

STATE OF TEXAS

COUNTY OF TRAVIS

(50-foot wide City of Austin Permanent Wastewater Easement) Butler Family Partnership, Ltd. Tracts Parcels 4660.02, 4660.03 and 4660.04 C.I.P. No. 4769.018

EXHIBIT "__A__"

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 7.482-ACRE (325,915 SQUARE FEET) TRACT OF LAND IN THE JAMES MANOR SURVEY NO. 40 ABSTRACT NO. 546, THE JAMES GILLELAND SURVEY NO. 41 ABSTRACT NO. 305 AND THE JOSIAH WILBARGER SURVEY NO. 42, ABSTRACT NO. 794 IN TRAVIS COUNTY, TEXAS BEING OUT OF A CALLED 232.03-ACRE TRACT OF LAND, DESCRIBED AS FIRST TRACT, HAVING BEEN CONVEYED TO ROY A. BUTLER BY DEED WITNESSED ON FEBRUARY 28, 1972 AND RECORDED IN VOLUME 4282, PAGE 1082 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING OUT OF A CALLED 191.14-ACRE TRACT OF LAND, DESCRIBED AS TRACT ONE, HAVING BEEN CONVEYED TO ROY A. BUTLER BY A DEED WITNESSED ON FEBRUARY 28, 1972 AND RECORDED IN VOLUME 4534, PAGE 165 OF THE DEED RECORDS OF TRAVIS COUNTY. TEXAS; BOTH PARCELS HAVING LATER BEEN CONVEYED TO THE BUTLER FAMILY PARTNERSHIP, LTD. BY THAT SPECIAL WARRANTY DEED EXECUTED SEPTEMBER 1, 1994 AND RECORDED IN VOLUME 12271, PAGE 872, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 7.482-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with a cap stamped "SAM" found, identified on TXDOT right-of-way Plan Sheet CSJ-0114-02-085 as station 564+27.32, 215.00 feet left of engineer's base line, found on the new north right-of-way line of said U.S. Highway No. 290 on the common property line between said Roy A. Butler 232.03-acre First Tract and a 104.825-acre tract of land conveyed to Las Entradas Development Corporation by a Warranty Deed with Vendor's Lien as recorded in Document No. 2007002485 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid



Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999216) values of N= 10,100,734.14, E= 3,167,543.62 for the southerly east corner and **POINT OF BEGINNING** of this easement, from which point of reference, a calculated point on the old north right-of-way line of said U.S. Highway 290 at the southwest corner of said Las Entradas Development Corporation 104.825-acre Tract bears S27°26'34"W (called S27°26'52"W) a distance of 272.07 feet (called distance per Texas Department of Transportation U.S. Highway No. 290 right-of-way Plan Sheet No. 23), and from which said calculated point a Type I Texas Department of Transportation concrete monument found bears N25°35'41"E a distance of 1.59 feet;

THENCE, with said new north right-of-way line of said U.S. Highway No. 290, S74°02'24"W, pass an existing 10-foot wide Koch Refining Company Petroleum Pipeline easement as recorded in Volume 11053, Page 1039 of the Real Property Records of Travis County, Texas, the east line at 84.84 feet and the west line at 98.13 feet, passing the approximate location of pipeline, (based on field markers found on the ground) at 85.31 feet, continuing for a total distance of 747.20 feet to a calculated point for the south corner of this easement, from which a ½" iron rod with cap Texas Department of Transportation bears S74°02'24"W a distance of 512.65 feet;

THENCE, crossing through the Roy A. Butler 232.03-acre First Tract, the following 4 (four) courses:

- 1) Leaving the new north right-of-way line of said U.S. Highway No. 290, N58°13'01"W a distance of 413.95 feet to a calculation point for an angle point of this easement:
- 2) N35°05'26"W a distance of 681.10 feet to a calculation point for an angle point of this easement;
- 3) N45°00'47"W a distance of 907.25 feet to a calculation point for an angle point of this easement; and
- 4) N70°00'48"W a distance of 26.47 feet to a calculation point on the common boundary line of the Roy A. Butler 232.03 acre First Tract and the Roy A. Butler 191.14 acre Tract One, from which a ½" iron rod found (leaning) at the intersection of the new northeasterly right-of-way of East Parmer Lane (F.M. 734) aka Boyce Lane and said common boundary line bears \$28°10'24"W a distance of 515.98 feet to a calculated point and \$27°51'24"W a distance of 1354.12 feet;

