

EXHIBIT "\_\_\_\_"

(VARIABLE WIDTH ACCESS EASEMENT) SOUTH I-35 WATER/WASTEWATER PROGRAM CIP # 6937.025

### **DESCRIPTION FOR PARCEL 4558.126 AE-1**

LEGAL DESCRIPTION OF A 2.092-ACRE TRACT OF LAND, EQUIVALENT TO 91,145 SQUARE FEET OF LAND IN THE SANTIAGO DEL VALLE GRANT. ABSTRACT 24, OUT OF AND A PART OF A CALLED 166.598-ACRE TRACT OR PARCEL OF LAND CONVEYED TO THE FOLLOWING: CURTIS B. FIGER AND SPOUSE, BILLIE JO FIGER BY WARRANTY DEED, DATED DECEMBER 18. 1992, AND RECORDED IN VOLUME 11836, PAGE 1356; MICHAEL G. FIGER BY GIFT WARRANTY DEED, DATED DECEMBER 22, 1993, AND RECORDED IN VOLUME 12088, PAGE 844; DONALD K. FIGER BY GIFT WARRANTY DEED. DATED DECEMBER 22, 1993, AND RECORDED IN VOLUME 12088, PAGE 856: BETSY A. LAMBETH BY GIFT WARRANTY DEED, DATED DECEMBER 22. 1993, RECORDED IN VOLUME 12088, PAGE 862; MICHAEL G. FIGER BY GIFT WARRANTY DEED, DATED JANUARY 5, 1994, RECORDED IN VOLUME 12097, PAGE 160: DONALD K. FIGER BY GIFT WARRANTY DEED, DATED JANUARY 5, 1994, RECORDED IN VOLUME 12097, PAGE 170; BETSY A. LAMBETH BY GIFT WARRANTY DEED, DATED JANUARY 5, 1994, RECORDED IN VOLUME 12097, PAGE 175; DAVID A. BREWER AND BILLIE J. FIGER, CO-TRUSTEES BY WARRANTY DEED, DATED APRIL 6, 1994, RECORDED IN VOLUME 12159, PAGE 85. ALL OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY. TEXAS: INCLUDING KEITH H. HARMON AND BONNIE HARMON, TRUSTEES OF THE HARMON FAMILY TRUST ESTABLISHED BY TRUST AGREEMENT BY GENERAL WARRANTY DEED, EXECUTED NOVEMBER 3, 1999, RECORDED IN DOCUMENT NO. 2000178631 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.092-ACRE PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS, AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING FOR REFERENCE at a 1/2-inch iron rod found monumenting the northeast corner of the above referenced Figer 166.598-acre tract, same being on the southerly right-of-way line of Brandt Lane (right-of-way width varies), same also being the northwest corner of a called 27.110-acre tract conveyed to Jesus Turullos and recorded in Volume 8361, Page 293 of the Deed Records Travis County, Texas; Thence, with the east line of said Figer 166.598-acre tract and the west line of said Turullos 27.110-acre tract, S28°40'21"E, a distance of 239.59 feet to a calculated point at the most northerly corner of a Travis County roadway easement designated as Slaughter Lane (120-foot right-of-way) recorded in Volume 11818, Page 224 of the Real Property Records of Travis County, Texas; Thence, with the westerly right-of-way easement line of said Slaughter Lane, S25°07'34" E, a distance of 760.84 feet to calculated point of tangency of a circular curve to the left, and with said circular curve to the left a chord bearing of S29°30'45"E, a distance of 276.81 feet to a 60D nail set having Texas State Plane Grid

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Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,029,551.47, E=3,105,289.07, for the northeast corner and **POINT OF BEGINNING** of this easement;

THENCE, continuing with said westerly right-of-way easement line of Slaughter Lane, with said circular curve to the left, an arc length of 30.28 feet, having a radius distance of 1,810.00 feet, a delta angle of 00°57'31", a chord which bears S34°22'38"E, a distance of 30.28 feet to a 60d nail set at a point of non-tangency of a circular curve to the right, for the southeast corner of this easement, whose radius point bears N28°30'24"W, a distance of 70.00 feet, from which a 1/2-inch iron rod found at the southeast corner of said Figer 166.598-acre tract, same being an angle point in the northerly line of Lot 1, Block A, 151 Acre Tract Subdivision, a subdivision recorded in Book 101, Pages 245-247 of the Plat Records of Travis County, Texas, bears a chord bearing of S54°32'22"E a distance of 1,219.27 feet, S74°12'33"E a distance of 339.13 feet, S26°15'28"E a distance of 332.02 feet, and S25°48'02"E a distance of 18.67 feet;

