E, a distance of 878.89 feet to an iron rod found from which a 3/4-inch iron pipe found in a rock mound bears S 67° 32' 03" E, a distance of 12.87 feet, and
4. N 58° 48' 11" W, passing at a distance of 1637.57 feet an iron rod found for the end of Segment III of said boundary line agreement, a total distance of 1650.55 feet to a point in the southeast right-of-way line of FM Highway 620;

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

River Place
1441.33 Acres

FN 4318R1 (DJN)
December 11, 1990
SPE Job No. 1590-01
Reference SPE Drawing
#5025-1454-01R

THENCE with the southeasterly line of FM Highway 620 (varying width) the following two (2) courses and distances:

1. N 71° 44' 51" E, a distance of 800.17 feet to a 1-1/4-inch iron rod found for a point of curvature,
2. a distance of 570.25 feet along a curve to the left with a radius of 553.11 feet, a central angle of 50° 01' 45" and a chord which bears N 45° 43' 59" E, a distance of 552.33 feet to an iron rod set for the south corner of a called 1.455 acre tract of land conveyed to the State of Texas as recorded in Volume 11123, Page 781 of the Travis County Deed Records,

THENCE with the easterly line of said State of Texas tract, being the proposed easterly ROW of FM 620 the following two (2) courses and distances:

1. N 29° 18' 56" E, a distance of 513.04 feet to an iron rod set, and
2. N 24° 49' 51" E, a distance of 333.00 feet to an iron rod set in the southwest line of a tract of land conveyed to Bernice King and recorded in Volume 5599, Page 1777 of the Travis County Deed Records, and being in the north line of the said 1447.23 acre tract;

THENCE with the north line of said 1447.23 acre tract being the southwest line of said Bernice King tract passing the southeast corner of said King tract being the southwest corner of the tract of land described in that certain deed to Harry Montandon as recorded in Volume 3902, Page 1751 and Volume 3384, Page 1719 of the Travis County, Texas Deed Records continuing with said north line passing the southeast corner of said Montandon tract being the southwest corner of a tract of land described in a certain deed to Bryan Montandon as recorded in Volume 5450, Page 944 and Volume 8528, Page 911 of the Travis County, Texas Deed Records and continuing with said north line in conflict with said second Montandon tract passing at 1988.47 feet, and 0.56 feet right an iron rod found for the southeast corner of said second Montandon tract being the southwest corner of that tract described in that deed to James Degroat as recorded in Volume 4953, Page 317 of the Travis County, Texas Deed Record, and continuing with said north line in conflict with said Degroat tract S 57° 34' 01" E, a distance of 2240.13 feet to an iron rod found for the northwest corner of a 0.50 acre tract of land described in that certain deed to Charles N. Webb as recorded in Volume 7641, Page 112 of the Travis County, Texas Deed Records;

THENCE with an easterly line of said 1447.23 acre tract being the northwest line of said Webb 0.50 acre tract, S 30° 12' 23" W, a distance of 514.54 feet to an iron rod found for the southwest corner of said Webb 0.50 acre tract;

THENCE with a north line of said 1447.23 acre tract being the southwest line of said Webb 0.50 acre tract, and the southwest line of Lot 3 and Lot 2 of "Bull Creek Place", a subdivision of record in

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

River Place
1441.33 Acres

FN 4316R1 (DJQ)
December 11, 1990
SFI Job No. 1690-01
Reference SFI Drawing
#5025-1464-01R

Book 77, Page 66 of the Travis County, Texas Plat Records, S 69° 48' 52" E, a distance of 236.58 feet to an iron rod found for the most southerly corner of Lot 2 of said "Bull Creek Place", and being in the northwest line of Lot 1 of said "River Place Center";

THENCE along the southerly line of Lot 1 of said "River Place Center" the following seven (7) courses and distances:

1. S 30° 13' 48" W, a distance of 131.46 feet to an iron rod found for a non-tangent point of curvature,
2. a distance of 419.68 feet along a curve to the right with a radius of 605.00 feet, a central angle of 39° 44' 43" and a chord which bears S 24° 13' 41" E, a distance of 411.32 feet to an iron rod found for a point of tangency,
3. S 04° 21' 20" E, a distance of 187.73 feet to an iron rod found for a point of curvature,
4. a distance of 208.36 feet along a curve to the left with a radius of 285.00 feet, a central angle of 45° 03' 01" and a chord which bears S 26° 52' 50" E, a distance of 203.04 feet to a point of tangency,
5. S 49° 24' 21" E, a distance of 108.93 feet to an iron rod found for a point of curvature,
6. a distance of 129.78 feet along a curve to the right with a radius of 394.01 feet, a central angle of 18° 52' 17" and a chord which bears S 39° 58' 13" E, a distance of 129.19 feet to an iron rod found for the end of said curve, and
7. N 61° 28' 00" E, a distance of 275.07 feet to an iron rod set in the southwest line of a 10.166 acre tract of land as described in that deed to Steve Topletz, Trustee as recorded in Volume 8701, Page 374 of the Travis County, Texas Deed Records;

THENCE leaving said Lot 1 of "River Place Center" with the northeast line of said 1447.23 acre tract being said southwest line of the 10.166 acre Topletz tract S 47° 22' 51" E, a distance of 213.43 feet to an iron rod found for the most southerly corner of said 10.166 acre tract being the southwest corner of said 5.5 acre tract described in that certain deed to Lamar Real Estate Service as recorded in Volume 10185, Page 410 of the Travis County, Texas Deed Records and being a southwesterly corner of said "River Place Section 1";

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0428

River Place
1441.33 Acres

PN 4218R1 (DJR)
December 11, 1990
SW Job No. 1690-01
Reference SFS Drawing
P2028-1454-01R