THENCE, crossing through the Roy A. Butler 191.14-acre Tract One, the following 7 (seven) courses:

1) N70°00'48"W a distance of 91.07 feet to a calculation point for an angle point of this easement;



- 2) N58°45'48"W a distance of 464.76 feet to a calculation point for an angle point of this easement;
- 3) N42°53'39"W, at 443.93 feet passing the approximate east line of an existing 25-foot wide gas pipeline easement, conveyed to Lone Star Gas Company by deeds recorded in Volume 2932, Page 581, Volume 3627, Page 944 and Volume 3790, Page 1620 of the Deed Records of Travis County, Texas, at 480.74 feet passing the west line of said pipeline easement, based on field markers found on the ground, in all a total distance of 522.81 feet to a calculation point for an angle point of this easement;
- 4) N42°46'20"W a distance of 529.98 feet to a calculation point for an angle point of this easement;
- 5) N50°07'30"W a distance of 1627.19 feet to a calculation point for an angle point of this easement;
- 6) N42°38'16"W a distance of 306.80 feet to a calculation point for an angle point of this easement; and
- 7) N37°37'02"W a distance of 191.79 feet to a calculated point on the east line of a remainder of called 25.00-acre tract of land, described as Tract Two, having been conveyed to W.C. Alff and wife, Eunice O. Alff by a Special Warranty Deed, executed January 9, 1976 and recorded in Volume 5389, Page 1806 of the Deed Records of Travis County, Texas, same being the west line of said Roy A. Butler 191.14 acre parcel, for the most westerly corner of this easement, from which a 5/8-inch iron pipe found on the northeast line of a 23.408-acre tract of land as conveyed to Windsor Park, L.P. by a Warranty Deed with Vendor's Lien as recorded in Document No. 2007137671 of the Official Public Records of Travis County, Texas, being at the common corner of said remainder of W.C. Alff and wife, Eunice O. Alff 25.00-acre Tract Two and said Roy A. Butler called 191.14-acre Tract One, bears S19°50'18"W a distance of 239.45 feet;

THENCE, with common boundary line between the Roy A. Butler 191.14-acre Tract One and said remainder of W.C. Alff and wife, Eunice O. Alff 25.00-acre Tract Two, N19°50'18"E a distance of 54.42 feet to a calculated point for the most northerly corner of this easement;

THENCE, through the interior of said Roy A. Butler 191.14-acre Tract One, the following 8 (eight) courses:

1) Leaving the east line of the remainder of said remainder of W.C. Alff and wife, Eunice O. Alff 25.00-acre Tract Two, \$53°44'54"E a distance of 14.85 feet to a calculation point for an angle point of this easement;



- 2) S37°37'02"E a distance of 204.60 feet to a calculation point for an angle point of this easement;
- 3) S42°38'16"E a distance of 301.34 feet to a calculation point for an angle point of this easement;
- 4) S50°07'30"E a distance of 1627.13 feet to a calculation point for an angle point of this easement;
- 5) S42°46'20"E, at 521.06 feet passing the approximate westerly line of said existing Lone Star Gas Company 25-foot wide gas pipeline easement, based on field markers found on the ground, continuing for a total distance of 533.14 feet to a calculation point for an angle point of this easement;
- 6) S42°53'39"E, at 24.77 feet passing the easterly line of said existing Lone Star Gas Company 25-foot wide gas pipeline, based on field markers found on the ground, continuing for a total distance of 515.79 feet to a calculation point for an angle point of this easement;
- 7) S58°45'48"E a distance of 452.86 feet to a calculation point for an angle point of this easement; and
- 8) S70°00'48"E a distance of 93.34 feet to a calculation point on the aforementioned common boundary line of the Roy A. Butler 191.14-acre Tract One and 232.03-acre First Tract, from which a ½" iron rod found on the southerly right-of-way of Hill Lane at the north corner of the Roy A. Butler 232.03-acre parcel bears N28°10'24"E a distance of 1,480.57 feet to a calculated point and N28°21'24"E a distance of 1,130.25 feet;

