

RESOLUTION NO. 20110728-036

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owners on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: HFH Investments, LP

Project: South IH-35 Water and Wastewater Infrastructure
Improvements Program Project

Public Purpose: the permanent waterline easements described in the attached Exhibits "A" and "B" are necessary to construct, operate, maintain, repair, replace, and upgrade waterlines and associated appurtenances and making connections therewith, in order to increase and improve the City's ability to provide potable water to the public and to prevent leakage from water lines;

the temporary working space easements described in the attached Exhibits "C" and "D" are necessary to install the permanent water lines, appurtenances thereto in the waterline easements described in the attached Exhibits A and B; and

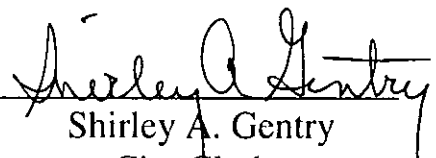
the temporary staging area and material storage site easements described in the attached Exhibits "E" and "F" are necessary to install the permanent waterlines and appurtenances thereto in the permanent water line easements described in the attached Exhibits A and B.

Location: North of FM 1327, west of Bradshaw road, and east of IH-35 in Travis County, Texas.

Property: Described in the attached and incorporated Exhibits A, B, C, D, E and F.

ADOPTED: July 28, 2011

ATTEST:


Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " A "

(WATERLINE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.014

DESCRIPTION FOR PARCEL 4558.16WE-1

LEGAL DESCRIPTION OF A 4.647 ACRE (202,427 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785, AND THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, BOTH IN TRAVIS COUNTY, TEXAS, SAID 4.647 ACRE TRACT BEING A PORTION OF A 449.05 ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.647 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set in the east line of a 10.01 acre tract described in Document No. 2006143593 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,905.49, E=3,098,675.97, for the southwest corner and **POINT OF BEGINNING** of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of F.M. 1327 (right-of-way width varies), at the southeast corner of said 10.01 acre tract, bears South 02°08'36" East, a distance of 20.00 feet;

THENCE North 02°08'36" West, with the east line of said 10.01 acre tract, a distance of 30.00 feet to a 60d nail set for the northwest corner of this tract, from which a 5/8" iron rod found at the northeast corner of said 10.01 acre tract, bears North 02°08'36" West, a distance of 399.78 feet;

THENCE over and across said 449.05 acre tract, the following eight (8) courses:

1. North 87°52'38" East, a distance of 1609.15 feet to a 60d nail set for an angle point;
2. North 87°35'38" East, a distance of 1891.97 feet to a 60d nail set for an angle point;
3. North 44°33'33" East, a distance of 835.00 feet to a 60d nail set for an angle point;

4. North 48°25'11" East, a distance of 210.72 feet to a 60d nail set at a non-tangent point of curvature, from which the calculated radius point of said non-tangent curve bears North 39°58'34" West, a distance of 1361.72 feet;
5. With a curve to the left, having an arc length of 547.15 feet, a radius of 1361.72 feet, and a chord which bears North 38°30'47" East, a distance of 543.48 feet to a 60d nail set for a point of tangency;
6. North 27°26'30" East, a distance of 470.87 feet to a 60d nail set for an angle point;
7. North 27°14'40" East, a distance of 1061.87 feet to a 60d nail set for an angle point;
8. North 08°31'01" East, a distance of 162.67 feet to a 60d nail set in the most easterly north line of said 449.05 acre tract, same being the southwest line of a 157.687 acre tract (according to a survey prepared by Roy D. Smith, dated May 1, 2006) described in Volume 3944, Page 560, and further described in Volume 5393, Page 1594, both of the Deed Records of Travis County, Texas, for the most northerly corner of this tract, from which a 1/2" iron rod found at a corner in the north line of said 449.05 acre tract, same being a corner in the south line of said 157.687 acre tract, bears North 66°06'27" West, a distance of 870.60 feet, North 60°16'03" West, a distance of 193.22 feet, and North 59°57'05" West, a distance of 350.42 feet;

THENCE South 66°06'27" East, with the most easterly north line of said 449.05 acre tract and the southwest line of said 157.687 acre tract, a distance of 31.11 feet to a 60d nail set for the northeast corner of this tract, from which a brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327 with the northwest right-of-way line of Bradshaw Road (right-of-way width varies), same being the southeast corner of said 449.05 acre tract, bears South 66°06'27" East, passing at a distance of 52.32 feet, a 1/2" iron rod found at the south corner of said 157.687 acre tract, for a total distance of 59.37 feet, South 27°44'34" West, a distance of 1978.38 feet, South 31°48'34" West, a distance of 133.76 feet, South 55°11'34" West, a distance of 346.34 feet, and South 44°30'34" West, a distance of 889.43 feet;

THENCE over and across said 449.05 acre tract, the following two (2) courses:

1. South 08°31'01" West, a distance of 159.37 feet to a 60d nail set for an angle point;
2. South 27°14'40" West, a distance of 776.34 feet to a 60d nail set in the west right-of-way line of said Bradshaw Road, same being the southeast line of said 449.05 acre tract, from which a calculated point at a corner in the northwest right-of-way line of Bradshaw Road, same being the northeast corner of said 449.05 acre tract, bears North 27°44'34" East, a distance of 930.78 feet;

THENCE South 27°44'34" West, with the northwest right-of-way line of said Bradshaw Road and the southeast line of said 449.05 acre tract, a distance of 898.42 feet to a 60d nail set at a non-tangent point of curvature, from which the calculated radius point of said non-tangent curve, bears North 57°20'35" West, a distance of 1391.72 feet, and also from which non-tangent point of curvature, a calculated angle point in the northwest right-of-way line of said Bradshaw Road

and the southeast line of said 449.05 acre tract, bears South 27°44'34" West, a distance of 149.18 feet;

THENCE over and across said 449.05 acre tract, the following two (2) courses:

1. With a curve to the right, having an arc length of 421.43 feet, a radius of 1391.72 feet, and a chord which bears South 41°19'54" West, a distance of 419.82 feet to a 60d nail set for a point of tangency;
2. South 48°25'11" West, a distance of 180.46 feet to 60d nail set in the northwest right-of-way line of said Bradshaw Road and the southeast line of said 449.05 acre tract, from which a calculated angle point in the northwest right-of-way line of said Bradshaw Road and the southeast line of said 449.05 acre tract, bears North 55°11'34" East, a distance of 331.63 feet;

THENCE with the northwest right-of-way line of said Bradshaw Road and the southeast line of said 449.05 acre tract, the following two (2) courses:

1. South 55°11'34" West, a distance of 14.71 feet to a 60d nail set for an angle point;
2. South 44°30'34" West, a distance of 860.15 feet to a 60d nail set for an angle point, from which said brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327 with the northwest right-of-way line of said Bradshaw Road, and at the southeast corner of said 449.05 acre tract, bears South 44°30'34" West, a distance of 29.28 feet;

THENCE over and across said 449.05 acre tract, the following two (2) courses:

1. South 87°35'38" West, a distance of 180.47 feet to a 60d nail set for an interior corner;
2. South 02°24'22" East, a distance of 19.98 feet to a 60d nail set in the north right-of-way line of said F.M. 1327, same being the south line of said 449.05 acre tract, for a corner in the south line of this tract, from which said brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327 with the northwest right-of-way line of said Bradshaw Road, and at the southeast corner of said 449.05 acre tract, bears North 87°36'06" East, a distance of 159.08 feet;

THENCE South 87°36'06" West, with the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, a distance of 15.00 feet to a 60d nail set for a corner in the south line of this tract, from which said 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of said F.M. 1327, at the southeast corner of said 10.01 acre tract, bears South 87°36'06" West, a distance of 1708.42 feet to a calculated angle point, (from which calculated angle point a disturbed TxDOT Type I concrete monument found, bears South 30°13'14" East, a distance of 1.81 feet) and South 87°52'06" West, a distance of 1609.26 feet;

THENCE over and across said 449.05 acre tract, the following three (3) courses:

1. North 02°24'22" West, a distance of 19.98 feet to a 60d nail set for an interior corner;

2. South 87°35'38" West, a distance of 1080.00 feet to a 60d nail set for an interior corner;
3. South 02°24'22" East, a distance of 19.83 feet to a 60d nail set in the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, for a corner in the south line of this tract;

THENCE South 87°36'06" West, with the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, a distance of 15.00 feet to a 60d nail set for a corner in the south line of this tract;

THENCE over and across said 449.05 acre tract, the following four (4) courses:

1. North 02°24'22" West, a distance of 19.83 feet to a 60d nail set for an interior corner;
2. South 87°35'38" West, a distance of 613.37 feet to a 60d nail set for an angle point;
3. South 87°52'38" West, a distance of 1021.71 feet to a 60d nail set for an interior corner;
4. South 02°07'22" East, a distance of 19.91 feet to a 60d nail set in the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, for a corner in the south line of this tract;

THENCE South 87°52'06" West, with the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, a distance of 15.00 feet to a 60d nail set for a corner in the south line of this tract;

THENCE over and across said 449.05 acre tract, the following three (3) courses:

1. North 02°07'22" West, a distance of 19.91 feet to a 60d nail set for an interior corner;
2. South 87°52'38" West, a distance of 535.00 feet to a 60d nail set for an interior corner;
3. South 02°07'22" East, a distance of 19.99 feet to a 60d nail set in the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, for a corner in the south line of this tract;

THENCE South 87°52'06" West, with the north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, a distance of 15.00 feet to a 60d nail set for a corner in the south line of this tract, from which said 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of said F.M. 1327, at the southeast corner of said 10.01 acre tract, bears South 87°52'06" West, a distance of 22.50 feet;

THENCE over and across said 449.05 acre tract, the following two (2) courses:

1. North 02°07'22" West, a distance of 20.00 feet to a 60d nail set for an interior corner;
2. South 87°52'38" West, a distance of 22.51 feet to the **POINT OF BEGINNING**, containing 4.647 acres (202,427 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

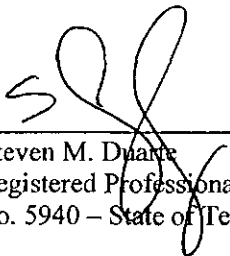
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

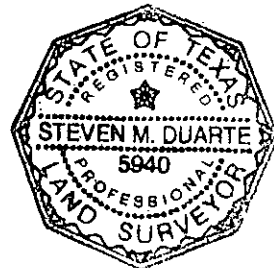
KNOW ALL MEN BY THESE PRESENTS:

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of July, 2009, A.D.