THENCE with the easterly line of said 10.168 acre tract, being a westerly line of said 6.6 acre tract and "River Place Section 1", N 29° 43' 00" E, a distance of 230.00 feet to an iron rod found for a southeast corner of said "River Place Center";

THENCE with the west line of said 6.6 acre tract being the west line of said "River Place Section 1" and being the east line of said 10.168 acre tract passing the southeast corner of said "River Place Center" and continuing with said west line of the 6.6 acre tract and "River Place Section 1" being the east line of said 10.168 acre tract and "River Place Center" N 29° 43' 00" E, a distance of 640.08 feet to the POINT OF BEGINNING and containing 1442.27 acres of land save and except 0.94 acres being Lots 5, 6, 7 and 8 Block F, Riverplace Section Four (4) as respectively described in that deed to Franklin L. Tuttle, Jr. as recorded in Volume 11373, Page 480 of the Real Property Records of Travis County, Texas and in that deed to William M. Knehan as recorded in Volume 11373, Page 637 of the Real Property Records of Travis County Texas and in that deed to Fred Fuller as recorded in Volume 11373, Page 698 of the Real Property Records of Travis County, Texas and in that deed to John David Yarbrough as recorded in Volume 11373, Page 641 of the Real Property Records of Travis County Texas for a net of 1441.33 acres.

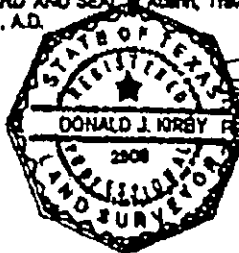
THE STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

That I, Donald J. Kirby, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during 1983 and 1984 and updated in September of 1989 and December 1990 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this 21 day of February, 1991, A.D.

SURVEY RESOURCES, INC.
P.O. Box 162690
Austin, Texas 78716-2690



Donald J. Kirby
Donald J. Kirby
Registered Professional Land Surveyor
2508 - State of Texas

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0429

Page 10 of 10

EXHIBIT "B"

Intake Tract

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0430

44281.5/127898

6

Riverplace
Permanent Easement
Water Intake Site
0.61 Acres

FN 1428 (MS)
January 17, 1984
EH&A Job No. 4239-21

A DESCRIPTION OF TWO TRACTS OF LAND CONTAINING 0.61 ACRES OUT OF THAT CERTAIN 1448.27 ACRE TRACT CONVEYED TO STEVE TOPLETZ, TRUSTEE, FROM LAKE AUSTIN PROPERTIES, LTD. AS DESCRIBED AND RECORDED IN VOLUME #171, PAGE 15 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID PARCEL BEING LOCATED IN THE WILLIAM R. HOBBS SURVEY NO. 456, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

TRACT ONE

COMMENCING at the most southerly southeast corner of the aforementioned Laddie D. Howard tract, said point being at the approximate intersection of a slough and the northerly bank of Lake Austin, said point also being the southwesterly corner of Tract 1 of that tract conveyed to Walter Caven as described and recorded in Volume 6040, Page 1968 of the Deed Records of Travis County;

THENCE leaving said common corner and along the northerly bank of Lake Austin the following three (3) courses and distances:

1. S 60° 43' 08" W, a distance of 114.47 feet to a point for a corner,
2. S 53° 03' 36" W, a distance of 624.91 feet to a point for a corner, and
3. S 50° 47' 16" W, a distance of 440.00 feet to a point for a corner, and the TRUE POINT OF BEGINNING;

THENCE continuing along the northerly bank of Lake Austin, S 50° 47' 16" W, a distance of 120.00 feet to a point for a corner;

THENCE leaving the northerly bank of Lake Austin the following seven (7) courses and distances:

1. N 39° 12' 44" W, a distance of 150.00 feet to a point for a corner,
2. N 50° 47' 14" E, a distance of 40.00 feet to a point for a corner,
3. N 39° 12' 44" W, a distance of 203.90 feet to a point for a corner,
4. N 29° 58' 52" E, a distance of 42.79 feet to a point for a corner,
5. S 39° 12' 44" E, a distance of 219.10 feet to a point for a corner,
6. N 50° 47' 16" E, a distance of 40.00 feet to a point for corner, and
7. S 39° 12' 44" E, a distance of 150.00 feet to the POINT OF BEGINNING;

SAID TRACT OF LAND containing 0.61 acres of land.

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

TRACT TWO

BEGINNING at the southeasterly corner of Tract One, said point being on the northerly bank of Lake Austin;

13348 0431
13348 0431

Riverplace
Permanent Easement
Water Intake Site
0.61 Acres

FN 1428 (MS)
January 17, 1984
EH&A Job No. 4299-21

THENCE departing said northerly bank, $S 39^{\circ} 12' 44'' E$, along the southerly extension of the easterly line of Tract One, to the northerly bank of the Colorado River, submerged by the waters of Lake Austin;

THENCE along the northerly bank of the Colorado River, submerged by the waters of Lake Austin, in a southwesterly direction to a point being an extension of the westerly line of said Tract One;

THENCE leaving the northerly bank of the Colorado River, $N 39^{\circ} 12' 44'' W$, to a point on the northerly bank of Lake Austin, said point being the southwesterly corner of Tract One;

THENCE, $S 50^{\circ} 47' 16'' W$, along the northerly bank of Lake Austin, a distance of 120.00 feet to the POINT OF BEGINNING.