THENCE, continuing within the interior of said Roy A. Butler 232.03-acre First Tract, the following 6 (six) courses:

- 1) S70°00'48"E a distance of 30.36 feet to a calculation point for an angle point of this easement;
- 2) S45°00'47"E a distance of 922.67 feet to a calculation point for an angle point of this easement;
- 3) S35°05'26"E a distance of 675.21 feet to a calculation point for an angle point of this easement;
- 4) S58°13'01"E a distance of 381.59 feet to a calculation point for an angle point of this easement;



- 5) N74°02'24"E, passing said aforementioned existing 10-foot wide Koch Refining Company Petroleum pipeline easement as recorded in Volume 11053, Page 1039 of the Real Property Records of Travis County, Texas, west line at 670.71 feet and the east line at 684.00 feet, passing approximate location of pipeline, based on field markers found on the ground at 687.15 feet, continuing for a total distance of 772.36 feet to a calculated point on the common boundary line of the Roy A. Butler 232.03-acre First Tract and said Las Entradas Development Corporation 104.825-acre Tract for the most easterly corner of this easement, from which a ¾" iron pipe found at the east corner of said Roy A. Butler 232.03-acre First Tract same being the north corner of said Las Entradas Development Corporation 104.825-acre Tract bears N27°26'34"E a distance of 2,695.51 feet; and
- 6) S27°26'34"W a distance of 68.82 feet to the "POINT OF BEGINNING", and containing 7.482 acres of land, more or less.

Basis of Bearing:

Bearings mentioned on this easement are based on Texas Central Zone (4203), NAD'83 Texas State Plane Coordinate System (Grid), Combined Scale Factor = 0.9999216. Horizontal coordinates for City of Austin Monument No. P-27-3001 (4" brass disk found), M-26-3001 (4" brass disk found) and M-26-3002 (4" brass disk found), were used as the controlling monuments for this easement.



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 and TXDOT right-of-way monuments, 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

8-5-2010

Date

Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Senior Project Manager

Firm Registration No. 100727-00

REFERENCES

MAPSCO 2009

Page 528, Austin Grid R-29&30

Page 529, Austin Grid S-29

TCAD PARCEL ID NO.02-3450-0108 (230.995 Ac.) v

TCAD PARCEL ID NO.02-3450-0113 (30.973 Ac.) $\scriptstyle \vee$

TCAD PARCEL ID NO.02-3450-0105 (64.340 Ac.)

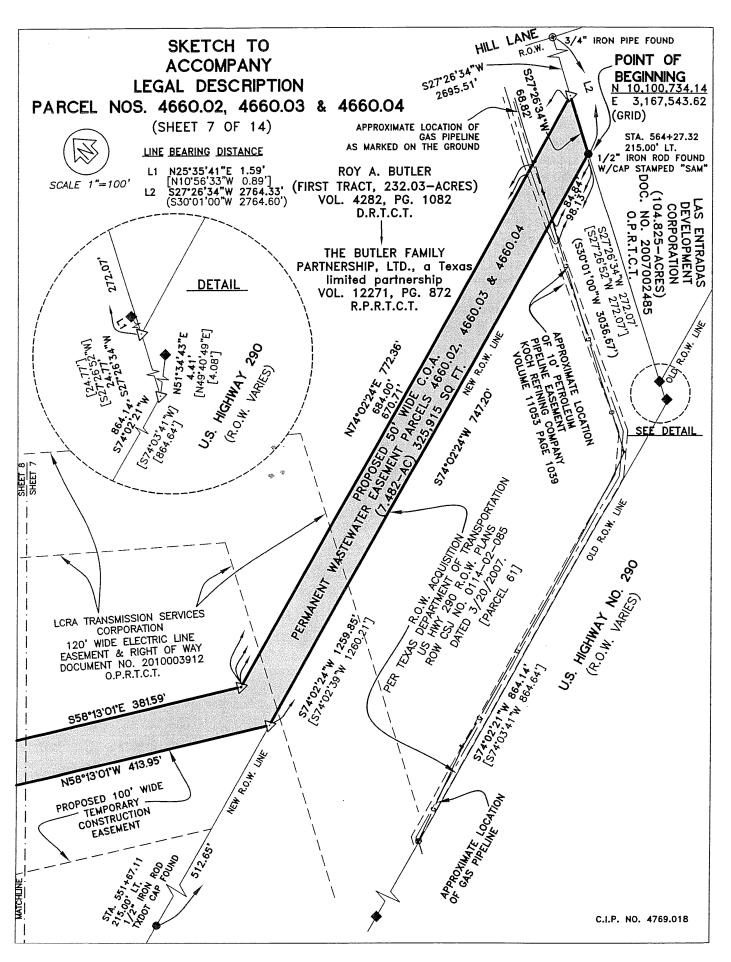
TCAD PARCEL ID NO.02-4250-0123 (13.382 Ac.)

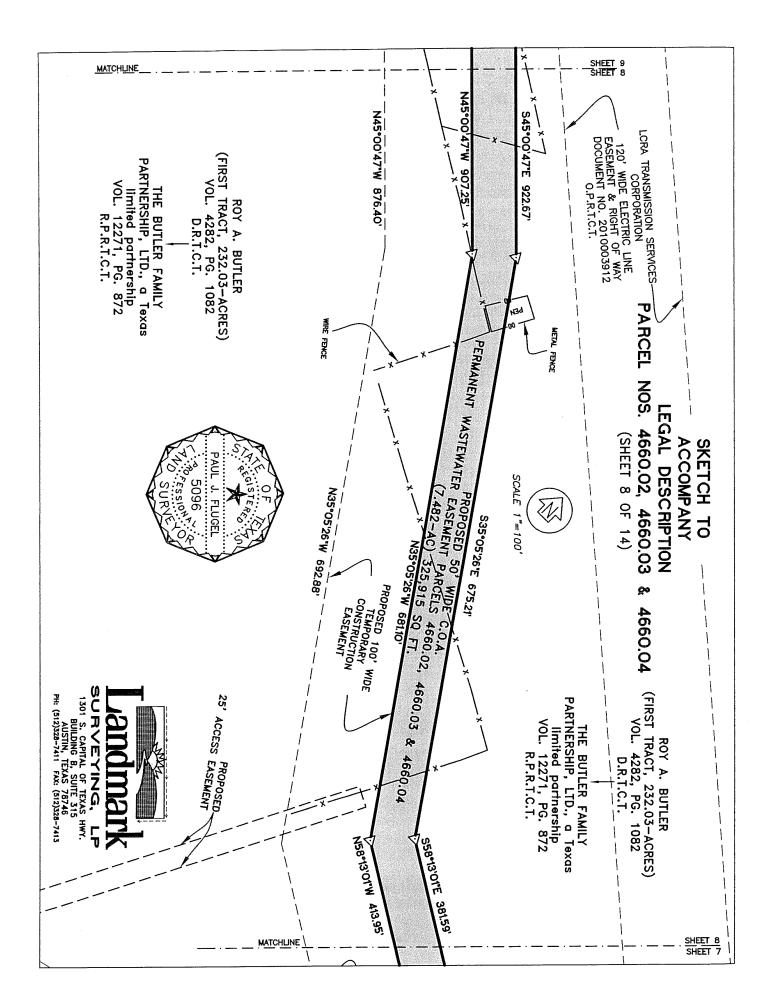
PBSJ/HarrisBranchW&WWLn/LandmarkDrawings/Easements/FieldNotes/Butler 50-footWide COA PermanentEsmt-Rev 2.doc

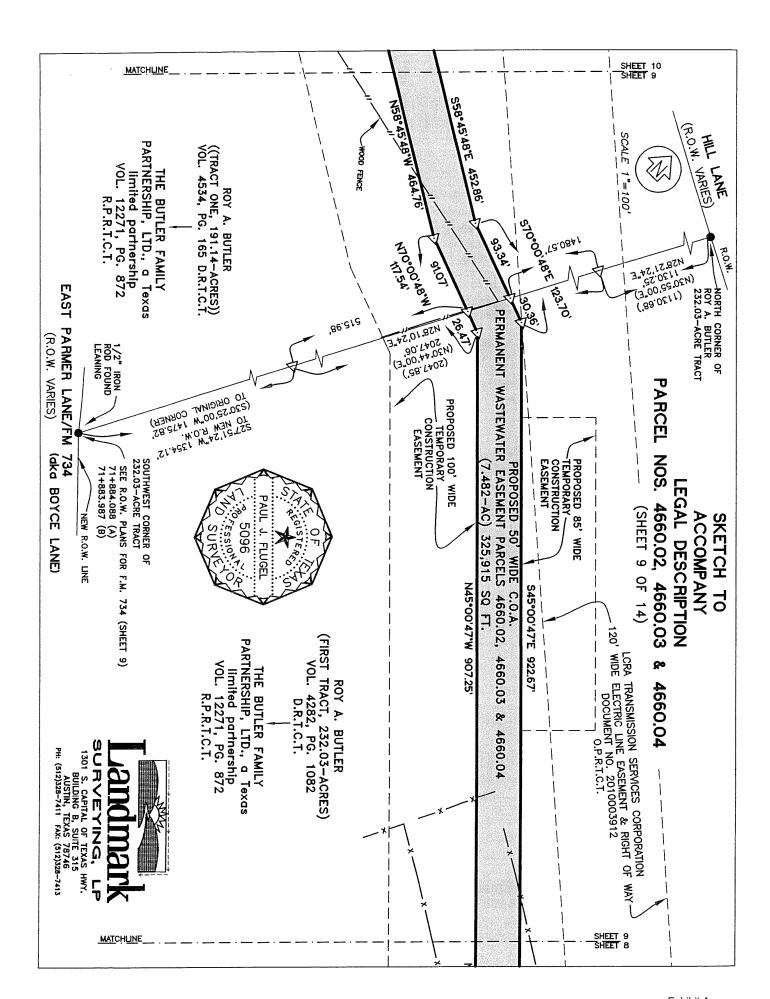
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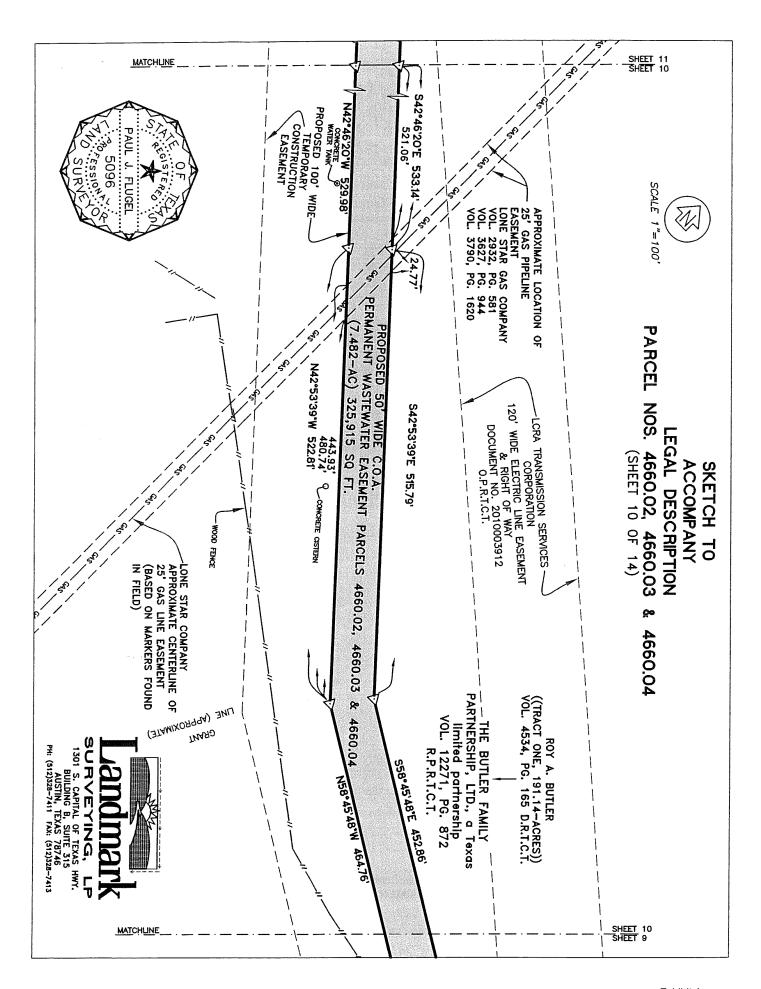
Engineering Support Section epartment of Public Works

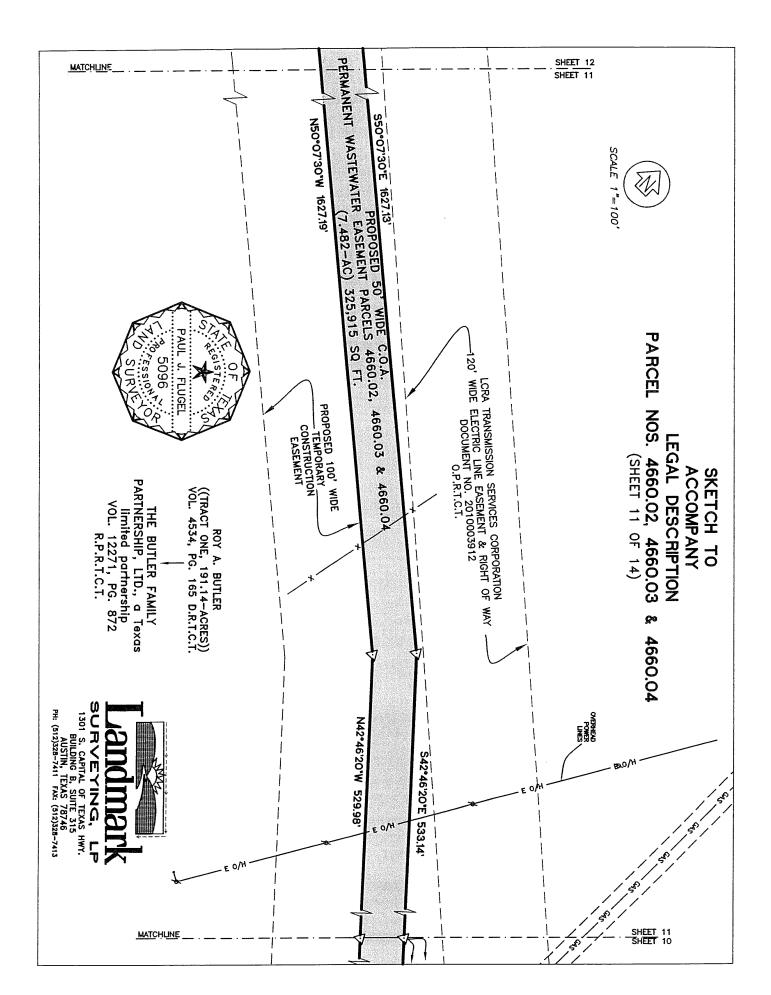
- Transportation

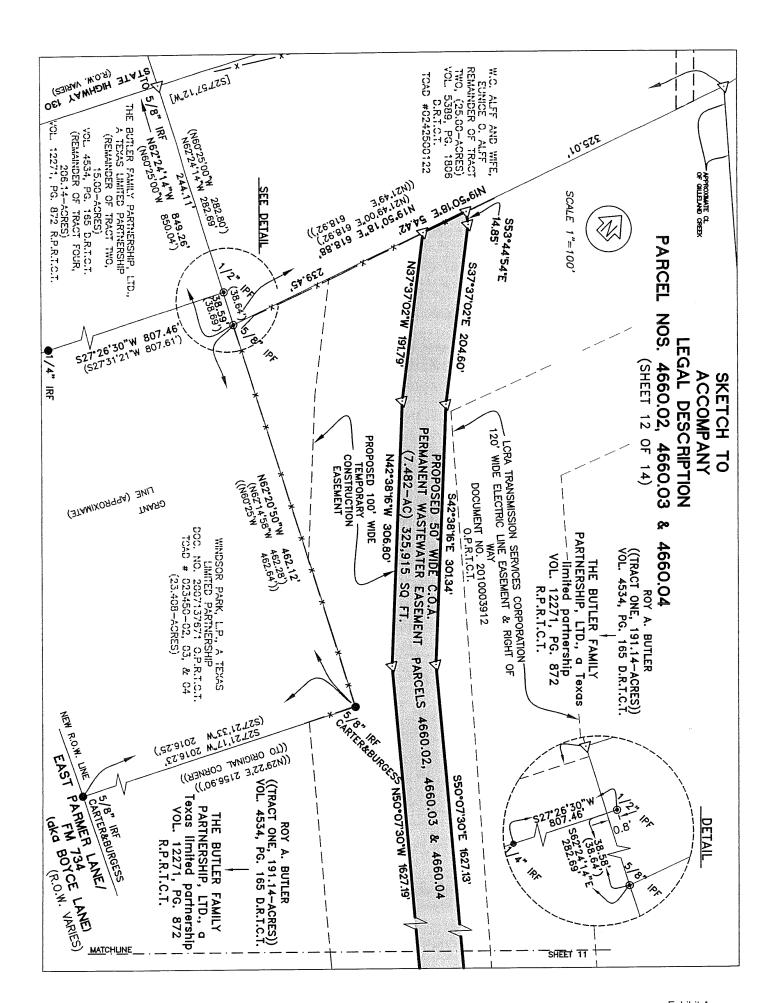












SKETCH TO ACCOMPANY LEGAL DESCRIPTION PARCEL NOS. 4660.02, 4660.03 & 4660.04

(SHEET 13 OF 14)

Restrictive Covenant and Easement Notes per Independence Title Company G.F. No. 1006066—COM dated April 21, 2010:

- 10a. A blanket Lone Star Gas Company Pipe Line easement as recorded in Volume 2932, Page 514 of the Deed Records of Travis County, Texas, DOES APPLY to the subject easement.
- 10b. A Lone Star Gas Company Pipe Line easement as recorded in Volume 2932, Page 581 of the Deed Records of Travis County, Texas, DOES APPLY to the subject easement.
- 10c. A City of Austin Water Main easement as recorded in Volume 3008, Page 1504 of the Deed Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10d. A blanket Lone Star Gas Company easement right of way to construct & maintain Pipe Line as recorded in Volume 3122, Page 2233 of the Deed Records of Travis County, Texas, DOES APPLY to the subject easement but can not be plotted from information currently available.
- 10e. A City of Austin Water Main easement to construct and perpetually maintain a water main as recorded in Volume 3176, Page 1052 of the Deed Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10f. A blanket Lone Star Gas Company Pipe Line easement as recorded in Volume 3627, Page 944, as corrected in Volume 3790, Page 1620 of the Deed Records of Travis County, Texas, DOES APPLY to the subject easement but is unable to be plotted from information currently available.