**THENCE**, through said Figer 166.598-acre tract, the following fifty-three (53) courses and distances:

- 1) With said circular curve to the right, an arc length of 108.63 feet, having a radius distance of 70.00 feet, a delta angle of 88°54'58", a chord which bears N74°02'55"W, a distance of 98.05 feet to a 60d nail set at a point of tangency of this easement;
- 2) N29°35'26"W, a distance of 211.37 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 3) With said circular curve to the left, an arc length of 95.59 feet, having a radius distance of 70.00 feet, a delta angle of 78°14'29", a chord which bears N68°42'40"W, a distance of 88.33 feet to a 60d nail set at a point of tangency of this easement;
- 4) S72°10'05"W, a distance of 63.20 feet to a 60d nail set, for an angle point of this easement;
- 5) S65°14'13"W, a distance of 34.52 feet to a 60d nail set, for an angle point of this easement;
- 6) S51°16'05"W, a distance of 36.12 feet to a 60d nail set, for an angle point of this easement;
- 7) S61°21'57"W, a distance of 29.65 feet to a 60d nail set at a point of tangency of a circular curve to the right of this easement;
- 8) With said circular curve to the right, an arc length of 131.70 feet, having a radius distance of 215.00 feet, a delta angle of 35°05'47", a chord which bears \$78°54'51"W, a distance of 129.65 feet to a 60d nail set at a point of tangency of this easement;



- 9) N83°32'16"W, a distance of 286.87 feet to a 60d nail set at a point of tangency of a circular curve to the left;
- 10) With said circular curve to the left, an arc length of 69.28 feet, having a radius distance of 205.00 feet, a delta angle of 19°21'48", a chord which bears \$86°46'50"W, a distance of 68.95 feet to a 60d nail set at a point of tangency of this easement;
- 11) \$77°05'56"W, a distance of 184.19 feet to a 60d nail set, for an angle point of this easement;
- 12) S36°26'38"W, a distance of 293.64 feet to a 60d nail set, for an angle point of this easement;
- 13) S04°18'21"E, a distance of 311.83 feet to a 60d nail set, for an outside corner of this easement;
- 14) N29°40'59"W, a distance of 42.19 feet to a 60d nail set, for an inside corner of this easement;
- 15) S60°19'01"W, a distance of 13.19 feet to a 60d nail set, for an outside corner of this easement;
- 16) N04°18'21"W, a distance of 179.26 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 17) With said circular curve to the left, an arc length of 47.70, having a radius distance of 70.00 feet, a delta angle of 39°02'28", a chord which bears N23°49'35"W, a distance of 46.78 feet to a 60d nail set at a point of tangency of this easement;
- 18) N43°20'49"W, a distance of 4.67 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 19) With said circular curve to the left, an arc length of 68.22, having a radius distance of 45.00 feet, a delta angle of 86°51'24", a chord which bears N86°46'31"W, a distance of 61.87 feet to a 60d nail set at a point of tangency of this easement;
- 20) S49°47'47"W, a distance of 108.84 feet to a 60d nail set at an angle point of this easement;
- 21) S02°13'55"W, a distance of 197.47 feet to a 60d nail set at an angle point of this easement;
- 22) S16°53'07"W, a distance of 49.40 feet to a 60d nail set at an angle point of this easement;