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

KNOW ALL MEN BY THESE PRESENTS:

That I, Donald Kirby, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the
17 day of January, 1984, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
P.O. Box 519
Austin, Texas 78767



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

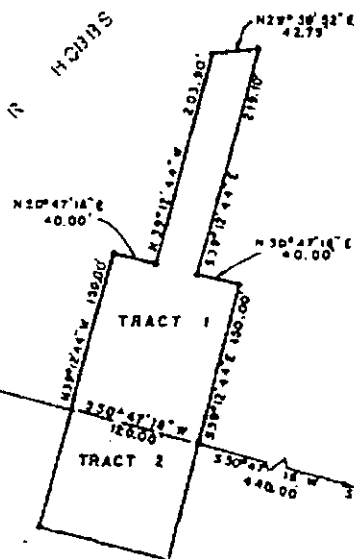
13348 0432

WALTER CAVEN
VOL. 5040 PG. 1958

STEVE TOPLETZ, TRUSTEE
VOL. 9171 PG. 25

WILLIAM R. HOBBS
SURVEY

SCALE 1" = 100'



WALTER CAVEN
VOL. 5040 PG. 1958

LAKE AUSTIN
COLORADO RIVER

RECORDERS MEMORANDUM
ALL OR PARTS OF THE TEXT ON THIS PAGE HAS NOT
CLEARLY LEGIBLE FOR SATISFACTORY RECORDATION

SKETCH TO ACCOMPANY
FIELD NOTE

5017 316

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS
13348 0433

JOB NAME: RIVERPLACE
CREW: 1 COOMES
OFFICE: 1 COOMES
DRAWING: 1 COOMES
P.B.
P.M.
JOB NO. 4299

eh

PERMANENT INTAKE EASEMENT

ESPEY, HUSTON & ASSOCIATES, INC.
P.O. 319 PH: (512) 444-3131
AUSTIN, TEXAS 78767

EXHIBIT "C"

Facilities

1. Two 40-horsepower General Electric brand electric motors, with attached pumps;
2. Various pipes, fittings, meters, electrical panels/conduit and electrical supply/routing boxes, fittings, adaptors, and other equipment related to transferring water from Lake Austin into the forty-two inch (42") raw water line running from Lake Austin to the River Place Water Treatment Plant.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

44201.5/122058

7

13348 0434

EXHIBIT "D"

Facilities Tract

REAL PROPERTY RECORDS
DALLAS COUNTY, TEXAS

13348 0435

44281.5/122890

0.048 Acre
River Place
Additional Raw Water Intake Easement

F.N. 5967 (DJR)
December 3, 1998
PBS&J Job No. 13506-01

A DESCRIPTION OF A 0.048 ACRE TRACT OF LAND OUT OF THE WILLIAM R. HOBBS SURVEY NO. 456, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT CALLED 1441.33 ACRE TRACT AS DESCRIBED IN THAT DEED TO FIRST RIVERPLACE RESERVE, LTD., AS RECORDED IN VOLUME 11379, PAGE 379 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.048 ACRE TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, IS FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an interior ell corner found on the easterly side of that called 0.81 acre tract of land as described in that public utility easement to the River Place Municipal Utility District No. 1, as recorded in Volume 8917, Page 313 of the Deed Records of Travis County, Texas, from which a 3/4-inch iron rod found for the most northerly corner of said 0.81 acre tract of land bears, N 39° 12' 44" W, a distance of 219.10 feet;

THENCE, with an east line of the said 0.81 acre tract of land, N 39° 12' 44" W, a distance of 10.00 feet;

THENCE, crossing the said 1441.33 acre tract of land, the following two (2) courses:

1. N 50° 47' 15" E, a distance of 50.00 feet, and
2. S 39° 12' 44" E, a distance of 150.00 feet to a point on the edge of Lake Austin;

THENCE, continuing with the aforementioned line submerged by the waters of Lake Austin, S 39° 12' 44" E, to a point on the north bank of the Colorado River, now submerged by the waters of Lake Austin;

THENCE, with the said north bank of the Colorado River to a point being a projection of an east line of the 0.81 acre tract of land;

THENCE, with the said east line of the said 0.81 acre tract of land, N 39° 12' 44" W, to a point on the said north line of Lake Austin;

THENCE, continuing with the said east line of the said 0.81 acre tract of land, N 39° 12' 44" W, a distance of 150.00 feet to a 3/4-inch iron rod found for a northeasterly corner of the said 0.81 acre tract of land;

THENCE, with a north line of the said 0.81 acre tract of land, S 50° 47' 15" W, a distance of 40.00 feet to the POINT OF BEGINNING and containing 0.048 acre of land.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Donald J. Kirby, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during 1994 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this 5th day of December, 1998 A.D.

PBS&J
P.O. Box 182800
Austin, Texas 78718-2800



REAL PROPERTY RECORDS
FOR THE COUNTY OF TRAVIS

13348 0436

100 50 0 100 200

GRAPHIC SCALE

1"=100'

