

# RECEIVED

NO. 94-07160

AUG 05 2009

Neighborhood Manning & Zoning
IN THE DISTRICT COURT

JOSIE ELLEN CHAMPION, JUANITA CHAMPION MEIER, AND MARY MARGARET CHAMPION ROBERSON,

**PLAINTIFFS** 

OF TRAVIS COUNTY, TEXAS

VS.

CITY OF AUSTIN,

DEFENDANT

353RD JUDICIAL DISTRICT

### COMPROMISE SETTLEMENT AGREEMENT

This Compromise Settlement Agreement (Agreement) is made effective on the 13th day of June, 1996, by and between Josie Ellen Champion, Juanita Champion Meier and, Mary Margaret Champion Roberson (the Champions) and the City of Austin (the City).

In consideration of the mutual promises and obligations set forth herein and for other good and valuable consideration, the sufficiency of which is acknowledged by the Champions and the City, the parties agree as follows:

1. For purposes of this Agreement, "the Subject Property" will be the real estate contained in Tracts 1, 2, 3, 4 and 5, such tracts being the following:

Tract 1:

153.75 acres, more or less, out of the James Jett Survey No. 1, Travis County, Texas, Travis County Plat No. 1 4218 08 18, referred to in the Application for Land Status Determination bearing City of Austin filing No. C81-87-020, the legal description of such tract contained in such application being adopted herein as if fully restated.

NW

Tract 2:

20.59 acres, more or less, out of the James Jett Survey No. 1, Travis County, Texas, Travis County Tax Plat No. 1 4218 08 18, referred to in Application for Land Status Determination No. C81-87-021, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 3:

OPW

9/5

49.70 acres, more or less, out of the James Jett Survey No. 1, Travis County, Texas, Travis County Tax Plat No. 1 4218 08 18, referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-022, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 4:

9 acres, more or less, out of the T. J. Chambers Survey, Travis County, Travis County Tax Plat No. 1 3912 06 01, referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-023, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 5:

26 acres, more or less, out of the James Jett Survey No. 1 and the Thomas Jefferson Chambers Grant, Travis County, Texas, Travis County Tax Plat No. 1 4211 04 08 (pieces being located on 13418, 14218, 14312) referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-024, the legal description of such tract contained in such application being adopted herein as if fully restated.

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2. Future development of the Subject Property, insofar as such development is within the regulatory and permitting authority of the City, will be governed by the following:

- Unless otherwise specifically provided in this Agreement, during the term of this agreement all applications relating to development of the Subject Property will be governed solely by the applicable ordinances, rules or other regulations in effect for the subject property on December 8, 1993 immediately prior to the enactment of City of Austin Ordinance No. 931209-H, (the "Bull Creek Ordinance"), including the Lake Austin Watershed Ordinances by virtue of the fact that the tracts were "legal tracts." Such development applications shall include, but not be limited to, all applications for subdivision preliminary plans and final plats, resubdivision or replats, site plans, site development permits, zoning and rezoning (only to theextent that zoning and rezoning ordinances affect lot size, lot dimensions, lot coverage or building size), and all other permits and approvals required for the development of the Subject Property, and all revisions and amendments thereto (other than applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit).
- b. During the term of this Agreement, it is expressly agreed that the Subject Property may be subdivided and resubdivided so that each Tract may be comprised of one or more separate tracts or lots, under the requirements of the Lake Austin Watershed Ordinance without compliance with any ordinance, rule, regulation or other permitting or approval

requirement adopted after December 8, 1993, including specifically, but without limitation, the Comprehensive Watersheds Ordinance (Ordinance No. 860508-V) as the same has been codified and amended, which ordinance was not applicable by exemption to the Subject Property on December 8, 1993, and that further resubdivisions or replatting of the Subject Property will not trigger the necessity of compliance with the Comprehensive Watersheds Ordinance or any other ordinance, regulation or rule not in effect on December 8, 1993, (except with respect to all applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit).

- c. During the term of this Agreement, the total amount of impervious cover that may be constructed within Tracts 1, 2 and 3, and that portion of Tract 5 not made subject to Ordinance No. 930513-R will be the maximum impervious cover permitted by the Lake Austin Watershed Ordinance and other ordinances governing such tracts prior to the enactment of the Bull Creek Ordinance, and the amount of impervious cover will not be restricted to an amount less than that permitted by those ordinances.
- d. The City will not require a new boundary survey as a condition for rezoning of Tracts 1, 2 and 3.

- e. During the term of this Agreement, Tracts 4 and 5 will be permitted to be developed to the maximum extent of impervious cover and building square footage permitted by the Lake Austin Watershed Ordinance and other ordinances in effect on December 8, 1993, and by zoning ordinance No. 920507-B relating to such Tract 4 and zoning ordinance No. 930513-R relating to Tract 5. The restrictive covenant entered into in connection with the enactment of Ordinance 920507-B will be and is hereby amended to delete the following provisions thereof:
  - "12. Owners shall construct and maintain a detention pond with a minimum volume of two acre feet on the Property. The detention pond will be lined with grasses such (as) Switchgrass and Bushy Bluestem and other appropriate native vegetation for the purpose of reducing the rate of stormwater discharge to the rate of discharge without improvements constructed on the Property"; and
  - "5. Disturbance of the native vegetation on hillrock and rock outcropping in and along the southern portion of the Property shall be prohibited."

The Champions or their successors in interest shall be permitted to grade the said "hill rock and rock outcropping" to the surrounding natural level.

The aforementioned restrictive covenants will be removed in exchange for the following Agreements as set forth in the Special Exceptions Ordinance, to-wit:

A. For any development on the Property, applicant shall construct property engineered water-quality controls, including at minimum, water quality filtration ponds with full sedimentation chambers as described in the City of Austin Environmental Criteria Manual. The ponds shall be sized to capture the first one-half (.50) inch of stormwater plus one-tenth (.10) of an inch for each additional 10% of impervious cover above 20% from the contributing drainage areas of the project which include impervious

cover. In the event that any cut and fill variances necessary for the construction of these ponds are not granted, the Applicant shall not be required to comply with this subparagraph 2. e. A. Detention of the 2-year storm will not be required.