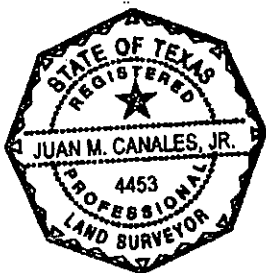
Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875


Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 – State of Texas

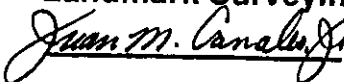


REFERENCES

MAPSCO 2003, 733-H, AUSTIN GRID NO. F-9
734-A&E, GRID NO. G-9
704-X, GRID NO. G-10
TCAD PARCEL ID NO. 04-5618-0201
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-03-08



Reviewed and Approved by
Landmark Surveying, LP

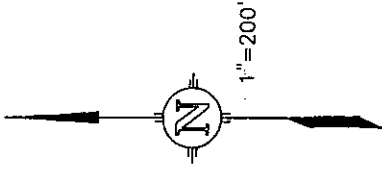
 Date 7-1-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

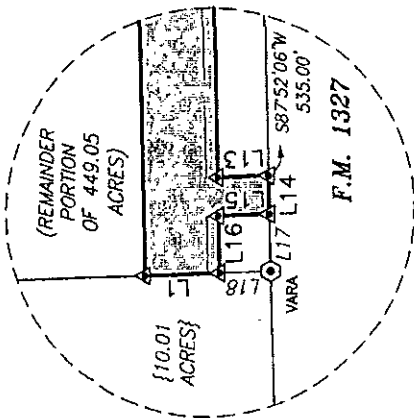
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Line Table

No.	Bearing	Distance
L1	N02°08'36"W	30.00'
L2	S48°25'11"W	180.46'
L3	S02°24'22"E	19.98'
L4	S87°36'06"W	15.00'
L5	N02°24'22"W	19.98'
L6	N87°36'06"E	159.08'
L7	S02°24'22"E	19.83'
L8	S87°36'06"W	15.00'
L9	N02°24'22"W	19.83'
L10	S02°07'22"E	19.91'
L11	S87°52'06"W	15.00'
L12	N02°07'22"W	19.91'
L13	S02°07'22"E	19.99'
L14	S87°52'06"W	15.00'
L15	N02°07'22"W	20.00'
L16	S87°52'38"W	22.51'
L17	S87°52'06"W	22.50'
L18	S02°08'36"E	20.00'



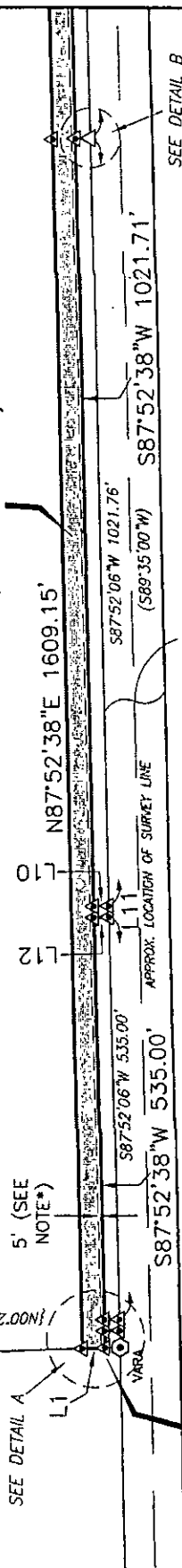
DETAIL A
N.T.S.



HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.I.
(REMAINDER PORTION
OF 449.05 ACRES)

TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785

PARCEL 4558.16WE-1
4.647 AC.
(202,427 SQ. FT.)



SEE DETAIL B

F.M. 1327

(RIGHT-OF-WAY WIDTH VARIES)

HENRY M. DOWNMANN
SURVEY NO. 536
ABSTRACT NO. 218

POINT OF
BEGINNING
N=10,013,905.49
E= 3,098,675.97
GRID

BOONE &
HERMAN'S, LLC.
DOC. NO. 2005065897
CORRECTED IN
DOC. NO. 2006143593
O.P.R.T.C.I.
{10.01 ACRES}

SEE DETAIL A

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH: (512)442-7875
FAX: (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURY.COM

DATE: 07-01-09
DRAWN BY: smd
MAP JOB NO.: 398-03-08
REFERENCE:
J:\JOBS\URS\398-04-08 SouthH35\DWG\4558.16WE-1.dwg

PAGE 6 OF 9

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND

TXDOT TYPE I
CONCRETE MONUMENT
FOUND

BRASS DISK IN
CONCRETE STAMPED
"HERMAN HEEP
PROPERTY" FOUND

1/2" IRON ROD WITH
PLASTIC CAP STAMPED
" " FOUND

IRON ROD FOUND (SIZE NOTED)

CALCULATED POINT

60d NAIL SET

DEED RECORDS OF
TRAVIS COUNTY, TEXAS

OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS

RECORD INFORMATION FROM
DOC. NO. 2000089761

RECORD INFORMATION FROM ROY
SMITH SURVEY--**SEE NOTE

RECORD INFORMATION FROM
DOC. NO. 2006143593

HFH INVESTMENTS LP (PER TCAD)

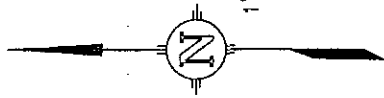
DOC. NO. 2000089761

O.P.R.T.C.T.

(REMAINDER PORTION
OF 449.05 ACRES)

SANTIAGO DEL
VALLE GRANT
ABSTRACT NO. 24

TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785



PARCEL 4558.16WE-1
4.647 AC.
(202,427 SQ. FT.)

5' (SEE
NOTE*)

30'

L7

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Curve Table

NUMBER	Delta Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	23°01'19"	1361.72'	547.15'	543.48'	N38°30'47"E
C2	17°20'59"	1391.72'	421.43'	419.82'	S41°19'54"W

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER PORTION
OF 449.05 ACRES)

SANTIAGO DEL
VALLE GRANT
ABSTRACT NO. 24

APPROX. LOCATION OF SURVEY LINE

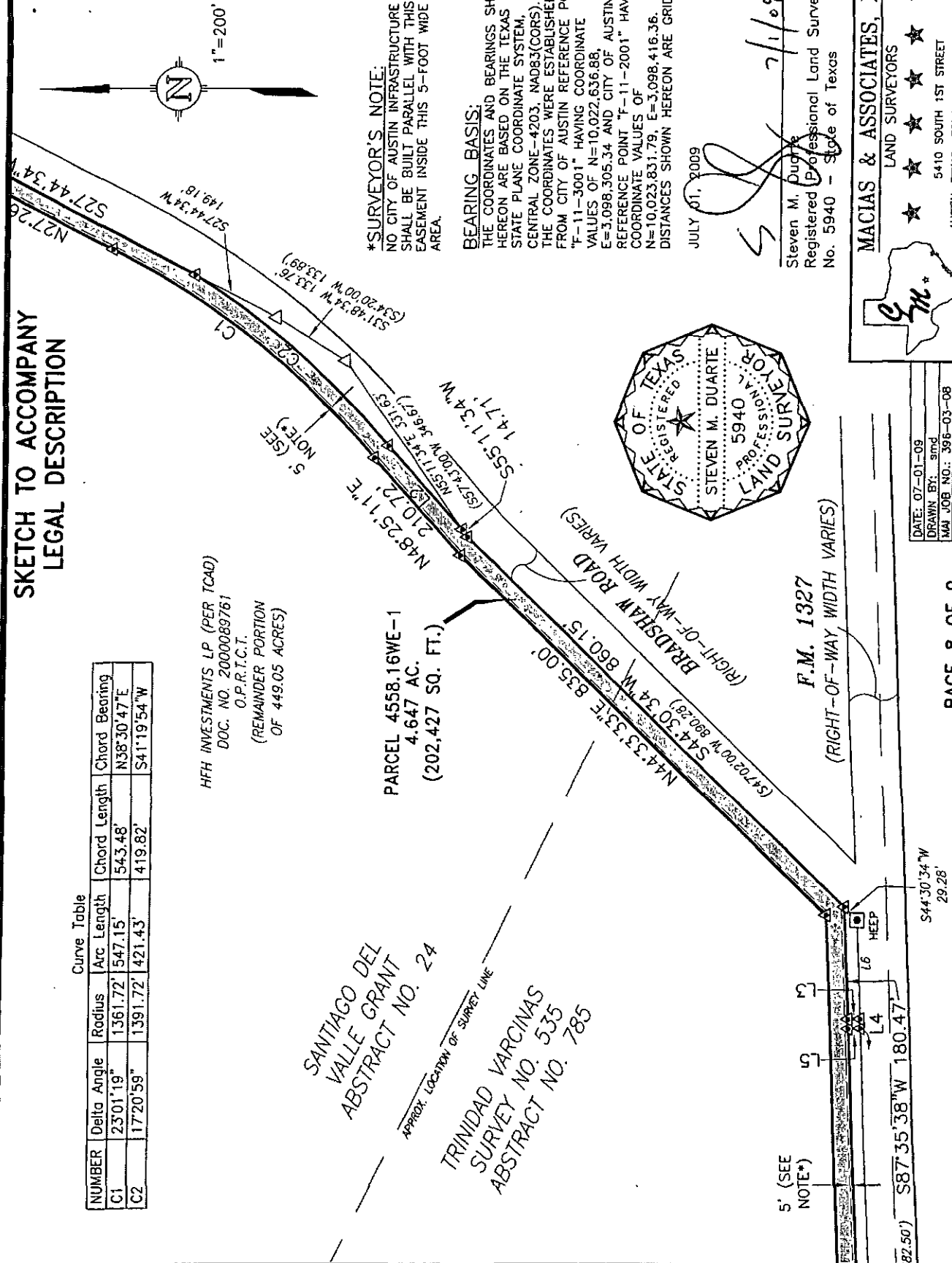
TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785

PARCEL 4558.16WE-1
4.647 AC.
(202,427 SQ. FT.)

BRADSHAW ROAD
(RIGHT-OF-WAY WIDTH VARIES)
F.M. 1327
(RIGHT-OF-WAY WIDTH VARIES)

5' (SEE
NOTE*)

S87°35'38"W 180.47'
S44°30'34"W 29.28'



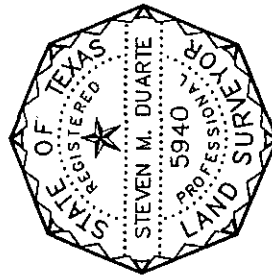
*SURVEYOR'S NOTE:
NO CITY OF AUSTIN INFRASTRUCTURE
SHALL BE BUILT PARALLEL WITH THIS
EASEMENT INSIDE THIS 5-FOOT WIDE
AREA.

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN
HEREON ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM,
CENTRAL ZONE-4203, NAD83(CORS).
THE COORDINATES WERE ESTABLISHED
FROM CITY OF AUSTIN REFERENCE POINT
"F-11-3001" HAVING COORDINATE
VALUES OF N=10,022,636.88,
E=3,098,305.34 AND CITY OF AUSTIN
REFERENCE POINT "F-11-2001" HAVING
COORDINATE VALUES OF
N=10,023,831.79, E=3,098,416.36.
DISTANCES SHOWN HEREON ARE GRID.

JULY 01, 2009

Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas



MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

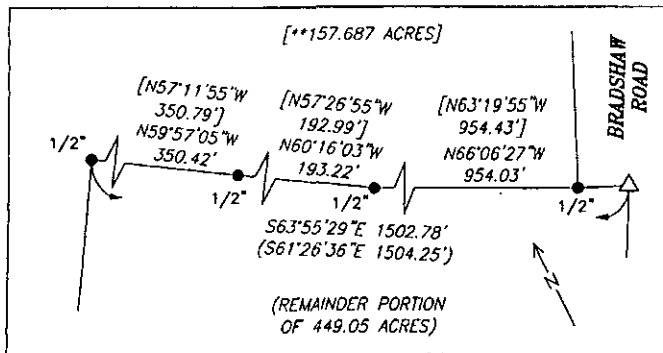
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACIASURF.COM

DATE: 07-01-09
DRAWN BY: smd
JOB NO.: 396-03-08
REFERENCE:

PAGE 8 OF 9

J:\J085\URS\396-04-08 SouthH35\DWG\4558.16WE-1.dwg

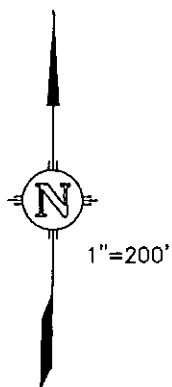
**SKETCH TO
ACCOMPANY
LEGAL
DESCRIPTION**



DETAIL C
N.T.S.

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER PORTION
OF 449.05 ACRES)

PARCEL 4558.16WE-1
4.647 AC.
(202,427 SQ. FT.)



BRADSHAW ROAD
(RIGHT-OF-WAY WIDTH VARIES)

SANTIAGO DEL
VALLE GRANT
ABSTRACT NO. 24

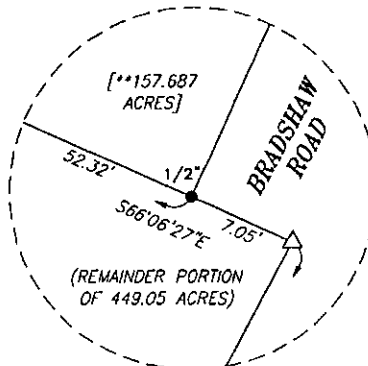
S66°06'27"E
31.11'

SEE DETAIL D

N08°31'01"E
162.67'

LOWER COLORADO
RIVER AUTHORITY
VOL. 1066, PG. 35
D.R.T.C.T.
(100' R.O.W.)

S08°31'01"W
159.37'



DETAIL D
N.T.S.

DATE: 07-01-09
DRAWN BY: smd
MAI JOB NO.: 396-03-08
REFERENCE:

J:\JOBS\URS\396-04-08 SouthH35\DWG\4558.16WE-1.dwg

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS
★ ★ ★ ★ ★ ★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " B "

(WATERLINE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM

DESCRIPTION FOR PARCEL 4558.16 WE 1-A, 1-B & 1-C

LEGAL DESCRIPTION OF AN 895 SQUARE-FOOT TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 895 SQUARE-FOOT TRACT BEING OUT OF THE REMAINDER OF A CALLED 449.05-ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 895 SQUARE-FOOT TRACT BEING COMPRISED OF THREE (3) PARTS, PART 1-A CONTAINING 300 SQUARE FEET, PART 1-B CONTAINING 297 SQUARE FEET AND PART 1-C CONTAINING 298 SQUARE FEET, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1-A

BEGINNING FOR REFERENCE on a 5/8-inch diameter iron rod with plastic cap stamped "VARA" found in the northerly right-of-way line of F.M. 1327 (right-of-way width varies), same being a southwesterly corner of the above-mentioned remainder of the 449.05-acre tract, being also the southeasterly corner of a called 10.01-acre tract of land conveyed to Boone & Herman's, LLC. in Document No. 2005065897 of the Official Public Records of Travis County, Texas and corrected in Document No. 2006143593 of said Official Public Records: THENCE with said northerly right-of-way line, same being the southerly boundary line of said remainder of the 449.05-acre tract, N87°52'06"E a distance of 62.50 feet to a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,887.83, E=3,098,739.17, for the southwest corner and **POINT OF BEGINNING** of this tract,

THENCE departing said northerly right-of-way line, through the interior of said remainder of the 449.05-acre tract, the following three (3) courses and distances:

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 •
w w w . m a c i a s w o r l d . c o m

1. N02°07'22"W for a distance of 19.99 feet to a 60d nail set in the southerly boundary line of a called 4.647-acre Waterline Easement conveyed to the City of Austin by Right of Entry and Possession recorded in Document No. 2010027080 of said Official Public Records, for the northwest corner of this tract;
2. With said southerly boundary line of the Waterline Easement, N87°52'38"E for a distance of 15.00 feet to a 60d nail set for the northeast corner of this tract;
3. Departing said southerly boundary line of the Waterline Easement, S02°07'22"E for a distance of 19.99 feet to a 60d nail set in said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, for the southeast corner of this tract, from which a brass disk stamped "HERMAN HEEP CORNER" found on the intersection point of said northerly right-of-way line of F.M. 1327 and the westerly right-of-way line of Bradshaw Road (right-of-way width varies), bears along said northerly right-of-way line and said southerly boundary line of the remainder of the 449.05-acre tract, N87°52'06"E a distance of 1,531.75 feet to a calculated angle point and N87°36'06"E a distance of 1,882.50 feet;

THENCE with said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, S87°52'06"W for a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 300 square feet of land.

PART 1-B

BEGINNING FOR REFERENCE on a 5/8-inch diameter iron rod with plastic cap stamped "VARA" found in the northerly right-of-way line of F.M. 1327 (right-of-way width varies), same being a southwesterly corner of the above-mentioned remainder of the 449.05-acre tract, being also the southeasterly corner of a called 10.01-acre tract of land conveyed to Boone & Herman's, LLC. in Document No. 2005065897, of the Official Public Records of Travis County, Texas and corrected in Document No. 2006143593 of said Official Public Records: **THENCE** with said northerly right-of-way line, same being the southerly boundary line of said remainder of the 449.05-acre tract, N87°52'06"E a distance of 1,482.51 feet to a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,940.66, E=3,100,158.20, for the southwest corner and **POINT OF BEGINNING** of this tract,

THENCE departing said northerly right-of-way line, through the interior of said remainder of the 449.05-acre tract, the following three (3) courses and distances:

1. N02°07'54"W for a distance of 19.77 feet to a 60d nail set in the southerly boundary line of a called 4.647-acre Waterline Easement conveyed to the City of Austin by Right of Entry and Possession recorded in Document No. 2010027080 of said Official Public Records, for the northwest corner of this tract;

2. With said southerly boundary line of the Waterline Easement, N87°52'38"E for a distance of 15.00 feet to a 60d nail set for the northeast corner of this tract;
3. Departing said southerly boundary line of the Waterline Easement, S02°07'54"E for a distance of 19.77 feet to a 60d nail set in said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, for the southeast corner of this tract, from which a brass disk stamped "HERMAN HEEP CORNER" found on the intersection point of said northerly right-of-way line of F.M. 1327 and the westerly right-of-way line of Bradshaw Road (right-of-way width varies), bears along said northerly right-of-way line and said southerly boundary line of the remainder of the 449.05-acre tract, N87°52'06"E a distance of 111.74 feet to a calculated angle point and N87°36'06"E a distance of 1,882.50 feet;

THENCE with said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, S87°52'06"W for a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 297 square feet of land.

PART 1-C

BEGINNING FOR REFERENCE on a 5/8-inch diameter iron rod with plastic cap stamped "VARA" found in the northerly right-of-way line of F.M. 1327 (right-of-way width varies), same being a southwesterly corner of the above-mentioned remainder of the 449.05-acre tract, being also the southeasterly corner of a called 10.01-acre tract of land conveyed to Boone & Herman's, LLC. in Document No. 2005065897, of the Official Public Records of Travis County, Texas and corrected in Document No. 2006143593 of said Official Public Records: **THENCE** with said northerly right-of-way line, same being the southerly boundary line of said remainder of the 449.05-acre tract, N87°52'06"E a distance of 1,609.26 feet to calculated angle point and N87°36'06"E a distance of 653.42 feet a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,972.72, E=3,100,937.71, for the southwest corner and **POINT OF BEGINNING** of this tract,

THENCE departing said northerly right-of-way line, through the interior of said remainder of the 449.05-acre tract, the following three (3) courses and distances:

1. N02°24'22"W for a distance of 19.84 feet to a 60d nail set in the southerly boundary line of a called 4.647-acre Waterline Easement conveyed to the City of Austin by Right of Entry and Possession recorded in Document No. 2010027080 of said Official Public Records, for the northwest corner of this tract;
2. With said southerly boundary line of the Waterline Easement, N87°35'38"E for a distance of 15.00 feet to a 60d nail set for the northeast corner of this tract;

3. Departing said southerly boundary line of the Waterline Easement, S02°24'22"E for a distance of 19.84 feet to a 60d nail set in said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, for the southeast corner of this tract, from which a brass disk stamped "HERMAN HEEP CORNER" found on the intersection point of said northerly right-of-way line of F.M. 1327 and the westerly right-of-way line of Bradshaw Road (right-of-way width varies), bears along said northerly right-of-way line and said southerly boundary line of the remainder of the 449.05-acre tract, N87°36'06"E a distance of 1,214.08 feet;

THENCE with said northerly right-of-way line, same being said southerly boundary line of the remainder of the 449.05-acre tract, S87°36'06"W for a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 298 square feet of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

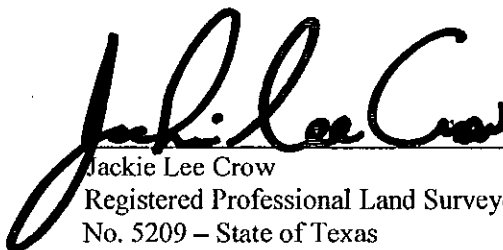
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

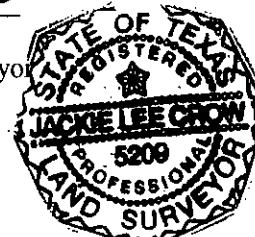
KNOW ALL MEN BY THESE PRESENTS:

That I, Jackie Lee Crow, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 9th of December, 2010, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875


Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 – State of Texas

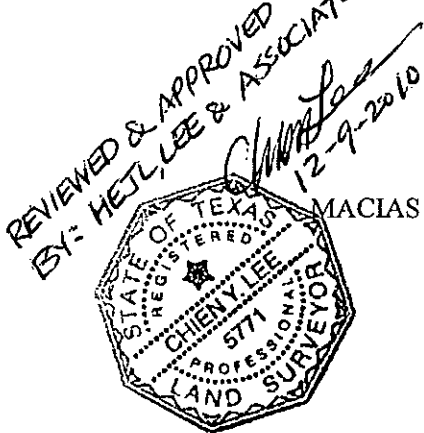


REFERENCES

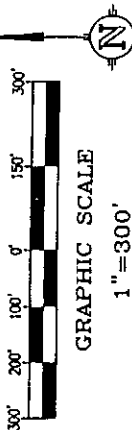
MAPSCO 2009, 733-H, GRID NO. F-9
& 734- E, GRID NO. G-9

TCAD PARCEL ID NO. 04-5618-0201

MACIAS & ASSOCIATES, L.P., PROJECT NO. 444-01-08



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



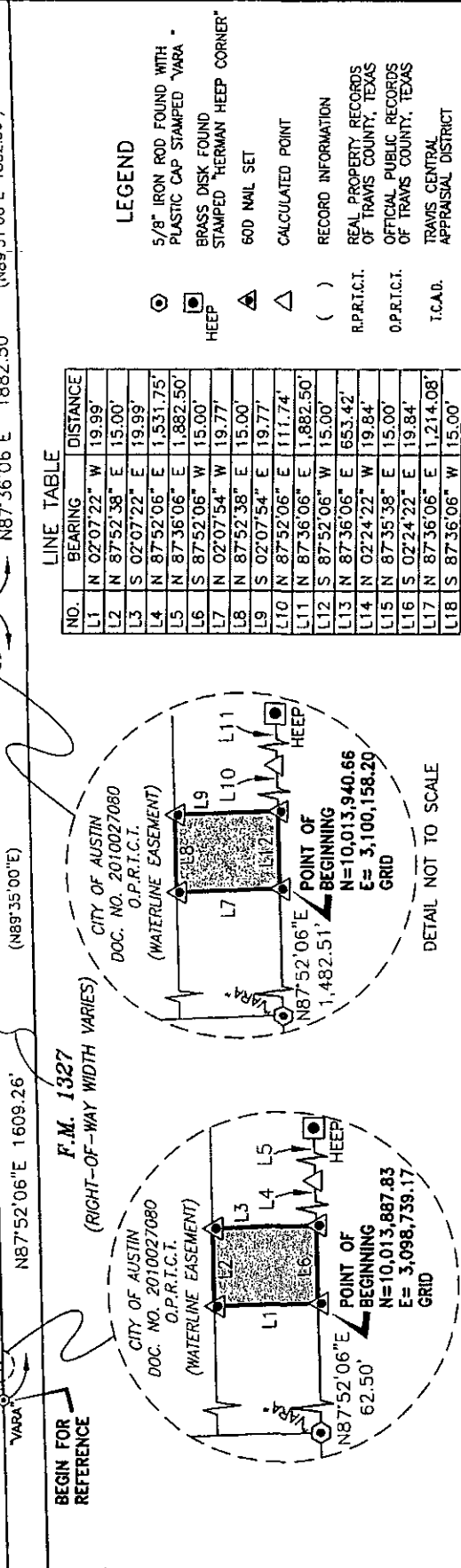
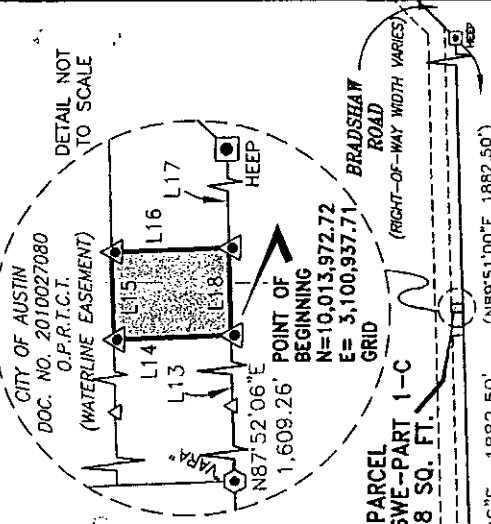
HFH INVESTMENT, L.P. (PER T.C.A.D.)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER
OF 449.05 ACRES)

BOONE &
HERMAN'S, LLC.
DOC. NO.
2005065897
CORRECTED IN
DOC. NO.
2006143593
O.P.R.T.C.T.
{10.01 ACRES}

CITY OF AUSTIN
RIGHT OF ENTRY
AND POSSESSION
DOC. NO. 2010027080
O.P.R.T.C.T.
(WATERLINE EASEMENT)
(4.647 ACRES)

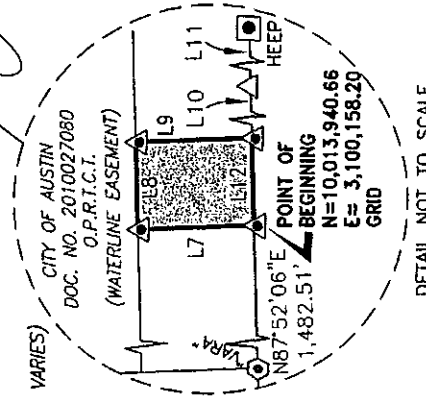
PARCEL
4558.16WE-PART 1-B
297 SQ. FT.

PARCEL
4558.16WE-PART 1-C
298 SQ. FT.



BEGIN FOR
REFERENCE

F.M. 1327
(RIGHT-OF-WAY WIDTH VARIES)



NO.	BEARING	DISTANCE
L1	N 02°07'22\"	W 19.99'
L2	N 87°52'38\"	E 15.00'
L3	S 02°07'22\"	E 19.99'
L4	N 87°52'06\"	E 1.531.75'
L5	N 87°36'06\"	E 1,982.50'
L6	S 87°52'06\"	W 15.00'
L7	N 02°07'54\"	W 19.77'
L8	N 87°52'38\"	E 15.00'
L9	S 02°07'54\"	E 19.77'
L10	N 87°52'06\"	E 111.74'
L11	N 87°36'06\"	E 1,882.50'
L12	S 87°52'06\"	W 15.00'
L13	N 87°36'06\"	E 653.42'
L14	N 02°24'22\"	W 19.84'
L15	N 87°35'38\"	E 15.00'
L16	S 02°24'22\"	E 19.84'
L17	N 87°36'06\"	E 1,214.08'
L18	S 87°36'06\"	W 15.00'

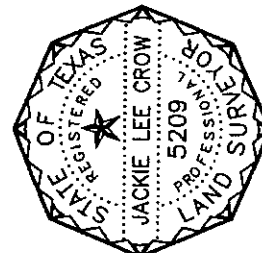
LEGEND

- 5/8" IRON ROD FOUND WITH PLASTIC CAP STAMPED "VARA"
- BRASS DISK FOUND STAMPED "HERMAN HEEP CORNER"
- 600 NAIL SET
- CALCULATED POINT
- RECORD INFORMATION
- REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- T.C.A.D.
- TRAVIS CENTRAL APPRAISAL DISTRICT

DETAIL NOT TO SCALE

DETAIL NOT TO SCALE

BEARING BASIS:
THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.35. DISTANCES SHOWN HEREON ARE GRID.



Jackie Lee Crow
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas

DATE: 12-9-2010
DRAWN BY: J. CROW
MAP JOB NO.: 444-01-08
REFERENCE:
H:\WORKS\URS\398-04-08 SouthH35\HL ESKY\DWG\4558.16-ABC.DWG

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH: (512) 442-7875
FAX (512) 442-7876 EMAIL: CARMELO.MACIAS@MACIASUR.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " C "

(TEMPORARY WORKING SPACE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.013

DESCRIPTION FOR PARCEL 4558.16 TWSE

LEGAL DESCRIPTION OF A 0.094 ACRE (4,098 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 0.094 ACRE TRACT BEING A PORTION OF A 449.05 ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS, AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.094 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with TxDOT aluminum cap found at the intersection of the east right-of-way line of Interstate Highway No. 35 (right-of-way width varies) and the south line of a 10.59 acre tract described in Document No. 2005065891 of the Official Public Records of Travis County, Texas, for the northeast corner of a 0.215 acre tract described in Document No. 2007024746 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,016,476.29, E=3,096,531.27, for the northwest corner and **POINT OF BEGINNING** of this tract, from which a TxDOT Type II brass disk in concrete found (Station 1438+73.82, 276.04' Left) for a point of curvature in said east right-of-way line of Interstate Highway No. 35, bears North 16°35'58" East, a distance of 287.06 feet;

THENCE South 72°01'25" East, over and across said 449.05 acre tract with the south line of said 10.59 acre tract, a distance of 50.01 feet to a calculated point for the northeast corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the southeast corner of said 10.59 acre tract, bears South 72°01'25" East, a distance of 266.81 feet;

THENCE continuing over and across said 449.05 acre tract, the following three (3) courses:

1. South 16°35'58" West, 50 feet from and parallel with said east right-of-way line of Interstate Highway No. 35 and the east line of said 0.215 acre tract, a distance of 30.55 feet to a calculated point for an angle point in the east line of this tract;
2. South 28°24'05" East, a distance of 28.28 feet to a calculated point for an angle point in the east line of this tract;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 • www.maciasworld.com

3. South 16°35'58" West, 70 feet from and parallel with said east right-of-way line of Interstate Highway No. 35 and the east line of said 0.215 acre tract, a distance of 20.00 feet to a calculated point in the north line of a 10.26 acre tract described in Document No. 2005065895 of the Official Public Records of Travis County, Texas, for the southeast corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the northeast corner of said 10.26 acre tract, bears South 72°01'40" East, a distance of 245.11 feet;

THENCE North 72°01'40" West, continuing over and across said 449.05 acre tract with the north line of said 10.26 acre tract, a distance of 70.02 feet to a 1/2" iron rod with TxDOT aluminum cap found at the intersection of said east right-of-way line of Interstate Highway No. 35 and the north line of said 10.26 acre tract, for the southeast corner of said 0.215 acre tract and the southwest corner of this tract, from which a TxDOT Type II brass disk in concrete found (Station 1454+03.97, 313.21' Left) for a point of curvature in said east right-of-way line of Interstate Highway No. 35, bears South 16°35'58" West, a distance of 1173.33 feet;

THENCE North 16°35'58" East, continuing over and across said 449.05 acre tract with said east right-of-way line of Interstate Highway No. 35 and the east line of said 0.215 acre tract, a distance of 70.07 feet to the **POINT OF BEGINNING**, containing 0.094 acres (4,098 square feet) of land.

BEARING BASIS NOTE

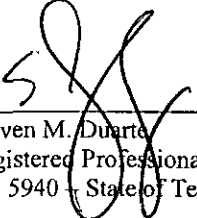
The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

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

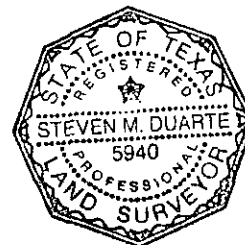
That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 3rd day of April, 2009, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

 4/9/09

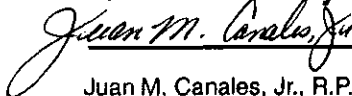
Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas



REFERENCES

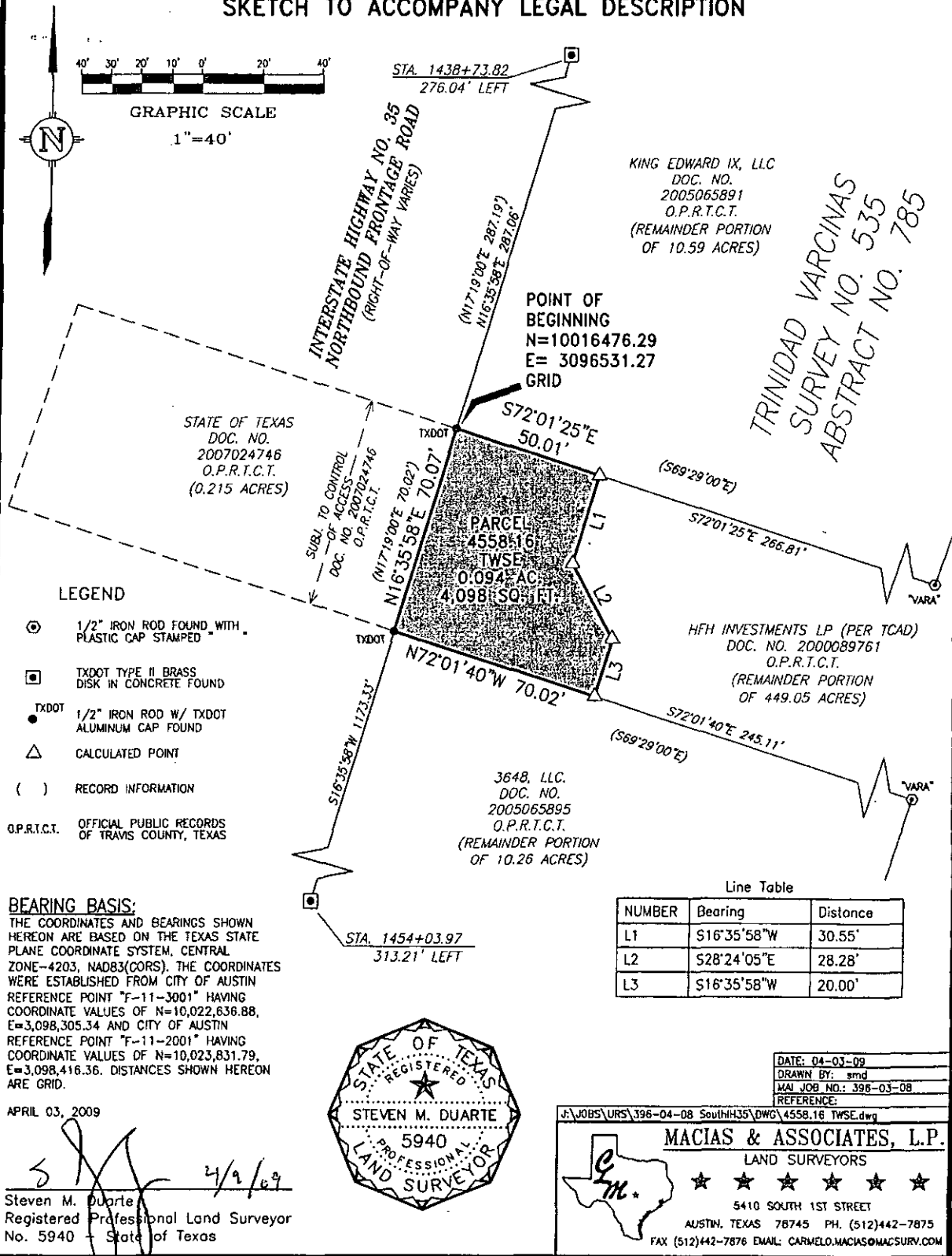
MAPSCO 2003 ,733-C
AUSTIN GRID NO. F-9
TCAD PARCEL ID NO. 04-5618-0201
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-03-08

Reviewed and Approved by
Landmark Surveying, LP

 Date 4-9-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

SKETCH TO ACCOMPANY LEGAL DESCRIPTION





MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " D "

(TEMPORARY WORKING SPACE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.014

DESCRIPTION FOR PARCEL 4558.16TWSE-1

LEGAL DESCRIPTION OF A 3.111 ACRE (135,522 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785, AND THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, BOTH IN TRAVIS COUNTY, TEXAS, SAID 3.111 ACRE TRACT BEING A PORTION OF A 449.05 ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.111 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set in the east line of a 10.01 acre tract described in Document No. 2006143593 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,935.47, E=3,098,674.84, for the southwest corner and **POINT OF BEGINNING** of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of F.M. 1327 (right-of-way width varies), at the southeast corner of said 10.01 acre tract, bears South 02°08'36" East, a distance of 50.00 feet;

THENCE North 02°08'36" West, with the east line of said 10.01 acre tract, a distance of 20.00 feet to a calculated point for the northwest corner of this tract, from which a 5/8" iron rod found at the northeast corner of said 10.01 acre tract, bears North 02°08'36" West, a distance of 379.78 feet;

THENCE over and across said 449.05 acre tract, the following eight (8) courses:

1. North 87°52'38" East, a distance of 1609.11 feet to a calculated angle point;
2. North 87°35'38" East, a distance of 1884.04 feet to a calculated angle point;
3. North 44°33'33" East, a distance of 827.79 feet to a calculated angle point;

4. North 48°25'11" East, a distance of 211.67 feet to a calculated point at a non-tangent point of curvature, from which the calculated radius point of said non-tangent curve bears North 39°57'51" West, a distance of 1341.72 feet;
5. With a curve to the left, having an arc length of 539.47 feet, a radius of 1341.72 feet, and a chord which bears North 38°31'02" East, a distance of 535.84 feet to a calculated point of tangency;
6. North 27°26'30" East, a distance of 470.92 feet to a calculated angle point;
7. North 27°14'40" East, a distance of 1058.54 feet to a calculated angle point;
8. North 08°31'01" East, a distance of 164.88 feet to a calculated point in the most easterly north line of said 449.05 acre tract, same being the southwest line of a 157.687 acre tract (according to a survey prepared by Roy D. Smith, dated May 1, 2006) described in Volume 3944, Page 560, and further described in Volume 5393, Page 1594, both of the Deed Records of Travis County, Texas, for the most northerly corner of this tract, from which a 1/2" iron rod found at a corner in the north line of said 449.05 acre tract, same being a corner in the south line of said 157.687 acre tract, bears North 66°06'27" West, a distance of 849.85 feet, North 60°16'03" West, a distance of 193.22 feet, and North 59°57'05" West, a distance of 350.42 feet;

THENCE South 66°06'27" East, with the most easterly north line of said 449.05 acre tract and the southwest line of said 157.687 acre tract, a distance of 20.74 feet to a 60d nail set for the northeast corner of this tract, from which a brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327 with the northwest right-of-way line of Bradshaw Road (right-of-way width varies), same being the southeast corner of said 449.05 acre tract, bears South 66°06'27" East, passing at a distance of 83.43 feet, a 1/2" iron rod found at the south corner of said 157.687 acre tract, for a total distance of 90.48 feet, South 27°44'34" West, a distance of 1978.38 feet, South 31°48'34" West, a distance of 133.76 feet, South 55°11'34" West, a distance of 346.34 feet, and South 44°30'34" West, a distance of 889.43 feet;

THENCE over and across said 449.05 acre tract, the following eight (8) courses:

1. South 08°31'01" West, a distance of 162.67 feet to a 60d nail set for an angle point;
2. South 27°14'40" West, a distance of 1061.87 feet to a 60d nail set for an angle point;
3. South 27°26'30" West, a distance of 470.87 feet to a 60d nail set at a non-tangent point of curvature, from which the calculated radius point of said non-tangent curve bears North 62°59'53" West, a distance of 1361.72 feet;
4. With a curve to the right, having an arc length of 547.15 feet, a radius of 1361.72 feet, and a chord which bears South 38°30'47" West, a distance of 543.48 feet to a 60d nail set for a point of tangency;
5. South 48°25'11" West, a distance of 210.72 feet to 60d nail set for an angle point;

6. South 44°33'33" West, a distance of 835.00 feet to a 60d nail set for an angle point;
7. South 87°35'38" West, a distance of 1891.97 feet to a 60d nail set for an angle point;
8. South 87°52'38" West, a distance of 1609.15 feet to the **POINT OF BEGINNING**, containing 3.111 acres (135,522 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

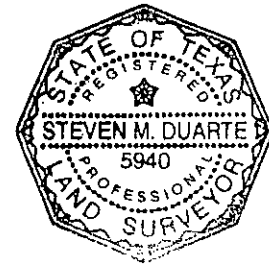
KNOW ALL MEN BY THESE PRESENTS:

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of July, 2009, A.D.

Macias & Associates, L.P.
 5410 South 1st Street
 Austin, Texas 78745
 512-442-7875

S M Duarte 7/1/09
 Steven M. Duarte
 Registered Professional Land Surveyor
 No. 5940 – State of Texas



REFERENCES

MAPSCO 2003, 733-H, AUSTIN GRID NO. F-9
 734-A&E, GRID NO. G-9
 704-X, GRID NO. G-10
 TCAD PARCEL ID NO. 04-5618-0201
 MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-03-08

Reviewed and Approved by
Landmark Surveying, LP

Juan M. Canales, Jr. Date 7-1-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
 Senior Project Manager

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER PORTION
OF 449.05 ACRES)

TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785

PARCEL 4558.16TWSE-1
3.111 AC.
(135,522 SQ. FT.)

BOONE &
HERMAN'S, LLC.
DOC. NO. 2005065897
CORRECTED IN
DOC. NO. 2006143593
O.P.R.T.C.T.
{10.01 ACRES}

N02°08'36"W
20.00'

20'

N87°52'38"E 1609.11'

S87°52'38"W 1609.15'

APPROX. LOCATION OF SURVEY LINE

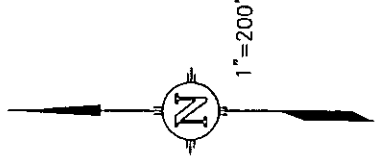
S02°08'36"E
50.00'

VARA

POINT OF
BEGINNING
N=10,013,935.47
E= 3,098,674.84
GRID

F.M. 1327
(RIGHT-OF-WAY WIDTH VARIES)

HENRY M. DOWNMANN
SURVEY NO. 536
ABSTRACT NO. 218



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACIASSURV.COM

DATE: 07-01-09
DRAWN BY: smd
MAL JOB NO.: 395-03-08
REFERENCE:

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

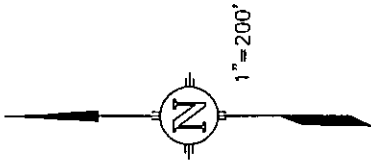
LEGEND

- TYPED TYPE I
CONCRETE MONUMENT
FOUND
- BRASS DISK IN
CONCRETE STAMPED
"HERMAN HEEP
PROPERTY" FOUND
- ⊙ 1/2" IRON ROD WITH
PLASTIC CAP STAMPED *
FOUND
- IRON ROD FOUND (SIZE NOTED)
- △ CALCULATED POINT
- ▲ 60d NAIL SET
- DEED RECORDS OF
TRAVIS COUNTY, TEXAS
- O.P.R.I.C.I.
OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION FROM
DOC. NO. 2000089761
- [] RECORD INFORMATION FROM ROY
SMITH SURVEY--**SEE NOTE
- { } RECORD INFORMATION FROM
DOC. NO. 2006143593

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.I.C.I.
(REMAINDER PORTION
OF 449.05 ACRES)

SANTIAGO DEL
VALLE GRANT
ABSTRACT NO. 24

TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785



PARCEL 4558.16TWSE-1
3.111 AC.
(135,522 SQ. FT.)

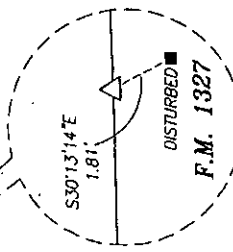
N87°35'38"E 1884.04'
S87°35'38"W 1891.97'

HEEP

APPROX. LOCATION OF SURVEY LINE

F.M. 1327
(RIGHT-OF-WAY WIDTH VARIES)

HENRY M. DOWNMANN
SURVEY NO. 536
ABSTRACT NO. 218



DETAIL
N.T.S.

MACIAS & ASSOCIATES, L.P.



LAND SURVEYORS

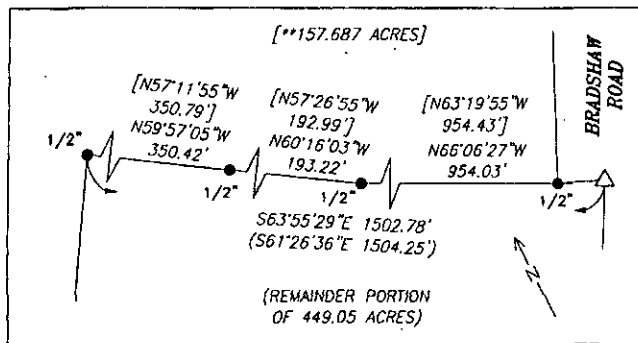
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURY.COM

DATE: 07-01-09
DRAWN BY: smd
MAJ JOB NO.: 396-03-08
REFERENCE:

PAGE 5 OF 7

J:\JOBS\URS\396-04-08 SouthH35 DWG\4558.16TWSE-1.dwg

**SKETCH TO
ACCOMPANY
LEGAL
DESCRIPTION**



DETAIL A
N.T.S.

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER PORTION
OF 449.05 ACRES)

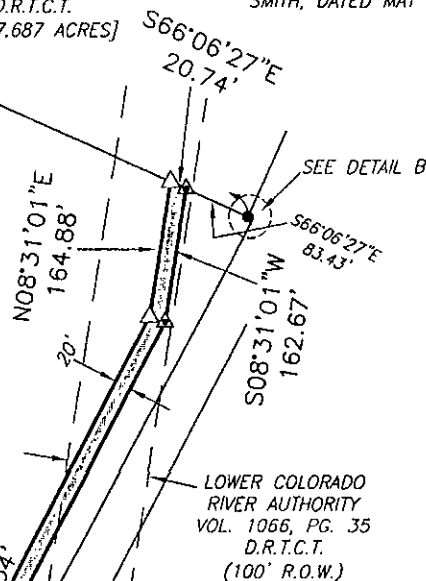
PARCEL 4558.16TWSE-1
3.111 AC.
(135,522 SQ. FT.)



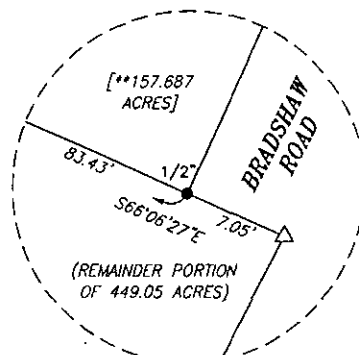
1"=200'

DAVEY L. BURATTI
VOL. 3944, PG. 560
JOHN MICHAEL BURATTI
VOL. 5393, PG. 1594
D.R.T.C.T.
[**157.687 ACRES]

[**RECORD INFORMATION FOR
BURATTI TRACT TAKEN FROM A
SURVEY RPREPARED BY ROY D.
SMITH, DATED MAY 1, 2006.]



DETAIL B
N.T.S.



SANTIAGO DEL
VALLE GRANT
ABSTRACT NO. 24

DATE: 07-01-09
DRAWN BY: smd
MAJ JOB NO.: 396-03-08
REFERENCE:

J:\JOBS\URS\396-04-08 SouthH35\DWG\4558.16TWSE-1.dwg

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

★ ★ ★ ★ ★ ★ ★ ★

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMEL@MACIASMACSURV.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " E "

(TEMPORARY STAGING AREA AND
MATERIAL STORAGE SITE)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.014

DESCRIPTION FOR PARCEL 4558.16 TSAAMSS

LEGAL DESCRIPTION OF A 0.689 ACRE (30,025 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 0.689 ACRE TRACT BEING A PORTION OF A 449.05 ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS, AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.689 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod with plastic cap stamped "VARA" found on the north right-of-way line of F.M. 1327 (right-of-way width varies), same being the south line of said 449.05 acre tract, at the southeast corner of a 10.01 acre tract described in Document No. 2005065897 of the Official Public Records of Travis County, Texas, corrected in Document No. 2006143593 of said Official Public Records, from which a 5/8" iron rod found at the northeast corner of said 10.01 acre tract, bears North 02°08'36" West, a distance of 449.78 feet, THENCE with the said north right-of-way line of F.M. 1327 and the south line of said 449.05 acre tract, North 87°52'06" East, a distance of 1508.83 feet to a calculated point, from which a brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327 with the northwest right-of-way line of Bradshaw Road (right-of-way width varies), same being the southeast corner of said 449.05 acre tract, bears North 87°52'06" East, a distance of 100.43 feet to a calculated angle point in the said north right-of-way line of F.M. 1327 and the south line of said 449.05 acre tract, from which a disturbed TxDOT Type I concrete monument found, bears South 30°13'14" East, a distance of 1.81 feet, and continuing from said calculated point, with the said north right-of-way line of said F.M. 1327 and the south line of said 449.05 acre tract, North 87°36'06" East, a distance of 1882.50 feet to said brass disk in concrete stamped "Herman Heep Property" found, THENCE leaving the said north right-of-way line of said F.M. 1327, over and across said 449.05 acre tract, North 02°07'54" West, a distance of 69.76 feet to a calculated point having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,014,011.35, E=3,100,181.91, for the southwest corner and **POINT OF BEGINNING** of this tract;

THENCE continuing over and across said 449.05 acre tract, the following five (5) courses:

1. North $02^{\circ}15'51''$ West, a distance of 150.00 feet to a calculated point for the northwest corner of this tract;
2. North $87^{\circ}44'09''$ East, a distance of 200.00 feet to a calculated point for the northeast corner of this tract;
3. South $02^{\circ}15'51''$ East, a distance of 150.00 feet to a calculated point for the southeast corner of this tract, from which said brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of said F.M. 1327, with the northwest right-of-way line of said Bradshaw Road, and at the southeast corner of said 449.05 acre tract, bears North $89^{\circ}50'33''$ East, a distance of 1783.97 feet;
4. South $87^{\circ}35'38''$ West, a distance of 99.73 feet to a calculated angle point in the south line of this tract;
5. South $87^{\circ}52'38''$ West, a distance of 100.27 feet to the **POINT OF BEGINNING**, containing 0.689 acre (30,025 square feet) of land.

BEARING BASIS NOTE

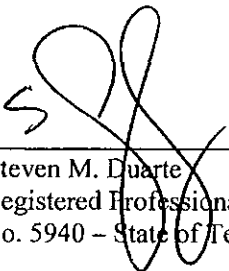
The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

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

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of July, 2009, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

 7/1/09
Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas



REFERENCES
MAPSCO 2009,734-E
AUSTIN GRID NO. G-9
TCAD PARCEL ID NO. 04-5618-0201
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-03-08

Reviewed and Approved by
Landmark Surveying, LP

 Date 7-1-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND

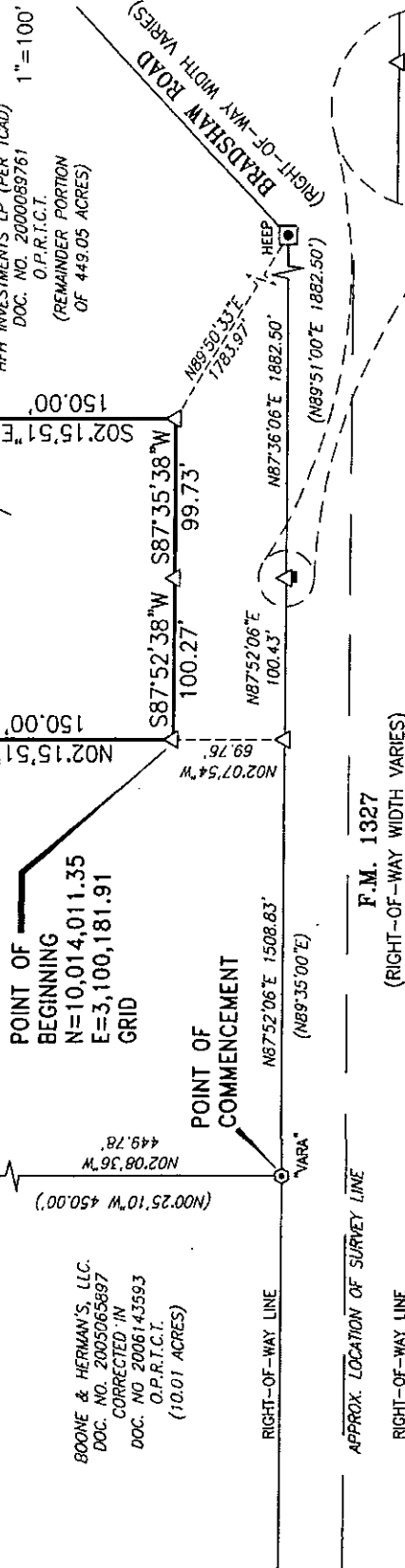
- TYPED TYPE I CONCRETE MONUMENT FOUND
- BRASS DISK IN CONCRETE STAMPED "HERMAN HEEP PROPERTY" FOUND
- 1/2" IRON ROD WITH PLASTIC CAP STAMPED " "
- 5/8" IRON ROD FOUND
- △ CALCULATED POINT.
- () RECORD INFORMATION