DECEMBER 1998
TRAVIS COUNTY
TEXAS



SURVEY NO. 456

W. R. HOBBS

1441.33 ACRES
FIRST RIVER PLACE
RESERVE, LTD.
VOL. 11379, PG. 379

SURVEY OF 0.046 ACRES OUT OF THE
W.R. HOBBS SURVEY NO. 456
IN TRAVIS COUNTY, TEXAS

SKETCH TO ACCOMPANY
FIELD NOTE
#5967

REAL PROPERTY RECORD
TRAVIS COUNTY, TEXAS

13348 043

0437

PBSJ

808 WILD BARN ROAD
WHITE OAK
P.O. BOX 10000
AUSTIN, TEXAS
78768-0000
CRD REF - 0000

PROJECT	DATE

SHEET
2
OF
2

PBSJ PLAT NO.
989906-02

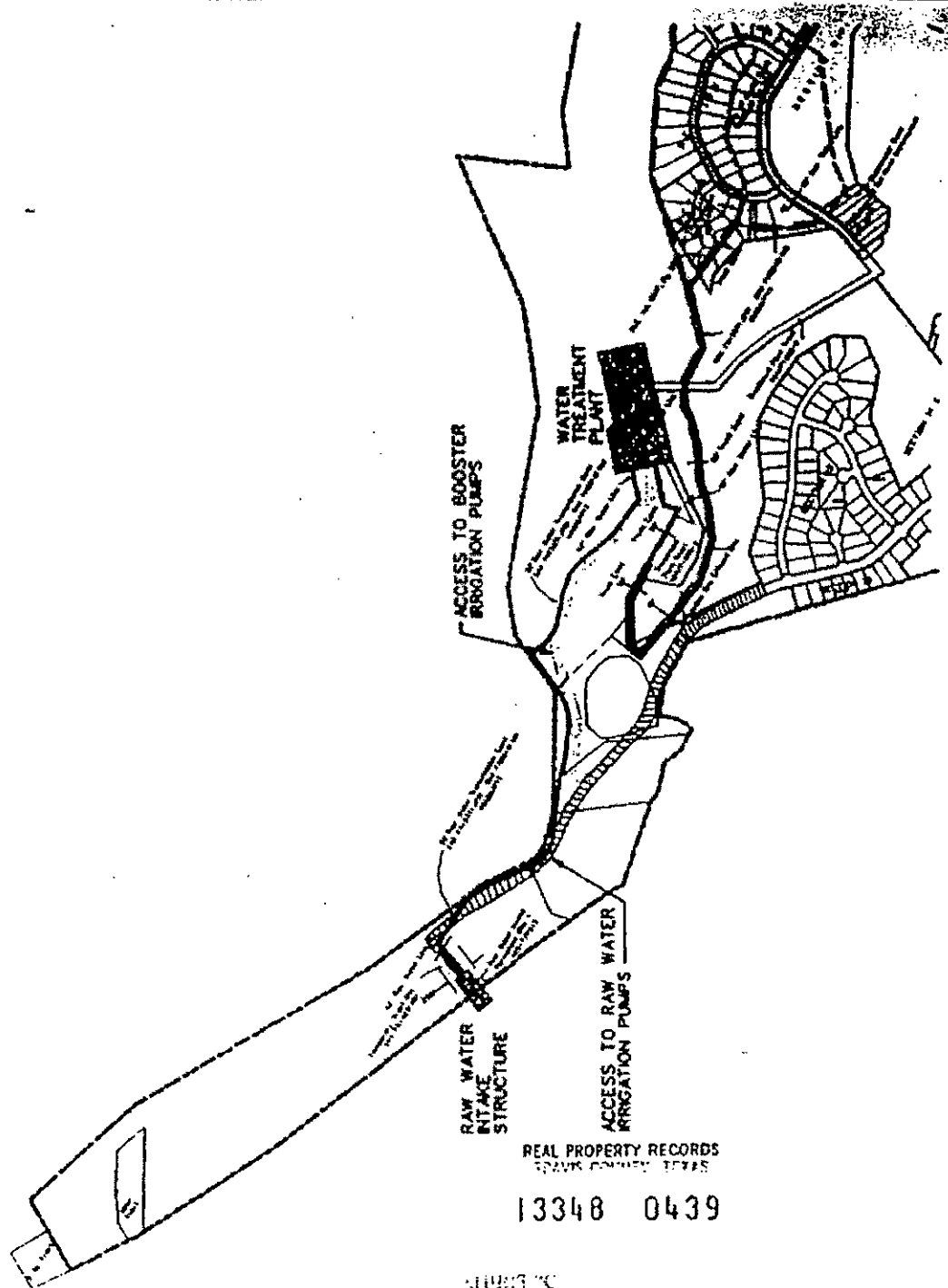
EXHIBIT "E"

Easement Tract

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0438
9

44281.5/122898



REAL PROPERTY RECORDS
SPARK COUNTY, TEXAS

13348 0439

EXHIBIT "F"
BSL TRACTS

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

13348 0440

44281.5/122898

PAA 1028 010519
AUSTIN, TEXAS 78738
1186 AUSTIN LANE #180
(512) 444-4444

FIELD NOTES FOR 73.886 ACRES

All that certain tract or parcel of land situated in the D. & W. Railroad Co. Survey No. 71 and the E. R. McLean Survey No. 100 in Travis County, Texas and being a part of a 1441.33 acre tract of land conveyed to First River Place Reserve, Ltd. by deed recorded in Volume 11379, Page 379 of the Deed Records of Travis County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found on the Southwest line of River Place Boulevard, in the Southeast corner of River Place Section 1-8 as recorded in Book 91 Page 28-29 of the Plat Records of Travis County, Texas for an angle point of this tract.

THENCE with the arc of a curve to the right 112.32 feet said curve having a central angle of 16°37'00", a radius of 387.98 feet and a chord which bears S 49°35'29" E 112.13 feet to an iron pin found at the PT of the said curve.

THENCE continuing with said Southwest line for the following three (3) courses:
(1) S 41°17'31" E 118.15 feet to an iron pin found to the North corner of a 0.053 acre tract of land conveyed to Travis County by deed recorded in Volume 12543, Page 179 of the above mentioned Deed records for an ell corner of this tract.
(2) S 48°41'40" W 15.00 feet to an iron pin found in the West corner of the said 0.053 acre tract for an ell corner of this tract.
(3) S 41°17'02" E 153.89 feet to an iron pin set on the Northwest line of the River Place Treatment Plant as recorded in Book 84, Page 1882 of the said Plat Records, for the East corner of this tract.

THENCE S 33°09'17" W with the Northwest line of the said Treatment Plant 34.79 feet to an iron pin set in the East corner of a 51.99 acre tract of land conveyed to River Place M.U.D. by deed recorded in Volume 12184, Page 1813 of the said Deed records for an angle point of this tract.

