



EXHIBIT " \_\_\_\_\_ "

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

**DESCRIPTION FOR PARCEL 4558.126 WWE-2**

LEGAL DESCRIPTION OF A 0.230-ACRE TRACT OF LAND, EQUIVALENT TO 10,000 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 0.230-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 Real Property Records Travis County, Texas; **Thence**, through said Figer 166.598-acre tract, S23°25'48"W, a distance of 1,679.35 feet to a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,029,150.54, E=3,104,046.93, for the most northerly corner and **POINT OF BEGINNING** of this easement;

**THENCE**, continuing through said Figer 166.598-acre tract, the following four (4) courses and distances:



- 1) **S29°40'59"E**, a distance of **100.00 feet** to a 60d nail set, for the most easterly corner of this easement, from which a 1/2-inch iron rod found at the southeast corner of said Figer 166.598-acre tract, same being on 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 S76°21'34"E, a distance of 2,762.09 feet;
- 2) **S60°19'01"W**, a distance of **100.00 feet** to a 60d nail set, for the most southerly of this easement;
- 3) **N29°40'59"W**, a distance of **100.00 feet** to a 60d nail set, for the most westerly corner of this easement; and
- 4) **N60°19'01"E**, a distance of **100.00 feet** to the **POINT OF BEGINNING**, containing 0.230-acre (10,000 square feet) of land.

#### BEARING BASIS NOTE

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.

#### 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.*

**Juan M. Canales, Jr.**  
Registered Professional Land Surveyor No. 4453  
Senior Project Manager  
Firm Registration No. 100727-00

*1-11-2010*

Date

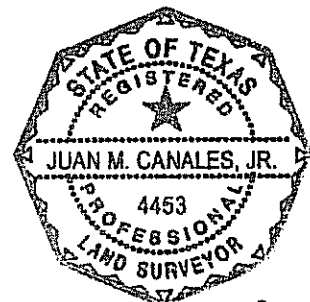
#### REFERENCES

MAPSCO 2009, 704-B GRID NO. G-12  
TCAD PARCEL ID NO. 04-3908-0402  
4558.126\_WWE-2.doc

Reviewed and Approved by:  
MACIAS & ASSOCIATES, L.P.

*Jackie Lee Crow*  
Date: *1/11/2010*  
**JACKIE LEE CROW**  
R.P.L.S. #5209

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY  
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413  
T.U.C.P./W.B.E./H.U.B./D.B.E.

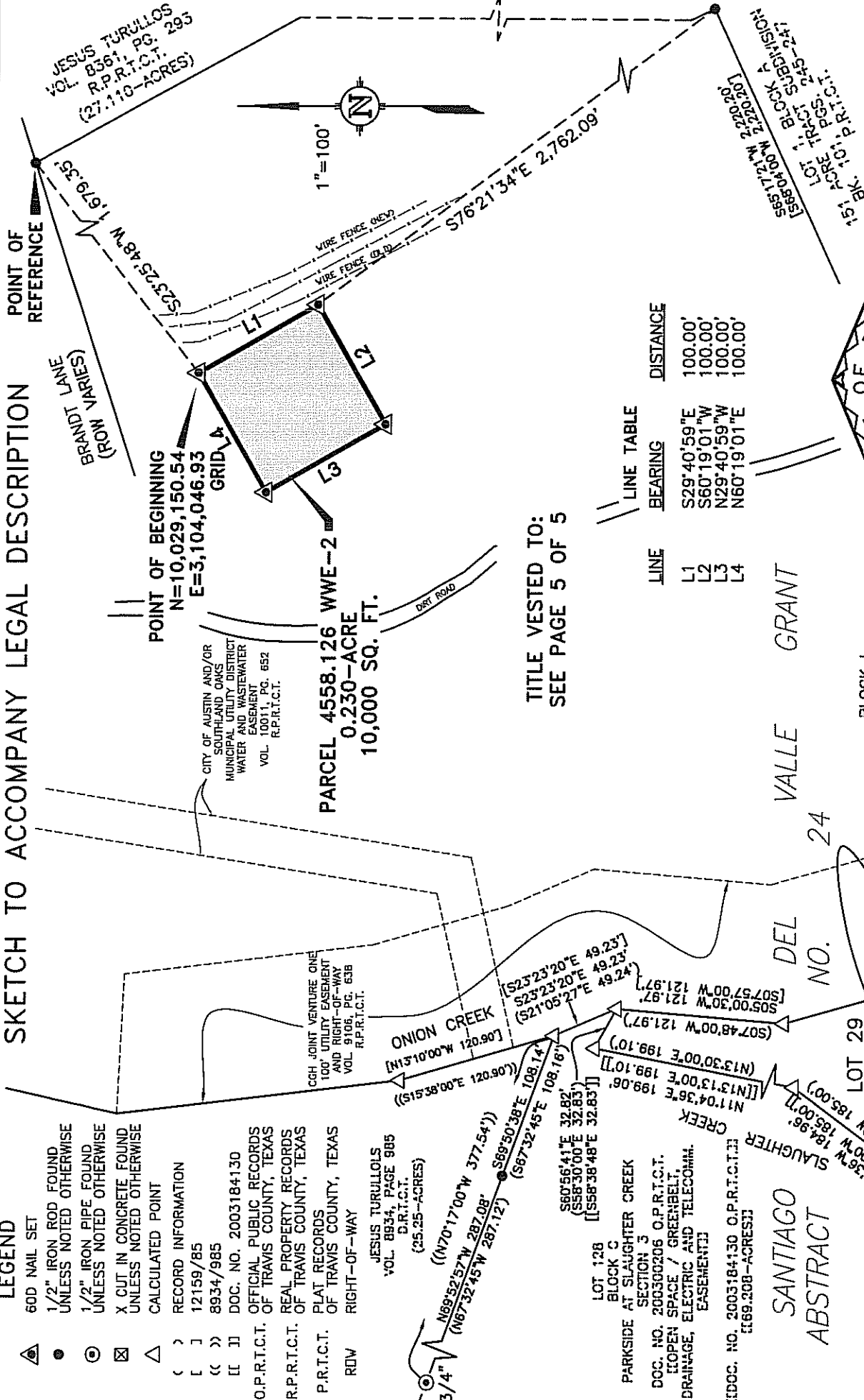


# LEGEND

- 60D NAIL SET
- 1/2" IRON ROD FOUND  
UNLESS NOTED OTHERWISE
- 1/2" IRON PIPE FOUND  
UNLESS NOTED OTHERWISE
- X CUT IN CONCRETE FOUND  
UNLESS NOTED OTHERWISE
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- [ ] 12159/85
- << 8934/985
- [ ] DOC. NO. 2003184130
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS  
OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS  
OF TRAVIS COUNTY, TEXAS
- ROW RIGHT-OF-WAY

JESUS TURULLLOS  
VOL. 8934, PAGE 985  
D.R.T.C.T.  
(25.25-ACRES)

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



TITLE VESTED TO:  
SEE PAGE 5 OF 5

LINE	BEARING	DISTANCE
L1	S29°40'59\"E	100.00'
L2	S60°19'01\"W	100.00'
L3	N29°40'59\"W	100.00'
L4	N60°19'01\"E	100.00'

VALLE GRANT

DEL NO. 24

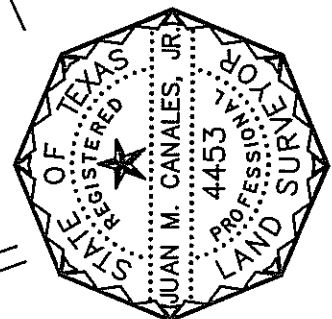
LOT 29

ONION CREEK  
[S12°54'00\"E 242.48']  
[S13°03'00\"E 242.48']

SANTIAGO  
ABSTRACT

WITH NAIL IN DAM  
[VOL. 12159, PAGE 85  
O.P.R.T.C.T.]

Client: URS  
Date: January 7, 2010  
Office: Stephen Lawrence  
Crew: S. Dunn  
F.B.: 1205/1  
Path: c:\dwg 11\urs-rinard to slaughter\grid\seg 23-grid-base.dwg  
Job No.: 610-12-07



BLOCK L  
ONION CREEK SECTION 6-A  
(BK. 85, PGS. 146B-146D P.R.T.C.T.)  
(DRAINAGE AND PUBLIC UTILITY  
EASEMENT)

*Juan M. Canales, Jr.*  
1-11-2010

PAGE 3 OF 5

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

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

The property described hereon is contained within Zone AE and Zone X (shaded) 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.

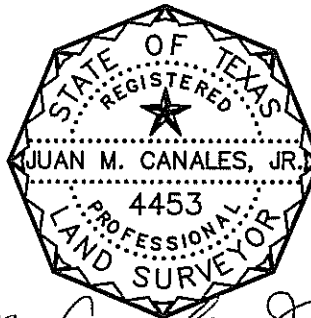
10i. An electric and telephone line easement granted to the City of Austin, dated May 12, 1965, by instrument recorded in Volume 2969, Page 228 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

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 Ventuer 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.



*Juan M. Canales, Jr.*  
1-11-2010

Client: URS  
Date: January 7, 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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## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

10l. 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 NOT 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 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 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 NOT 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, overlapping of improvements, 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.

### 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  
KEITH H. HARMON AND BONNIE HARMON DOC. NO.  
2000178631

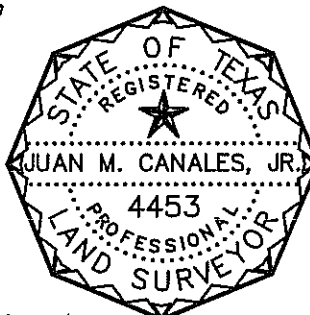
AS SURVEYED BY  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00

*Juan M. Canales Jr. 1-11-2010*  
JUAN M. CANALES, JR.

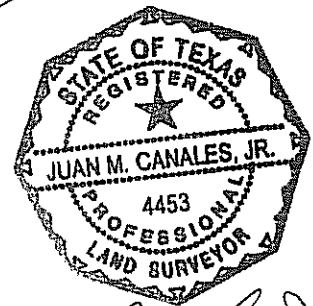
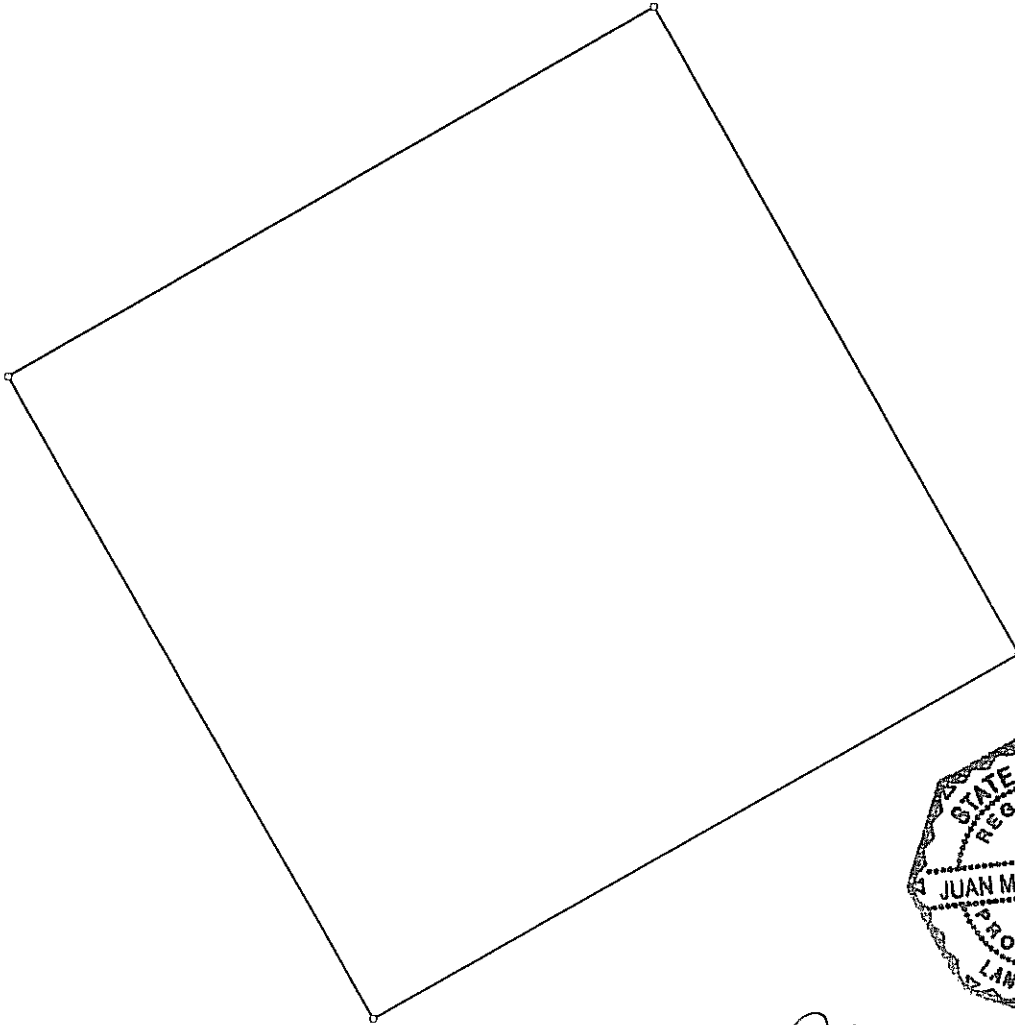
Registered Professional Land Surveyor No. 4453  
DATE: JANUARY 7, 2009

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

Client: URS  
Date: January 7, 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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PH: (512)328-7411 FAX: (512)328-7413



*Juan M. Canales, Jr.*  
1-11-2010

Title: 4558.126_WWE-2		Date: 01-05-2010
Scale: 1 inch = 26 feet	File: 4558.126_WWE-2.des	
Tract 1: 0.230 Acres: 10000 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 400 Feet		
001=s29.4059e 100.00	003=n29.4059w 100.00	
002=s60.1901w 100.00	004=n60.1901e 100.00	