O.P.R.I.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

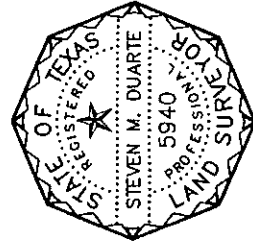
BOONE & HERMAN'S, LLC.
DOC. NO. 2005065897
CORRECTED IN
DOC. NO. 2006143593
O.P.R.I.C.T.
(10.01 ACRES)

PARCEL 4558.16
TEMPORARY STAGING AREA AND
MATERIAL STORAGE SITE
0.689 AC.
(30,025 SQ. FT.)

TRINIDAD VARCINAS
SURVEY NO. 535
ABSTRACT NO. 785



HENRY M. DOWNMANN
SURVEY NO. 536
ABSTRACT NO. 218



BEARING BASIS:
THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "T-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "T-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

Job No.: 396-03-08 Date: 07-01-09
Field Book: 532, Page 12 Scale: 1" = 100'
Drawn by: TEB Checked by: Glopez

MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745
PH: (512)442-7875 FAX: (512)442-7875
EMAIL: CARMELO.MACIAS@MACSURY.COM

Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas

Date: 7/1/09

J:\JOBS\396-03-08_SouthH35\DWG\4558.16_TSAAMSS.dwg



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " F "

(TEMPORARY STAGING AREA AND
MATERIAL STORAGE SITE)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.014

DESCRIPTION FOR PARCEL 4558.16TSAAMSS-2

LEGAL DESCRIPTION OF A 0.699 ACRE (30,465 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, SAID 0.699 ACRE TRACT BEING A PORTION OF A 449.05 ACRE TRACT (INCLUDED AS TRACT B1-B2-B3 IN EXHIBIT "D" THEREIN) DESCRIBED IN A PARTITION DEED BETWEEN HARRIET "HATSY" HEEP SHAFFER, KATHLEEN HENDERSON ADKINS AND TURNERSVILLE DEVELOPMENT, LTD., DATED JUNE 9, 2000, AND RECORDED IN DOCUMENT NO. 2000089761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.699 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a brass disk in concrete stamped "Herman Heep Property" found at the intersection of the north right-of-way line of F.M. 1327 (right-of-way width varies), with the northwest right-of-way line of Bradshaw Road (right-of-way width varies), same being the southeast corner of said 449.05 acre tract;

THENCE with the northwest right-of-way line of said Bradshaw Road and the southeast line of said 449.05 acre tract, North 44°30'34" East, a distance of 889.43 feet, North 55°11'34" East, a distance of 346.34 feet, North 31°48'34" East, a distance of 133.76 feet, and North 27°44'34" East, a distance of 116.04 feet to a calculated point, from which a 1/2" iron rod found at a corner in the north line of said 449.05 acre tract, same being a corner in the south line of a 157.687 acre tract (according to a survey prepared by Roy D. Smith, dated May 1, 2006) described in Volume 3944, Page 560, and further described in Volume 5393, Page 1594, both of the Deed Records of Travis County, Texas, bears North 27°44'34" East, a distance of 1862.34 feet, North 66°06'27" West, passing at a distance of 7.05 feet, a 1/2" iron rod found for the east corner of said 157.687 acre tract, for a total distance of 961.08 feet, North 60°16'03" West, a distance of 193.22 feet, and North 59°57'05" West, a distance of 350.42 feet;

THENCE North 62°15'26" West, over and across said 449.05 acre tract, a distance of 53.56 feet to a calculated point having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,015,097.43, E=3,103,150.70, for the south corner and **POINT OF BEGINNING** of this tract;

THENCE continuing over and across said 449.05 acre tract, the following five (5) courses:

1. North 59°53'43" West, a distance of 150.00 feet to a calculated point for the west corner of this tract;
2. North 30°06'17" East, a distance of 200.00 feet to a calculated point for the north corner of this tract;
3. South 59°53'43" East, a distance of 150.17 feet to a calculated point for the east corner of this tract;
4. South 27°26'30" West, a distance of 30.04 feet to a calculated point at a non-tangent point of curvature, from which the calculated radius point of said non-tangent curve bears North 63°00'05" West, a distance of 1341.72 feet;
5. With a curve to the right, having an arc length of 170.12 feet, a radius of 1341.72 feet, and a chord which bears South 30°37'52" West, a distance of 170.00 feet to the **POINT OF BEGINNING**, containing 0.699 acre (30,465 square feet) of land.

BEARING BASIS NOTE

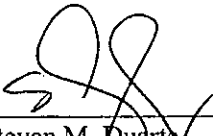
The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

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

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

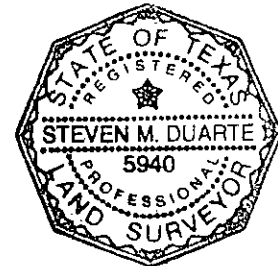
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of July, 2009, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

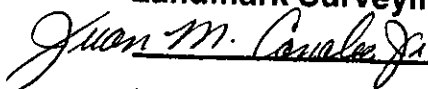

Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas

REFERENCES

MAPSCO 2003, 734-A&B, GRID NO. G-9
TCAD PARCEL ID NO. 04-5618-0201
MACIAS & ASSOCIATES, L.P.
PROJECT NO. 396-03-08



Reviewed and Approved by
Landmark Surveying, LP

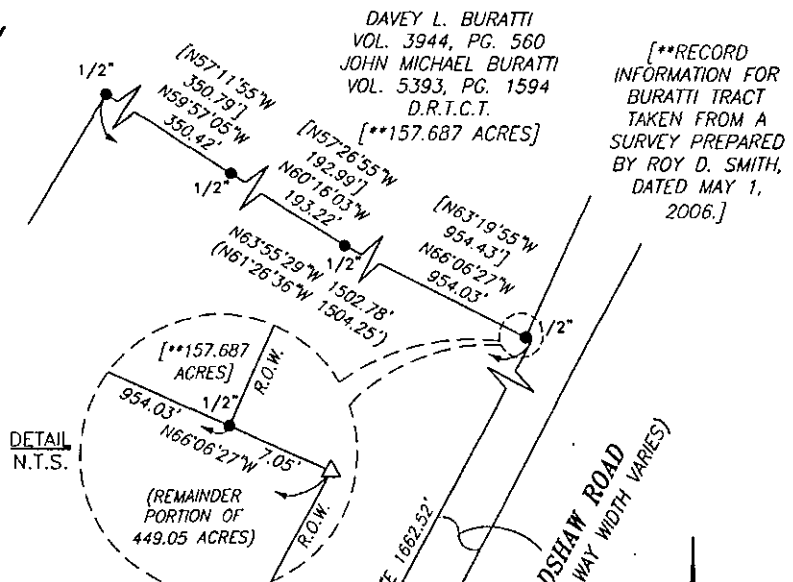
 Date 7-1-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND

- BRASS DISK IN CONCRETE STAMPED "HERMAN HEEP PROPERTY" FOUND
- IRON ROD FOUND (SIZE NOTED)
- △ CALCULATED POINT
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION FROM DOC. NO. 2000089761
- [] RECORD INFORMATION FROM ROY SMITH SURVEY--**SEE NOTE



PARCEL
4558.16TSAAMSS-2
0.699 AC.
(30,465 SQ. FT.)

S59°53'43"E
150.17'
S27°26'30"W
30.04'
N30°06'17"E
200.00'
N59°53'43"W
150.00'

HFH INVESTMENTS LP (PER TCAD)
DOC. NO. 2000089761
O.P.R.T.C.T.
(REMAINDER PORTION
OF 449.05 ACRES)

POINT OF
BEGINNING
N=10,015,097.43
E= 3,103,150.70
GRID

Curve Table	
NUMBER	C1
Delta Angle	07°15'52"
Radius	1341.72'
Arc Length	170.12'
Chord Length	170.00'
Chord Bearing	S30°37'52"W

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

JULY 1, 2009

Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 - State of Texas



DATE: 07-01-09
DRAWN BY: smd
MAIL JOB NO.: 396-03-08
REFERENCE:

J:\JOBS\URS\396-03-08 SouthH35\DWG\4558.16TSAAMSS-2.dwg

MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

★ ★ ★ ★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM

F.M. 1327
(RIGHT-OF-WAY
WIDTH VARIES)

POINT OF
COMMENCEMENT