THENCE with the North line of the said 51.99 acre tract for the following six (6) courses:

- (1) N 73°08'29" W 418.82 feet to an iron pin set for an angle point of this tract.
- (2) S 64°49'21" W 238.75 feet to an iron pin set for an angle point of this tract.
- (3) S 25°46'37" W 274.22 feet to an iron pin set for an angle point of this tract.
- (4) S 38°39'23" W 210.24 feet to an iron pin set for an angle point of this tract.
- (5) S 39°55'02" W 156.15 feet to an iron pin found for an angle point of this tract.
- (6) N 36°34'11" W 123.53 feet to an iron pin set for an angle point of this tract.

THENCE N 23°47'53" W 255.80 feet to an iron pin set for an angle point of this tract.

THENCE N 62°54'34" W 191.09 feet to an iron pin set for an angle point of this tract.

THENCE N 44°37'57" W 225.37 feet to an iron pin set for an angle point of this tract.

THENCE N 60°50'44" W 124.97 feet to an iron pin set for an angle point of this tract.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0441

THENCE N 36°53'02" W 268.03 feet to an iron pin set for an angle point of this tract.

THENCE N 02°13'46" W 215.75 feet to an iron pin found for an angle point of this tract.

THENCE N 16°10'18" E 288.79 feet to an iron pin set for an angle point of this tract.

THENCE N 52°47'46" W 293.05 feet to an iron pin set for an angle point of this tract.

THENCE N 13°55'19" E 372.46 feet to an iron pin set for an angle point of this tract.

THENCE N 49°18'34" E 110.65 feet to an iron pin set for an angle point of this tract.

THENCE N 12°58'10" W 523.38 feet to an iron pin set for an angle point of this tract.

THENCE N 80°39'25" W 134.35 feet to an iron pin set for an angle point of this tract.

THENCE N 06°12'51" E 236.05 feet to an iron pin set for an angle point of this tract.

THENCE N 56°46'35" E 457.90 feet to an iron pin set for an angle point of this tract.

THENCE for the following five (5) courses:

- (1) N 66°52'47" E 243.46 feet to an iron pin found for an angle point of this tract.
- (2) N 78°19'23" E 234.46 feet to an iron pin set for an angle point of this tract.
- (3) N 21°32'38" E 265.47 feet to an iron pin set for an angle point of this tract.
- (4) N 40°19'08" E 177.31 feet to an iron pin set for an angle point of this tract.
- (5) N 05°45'41" W 120.30 feet to an iron pin set on the Southeast line of River Place Water Storage Site as recorded in Book 84, Page 189C of the said Plat Records for an angle point of this tract.

THENCE with the Southeast line of the said Water Storage Site for the following four (4) courses:

- (1) N 49°54'41" E 75.72 feet to an iron pin set for an angle point of this tract.
- (2) N 88°40'27" E 314.32 feet to an iron pin set for an angle point of this tract.
- (3) N 37°45'20" E 355.45 feet to an iron pin set for an angle point of this tract.
- (4) N 67°26'47" E 229.86 feet to an iron pin set for the North corner of this tract.

THENCE S 22°33'14" E 117.51 feet to an iron pin set on the Northwest line of Lot 3 of River Place Center as recorded in Book 86, Page 196A of the said Plat Records for an angle point of this tract.

THENCE with the Northwest line of the said Lot 3 for the following sixteen (16) courses:

- (1) S 85°35'18" W 204.21 feet to an iron pin found for an angle point.
- (2) S 13°22'17" W 151.84 feet to an iron pin found for an angle point.
- (3) N 85°45'53" E 522.17 feet to an iron pin set for an angle point.
- (4) N 37°11'56" E 64.16 feet to an iron pin set for an angle point.
- (5) N 80°50'33" E 262.78 feet to an iron pin set for an angle point.
- (6) N 74°34'49" E 265.41 feet to an iron pin set for an angle point.
- (7) S 33°33'42" E 46.10 feet to an iron pin set for an angle point.
- (8) S 46°28'21" W 280.08 feet to an iron pin set for an angle point.
- (9) S 28°02'03" W 227.35 feet to an iron pin set for an angle point.

REAL PROPERTY RECORD
TRAVIS COUNTY

13348 0442

- (10) S 43°00'40" W 111.94 feet to an iron pin set for an angle point.
- (11) S 63°20'59" W 94.11 feet to an iron pin set for an angle point.
- (12) S 34°08'00" W 212.88 feet to an iron pin set for an angle point.
- (13) S 02°24'23" W 175.75 feet to an iron pin set for an angle point.
- (14) S 83°40'45" W 97.64 feet to an iron pin set for an angle point.
- (15) S 53°48'29" W 100.94 feet to an iron pin found for an angle point.
- (16) S 18°24'05" W 175.41 feet to an iron pin found on the Northwest line of Lot 9 in Block A of River Place Section 21 as recorded in Book 101, Page 76 of the said Plat Records for an angle point of this tract.

THENCE with the Northwest line of the said Lot 9 for the following six (6) courses.

- (1) N 68°37'28" W 32.31 feet to an iron pin found for an angle point.
- (2) S 62°34'16" W 182.72 feet to an iron pin found for an angle point.
- (3) S 42°05'47" W 164.62 feet to an iron pin found for an angle point.
- (4) S 16°11'24" W 79.89 feet to an iron pin found for an angle point.
- (5) S 21°34'10" W 320.09 feet to an iron pin found for an angle point.
- (6) S 23°26'53" W 68.45 feet to an iron pin found in the North line of Squire Pope Drive for an angle point of this tract.