- 10g. A Koch Refining Company Pipe Line easement as recorded in Volume 11053, Page 1025 of the Real Property Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10h. A Koch Refining Company Pipe Line easement as recorded in Volume 11053, Page 1039 of the Real Property Records of Travis County, Texas, DOES APPLY to the subject easement.
- 10i. A State of Texas Channel or Drainage easement as recorded in Document No. 2000154985 of the Official Public Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10j. An unrecorded Lone Star Gas Company easement as referenced in Volume 4282, Page 1082 of the Deed Records of Travis County, Texas, MAY APPLY to the subject easement.
- 10k. A City of Austin Wastewater Line easement as recorded in Document No. 2007171519 of the Official Public Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10l. Terms, Conditions, and Stipulations in Memorandum of Real Estate Contract as recorded in Document No. 2008003599 of the Official Public Records of Travis County, Texas, DOES APPLY to the subject easement.
- 10m. A City of Austin Wastewater Line easement as recorded in Document No. 2008054223 of the Official Public Records of Travis County, Texas, DOES NOT APPLY to the subject easement.
- 10n. An LCRA Transmission Services Corporation Electric Line easement as recorded in Document No. 2009210685, rerecorded in Document No. 2010003912 of the Official Public Records of Travis County, Texas, DOES APPLY to the subject easement.



C.I.P. NO. 4769.018



Client: PBS&J
Date: June 14, 2010
Office: MB, JT
Crew: S Dunn T Smith

Crew: S.Dunn, T.Smith
F.B.: 1224/77
Disk: 1:\PBSJ\Harris Branch W&WW Ln\Landmark Drawings\EASEMENTS\Harris-Branch EASEMENTS base-B.dwg

Cogo: F:\S.Dunn\4-8-10 Job No.: 372-31-04 1301 S. CAPITAL OF TEXAS HWY. #9 BUILDING B, SUITE 315 AUSTIN, TEXAS 78746 PH: (512)328-7411 FAX: (512)328-7413

SKETCH TO **ACCOMPANY** LEGAL DESCRIPTION PARCEL NOS. 4660.02, 4660.03 & 4660.04

(SHEET 14 OF 14)

LEGEND

- TXDOT TYPE I CONCRETE MONUMENT FOUND
- IRON ROD FOUND (SIZE NOTED)
- IRON PIPE FOUND (SIZE NOTED) ⊚

CALCULATED POINT Δ

(NOT ESTABLISHED ON GROUND)

DOCUMENT DOC.

VOLUME VOL.

PUBLIC UTILITY EASEMENT P.U.E.

PLAT RECORDS P.R.T.C.T.

TRAVIS COUNTY, TEXAS

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

DEED RECORDS D.R.T.C.T.

TRAVIS COUNTY, TEXAS

R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS

- BREAK ON LINE (NOT TO SCALE)

- RECORD INFORMATION PER VOL. 4282, PG. 1082 ()
- (()) RECORD INFORMATION PER VOL. 4534, PG. 165
- RECORD INFORMATION PER TXDOT U.S. 290 R.O.W PLAN CONTROL 0114; SECTION 2; JOB 085

R.O.W. RIGHT OF WAY

NOTE: R.O.W. PLANS FOR F.M. 734 (SHEET 9) 71+884.088 (A) 71+883.987 (B) "A" = ALIGNY

= ALIGNMENT PER PROPOSED CL & "B" = ALIGNMENT PER THE SURVEY BASELINE

BEARING BASIS

TEXAS CENTRAL ZONE (4203), NAD'83 TEXAS STATE PLANE COORDINATE SYSTEM (GRID) COMBINED SCALE FACTOR = 0.9999216

HORIZONTAL COORDINATES FOR C.O.A. MONUMENT NO. P-27-3001 (4" BRASS DISK FOUND),
MONUMENT NO. M-26-3001 (4" BRASS DISK FOUND),
MONUMENT NO. M-26-3002 (4" BRASS DISK FOUND),
WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY.

IMPROVEMENT AND UTILITIES NOTE:

VISIBLE IMPROVEMENTS AND UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

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

PAUL J. FLUGEL

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5096

DATE: APRIL 15, 2010

THIS SKETCH IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR.

Cilent: PBS&J
Date: June 14, 2010
Office: MB, JT
Crew: S.Dunn, T.Smith
F.B.: 1224/77
DIsk: T:\PBSJ\Harris Branch W&WW Ln\Landmark Drawings\EASEMENTS\Harris—Branch EASEMENTS base—B.dwg
Job No.: 372—31—04
PI

REVISED 1/22/10 PAUL J. FLUGEL 5096

C.I.P. NO. 4769.018



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