- 23) S16°27'57"E, a distance of 80.35 feet to a 60d nail set at a point tangency of a circular curve to the right of this easement;
- 24) With said circular curve to the right, an arc length of 81.01, having a radius distance of 145.00 feet, a delta angle of 32°00'32", a chord which bears S00°27'41"E, a distance of 79.96 feet to a 60d nail set at a point of tangency of this easement;
- 25) \$15°32'35"W, a distance of 99.00 feet to a 60d nail set at a point tangency of a circular curve to the right of this easement;
- 26) With said circular curve to the right, an arc length of 127.44 feet, having a radius distance of 115.00 feet, a delta angle of 63°29'37", a chord which bears S47°17'23"W, a distance of 121.02 feet to a 60d nail set at a point of tangency of this easement;
- 27) \$79°02'11"W, a distance of 122.13 feet to a 60d nail set at a point of tangency of a circular curve to the right of this easement;
- 28) With said circular curve to the right, an arc length of 118.19 feet, having a radius distance of 95.00 feet, a delta angle of 71°16′50", a chord which bears N65°19′24"W, a distance of 110.71 feet to a 60d nail set at a point of tangency of this easement;
- 29) N29°40'59"W, a distance of 30.63 feet to a 60d nail set for the southwest corner of this easement;
- 30) N60°19'01"E, a distance of 30.00 feet to a 60d nail set for the northwest corner of this easement:
- 31) S29°40'59"E, a distance of 30.63 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 32) With said circular curve to the left, an arc length of 80.87 feet, having a radius distance of 65.00 feet, a delta angle of 71°16′50″, a chord which bears S65°19′24″E, a distance of 75.75 feet to a 60d nail set at a point of tangency of this easement;
- 33) N79°02'11"E, a distance of 122.13 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 34) With said circular curve to the left, an arc length of 94.19 feet, having a radius distance of 85.00 feet, a delta angle of 63°29'37", a chord which bears N47°17'23"E, a distance of 89.45 feet to a 60d nail set at a point of tangency of this easement;
- 35) N15°32'35"E, a distance of 99.00 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;



- 36) With said circular curve to the left, an arc length of 64.25 feet, having a radius distance of 115.00 feet, a delta angle of 32°00'32", a chord which bears N00°27'41"W, a distance of 63.41 feet to a 60d nail set at a point of tangency of this easement;
- 37) N16°27'57"W, a distance of 89.33 feet to a 60d nail set, for an angle point of this easement;
- 38) N16°53'07"E, a distance of 54.53 feet to a 60d nail set, for an angle point of this easement;
- 39) N02°13'55"E, a distance of 206.83 feet to a 60d nail set, for an angle point of this easement
- 40) N49°47'47"E, a distance of 202.67 feet to a 60d nail set, for an angle point of this easement
- 41) N65°56'32"E, a distance of 70.95 feet to a 60d nail set, for an angle point of this easement
- 42) N36°26'38"E, a distance of 262.93 feet to a 60d nail set, for an angle point of this easement
- 43) N77°05'56"E, a distance of 195.30 feet to a 60d nail set at a point of tangency of a circular curve to the right of this easement;
- 44) With said circular curve to the right, an arc length of 79.42 feet, having a radius distance of 235.00 feet, a delta angle of 19°21'48", a chord which bears N86°46'50"E, a distance of 79.04 feet to a 60d nail set at a point of tangency of this easement;
- 45) S83°32'16"E, a distance of 286.87 feet to a 60d nail set at a point of tangency of a circular curve to the left of this easement;
- 46) With said circular curve to the left, an arc length of 113.32 feet, having a radius distance of 185.00 feet, a delta angle of 35°05'47", a chord which bears N78°54'51"E, a distance of 111.56 feet to a 60d nail set at a point of tangency of this easement;
- 47) N61°21'57"E, a distance of 27.00 feet to a 60d nail set, for an angle point of this easement
- 48) N51°16'05"E, a distance of 37.14 feet to a 60d nail set, for an angle point of this easement



- 49) N65°14'13"E, a distance of 40.01 feet to a 60d nail set, for an angle point of this easement
- 50) N72°10'05"E, a distance of 65.02 feet to a 60d nail set at a point of tangency of a circular curve to the right of this easement;
- 51) With said circular curve to the right, an arc length of 136.56 feet, having a radius distance of 100.00 feet, a delta angle of 78°14'29", a chord which bears S68°42'40"E, a distance of 126.19 feet to a 60d nail set at a point of tangency of this easement;
- 52) S29°35'26"E, a distance of 211.37 feet to a 60d nail set at a point of curvature of a circular curve to the left of this easement; and
- 53) With said circular curve to the left, an arc length of 58.98 feet, having a radius distance of 40.00 feet, a delta angle of 84°28'32", a chord which bears S71°49'42"E, a distance of 53.78 feet to the POINT OF BEGINNING, containing 2.092-acre (91,145 square feet) of land.