THENCE N 27°36'59" W with the Northeast line of Squire Pope Drive 104.74 feet to an iron pin found in the PC of a curve to the left said curve having a radius of 205.00 feet and a central angle of 59°13'37"

THENCE with the arc of the said curve 211.91 feet the long chord of which bears N 57°13'47" W 202.60 feet to an iron pin found for the PT of the said curve.

THENCE N 86°50'16" W 216.55 feet to an iron pin found in the Southeast corner of Block B of River Place Section 10 as recorded in Book 95, Page 382 of the said Plat Records for an angle point of this tract.

THENCE N 13°33'03" W with the East line of the said Block B 298.51 feet to an iron pin found for an angle point of this tract.

THENCE N 02°23'49" E 278.85 feet to an iron pin found in the Northeast corner of the said Block B for an angle point of this tract.

THENCE S 76°04'19" W 103.28 feet to an iron pin set in the Northwest corner of the said Block B for an angle point of this tract.

THENCE S 17°13'14" W 191.98 feet to an iron pin set on the curving North line of Squire Pope Drive said curve having a radius of 10.00 feet and a central angle of 23°04'28".

THENCE with the arc of the said curve to the left 20.14 feet the sub-chord of which bears N 73°31'09" W 20.00 feet to an iron pin set for the PT of the said curve.

THENCE N 17°11'06" E 180.14 feet to an iron pin found in the Northeast corner of Block A of the said Section 10 for an angle point of this tract.

THENCE S 76°03'39" W 228.22 feet to an iron pin found in the Northwest corner of the said Block A for an angle point of this tract.

THENCE S 11°00'41" W with the West line of the said Block A 402.84 feet to an iron pin found for an angle point of this tract.

THENCE S 05°38'01" E 143.82 feet to an iron pin found for an angle point of this tract.

THENCE S 11°01'23" E 145.38 feet to an iron pin found for an angle point of this tract.

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

13348 0443

THENCE S 72°24'22" E 230.81 feet to an iron pin found in the North corner of Lot 3 in Block A of River Place Section 3-A as recorded in Book 91, Page 30 of the said Plat Records for an angle point of this tract.

THENCE S 19°11'23" W with the West line of the said Section 3-A 276.67 feet to an iron pin set for an angle point of this tract.

THENCE S 07°31'56" E 122.22 feet to an iron pin found in the North corner of Lot 8 in Block G of River Place Section 3 as recorded in Book 85, Page 4B of the said Plat Records for an angle point of this tract.

THENCE with the West line of the said Section 3 for the following three (3) courses:

- (1) S 21°12'36" W 264.73 feet to an iron pin found for an angle point.
- (2) S 01°51'53" W 587.16 feet to an iron pin set for an angle point.
- (3) S 17°53'36" E 119.40 feet to an iron pin found in the West corner of Lot 3 in Block A of the above mentioned River Place Section 3-B for an angle point of this tract.

THENCE with the West and South lines of the said Section 3-B for the following six (6) courses:

- (1) S 25°34'28" E 370.65 feet to an iron pin found for an angle point of this tract.
- (2) S 32°33'11" E 377.79 feet to an iron pin found for an angle point of this tract.
- (3) N 09°41'18" E 122.32 feet to an iron pin set for an angle point of this tract.
- (4) N 39°59'57" E 298.97 feet to an iron pin set for an angle point of this tract.
- (5) N 81°28'47" E 217.77 feet to an iron pin set for an angle point of this tract.
- (6) N 78°48'41" E 363.31 feet to the POINT OF BEGINNING containing 73.886 acres of land, more or less.

I, Claude F. Hinkle, Jr., a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from an on-the-ground survey made under my supervision during May of 1998 and are correct to the best of my knowledge and belief.



Claude F. Hinkle, Jr.
 Claude F. Hinkle, Jr.
 R.P.L.S. No. 4629

Date 11-10-98
 791.DOC

REAL PROPERTY RECORDS
 TRAVIS COUNTY TEXAS

13348 0444

P.O. BOX 18000
AUSTIN, TEXAS 78760
396 JUNTAS LANE #100
(512) 444-4444

FIELD NOTES FOR 81.207 ACRES

All that certain tract or parcel of land situated in the D. & W. Railroad Co. Survey No. 71 and the E. R. McLean Survey No. 200 and the I. & G.N. Railroad Co. Survey No. 42 in Travis County, Texas and being a part of a 1441.33 acre tract of land conveyed to First River Place Reserve, Ltd by deed recorded in Volume 11379, Page 379 of the Deed Records of Travis County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found on the Southeast line of Block B of The Villas at River Place, in the North corner of a 1.845 acre tract of land conveyed to Travis County by deed recorded in Volume 12543, Page 179 of the above mentioned Deed Records for an all corner of this tract.

THENCE N 31°03'41" E 172.23 feet to an iron pin set for an angle point of this tract.

THENCE N 01°16'54" E 147.23 feet to an iron pin set for an angle point of this tract.

THENCE N 52°24'40" W 277.86 feet to an iron pin set in the North corner of the said Villas for an angle point of this tract.

THENCE N 16°40'04" W with the East line of Lot 1 of River Place Section 9 as recorded in Book 83, Page 96B of the above mentioned Plat Records 249.87 feet to an iron pin set for an angle point of this tract.

THENCE N 01°27'24" E 736.43 feet to an iron pin found for an angle point of this tract.

THENCE N 38°29'16" E 663.93 feet to an iron pin found on the South line of River Place Boulevard for an angle point of this tract.

THENCE S 87°58'16" E with the South line of River Place Boulevard 56.23 feet to an iron pin found in the PC of a curve to the left said curve having a radius of 550.00 feet and a central angle of 04°10'23".

THENCE with the arc of the said curve 40.06 feet the long chord of which bears N 89°42'34" E 40.05 feet to an iron pin found in the Northwest corner of Block Q of The Overlook at River Place as recorded in Book 93, Page 353 of the said Plat Records for a corner corner of this tract.