- B. Any agreements, restrictions, covenants, or other legal documentation necessary to construct and maintain the water quality controls required hereby shall be reviewed by the City Law Department prior to execution, and shall include a provision requiring written City approval prior to termination or assignment.
- C. Prior to the issuance of a certificate of occupancy or return of fiscal security for development on all or part of the Property, construction of the water-quality controls required hereby shall be completed, as determined by City of Austin inspection, for the portion of the subject property for which a Certificate of Occupancy or return of fiscal is requested.
- f. During the term of this Agreement approvals of site plans for the Subject Property will be approved with necessary variances or other provisions reducing the set backs from Loop 360 and RR 2222 required by the Hill Country Roadways Ordinance (No. 860116-J) to twenty-five feet.
- 3. The provisions of this Agreement will not be affected by any transfer or ownership of all or any part of the Subject Property. The rights and duties expressed herein will run with the land, and shall be binding upon, will be for the benefit of, will be assigned by, and will be enforceable by, the Champions and the subsequent owner(s) of the Subject Property, or any part thereof, and their respective successors and assigns.
- 4. In consideration for the dismissal of the claims in the lawsuit described below, during the term of this Agreement the City will not impose or require any filing, review, inspection, construction or notification fees with respect to any application for the processing or

approval of any subdivision preliminary plans and final plats, resubdivisions or replats, site plans or site development permits, zoning or rezoning for the development of the Subject Property, and all such fees are hereby expressly waived by the City.

- 5. During the term of this Agreement, the City will follow established regulations and procedures for any legislative actions (including, but not limited to, zoning or rezoning) related to the Subject Property to the extent that such regulations are not inconsistent with the Lake Austin Watershed Ordinance and this Agreement; provided, however, in the event any such legislative action results in requirements or conditions that are contrary to, in addition to, or in any manner inconsistent with, the provisions hereof, the owner(s) of the Subject Property, or any part thereof, may elect any one or more of the following with respect to any such ordinances, rules, regulations or other requirements sought to be imposed on the development. or use of the Subject Property: (i) enforcement of any state law applicable to the development of the subject property, including without limitation, Sections 481.142, et sea., TEX. GOV'T CODE; (ii) assertion of all claims for attorneys' fees, court costs, temporary taking damages, permanent taking damages or other damages that were asserted or could have been asserted in the lawsuit described below and any such claims that may arise hereafter; and (iii) assertion of any other legal or equitable rights or claims that might exist with respect to the City's actions regarding the Subject Property.
- 6. Tracts 4 and 5 (excluding that portion of Tract 5 not made subject to zoning ordinance No. 930513-R). The exception granted herein shall apply to any "project" as that term is defined in Section 481.142, Texas Government Code, commenced on Tracts 4 and 5



within ten years by the filing of an application for preliminary subdivision (if applicable) and by the filing and approval of a site plan. In the event that said subdivision and site plan approval are not obtained within the ten year period, all subsequent permits for a "project" shall be governed by the Austin City Code in effect at the time of the filing of the development application.

Tracts 1. 2 and 3 and the portion of Tract 5 not made subject to zoning ordinance

No. 930513-R. The exceptions granted herein shall apply to any "project" as that term is

defined in Section 481.142, Texas Government Code, commenced on Tracts 1, 2 3, or that

portion of Tract 5 not made subject to zoning ordinance No. 930513-R within six years by the
filling of an application for preliminary subdivision plan or any other development permit.

Provided, however, that any application filed within six years will be subject to expirations
contained in the Austin City Code in effect as of December 8, 1993. In the event that said
development permit is not filed within the six year period, all subsequent permits for a "project"
shall be governed by the Austin City Code in effect at the time of the filing of the development
application.

Notwithstanding the foregoing, should the owners elect, applications filed during the first six years from the effective date of this Ordinance may be governed by the provisions of state law and the Austin City Code in effect at the time of the filing of said applications.

7. Nothing in this Agreement will prevent the City and the owner(s) of the Subject Property, or any part thereof, from making agreements regarding the development or use of the Subject Property, or any part thereof owned by such party, in addition or contrary to the

provisions hereof by agreement; provided, any such agreement must be in writing and executed by the City and the owners of the portions of the Subject Property affected thereby, and further provided that any such agreement shall expressly reference this Agreement.

- 8. The Champions and the City agree to submit to the Court in Cause No. 94-07160, in the 353rd District Court of Travis County, Texas, a proposed Agreed Order in the form attached hereto as Exhibit A and to request the Court to enter the Agreed Order in accordance with the settlement set forth in this Agreement.
- 9. Notwithstanding anything herein to the contrary, in the event of any conflict between any provision of this Compromise Settlement Agreement and the Special Exceptions Ordinance, the parties hereto agree that the Special Exceptions Ordinance shall control.
- 10. The City and the Champions warrant that the parties executing this Agreement have the all requisite authority to bind the parties and are executing the Agreement within the scope of and in accordance with such authority.
- 11. Unless expressly stated otherwise in this Agreement, the provisions hereof are binding on all successors, agents, employees, representatives and assigns of the City and the Champions.
- 12. This Agreement is made in settlement of disputed claims and causes of action, and the provisions hereof are not to be construed as an admission of liability by any party, which liability is hereby denied; nor is this Agreement or any proceeding in the lawsuit between the parties to be considered as res judicata, collateral estoppel or binding in any manner on persons or entities not parties hereto or otherwise entitled to the benefits by the express provisions



hereof.

EXECUTED to be effective the 1/6	day of July, 1996.			
	Oni File Changin			
	JOSIE ELLEN CHAMPION			
	Quanta Champion Meier			
•	Eanita Champion Meier			
	MARY MARGARET CHAMPION ROBERSON			
and the state	CITY OF AUSTIN			
	By: Alice Glesso			
	Printed Name: ALICE GLASCO			
	Its:			
•				
STATE OF TEXAS	<i>ω</i> , ω			
COUNTY OF TRAVIS	§			
	ity, appeared JOSIE ELLEN CHAMPION, known bed to the foregoing instrument and acknowledged poses and consideration therein expressed.			
SUBSCRIBED AND SWORN TO BEFORE ME on the //the day of 1996, to certify which witness my hand and official seal.				
	Assett Straden			
Notary Public. State of Texas				
	My Commission Expires:			
Printed Name:				
	ONETTA WEEDCN Notary Public, Slate of Texas Hy Commission Expires APRIL 5, 1997			
	-10-			



STATE OF TEXAS COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, appeared JUANITA CHAMPION MEIER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on the , 1996, to certify which wimess my hand and official seal.

> Notary Public, State of Texas My Commission Expires:

Printed Name:

STATE OF TEXAS

COUNTY OF DALLAS



BEFORE ME, the undersigned authority, appeared MARY MARGARET CHAMPION ROBERSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on the , 1996, to certify which witness my hand and official seal.

Notary Public, State of Texas
My Commission Expires:
Printed Name:



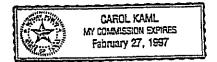
STATE OF TEXAS

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COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, appeared This Gleen Co
, for the City of Austin, known to me to be the person whose name
is subscribed to the foregoing instrument and acknowledged to me that he executed the same fo
the purposes and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on the LAU day of 1100, 1996, to certify which witness my hand and official seal.



Notary Public, State of Texas
My Commission Expires:
Printed Name:

#### EXHIBIT "A"

Τo	Ordinance	No.	
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The Tracts made the subject of this ordinance are those tracts having the metes and bounds set forth in the attached survey notes, as follows:

TRACT 1: The property described in the attached as "PARCEL A"

TRACT 2: The property described in the attached as "PARCEL B"

TRACT 3: The property described in the attached as "PARCEL C"

TRACT 4: The property described in the attached as "PARCEL D"

TRACT 5: The property described in the attached as "PARCEL E"

940013-5

FN 2663 (JJM) June 25, 1985 EH& Job No. 5371-03 EH&A Plat No. 14970-5371-2

A FIELD NOTE DESCRIPTION OF 252.06 ACRES OF LAND OUT OF THE JAMES JETT SURVEY NO. 1 AND THE THOMAS JEFFERSON CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; BEING COMPRISED OF A 153.75 ACRE PARCEL (A), A 20.59 ACRE PARCEL (B), A 49.70 ACRE PARCEL (C), A 9.20 ACRE PARCEL (D), AND AN 18.82 ACRE PARCEL (E); THE SAID 252.06 ACRES BEING THE REMAINDER PORTION OF TWO TRACTS OF LAND, DESCRIBED AS 260 ACRES AND 43.32 ACRES, GRANTED TO C. C. CHAMPION BY A DEED OF PARTITION WITH MRS. JOSIE CHAMPION HILL EXECUTED ON SEPTEMBER 12, 1932 AND RECORDED IN VOLUME 482, PAGE 627 OF THE DEED RECORDS OF THE SAID TRAVIS COUNTY, TEXAS; THE SAID 252.06 ACRES, AS SHOWN ON EH&A PLAT NO. 14970-5371-2, BEING MORE PARTICULARLY DESCRIBED BY THE SAID FIVE (5) SEPARATE PARCELS, AS FOLLOWS:

#### PARCEL A

BEGINNING at an iron pipe found, being the most northerly corner of the said 260 acre tract, also being a point on the southwest line of Lot 33, Block A, of The Jester Estate, Section 1, Phase 1, a subdivision recorded in Plat Book 78, Page 385-389 of the Plat Records of Travis County, same also being the most easterly corner of that certain 3.81 acre tract of land conveyed to Howard L. Burris, Jr., Agent, referred to as Tract Two, by warranty deed recorded in Volume 7948, Page 824 of the said Deed Records of Travis County, said iron pipe also being the most northerly corner of the herein described parcel;

THENCE, with the northeast line of the said 260 acre tract, being the said southwest line of Lot 33, Block A of The Jester Estate, Section 1, Phase 1, S 590 48'01" E, a distance of 651.65 feet to an iron rod found in concrete, being the most southerly corner of the said Lot 33, Block A, of The Jester Estate, Section 1, Phase 1, also being the most southerly southwest corner of Lot 6, Block B of Jester Point 2, Section 2, Phase A, a subdivision recorded in Plat Book 84, Page 2A-2B of the said Plat Records of Travis County;

THENCE, leaving the said southwest line of Lot 33, Block A of The Jester Estate, Section 1, Phase 1, continuing with the said northeast line of the 260 acre tract, being the southwest line of the said Lot 6, Block B of Jester Point 2, Section 2, Phase A, S 590 51' 19° E, a distance of 99.99 feet to an iron rod found, being the most southerly corner of the said Lot 6, Block B of Jester Point 2, Section 2, Phase A, also being the most westerly corner of that certain 18.213 acre tract of land conveyed to Alvin J. Golden, Trustee, by deed of trust recorded in Volume 8286, Page 255 of the said Deed Records of Travis County;

THENCE, leaving the said southwest line of Lot 6, Block B of Jester Point 2, Section 2, Phase A, continuing with the said northeast line of the 260 acre tract, being the southwest line of the said Golden 18.213 acre tract, the following two (2)

- S 59° 58' 51" E, a distance of 728.97 feet to an iron rod found in a rock mound, and
- 2. S 60° 13' 14" E, a distance of 1321.87 feet to an iron rod found, being the most southerly southeast corner of the said Golden 18.213 acre tract, same being the intersection of the said northeast line of the 260 acre tract and the west right-of-way line of State Highway Loop 360;

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THENCE, leaving the said northeast line of the 260 acre tract and leaving the said southwest line of the Golden 18.213 acre tract, with the said west right-of-way line of State Highway Loop 360, over and across the said 260 acre tract, the following twelve (12) courses and distances:

- S 37º 07¹ 34" W, a distance of 303.59 feet to a concrete monument found.
- S 160 02' 28" W, a distance of 441.39 feet to a concrete monument found, being 290 feet right of the State Highway Loop 360 centerline station 329+85.8,
- S 050 06' 38" W, a distance of 314.45 feet to a concrete monument found,
- S 01° 06' 51" E, a distance of 603.26 feet to a concrete monument found, being 225 feet right of the State Highway Loop 360 centerline station 339+00.0,
- S 05° 05' 53" W, a distance of 406.78 feet to a concrete monument found,
- S 17° 38' 97" W, a distance of 370,27 feet to a concrete monument found,
- 5 31° 58' 24" W, a distance of 200.55 feet to a concrete monument found,
- \$ 179 43' 46" W, a distance of 282.13 feet to a concrete monument found,
- S 550 14' 05" W, a distance of 136.29 feet to a concrete monument found,
- 10. N 47º 01' 53" W, a distance of 164.83 feet to a calculated point,
- N 26° 59° 56° W, a distance of 232.25 feet to a concrete monument found, and
- 12. 5 63° 13' 18" W, a distance of 149.55 feet to a concrete monument found, being the intersection of the said west right-of-way line of State Highway Loop 360 and the curving north right-of-way line of RM Highway 2222;

THENCE, leaving the said west right-of-way line of State Highway Loop 360, continuing over and across the said 260 acre tract, with the said north right-of-way line of RM Highway 2222, the following nine (9) courses and distances:

- with a curve to the left having a radius of 1190.85 feet, a central angle of 29° 30' 28" and an arc length of 613.30 feet, along the chord bearing N 41° 29' 46" W, a chord distance of 606.54 feet to a calculated point at a point of tangency,
- N 56° 15' 00" W, a distance of 121.14 feet to a calculated point at a point of curvature,

FN 2663 (JJM) June 25, 1985 EH& Job No. 5371-03 EH&A Plat No. 14970-5371-2

- 3. with a curve to the right having a radius of 666.20 feet, a central angle of 35° 34' 00" and an arc length of 413.55 feet, along the chord bearing N 38° 28' 00" W, a chord distance of 406.94 feet to a calculated point at a point of tangency,
- N 200 41'00" W, a distance of 52.74 feet to a calculated point at a point of curvature,
- with a curve to the right having a radius of 1379.29 feet, a central angle of 160 43' 45" and an arc length of 402.72 feet, along the chord bearing N 120 19' 07" W, a chord distance of 401.29 feet to an iron rod found in concrete at a point of tangency, being 50 feet left of the RM Highway 2222 centerline station 252+90.0.
- N 03° 57' 15" W, a distance of 302.32 feet to an iron-rod found in concrete at a point of curvature,
- 7. with a curve to the left having a radius of 622.93 feet, a central angle of 69° 27' 44" and an arc length of 755.21 feet, along the chord bearing N 38° 41' 08" W, a chord distance of 709.80 feet to a calculated point at a point of tangency,
- N 73° 25' 00" W, a distance of 347.37 feet to an iron rod found in concrete at a point of curvature, being 50 feet left of the RM Highway 2222 centerline station 239+52.4, and
- 9. with a curve to the right having a radius of 665.04 feet, a central angle of 11° 58' 09" and an arc length of 138.93 feet, along the chord bearing N 67° 25' 55" W, a chord distance of 138.68 feet to a calculated point, being the intersection of the said north right-of-way line of RM Highway 2222 and the southeast line of that certain 1 acre tract of land conveyed to D. W. Williams by warranty deed recorded in Volume 2507, Page 17 of the said Deed Records of Travis County;

THENCE, leaving the said north right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the east and north lines of the said Williams 1 acre tract, the following three (3) courses and distances:

- N 29° 48' 54" E, a distance of 194.70 feet to a calculated point, being the most easterly corner of said Williams 1 acre tract,
- N 58° 11' 06" W, a distance of 208.70 feet to a calculated point, being the most northerly corner of said Williams 1 acre tract, and
- 5 290 48: 54" W, a distance of 198.07 feet to a calculated point, being the intersection of the northwest line of the said Williams 1 acre tract and the said north right-of-way line of RM Highway 2222;

THENCE, leaving the said northwest line of the Williams 1 acre tract, with the said north right-of-way line of RM Highway 2222, N 58° 56′ 06° W, a distance of 10.00 feet to a calculated point, being the intersection of the said north right-of-way line of RM Highway 2222 and the southeast line of that certain 1 acre tract of land conveyed to L. W. Taylor and wife by deed recorded in Volume 1946, Page 255 of the said Deed Records of Travia County;

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THENCE, leaving the said north right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the east line of the said Taylor 1 acre tract, the following two (2) courses and distances:

- N 290 48' 54" E, a distance of 198.20 feet to a calculated point, being the most easterly corner of the said Taylor 1 acre tract, and
- 2. N 580 11'06" W, a distance of 208.70 feet to a calculated point, being the most northerly corner of the said Taylor I acre tract, same being a point on the northwest line of the said 260 acre tract, same also being a point on the southeast line of that certain 2.641 acre tract of land conveyed to Jim B. Beard and wife by deed recorded in Volume 6448, Page 64 of the said Deed Records of Travis County, and from the said calculated point an iron rod found, being the most westerly corner of the said Taylor I acre tract, same being the most southerly corner of the said Beard 2.641 acre tract, bears 5 290 48'54" W, a distance of 200.18 feet;

THENCE, leaving the said east line of the Taylor I acre tract, with said northwest line of the 260 acre tract, being the said southeast line of the Beard 2.641 acre tract, N 29° 48' 54" E, a distance of 918.44 feet to an iron rod found, being the most easterly northeast corner of the said Beard 2.641 acre tract, same being the most southerly corner of the said Burris 3.81 acre tract;

THENCE, leaving the said southeast line of the Beard 2.641 acre tract, continuing with the said northwest line of the 260 acre tract, being the southeast line of the said Burris 3.81 acre tract, the following two (2) courses and distances:

- N 290 47' 28" E, a distance of 596.25 feet to an iron rod found, and
- N 33º 52' 19" E, a distance of 7.60 feet to the POINT OF BEGINNING, containing 153.75 acres of land.

#### PARCEL B

BEGINNING at a 3/8-inch iron rod found in a rock mound, being a point on the northwest line of the said 260 acre tract, same being a point on the southeast line of that certain 12.51 acre tract of land conveyed to Henry R. Schotz and wife by deed recorded in Volume 2681, Page 136 of the said Deed Records of Travis County, same also being the most northerly corner of that certain 1.92 acre tract of land conveyed to Grover C. Phinney and wife by deed recorded in Volume 700, Page 57 of the said Deed Records of Travis County, said iron rod found being the most westerly corner of the herein described parcel, from which a 7/8-inch iron pipe found in a rock mound, being the most westerly corner of the said 260 acre tract, same being the most southerly corner of the said Schotz 12.51 acre tract, same also being the most westerly corner of the said Phiney 1.92 acre tract, bears S 29° 26' 47" W, a distance of 207.59 feet;

THENCE, with said northwest line of the 260 acre tract, being the said southeast line of the Schotz 12.51 acre tract, N 290 24' 45" E, passing at a distance of 809.89 feet a nail set in a fence corner post, a total distance of 853.45 feet to a calculated point, being an interior corner on the said southeast line of the Schotz 12.51 acre tract;

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THENCE, leaving the said northwest line of the 260 acre tract, continuing with the said southeast line of the Schotz 12.51 acre tract, over and across the said 260 acre tract, S 58° 34° 40° E, a distance of 105.53 feet to a calculated point, being the most southerly northeast corner of the said Schotz 12.51 acre tract;

THENCE, with the east line of the said Schotz 12.51 acre tract, N 30° 25' 20" E, passing at a distance of 59.00 feet a 1 1/4-inch iron pipe found, a total distance of 456.51 feet to a calculated point, being the intersection of the said east line of the Schotz 12.51 acre tract and the south right-of-way line of RM Highway 2222;

THENCE, leaving the said east line of the Schotz 12.51 acre tract, continuing over and across the said 260 acre tract, with the said south right-of-way line of RM Highway 2222, the following four (4) courses and distances:

- 5 58° 56' 06" E, a distance of 280.28 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 237+71.6.
- with a curve to the left having a radius of 765.04 feet, a central angle of 14° 28' 54" and an arc length of 193.36 feet, along the chord bearing S 66° 10' 33" E, a chord distance of 192.85 feet to an iron rod found in concrete at a point of tangency, being 50 feet right of the RM Highway 2222 centerline station 239+52.4,
- S 73° 25' 00" E, a distance of 347.37 feet to a calculated point at a point of curvature, and
- 4. with a curve to the right having a radius of 522.93 feet, a central angle of 050 56' 17" and an arc length of 54.20 feet, along the chord bearing \$700 26' 51" E, a chord distance of 54.17 feet to a calculated point, being the intersection of the said south right-of-way line of RM Highway 2222 and the west line of that certain 2 acre tract of land conveyed from C. C. Champlon to Roy W. Cowan by deed recorded in Volume 556, Page 439 of the said Deed Records of Travis County, same being the west line of that certain tract of land conveyed from the said Roy W. Cowan to Thomas R. Williams by deed recorded in Volume 936, Page 279 of the said Deed Records of Travis County;

THENCE, leaving the said south right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the said west line of the Cowan 2 acre tract, being the stone ledge at the brow of a cliff, same being, consecutively, the said west line of the Williams tract, the west line of the remainder portion of the said Cowan 2 acre tract, and the west line of that certain 0.27 acre tract of land conveyed to George Randall Baird by deed recorded in Volume 5959, Page 1987 of the said Deed Records of Travis County, the following five (5) courses and distances:

- S 53° 58' 33" W, a distance of 35.84 feet to an angle point in the said stone ledge,
- S 42° 49' 12" W, a distance of 47.98 feet to a 3/8-inch iron rod found at an angle point in the said stone ledge,
- S 28° 04' 39" W, a distance of 71.27 feet to an angle point in the said stone ledge,
- S 110 54' 43° W, a distance of 97.00 feet to an iron rod found at an angle point in the said stone ledge, and

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 S 350 09' 03" W, a distance of 101.18 feet to a 3/8-inch iron rod found, being the most westerly corner of the said Baird 0.27 acre tract;

THENCE, leaving the said stone ledge, with the southwest line of the said Cowan 2 acre tract, being the southwest line of the said Baird 0.27 acre tract, S 330 31' 40" E, a distance of 85.48 feet to a calculated point, being the intersection of the said southwest line of the Cowan 2 acre tract, same being the said southwest line of the Baird 0.27 acre tract, and a calculated line for the southeast line of the herein described parcel, being a 30-foot perpendicular offset from, and parallel and concentric with, the approximate centerline of the existing pavement of a county road known as City Park Road, and from the said calculated point, a 3/8-inch iron rod found, being the southwest corner of the said Baird 0.27 acre tract, bears 5 330 31' 40" E, a distance of 10.91 feet:

THENCE, leaving the said southwest line of the Cowan 2 acre tract and southwest line of the Baird 0.27 acre tract, continuing over and across the said 260 acre tract, with the said calculated line for the southeast line hereof, the following seven (7) courses and distances:

- 5 73° 57' 57" W, a distance of 151.64 feet to a calculated point at a point of curvature,
- with a curve to the right having a radius of 950.00 feet, a
  central angle of 07° 19' 48° and an arc length of 121.54 feet,
  along the chord bearing S 77° 37' 51" W, a chord distance of
  121.45 feet to a calculated point at a point of tangency,
- S 81º 17' 44" W, a distance of 93.74 feet to a calculated point at a point of curvature,
- with a curve to the left having a radius of 582.77 feet, a central angle of 20° 44' 03" and an arc length of 210.89 feet, along the chord bearing S 70° 55' 43" W, a chord distance of 209.74 feet to a calculated point at a point of compound curvature,
- 5. with a curve to the left having a radius of 1604.11 feet, a central angle of 09° 12' 00" and an arc length of 257.57 feet, along the chord bearing S 55° 57' 43" W, a chord distance of 257.29 feet to a calculated point at a point of compound curvature,
- 6. with a curve to the left having a radius of 1286.75 feet, a central angle of 120 50' 14" and an arc length of 288.30 feet, along the chord bearing S 440 56' 36" W, a chord distance of 287.69 feet to a calculated point at a point of tangency, and
- 7. S 38° 31' 29" W, a distance of 106.35 feet to a calculated point, being the intersection of the said calculated line; for the southeast line hereof and the northeast line of the said Phinney most easterly corner of the said Phinney 1.92 acre tract, from which a 3/8-inch iron rod found, being the S 61° 10' 58" E, a distance of 0.36 feet;
- THENCE, leaving the said calculated line for the southeast line hereof, continuing over and across the said 260 acre tract, with the said northeast line of the Phinney 1.92 acre tract, being the southwest line of the herein described parcel, N 61° 10′ 58° W, a distance of 429.93 feet to the POINT OF BEGINNING, containing 20.59 acres of land.

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## PARCEL C

BEGINNING at a nail set in a fence post, being a point on the southwest line of the said 260 acre tract, same being an angle point on the west right-of-way line of State Highway Loop 360, same also being the most northerly northeast corner of the remainder portion of Lot 2 of Shepherd Mountain, Phase One, a subdivision recorded in Plat Book 83, Page 200A-200B of the Plat Records of Travis County, said nall in a fence post also being the most southerly southeast corner of the herein described parcel, from which a concrete monument found, being an angle point on the said west right-of-way line of State Highway Loop 360, also being 461.43 feet right of the State Highway Loop 360, also being 461.43 feet right of the State Highway Loop 360 centerline station 359+67.82, bears S 300 16' 45" E, a distance of 329.77 feet;

THENCE, with the said southwest line of the 260 acre tract, being, consecutively, e northeast line of the said remainder portion of Lot 2 of Shepherd Mountain, Se One, the northeast line of that certain 19.947 acre tract of land out of the said Shepherd Mountain, Phase One conveyed to Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 75 of the said Deed Records of Travis County, the northeast line of that certain 40.38 acre tract of land conveyed to the said Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 72 of the said Deed Records of Travis County, and the northeast line of that certain 33.88 acre tract of land conveyed to the said Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 227 of the said Deed Records of Travis County, N 60° 48' 45" W, a distance of 2858.70 feet to a 3/8-inch iron rod found, being the most northerly northeast corner of the said Shepherd Mountain Venture 33.88 acre tract;

THENCE, leaving the said northeast line of Shepherd Mountain Venture 33.88 acre tract, continuing with said southwest line of the 260 acre tract, N 60° 38' 58° W, a distance of 5.61 feet to a calculated point, being the intersection of the said southwest line of the 260 acre tract and a calculated line for the northwest line of the herein described parcel, being a 30-foot perpendicular offset from, and parallel and concentric with, the approximate centerline of the existing pavement of a county road known as City Park Road, and from the said calculated point a 7/8-inch iron pipe found in a rock mound, being the most westerly corner of the said 260 acre tract, bears N 60° 38' 58"W, a distance of 64.36 feet and N 60° 45' 39" W, a distance of 392.21 feet;

THENCE, leaving the said southwest line of the 260 acre tract, with the said calculated line for the northwest line hereof, over and across the said 260 acre tract, the following eleven (11) courses and distances:

- with a curve to the left having a radius of 410.00 feet, a central angle of 020 33' 00" and an arc length of 18.25 feet, along the chord bearing N 390 47 59 E, a chord distance of 18.25 feet to a calculated point at a point of tangency,
- N 38º 31' 29" E, a distance of 292.05 feet to a calculated point at a point of curvature,
- with a curve to the right having a radius of 1226.75 feet, a central angle of 120 50 14" and an arc length of 274.85 feet, along the chord bearing N 440 56' 36" E, a chord distance of 274.28 feet to a calculated point at a point of compound curvature,

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- with a curve to the right having a radius of 1544.11 feet, a central angle of 09° 12' 00" and an arc length of 247.94 feet, along the chord bearing N 55° 57' 43" E, a chord distance of 247.67 feet to a calculated point at a point of compound curvature.
- 5. with a curve to the right having a radius of 522.77 feet, a central angle of 20° 44' 03" and an arc length of 189.18 feet, along the chord bearing N 70° 55' 43" E, a chord distance of 188.15 feet to a calculated point at a point of tangency,
- N 810 17' 44" E, a distance of 93.74 feet to a calculated point at a point of curvature,
- with a curve to the left having a radius of 1010.00 feet, a
  central angle of 070 19' 48" and an arc length of 129.21 feet,
  along the chord bearing N 770 37' 51" E, a chord distance of
  129.12 feet to a calculated point at a point of tangency,
- N 730 57' 57" E, a distance of 156.63 feet to a calculated point at a point of curvature,
- 9. with a curve to the right having a radius of 688.40 feet, a central angle of 160 44'01" and an arc length of 201.05 feet, along the chord bearing N 820 19'57" E, a chord distance of 200.34 feet to a calculated point at a point of reverse curvature.
- 10. with a curve to the left having a radius of 4944.96 feet, a central angle of 02° 20' 35" and an arc length of 202.22 feet, along the chord bearing N 89° 31' 40" E, a chord distance of 202.21 feet to a calculated point at a point of tangency, and
- 11. N 880 21' 23" E, a distance of 19.31 feet to a calculated point, being the intersection of the said calculated line for the northwest line hereof, and the curving southwest right-of-way line of RM Highway 2222;

THENCE, leaving the said calculated line for the northwest line hereof, continuing over and across the said 260 acre tract, with the said southwest right-of-way line of RM Highway 2222, being the northeast line of the herein described parcal, the following seven (7) courses and distances:

- with a curve to the right having a radius of 522.93 feet, a
  central angle of 050 41' 51" and an arc length of 52.00 feet,
  along the chord bearing S 060 48' 11" E, a chord distance of
  51.98 feet to an iron rod found in concrete at a point of
  tangency,
- S 030 57' 15" E, a distance of 302.32 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 252+90.0,
- with a curve to the left having a radius of 1479.29 feet, a
  central angle of 160 43' 45" and an arc length of 431.92 feet,
  along the chord bearing S 120 19' 07" E, a chord distance of
  430.39 feet to a calculated point at a point of tangency,
- \$ 200 41' 00" E, a distance of 52.74 feet to a calculated point at a point of curvature,

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- 5. with a curve to the left having a radius of 766.20 feet, a central angle of 35° 34' 00" and an arc length of 475.62 feet, along the chord bearing S 38° 28' 00" E, a chord distance of 468.02 feet to a calculated point at a point of tangency,
- S 560 15' 00" E, a distance of 121.14 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 263+26.2, and
- 7. with a curve to the right having a radius of 1090.85 feet, a central angle of 15° 54′ 41″ and an arc length of 302.93 feet, along the chord bearing S 48° 17′ 40″ E, a chord distance of 301.96 feet to a calculated point, being the intersection of the said curving southwest right-of-way line of RM Highway 2222 and the northwest line of that certain 0.956 acre tract of land conveyed to Jones-Reynolds Joint Venture by warranty deed recorded in Volume 7764, Page 826 of the said Deed Records of Travis County;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, continuing over and across said 260 acre tract, with, consecutively, the northwest, the southwest and the southeast lines of the said Jones-Reynolds Joint Venture 0.956 acre tract, the following three (3) courses and distances:

- S 550 13' 16" W, passing at a distance of 71.52 feet a 3/8-inch iron rod found, a total distance of 195.86 feet to a 3/8-inch iron rod found.
- 5 34° 46' 44" E, a distance of 208.78 feet to a 3/8-inch iron rod found, and
- N 55º 13¹ 16<sup>n</sup> E, a distance of 196.11 feet to a calculated point, being the intersection of the said southeast line of the Jones-Reynolds Joint Venture 0.956 acre tract and the said curving southwest right-of-way line of RM Highway 2222;

THENCE, leaving the said southeast line of the Jones-Reynolds Joint Venture 0.956 acre tract, continuing over and across the said 260 acre tract, with the said southwest right-of-way line of RM Highway 2222, with a curve to the right having a radius of 1090.85 feet, a central angle of 02° 37' 41" and an arc length of 50.04 feet, along the chord bearing 5 28° 02' 32" E, a chord distance of 50.03 feet to a concrete monument found, being the intersection of the said curving southwest right-of-way line of RM Highway 2222 and the said west right-of-way line of State Highway Loop 360;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the said west right-of-way line of State Highway Loop 360, S 050 12' 45" E, a distance of 476.44 feet to the POINT OF BEGINNING, containing 49.70 acres of land.

#### PARCEL D

BEGINNING at a concrete monument found, being the intersection of the east right-of-way line of State Highway Loop 360 and the southwest right-of-way line of RM Highway 2222, same being a point within the said 43.32 acre tract, same also being the most northerly corner of the herein described parcel, the said concrete monument also being 50 feet right of the RM Highway 2222 centerline station 287+10.7;

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THENCE, with the said southwest right-of-way line of RM Highway 2222, over and across the said 43.32 acre tract, S 72° 53′ 58″ E, a distance of 105.98 feet to a calculated point, being the intersection of the said southwest right-of-way line of RM Highway 2222 and the southwest line of the said 43.32 acre tract, same being the northwest corner of the remainder portion of that certain 65.56 acre tract of land granted to the said Josie Champion Hill by the said deed of partition recorded in Volume 482, Page 627 of the said Deed Records of Travis County;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, with the said southwest line of the 43.32 acre tract, being the west line of the said remainder portion of the Hill 65.56 acre tract, also being approximately with an old fence line along the top of the west bank of Bull Creek, the following three (3) courses and distances:

- S 190 50' 00" E, passing at a distance of 1.81 feet a 3/8-inch iron rod found, a total distance of 319.98 feet to a calculated point;
- S 03° 50° 00° E, a distance of 102.82 feet to a fence post found, being an angle point in the said old fence line, and
- 3. S 14° 20′ 00° E, a distance of 182.79 feet to a calculated point, being the most southeasterly point on the said southwest line of the 43.32 acre tract, same being the southwest corner of the said remainder portion of the Hill 65.56 acre tract, same also being a point on the north line of Lot 52 of The Courtyard Fhase 3-D, a subdivision recorded in Plat Book 82, Pages 90-91 of the Plat Records of Travis County, and from the said calculated point a 3/8-inch iron rod found, being a point on the south line of the said remainder portion of the Hill 65.56 acre tract, same being an angle point on the said north line of Lot 52 of The Courtyard Phase 3-D, bears S 86° 56′ 19° E, a distance of 6.55 feet;

THENCE, leaving the said west line of the remainder portion of the Hill 65.56 acre tract, continuing with the said southwest line of the 43.32 acre tract, being the said north line of Lot 52 of The Courtyard Phase 3-D, the following eleven (11) courses and distances:

- 1. N 86° 56' 19" W, a distance of 98.13 feet to a calculated point,
- N 830 58' 18" W, a distance of 83.75 feet to a 3/8-inch iron rod found,
- N 850 33' 31" W, a distance of 94.02 feet to a 3/8-inch iron rod found,
- N 81° 03' 32" W, a distance of 86.45 feet to a 3/8-inch iron rod found,
- N 830 58' 53" W, a distance of 174.73 feet to a 3/8-inch iron red found,
- N 83° 06' 35" W, a distance of 78.21 feet to a 3/8-inch iron rod found,

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- N 73° 17' 32" W, a distance of 30.48 feet to a 3/8-inch iron rod found,
- N 68° 38' 43" W, a distance of 68.97 feet to a 3/8-inch iron rod found,
- 9. N 60° 27' 31" W, a distance of 55.52 feet to a 3/8-inch iron rod found,
- N 550 41 26" W, a distance of 70.14 feet to a 3/8-inch iron rod found, and
- 11. N 49° 39° 52" W, a distance of 125.09 feet to a calculated point, being the most northerly northwest corner of said Lot 52 of The Courtyard Phase 3-D, same being the intersection of the said southwest line of the 43.32 acre tract and the said east right-of-way line of State Highway Loop 360, and from the said calculated point a concrete monument found, being an angle point in the said east right-of-way line of State Highway Loop 360, bears S 25° 34′ 08" W, a distance of 462.07 feet]

THENCE, leaving the said north line of Lot 52 of The Courtyard Phase 3-D and leaving the said southwest line of the 43.32 acre tract, with the said east right-of-way line of State Highway Loop 360, over and across the said 43.32 acre tract, the following three (3) courses and distances:

- N 250 34' 08" E, a distance of 289.82 feet to a concrete monument found, being 307.46 feet left of the State Highway Loop 360 centerline station 356+86.42,
- N 720 57' 37" E, a distance of 331.35 feet to a concrete monument found, and
- N 87° 25' 43" E, a distance of 203.16 feet to the POINT OF BEGINNING, containing 9.20 acres of land.

#### PARCEL E

BEGINNING at an iron rod found, being the intersection of the northeast line of the said 260 acre tract and the east right-of-way line of State Highway Loop 360, same being the most westerly corner of that certain 7.3795 acre tract of land conveyed to C. A. Davis, Trustee, by warranty deed recorded in Volume 7027, Page 2091 of the said Deed Records of Travis County, same also being the most northerly corner of the herein described parcel;

THENCE, with the said northeast line of the 260 acre tract, being the southwest line of the said Davis 7.3795 acre tract, the following four (4) courses and distances:

- S 60° 06' 22" E, a distance of 42.94 feet to an iron rod found,
- S 60° 32' 39" E, a distance of 166.95 feet to a 3/8-inch iron rod found,
- S 59° 28' 48" E, a distance of 265.74 feet to a 3/8-inch iron rod found, and

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S 620 34' 14" E, a distance of 79.87 feet to a 3/8-inch iron rod found, being the most northerly corner of that certain 0.998 acre tract of land conveyed to Josie Ellen Champion by deed recorded in Volume 4189, Page 77 of the said Deed Records of Travis County;

THENCE, leaving the said southwest line of the Davis 7.3795 acre tract and leaving the said northeast line of the 260 acre tract, with the west line of the said Champion 0.998 acre tract, over and across the said 260 acre tract, the following two (2) courses and distances:

- S 30° 20' 12" W. passing at a distance of 50.15 feet a 3/8-inch iron rod found, a total distance of 186.62 feet to a 3/8-inch iron rod found, and
- 2. S 640 59' 51" E, a distance of 96.97 feet to a 1/4-inch iron rod found, being the southwest corner of the said Champion 0.998 acre tract, same being a point on the east line of the said 260 acre tract, same also being a point on the northwest line of that cartain 3.35 acre tract of land conveyed to Joe T. Robertson, Jr., Daniel B. Robertson, and Thomas H. Robertson by deed recorded in Volume 5536, Page 303 of the said Deed Records of Travis County, the said iron rod also being on the approximate centerline of Bull Creek, from which an iron rod found, being an angle point on the south line of the said northwest line of the Robertson 3.35 acre tract, bears N 760 41' 32" E, a distance of 102.46 feet;

THENCE, leaving the said west line of the Champion 0.998 acre tract, with the said east line of the 260 acre tract, being the said northwest line of the Robertson 3.35 acre tract, same being with the meanders of the approximate centerline of Bull Crock, the following seven (7) courses and distances:

- S 76° 41' 32" W, a distance of 73.63 feet to a calculated point,
- 2. S 86° 55' 00" W, a distance of 103.20 feet to a calculated point,
- 3. 5 47° 50° 00° W, a distance of 70.29 feet to a calculated point,
- 4. S 25° 05' 00" W, a distance of 322.30 feet to a calculated point,
- 5. S 36° 20' 00" W, a distance of 235.03 feet to a calculated point,
- S 00° 10° 00° E, a distance of 241.83 feet to a calculated point,
- 7. S 090 52' 00° E, a distance of 5.80 feet to a calculated point, being the southwest corner of the said Robertson 3.35 acre tract, same being the northwest corner of Lot 75 of Lakewood Village, a subdivision recorded in Plat Book 8, Page 24 of the Plat Records of Travis County, and from the said calculated point a 3/8-inch iron rod found, being the northwest corner of Lot 20, Block B of the said Lakewood Village, same being the southwest corner of Lot 21, Block B of Lakewood Park, Section 1, a subdivision recorded in Plat Book 9, Page 107 of the said Plat Records of Travis County, same also being a point on the east right-of-way line of a 60-foot wide county road known as Lakewood Drive, bears N 870 16' 00° E, a distance of 161.24 feet;

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THENCE, leaving the said northwest line of the Robertson 3.35 acre tract, continuing with the said east line of the 260 acre tract, being the west line of the said Lot 75 of Lakewood Village, same being with the said meanders of the approximate centerline of Bull Creek, the following two (2) courses and distances:

- 1. S 090 52' 00" E, a distance of 572.31 feet to a calculated point,
- S 160 27' 00" E, a distance of 412.47 feet to a calculated point, being the most easterly southeast corner of the said 260 acre tract;

THENCE, leaving the said west line of Lot 75 of Lakewood Village and leaving the said approximate centerline of Bull Creek, continuing with the said east line of the 260 acre tract, 5 430 57' 06" W, a distance of 566.26 feet to a calculated point, being the intersection of the said east line of the 260 acre tract and the north line of the said 43.32 acre tract, from which an old fence corner found, being the northeast corner of the said 43.32 acre tract, same being the southeast corner of the said Lakewood Village, same also being the northeast corner of Parkhill, a subdivision recorded in Plat Book 81, Pages 307-308 of the said Plat Records of Travis County, bears N 890 51' 41" E, a distance of 1537.65 feet;

THENCE, leaving the said east line of the 260 acre tract, with the said north line of the 43.32 acre tract, N 89° 51° 41° E, a distance of 509.63 feet to a calculated point, being the intersection of the said north line of the 43.32 acre tract and the said west line of Lot 75 of Lakewood Village, same being on the approximate centerline of Bull Creek;

THENCE, leaving the said north line of the 43.32 acre tract, with the said west line of Lot 75 of Lakewood Village, being with the meanders of the approximate centerline of Bull Creek, over and across the said 43.32 acre tract, S 140 30' 31" E, a distance of 12.87 feet to a calculated point, being the southwest corner of the said Lot 75 of Lakewood Village;

THENCE, leaving the said west line of Lot 75 of Lakewood Village and leaving the said approximate centerline of Bull Crack, with the said south line of Lot 75 of Lakewood Village, continuing over and across the said 43.32 acre tract, N 840 47'00° E, a distance of 54.85 feet to a calculated point, being the southeast corner of said Lot 75 of Lakewood Village, same being a point on the west right-of-way line of the said Lakewood Drive, from which a 3/8-inch iron rod found, being a point of tangency on the east right-of-way line of the said Lakewood Drive, same being a point of tangency on the west line of Lot 4, Block A of the said Lakewood Village, bears N 140 48' 58° W, a distance of 354.98 feet and N 750 11' 02° W, a distance of 60.00 feet;

THENCE, leaving said south line of Lot 75 of Lakewood Village, continuing over and across the said 43.32 acre tract, with the said west right-of-way line of Lakewood Drive, the following three (3) courses and distances:

- \$ 14° 48' 58" E, a distance of 20.19 feet to a calculated point at a point of curvature,
- 2. with a curve to the right having a radius of 603.82 feet, a central angle of 09° 59' 52" and an arc length of 105.36 feet, along the chord bearing \$ 09° 49' 02" E, a chord distance of 105.23 feet to a calculated point at a point of tangency, from which a 1 3/4-inch iron pipe found, being a point of tangency on the said east right-of-way line of Lakewood Drive, same being a point of tangency on the west line of Lot 3, Block A of the said Parkhill, bears N 85° 10' 54" E, a distance of 60.00 feet, and

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3. S 04º 49' 06" E, a distance of 345.92 feet to a calculated point, being the intersection of the said west right-of-way line of Lakewood Drive and the north right-of-way line of RM Highway 2222, from which an iron rod found in concrete, being the intersection of the said east right-of-way line of Lakewood Drive and the said north right-of-way line of RM Highway 2222, same being the southwest corner of Lot 6, Block A of the said Parkhill, bears S 72º 53' 58" E, a distance of 64.68 feet;

THENCE, leaving the said west right-of-way line of Lakewood Drive, continuing over and across the said 43.32 acre tract, with the said north right-of-way line of RM Highway 2222, N 720 53' 58" W, a distance of 269.32 feet to a concrete monument found, being the intersection of the said north right-of-way line of RM Highway 2222 and the said east right-of-way line of State Highway Loop 360;

THENCE, leaving the said north right-of-way line of RM Highway 2222, over and across, consecutively, the said 43.32 acre tract and the said 260 acre tract, with the said east right-of-way line of State Highway Loop 360, the following seven (7)

- N 59° 26' 47" W, a distance of 427.04 feet to a concrete monument found,
- N 240 18' 12" W, a distance of 89.75 feet to a concrete monument found,
- 3. N 150 08' 18" E, a distance of 462.64 feet to a concrete monu-
- N 01° 28' 16" E, a distance of 885.09 feet to a concrete monument found, being 190 feet left of the State Highway Loop 360 centerline station 339+00,
- N 060 15' 33" W, a distance of 203.87 feet to a concrete monument found,
- N 050 04'31" E, a distance of 713.98 feet to a concrete monument found at a point of curvature, being 150 feet left of the State Highway Loop 360 centerline station 329+85.8, and

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7. with a curve to the right having a radius of 1759.27 feet, a central angle of 180 32' 54" and an arc length of 569.52 feet, along the chord bearing N 140 20' 58" E, a chord distance of 567.04 feet to the POINT OF BEGINNING, containing 18.82 acres of land.

The state of texas |

COUNTY OF TRAVIS

know all men by these presents:

That I, Patrick A. Smith, 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.

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

Patrick A. Smith
Registered Public Surveyor
No. 4280 - State of Trans