#### **BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, Delta Zone-4203, NAD83(CORS). Project control points were established from Macias & Associates, L.P., Land Surveyors, reference point "CLM-32" having coordinate values of N=10,033,759.424, E=3,101,110.970 and reference point "F-11-3001" having coordinate values of N=10,022,637.008, E=3,098,305.276. Distances shown hereon are grid.



## **CERTIFICATION:**

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by

Landmark Surveying, LP

Juan M. Canales, Jr.

Registered Professional Land Surveyor No. 4453

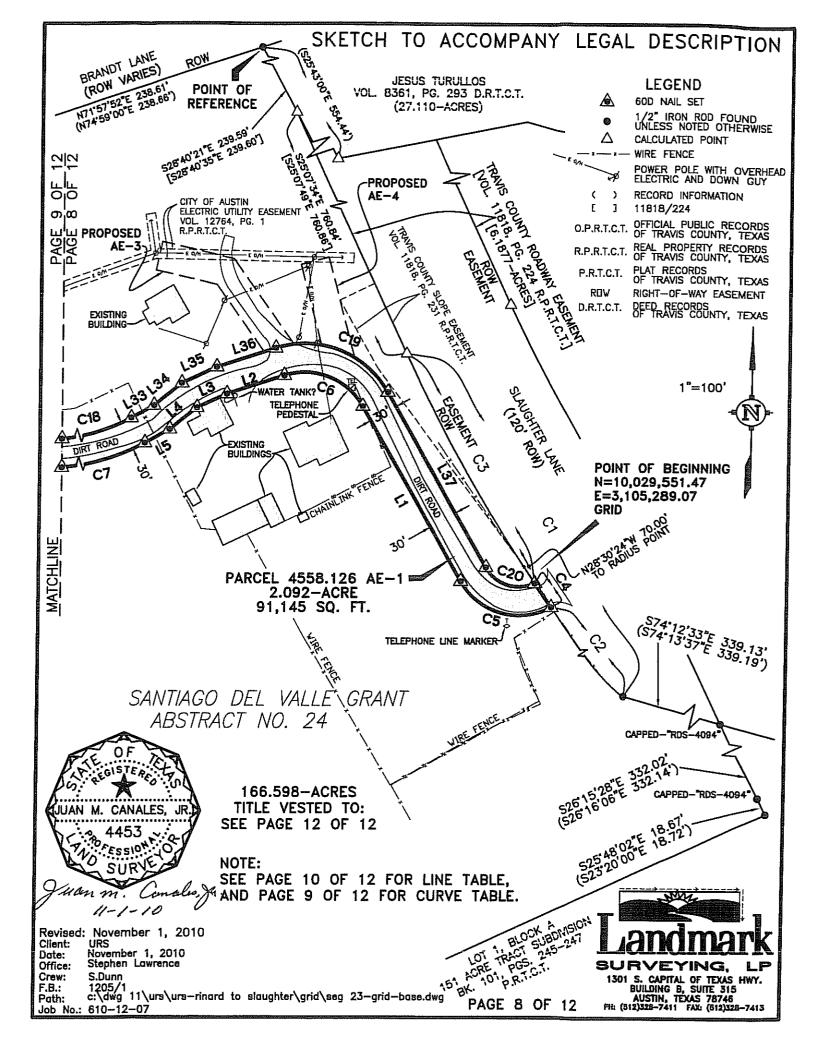
Senior Project Manager

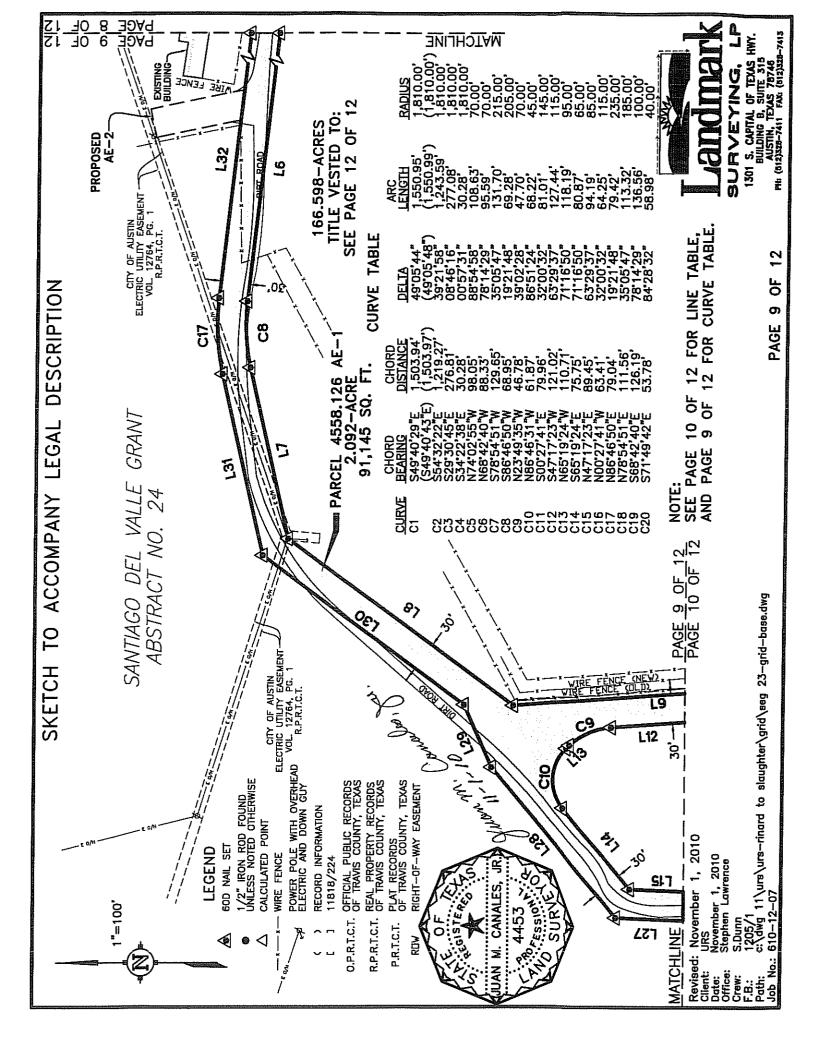
Firm Registration No. 100727-00

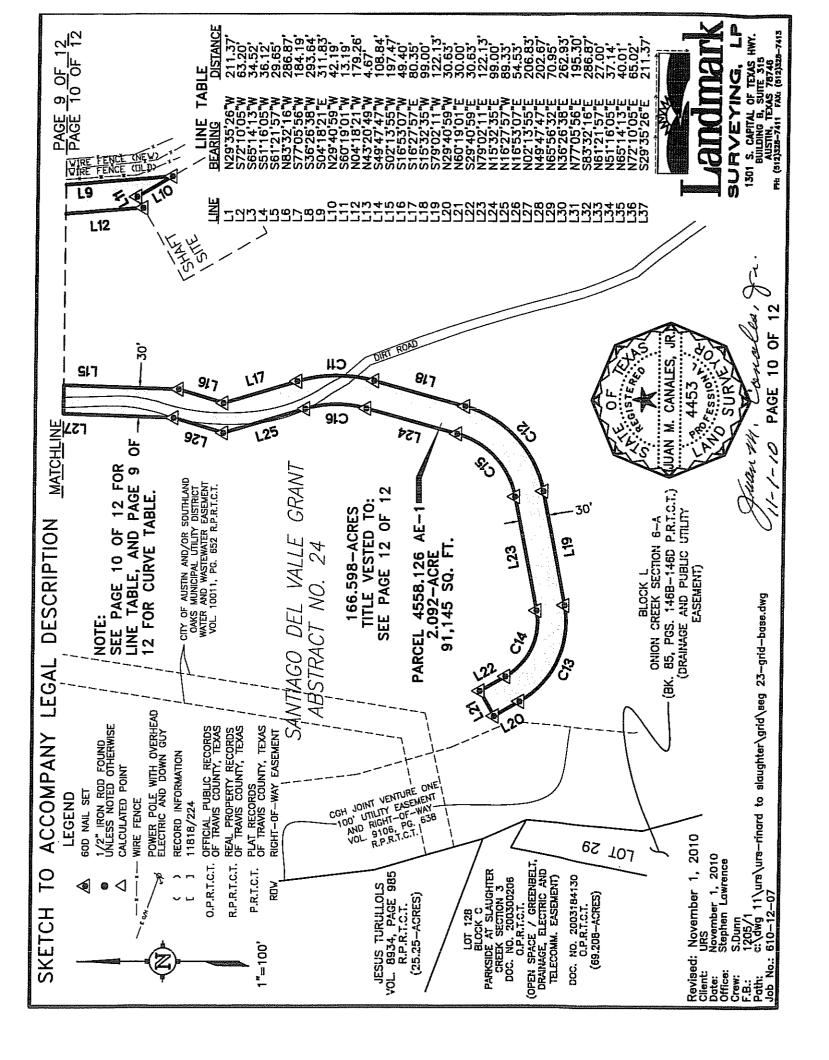
REFERENCES

MAPSCO 2009, 704-B GRID NO. G-12 TCAD PARCEL ID NO. 04-3908-0402 4558.126 AE-1 rev1.docx









# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

The property described hereon is contained within Zone AE, Zone X (Shaded), and Zone X as scaled from F.I.R.M. Map Number 48453C0595H, dated September 26, 2008, as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note: 1. Deleted.

10a. A pipe line and appurtenance easement granted to Hope Engineering and Supply Company, dated January 19, 1928, by instrument recorded in Volume 413, Page 475 of the Deed Records of Travis County, Texas MAY AFFECT the subject easement; however cannot be determined with existing evidence.

10b. An electric transmission and/or distribution line easement granted to Texas Power and Light Company, dated November 24, 1936, by instrument recorded in Volume 551, Page 574 of the Deed Records of Travis County, Texas MAY AFFECT the subject easement; however cannot be determined with existing evidence.

10c. An electric transmission and/or distribution line easement granted to Texas Power and Light Company, dated October 27, 1936, by instrument recorded in Volume 554, Page 329 of the Deed Records of Travis County, Texas MAY AFFECT the subject easement; however cannot be determined with existing evidence.

10d. A telephone line easement granted to Southwestern Bell Telephone Company, dated January 29, 1942, by instrument recorded in Volume 692, Page 221 of the Deed Records of Travis County, Texas MAY AFFECT the subject easement; however cannot be determined with existing evidence.

10e. An electric transmission line easement in favor of the Lower Colorado River Authority as set out in Condemnation Proceeding under Cause No. 79, Probate Court of Travis County, Texas MAY AFFECT the subject easement; however cannot be determined with existing evidence.

10f. An electric and telephone line easement granted to the City of Austin, dated October 23, 1956, by instrument recorded in Volume 1914, Page 317 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10g. A pipe lines and right of way easement granted to United Gas Pipe Line Company, dated October 26, 1960, by instrument recorded in Volume 2245, Page 384 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10h. An electric and telephone line easement granted to the City of Austin, dated September 25, 1962, by instrument recorded in Volume 2520, Page 137 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10i. An electric and telephone line easement granted to the City of Austin, dated May 12, 1965, by instrument recorded in Volume 2969, Page 228 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10j. An electric and telephone line easement granted to the City of Austin, dated August 15, 1967, by instrument recorded in Volume 3358, Page 1762 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10k. A utility easement granted to CGH Joint Venture One, a Texas Joint Venture, by instrument dated April 1, 1985, recorded in Volume 9106, Page 638 of the Real Property Records of Travis County, Texas DOES NOT APPLY to the subject easement.

**BEARING BASIS:** 

THE BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS, CENTRAL ZONE—4203, NAD83(CORS). PROJECT CONTROL POINTS WERE ESTABLISHED FROM MACIAS & ASSOCIATES, L.P., LAND SURVEYORS, REFERENCE POINT "CLM—32" HAVING COORDINATE VALUES OF N=10,033,759.424, E=3,101,110.970 AND REFERENCE POINT "F-11—3001" HAVING COORDINATE VALUES OF N=10,022,637.008, E=3,098,305.276. DISTANCES SHOWN HEREON ARE GRID.

Revised: November 1, 2010

Client: URS
Date: November 1, 2010
Office: Stephen Lawrence

Crew: S.Dunn F.B.: 1205/1

Path: c:\dwg 11\urs\urs\rinard to slaughter\grid\seg 23-grid-base.dwg
Job No.: 610-12-07

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JUAN M. CANALES.

Landmark SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY. BUILDING B, SUITE 315 AUSTIN, TEXAS 78746 PH: (812)328-7411 FAY: (812)328-7413

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

101. A water and wastewater easement granted to the City of Austin and/or Southland Oaks Municipal Utility District, by instrument dated September 18, 1986, recorded in Volume 10011, Page 652 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.

10m. A roadway easement granted to Travis County, by instrument dated November 11, 1992, recorded in Volume 11818, Page 224 of the Real Property Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10n. A lateral support easement granted to Travis County, by instrument dated November 11, 1992, recorded in Volume 11818, Page 231 of the Real Property Records of Travis County, Texas DOES NOT APPLY to the subject

10n. A lateral support easement granted to Travis County, by instrument dated November 11, 1992, recorded in Volume 11818, Page 231 of the Real Property Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10o. An electric transmission line easement in favor of the Lower Colorado River Authority as set out in Condemnation Proceeding under Cause No. 2142, Probate Court of Travis County, Texas, as recorded in Volume 12454, Page 80 of the Real Property Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10p. A electric utility easement granted to the City of Austin, by instrument dated September 3, 1996, recorded in Volume 12764, Page 1 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.

10q. Right to extract gravel, stone, sand and other road building material granted to Travis County as set out in Volume 268, Page 133, Volume 371, Page 76, and Volume 333, Page 331 of the Deed Records of Travis County, Texas DO NOT APPLY to the subject easement.

10r. A drainage easement granted to Travis County, by instrument dated April 24, 2003, recorded in Document No. 2003093738 of the Official Public Records of Travis County, Texas DOES NOT APPLY to the subject easement.

10s. A temporary access easement granted to Travis County, by instrument dated April 24, 2003, recorded in Document No. 2003093739 of the Official Public Records of Travis County, Texas DOES NOT APPLY to the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Commonwealth Land Title Insurance Company, according to GF No. 00092668, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, easements or right-of-ways, except as shown; that said easement does not have access to and from a public roadway; and that this plat is an accurate representation of the easement to the best of my knowledge.

#### NOTE:

IMPROVEMENTS SHOWN HEREON ARE SURVEYED OR MAPPED BY OTHERS AND NOT SURVEYED ON THE GROUND BY LANDMARK SURVEYING, LP DUE TO DENIAL OF ACCESS BY OWNERS.

AS SURVEYED BY

LANDMARK SURVEYING, LP FIRM REGISTRATION NO. 100727-00

uan M. JUAN M. CANALES. JR.

Registered Professional Land Surveyor No. 4453

DATE: November 1, 2010

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Revised: November 1, 2010

URS Client:

November 1, 2010 Date: Stephen Lawrence Office:

S.Dunn Crew: F.B.:

1205/1 c:\dwg 11\urs\urs-rinard to slaughter\grid\seg 23-grid-base.dwg Path:

Job No.: 610-12-07

166.598-ACRES

TITLE VESTED TO:

CURTIS B. FIGER AND BILLIE JO FIGER 11836/1356

MICHAEL G. FIGER 12088/844 DONALD K. FIGER 12088/856

BETSY A. LAMBETH 12088/862

MICHAEL G. FIGER 12097/160

DONALD K. FIGER 12097/170 BETSY A. LAMBETH 12097/175

DAVID A. BREWER AND BILLIE J. FIGER 12159/85

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KEITH H. HARMON AND BONNIE HARMON DOC. NO.

2000178631





1301 S. CAPITAL OF TEXAS HWY. BUILDING B, SUITE 315 AUSTIN, TEXAS 78746 PH: (512)328-7411 FAX: (512)328-7413