THENCE with the West and South line of the said Block Q for the following seven (7) courses:

- (1) S 12°11'03" W 407.24 feet to an iron pin found for an angle point of this tract.
- (2) S 49°24'52" E 482.24 feet to an iron pin found.
- (3) N 67°31'23" E 303.43 feet to an iron pin found.
- (4) S 73°01'18" E 330.41 feet to an iron pin found.
- (5) N 29°27'37" E 294.40 feet to an iron pin found.
- (6) N 16°54'57" E 360.68 feet to an iron pin found.
- (7) N 03°34'33" E 503.77 feet to an iron pin found in South corner of Lot 1 in Block A of the above mentioned Villas at River Place for an angle point of this tract.

THENCE N 14°58'39" E 120.00 feet to an iron pin found for an angle point of this tract.

THENCE N 80°37'21" E 421.51 feet to an iron pin set for the North corner of this tract.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13348 0445

THENCE S 40°21'42" E 217.15 feet to an iron pin found in the North corner of Lot 1 in Block D of River Place Section 13 as recorded in Book 101, Page 235 of the said Plat Records for an angle point of this tract.

THENCE with the West line of the said Lot 1 for the following twelve (12) courses:

- (1) S 11°09'41" E 193.44 feet to an iron pin found for an angle point.
- (2) S 74°24'41" W 122.05 feet to an iron pin found for an angle point
- (3) S 28°09'13" W 161.12 feet to an iron pin found for an angle point
- (4) S 14°33'40" E 216.26 feet to an iron pin set for an angle point
- (5) S 03°36'41" W 238.50 feet to an iron pin set for an angle point
- (6) S 14°24'17" E 327.06 feet to an iron pin found for an angle point
- (7) S 37°36'19" E 137.29 feet to an iron pin found for an angle point
- (8) N 81°02'10" E 200.64 feet to an iron pin found for an angle point
- (9) N 30°51'49" E 492.22 feet to an iron pin found for an angle point
- (10) N 58°29'34" E 328.43 feet to an iron pin found for an angle point
- (11) N 31°46'26" E 214.26 feet to an iron pin found for an angle point
- (12) S 24°32'30" E 158.74 feet to an iron pin found for an angle point
- (13) S 28°18'30" W 174.54 feet to an iron pin found in the North corner of Lot 1 in Block B of River Place Section 22 for an angle point of this tract.

THENCE with the Northwest line of the said Lot 1 Block B for the following six (6) courses:

- (1) S 28°41'43" W 100.36 feet to an iron pin found.
- (2) S 47°47'38" W 248.95 feet to an iron pin found.
- (3) S 00°12'56" E 139.53 feet to an iron pin found.
- (4) S 48°31'17" W 347.77 feet to an iron pin found.
- (5) S 25°03'40" W 295.64 feet to an iron pin found.
- (6) S 44°08'28" W 312.35 feet to an iron pin found in an angle point of Lot 8 in Block A of River Place Section 11 as recorded in Book 95, page 382 of the said Plat Records for an angle point of this tract.

THENCE with the Northwest line of the said Section 11 for the following ten (9) courses:

- (1) N 02°47'30" W 136.75 feet to an iron pin found for an angle point.
- (2) N 37°37'35" W 121.17 feet to an iron pin found for an angle point
- (3) S 84°13'56" W 149.97 feet to an iron pin found for an angle point
- (4) S 47°40'22" W 45.64 feet to an iron pin found for an angle point
- (5) S 75°43'46" W 178.22 feet to an iron pin found for an angle point
- (6) S 67°50'04" W 63.55 feet to an iron pin found for an angle point
- (7) S 30°43'47" W 234.22 feet to an iron pin found for an angle point
- (8) S 37°53'46" W 170.39 feet to an iron pin found for an angle point.
- (9) S 24°21'07" W 93.61 feet to an iron pin found on the Northwest line of Lot 1 in Block A of River Place Section 12 as recorded in Book 101, Page 31 of the said Plat Records for an angle point of this tract.

THENCE with the Northwest line of the said Section 12 for the following four (4) courses:

- (1) S 89°35'03" W 176.44 feet to an iron pin found for an angle point
- (2) S 51°14'46" W 279.71 feet to an iron pin found for an angle point
- (3) S 58°29'40" W 209.86 feet to an iron pin found for an angle point.
- (4) S 30°43'17" W 246.46 feet to an iron pin set on the Northwest line of Lot 37 in Block B of River Place Section 13 as recorded in Book 101, Page 235 of the said Plat Records for an angle point of this tract.

THENCE with the Northwest line of the said Section 13 for the following four (4) courses:

- (1) S 83°00'40" W 45.77 feet to an iron pin found for an angle point
- (2) S 86°36'51" W 253.06 feet to an iron pin found for an angle point
- (3) S 66°48'25" W 187.29 feet to an iron pin found for an angle point.
- (4) S 11°00'17" W 36.14 feet to an iron pin set on the curving Northwest line of the above mentioned 1.885 acre tract for the South corner of this tract.

REAL PROPERTY RECORDS
TRAVIS COUNTY

13348 0446

THENCE with the arc of the said curve 217.00 feet to the right, said curve having a radius of 430.01 feet, a central angle of $28^{\circ}54'49''$, and a long chord which bears $S 55^{\circ}44'27'' W$ 214.70 feet to an iron pin set for the PT of the said curve.

THENCE $N 41^{\circ}17'02'' W$ 18.69 feet to an iron pin set for an ell corner of this tract.

THENCE $N 48^{\circ}52'58'' E$ 20.00 feet to an iron pin set in an ell corner of the said 1.883 acre tract for an ell corner of this tract.

THENCE $N 41^{\circ}17'02'' W$ 285.88 feet to an iron pin set in an ell corner of the said 1.883 acre tract for an ell corner of this tract.

THENCE $S 48^{\circ}52'58'' W$ 20.00 feet to an iron pin found in an ell corner of the said 1.883 acre tract for an ell corner of this tract.

THENCE $N 41^{\circ}17'02'' W$ 98.87 feet to an iron pin found in the South corner of Lot 178 in Block A of the said River Place Section 23 for a reentract corner of this tract.

THENCE $N 43^{\circ}42'38'' E$ with the Southeast line of the said Lot 178 75.21 feet to an iron pin found in the PC of a curve to the right said curve having a radius of 245.00 feet and a central angle of $41^{\circ}02'33''$.

THENCE with the arc of the said curve 173.50 feet the long chord of which bears $N 69^{\circ}14'14'' E$ 171.77 feet to an iron pin found for an angle point of this tract.

THENCE $N 89^{\circ}45'31'' E$ 62.90 feet to an iron pin found in the PC of a curve to the left said curve having a radius of 395.00 feet and a central angle of $60^{\circ}03'35''$.

THENCE with the arc of the said curve 414.03 feet the sub-chord of which bears $N 59^{\circ}43'43'' E$ 393.34 feet to an iron pin found in the West corner of Lot 126 in Block A of the said Section 22 for an angle point of this tract.

THENCE $S 52^{\circ}50'45'' E$ 152.91 feet to an iron pin set for an angle point of this tract.

THENCE $S 37^{\circ}09'13'' W$ 81.00 feet to an iron pin found in an angle point of Lot 146 in the said Section 22 for an angle point of this tract.

THENCE $S 03^{\circ}03'14'' W$ 148.92 feet to an iron pin found in an angle point of Lot 146 in the said Section 22 for an angle point of this tract.

THENCE $S 80^{\circ}23'07'' E$ 180.83 feet to an iron pin found in the South corner of the said Lot 146 in Section 22 for an angle point of this tract.

THENCE with the Southeast and East lines of the said Lot 146 for the following seven (7) courses:

- (1) $N 47^{\circ}30'47'' E$ 244.23 feet to an iron pin found.
- (2) $N 34^{\circ}28'18'' E$ 319.33 feet to an iron pin found.
- (3) $N 60^{\circ}03'41'' E$ 207.31 feet to an iron pin found.
- (4) $N 38^{\circ}01'02'' E$ 498.86 feet to an iron pin found.
- (5) $N 44^{\circ}36'47'' E$ 336.09 feet to an iron pin found.
- (6) $N 39^{\circ}56'09'' W$ 58.35 feet to an iron pin found in the East corner of the said Lot 146 for an angle point of this tract.
- (7) $N 21^{\circ}47'47'' W$ 275.33 feet to an iron pin found for an angle point.

THENCE with the Northwest line of Block A of the said Section 22 for the following ten (10) courses:

- (1) $N 77^{\circ}33'39'' W$ 175.54 feet to an iron pin found.
- (2) $S 26^{\circ}01'21'' W$ 265.35 feet to an iron pin found.
- (3) $S 83^{\circ}05'46'' W$ 251.01 feet to an iron pin found.
- (4) $N 76^{\circ}53'02'' W$ 210.50 feet to an iron pin found.
- (5) $S 70^{\circ}33'33'' W$ 213.32 feet to an iron pin found.
- (6) $S 63^{\circ}00'16'' W$ 170.97 feet to an iron pin found.

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

13348 0447

- (7) S 66°46'03" W 195.54 feet to an iron pin found.
 (8) S 13°35'58" E 524.80 feet to an iron pin found.
 (9) S 34°33'09" E 82.94 feet to an iron pin found to an iron pin found on the Northwest line of the above mentioned Lot 178.
 (10) S 28°32'53" W 125.37 feet to an iron pin found in the PC of a curve to the right said curve having a radius of 343.00 feet and a central angle of 61°12'38".

THENCE with the arc of the said curve 368.57 feet the long chord of which bears S 59°09'12" W 351.29 feet to an iron pin found for the PT of the said curve.

THENCE S 89°45'31" W 62.90 feet to an iron pin found in the PC of a curve to the left said curve having a radius of 295.00 feet and a central angle of 41°02'33".

THENCE with the arc of the said curve 211.32 feet the long chord of which bears S 69°14'14" W 206.83 feet to an iron pin found for the PT of the said curve.

THENCE S 48°42'58" W 71.21 feet to an iron pin found for an all corner of this tract.

THENCE N 41°17'01" W 11.92 feet to the POINT OF BEGINNING containing 82.207 acres of land, more or less.

I, Claude F. Hinkle, Jr., a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from an on-the-ground survey made under my supervision during May of 1998 and are correct to the best of my knowledge and belief.



Claude F. Hinkle, Jr.
 Claude F. Hinkle, Jr.
 R.P.L.S. No. 4629

Date 12-01-98
 791.DOC

FILED

99 JAN 13 PM 2:59

DAHA DEBEAUVOIR
 COUNTY CLERK
 TRAVIS COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF TRAVIS
 I hereby certify that this instrument was FILED on the date and at the place assigned herein by me, and that the RECORDING is in my Office and Page of the same RECORDS of Travis County, Texas, is

JAN 13 1999



REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS

13348 0448

RECORDERS MEMORANDUM-At the time of recording this instrument was found to be inadequate for the best photographic reproduction, because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

RECEIVED: DECEMBER TWENTY-NINE 1998
 DEPT. OF REALTY RECORDS
 175.00
 ORDERED: JAMES T. LEE, JR. 1/13/99
 175.00

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2008 Jun 26 11:11 AM 2008107561

HAYWOODK \$172.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS