

ORDINANCE NO. 20121108-027

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "CIRCUIT OF THE AMERICAS" ANNEXATION AREA, CONSISTING OF APPROXIMATELY 1,521 ACRES OF LAND OUT OF THE JOSE ANTONIO NAVARRO SURVEY, ABSTRACT NO. 18, THE THOMAS B. WESTBROOK SURVEY, ABSTRACT NO. 18, THE THOMAS B. WESTBROOK SURVEY, SURVEY NO. 5, ABSTRACT NO. 797, THE AYRES MOODY SURVEY NO. 169, ABSTRACT NO. 2196, THE PETER C. HARRISON SURVEY NO. 3, ABSTRACT NO. 2104, AND THE WILLIAM LEWIS, SR. SURVEY NO. 2, ABSTRACT NO. 479 IN TRAVIS COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.

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

PART 1. The Council finds that:

- (A) Notice of the two public hearings concerning annexation of the territory described in Exhibit A was published in a newspaper of general circulation in the City of Austin and in the area to be annexed, and on the City of Austin internet website.
- (B) The public hearings were held on October 11, 2012 and October 18, 2012 at the Austin City Hall, 301 West 2nd Street, Austin, Texas.
- (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings required by state law.
- (D) The annexation, for full purposes, of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
- (E) All procedural requirements imposed by state law for the full purpose annexation of the territory described in Exhibit A have been met.

PART 2. The present boundary limits of the City are amended to include the following territory which is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which is annexed into the City for the full purposes:

EXHIBIT A

C7a-2012-0011

Area to be annexed.

(Approximately 1521 acres of land out of the Jose Antonio Navarro Survey, Abstract No. 18, the Thomas B. Westbrook Survey, Abstract No. 18, the Thomas B. Westbrook Survey No. 5, Abstract No. 797, the Ayres Moody Survey No. 169, Abstract No. 2196, the Peter C. Harrison Survey No. 3, Abstract No. 2104 and the William Lewis, Sr. Survey No. 2, Abstract No. 479 in Travis County, Texas)

(Portion of Elroy Estates Section One, Portion of Elroy Estates Section Two and Portion of W. H. Tobin's Subdivision)

(Unplatted Land)

(Portion of Elroy Road)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO TRACTS OF LAND
HEREINAFTER DESCRIBED AS TRACT ONE
CONTAINING APPROXIMATELY 366 ACRES OF LAND
OUT OF THE JOSE ANTONIO NAVARRO SURVEY,
ABSTRACT NO. 18, THE THOMAS B. WESTBROOK
SURVEY, ABSTRACT NO. 18 AND THE AYRES MOODY
SURVEY NO. 169, ABSTRACT NO. 2196 IN TRAVIS
COUNTY, TEXAS AND THE TRACT HEREINAFTER
DESCRIBED AS TRACT TWO CONTAINING
APPROXIMATELY 1155 ACRES OF LAND OUT OF THE
THOMAS B. WESTBROOK SURVEY NO. 5, ABSTRACT
NO. 797, THE PETER C. HARRISON SURVEY NO. 3,
ABSTRACT NO. 2104 AND THE WILLIAM LEWIS, SR.
SURVEY NO. 2, ABSTRACT NO. 479 IN TRAVIS
COUNTY, TEXAS; OF WHICH APPROXIMATELY 1521
ACRES OF LAND ARE TO BE MADE A PART OF THE
CITY OF AUSTIN, SAID APPROXIMATELY 1521
ACRES BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

TRACT 1

BEING approximately 366 acres of land being that portion of a tract of land being the remainder of a called 657.227 acre tract of land conveyed to the State of Texas for the Use and Benefit of the Permanent School Fund by Warranty Deed recorded in Document No. 2005151331 of the Official Public Records of Travis County, Texas lying west of a line established by the northerly prolongation of the most southerly of the two northwesterly lines of the adjoining tract of land to the south being that called 210.67 acre tract of land conveyed to Diane S. Myers, Trustee of The Diane S. Myers Family Trust created under the October 13, 1989 Last Will and Testament of Wendell R. Towery, Deceased by Corrective Warranty Deed recorded in Document No. 2000115109 of the Official Public Records of Travis County, Texas.

Tract 2

BEGINNING at a point in the present easterly right-of-way line of Kellam Road at the northwest corner of a called 117.208 acre tract of land conveyed to Circuit of the Americas, LLC by Special Warranty Deed recorded in Document No. 2012109754 of the Official Public Records of Travis County, Texas, same being the southwest corner of a called 59.130 acre tract of land conveyed to TWN Development, LLC by Special Warranty Deed recorded in Document No. 2010055637 of the Official Public Records of Travis County, Texas, for the most northerly northwest corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the northerly line of said 117.208 acre tract common in part with the southerly lines of said 59.130 acre tract and a called 210.67 acre tract of land conveyed to Diane S. Myers, Trustee of The Diane S. Myers Family Trust created under the October 13, 1989 Last Will and Testament of Wendell R. Towery, Deceased by Corrective Warranty Deed recorded in Document No. 2000115109 of the Official Public Records of Travis County, Texas to the northeast corner of said 117.208 acre tract, same being an inside ell corner of said 210.67 acre tract, for the northeast corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line

of said 117.208 acre tract and said 210.67 acre tract to a point on the present northerly right-of-way line of Elroy Road at the southeast corner of said 117.208 acre tract, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the present northerly right-of-way line of Elroy Road, common with the southerly line of said 117.208 acre tract to a point at the intersection of the present northerly right-of-way line of Elroy Road and the northerly prolongation of the common dividing line of Lots 3 and 4 of Odelia Terrace, a subdivision of record in Book 84, Pages 21B - 21C of the Plat Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the northerly prolongation of the common dividing line of said Lots 3 and 4 of said Odelia Terrace, crossing Elroy Road to a point on the present southerly right-of-way line of Elroy Road at the northerly common corner of said Lots 3 and 4 of said Odelia Terrace, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the present southerly right-of-way line of Elroy Road, common with the northerly line of said Odelia Terrace to a point at the northwest corner of said Odelia Terrace, same being the northeast corner of a called 15.019 acre tract of land described as "Tract 5" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010836 of the Official Public Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the easterly line of said 15.019 acre tract common in part with the westerly lines of said Odelia Terrace and a called 21.929 acre tract of land conveyed to Sterling Bruce Hobbs and Olive Penelope Hobbs by Warranty Deed with Vendor's Lien recorded in Volume 11735, Page 728 of the Real Property Records of Travis County, Texas to a point in the northerly line of a called 106.008 acre tract of land described as "Tract 4" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010836 of the Official Public Records of Travis County, Texas at the southeast corner of said 15.019 acre tract, same being the southwest

corner of said 21.929 acre tract, for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the northerly line of said 106.008 acre tract common in part with the southerly lines of said 21.929 acre tract and a called 29.7588 acre tract of land conveyed to Thomas J. Lincoln and Vickie M. Lincoln by Warranty Deed with Vendor's Lien recorded in Document No. 2002142611 of the Official Public Records of Travis County, Texas to a point in the present westerly right-of-way line of Elroy Road at the northeast corner of said 106.008 acre tract, same being the southeast corner of said 29.7588 acre tract, for an outside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the present westerly right-of-way line of Elroy Road common with the most northerly east line of said 106.008 acre tract to a point at an outside ell corner of said 106.008 acre tract, same being the northeast corner of Boothe Subdivision, a subdivision of record in Book 10, Page 18 of the Plat Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a westerly, southerly and easterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 106.008 acre tract and said Boothe Subdivision to a point in the present westerly right-of-way line of Elroy Road at an outside ell corner of said 106.008 acre tract, same being the southeast corner of said Boothe Subdivision, for an outside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the present westerly right-of-way line of Elroy Road common with the most southerly east line of said 106.008 acre tract to a point at the southeast corner of said 106.008 acre tract, same being the northeast corner of a called 2.293 acre tract of land conveyed to Gilbert C. Vettters, Jr. by Warranty Deed with Vendor's Lien recorded in Document No. 2011077817 of the Official Public Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with a southerly line of said

106.008 acre tract, common in part with the northerly lines of said 2.293 acre tract and Brammer Subdivision, a subdivision of record in Book 87, Pages 41C - 41D of the Plat Records of Travis County, Texas to a point at an outside ell corner of said 106.008 acre tract, same being the southeast corner of a tract of land being the remainder tract of a called 10.00 acre tract of land conveyed to Donald Anthony Haywood by Contract of Sale and Purchase recorded in Volume 11464, Page 72 of the Real Property Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 106.008 acre tract, with the easterly lines of said remainder tract of said 10.00 acre tract, a called 0.75 acre tract of land conveyed to Donald Anthony Haywood by Severance Deed recorded in Volume 12650, Page 1 of the Real Property Records of Travis County, Texas and a called 5.74 acre tract of land conveyed to Rosa E. Santis by Constable's Deed recorded in Document No. 2007001425 of the Official Public Records of Travis County, Texas to a point at an inside ell corner of said 106.008 acre tract, same being the northeast corner of said 5.74 acre tract, for an inside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 106.008 acre tract and said 5.74 acre tract to a point at an inside ell corner of said 106.008 acre tract, same being the northwest corner of said 5.74 acre tract, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with a westerly line of said 106.008 acre tract and the easterly line of a called 34.380 acre tract of land described as "Tract 6" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010837 of the Official Public Records of Travis County, Texas common with the westerly lines of said 5.74 acre tract, said remainder tract of said 10.00 acre tract and a tract of land being the remainder of a called 41.250 acre tract of land conveyed to Gilbert C. Vettters, Jr. by United States Marshal's Deed recorded in Volume 12651, Page 777 of the Real Property Records of Travis County, Texas to a point in the northerly line of a called 15.595 acre tract of land conveyed to Young H. Spurlock by Warranty Deed recorded in Volume 11640, Page 1285 of the Real Property Records of Travis County, Texas at the southeast corner of said 34.380

acre tract, same being the southwest corner of said remainder tract of said 41.250 acre tract, for an outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with the southerly line of said 34.380 acre tract common in part with the northerly lines of said 15.595 acre tract and a called 4.20 acre tract of land conveyed to Mike J. McLaughlin by Warranty Deed with Vendor's Lien recorded in Volume 11662, Page 517 of the Real Property Records of Travis County, Texas to a point at the northwest corner of said 4.20 acre tract, same being the most easterly northeast corner of a called 28.657 acre tract of land described as "Tract 8" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010837 of the Official Public Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 28.657 acre tract and said 4.20 acre tract to a point in the northerly line of a called 3.671 acre tract of land described as "Tract 2" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010836 of the Official Public Records of Travis County, Texas at the southeast corner of said 28.657 acre tract, same being the southwest corner of said 4.20 acre tract, for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the northerly line of said 3.671 acre tract, common in part with the southerly lines of said 4.20 acre tract, said 15.595 acre tract, a called 7.00 acre tract of land conveyed to John T. Rowland and Chong H. Rowland by Warranty Deed recorded in Volume 8312, Page 707 of the Deed Records of Travis County, Texas and a called 1.00 acre tract of land conveyed to Juan Bautista by General Warranty Deed recorded in Document No. 2004224559 of the Official Public Records of Travis County, Texas to a point on the present westerly right-of-way line of Elroy Road at the northeast corner of said 3.671 acre tract, same being the southeast corner of said 1.00 acre tract, for an outside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the present westerly right-of-way line of Elroy Road common in part with the easterly

line of said 3.671 acre tract to a point at the southeast corner of said 3.671 acre tract, same being the northeast corner of a called 20.024 acre tract of land conveyed to GST Hermanas Land and Cattle, LLC by General Warranty Deed recorded in Document No. 2010091347 of the Official Public Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 3.671 acre tract and said 20.024 acre tract to a point at the northwest corner of said 20.024 acre tract, same being the northeast corner of a called 45.25 acre tract of land conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011026871 of the Official Public Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 45.25 acre tract and said 20.024 acre tract to a point on the northerly line of a called 25.167 acre tract of land conveyed to Roger B. Holzem, II by General Warranty Deed recorded in Document No. 2005073338 of the Official Public Records of Travis County, Texas at an outside ell corner of said 45.25 acre tract, same being an outside ell corner of said 25.167 acre tract, for an outside ell corner of the tract herein described;

THENCE, in a westerly, northerly, westerly, southerly, easterly and southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 45.25 acre tract and said 20.024 acre tract to a point at an inside ell corner of said 45.25 acre, same being the southwest corner of said 20.024 acre tract, for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with a northerly line of said 45.25 acre tract common in part with the southerly line of said 20.024 acre tract and the most southerly line of a called 10.00 acre tract of land conveyed to Billy Ferris and Vivian Ferris by General Warranty Deed recorded in Document No. 2004184997 of the Official Public Records of Travis County, Texas to a point at an inside ell corner of said 45.25 acre tract, same being the most southerly southeast corner of said 10.00 acre tract, for an inside ell corner of the tract herein described;

THENCE, in a northerly and easterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 45.25 acre tract and said 10.00 acre tract to a point on the present westerly right-of-way line of Elroy Road at the most easterly common corner of said 45.25 acre tract and said 10.00 acre tract, for an outside ell corner of the herein described tract;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the present westerly right-of-way line of Elroy Road common with the most easterly line of said 45.25 acre tract to a point at the southeast corner of said 45.25 acre tract, same being the northeast corner of a called 2.000 acre tract of land conveyed to John C. Mackno by Warranty Deed with Vendor's Lien recorded in Document No. 2011069021 of the Official Public Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the southerly line of said 45.25 acre tract common in part with the northerly lines of said 2.000 acre tract and a called 111.20 acre tract of land conveyed to John C. Mackno by Warranty Deed recorded in Document No. 1999145080 of the Official Public Records of Travis County, Texas to a point in the easterly line of a called 399.528 acre tract of land described as "Tract 1" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010836 of the Official Public Records of Travis County, Texas at the southwest corner of said 45.25 acre tract, same being the northwest corner of said 111.20 acre tract, for an inside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 399.528 acre tract and said 111.20 acre tract to a point in the northeasterly line of a called 78.3484 acre tract of land described as "Tract 10" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010837 of the Official Public Records of Travis County, Texas at the most southernmost corner of said 399.528 acre tract, same being the southwest corner of said 111.20 acre tract, for an inside ell corner of the tract herein described;

THENCE, in an southeasterly direction along the proposed corporate limit line of the City of Austin with the common

dividing line of said 78.3484 acre tract and said 111.20 acre tract to a point at the most easterly northeast corner of said 78.3484 acre tract, same being the northwest corner of Lot 1 of Elroy Estates Section One, a subdivision of record in Book 49, Page 46 of the Plat Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a southwesterly and southeasterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and Lots 1 through 3 of said Elroy Estates Section One to a point on the present northwesterly right-of-way line of Elroy Road at an outside ell corner of said 78.3484 acre tract, same being the most southerly corner of Lot 3 of said Elroy Estates Section One, for an outside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin with the present northwesterly right-of-way line of Elroy Road, common with a southeasterly line of said 78.3484 acre tract to a point at an outside ell corner of said 78.3484 acre tract, same being the most easterly corner of Lot 4 of said Elroy Estates Section One, for an outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said Lot 4 of said Elroy Estates Section One to a point at an inside ell corner of said 78.3484 acre tract, same being the most northerly corner of said Lot 4 of said Elroy Estates Section One, for an inside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin with the most southeasterly line of said 78.3484 acre tract, same being in part with the southeast line of Lot 8 of said Elroy Estates Section One common with the northwest lines of Lots 4 through 7 of said Elroy Estates Section One to a point in the present northeasterly right-of-way line of F.M. 812 at the most southerly corner of said 78.3484 acre tract, same being the southerly common corner of Lots 7 and 8 of said Elroy Estates Section One, for the southeast corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with the present

northerly right-of-way line of F.M. 812, common in part with a southwesterly line of said 78.3484 acre tract and Lots 8 and 9 of said Elroy Estates Section One to a point at an outside ell corner of said 78.3484 acre tract, same being the southerly common corner of Lots 9 and 10 of said Elroy Estates Section One, for an outside ell corner of the tract herein described;

THENCE, in a northeasterly direction along the proposed corporate limit line of the City of Austin with a northwesterly line of said 78.3484 acre tract, same being the common dividing line of said Lots 9 and 10 of said Elroy Estates Section One to a point at an inside ell corner of said 78.3484 acre tract, same being the northerly common corner of said Lots 9 and 10 of said Elroy Estates Section One, for an inside ell corner of the tract herein described;

THENCE, in a northwesterly and southwesterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said Lot 10 of said Elroy Estates Section One to a point in the present northerly right-of-way line of F.M. 812 at an outside ell corner of said 78.3484 acre tract, same being the most westerly corner of said Lot 10 of said Elroy Estates Section One, for an outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with the present northerly right-of-way line of F.M. 812, common with a southwesterly line of said 78.3484 acre tract to a point at an outside ell corner of said 78.3484 acre tract, same being the most southerly corner of Lot 12 of Elroy Estates Section Two, a subdivision of record in Book 51, Page 53 of the Plat Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a northeasterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said Lot 12 of said Elroy Estates Section Two to a point at an inside ell corner of said 78.3484 acre tract, same being the common corner of Lots 11 and 12 of said Elroy Estates Section Two, for an inside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with a southwesterly line of said 78.3484 acre tract, same being the southwesterly

line of said Lot 11 of said Elroy Estates Section Two, common in part with the northerly lines of Lots 12 through 14 of said Elroy Estates Section Two to a point on the southeasterly line of Lot 15 of said Elroy Estates Section Two at an outside ell corner of said 78.3484 acre tract, same being the common corner of said Lots 11 and 14 of said Elroy Estates Section Two, for an outside ell corner of the tract herein described;

THENCE, in a northeasterly direction along the proposed corporate limit line of the City of Austin with a northwesterly line of said 78.3484 acre tract, same being the common dividing line of said Lots 11 and 15 of said Elroy Estates Section Two to a point at an inside ell corner of said 78.3484 acre tract, same being the common corner of said Lots 11 and 15 of said Elroy Estates Section Two, for an inside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said Elroy Estates Section Two to a point at an outside ell corner of said 78.3484 acre tract, same being the northwesterly corner of Lot 19 of said Elroy Estates Section Two, also being the northeasterly corner of Lot 1 of S. Laws Addition, a subdivision of record in Book 82, Page 390 of the Plat Records of Travis County, Texas and also being the southerly corner of a called 0.51 acre tract of land conveyed to Travis County Water Control & Improvement District #12 by deed recorded in Volume 1915, Page 68 of the Deed Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a northerly, westerly and southerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said 0.51 acre tract to a point at an outside ell corner of said 78.3484 acre tract, same being the northeast corner of Lot 2 of said S. Laws Addition, for an outside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 78.3484 acre tract and said S. Laws Addition, passing the northwest corner of Lot 3 of said S. Laws Addition to a point in the present easterly right-of-way line of Piland Triangle at the most westerly southwest corner of said 78.3484

acre tract, for an outside ell corner of the tract herein described;

THENCE, in a northeasterly and northwesterly direction along the proposed corporate limit line of the City of Austin with the present easterly right-of-way line of Piland Triangle common with the westerly line of said 78.3484 acre tract to a point at angle point in the westerly line of said 78.3484 acre tract, same being the southeasterly corner of a called 188.5874 acre tract of land described as "Tract 9" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010837 of the Official Public Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the present northerly right-of-way lines of Piland Triangle and F.M. 812, common the southerly line of said 188.5874 acre tract to a point at the southwest corner of said 188.5874 acre tract, same being the southeast corner of a called 29.480 acre tract of land conveyed to Reveille Real Estate, L.P. by Special Warranty Deed recorded in Document No. 2006020233 of the Official Public Records of Travis County, Texas, for the southwest corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the westerly lines of said 188.5874 acre tract and a called 123.720 acre tract of land described as "Tract 3" conveyed to AHSPE, LLC by General Warranty Deed recorded in Document No. 2011010836 of the Official Public Records of Travis County, Texas common with the easterly line of said 29.480 acre tract to a point at an inside ell corner of said 123.720 acre tract, same being the northeast corner of said 29.480 acre tract, for an inside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with a southerly line of said 123.720 acre tract common in part with the northerly lines of said 29.480 acre tract and a called 27.85 acre tract of land conveyed to Tim W. Reinhardt and Karol Reinhardt by deed recorded in Volume 7869, Page 468 of the Deed Records of Travis County, Texas to a point in the easterly line of a called 13.96 acre tract of land conveyed to Ralph Reinhardt by deed recorded in Volume 7388, Page 98 of the Deed Records of Travis County, Texas at the most westerly southwest corner of said 123.720 acre

tract, same being the northwest corner of said 27.85 acre tract, for the most westerly corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 123.720 acre tract and said 13.96 acre tract to a point on the present southerly right-of-way line of McAngus Road at the northwest corner of said 123.720 acre tract, same being the northeast corner of said 13.96 acre tract, for an outside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the present southerly right-of-way line of McAngus Road, common with the northerly line of said 123.720 acre tract to a point at the northwest corner of a twenty foot wide strip of land conveyed to Travis County by deed recorded in Volume 180, Page 422 of the Deed Records of Travis County, Texas, same being an angle point in the northerly line of said 123.720 acre tract;

THENCE, continuing in an easterly direction along the proposed corporate limit line of the City of Austin with the present southerly right-of-way line of McAngus Road to a point at the southwest corner of said 399.528 acre tract of land, same being the northwest corner of a forty foot wide lane, for an inside ell corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the present easterly right-of-way line of McAngus Road, common with the westerly line of said 399.528 acre tract to the northwest corner of said 399.528 acre tract, same being the southwest corner of a called 113 acre tract of land conveyed to Elroy Farm, L.L.C. by Special Warranty Deed recorded in Document No. 2008187350 of the Official Public Records of Travis County, Texas, for most westerly northwest corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the northerly line of said 399.528 acre tract common in part with the southerly lines of said 113 acre tract, a called 13.30 acre tract of land conveyed to Matthew Collins and Rebekah Collins by Warranty Deed with Vendor's Lien recorded in Document No. 2001054456 of the Official Public Records of Travis County, Texas and Elroy Acres, a subdivision of record in Book 76, Page 398 of the Plat Records of Travis County, Texas to a point on the westerly line of said

106.008 acre tract at the northeast corner of said 399.528 acre tract, same being the southeast corner of said Elroy Acres, for an inside ell corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 106.008 acre tract and said Elroy Acres to a point at the northwest corner of said 106.008 acre tract, same being the southwest corner of a called 10.035 acre tract of land conveyed to Dale Murrow and Judy Murrow by General Warranty Deed recorded in Document No. 2011104449 of the Official Public Records of Travis County, Texas, for an outside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 106.008 acre tract and said 10.035 acre tract to a point at the southeast corner of said 10.035 acre tract, same being the southwest corner of a called 10.060 acre tract of land conveyed to Circuit of the Americas, LLC by General Warranty Deed recorded in Document No. 2011059565 of the Official Public Records of Travis County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the common dividing line of said 10.060 acre tract and said 10.035 acre tract to a point on the present southerly right-of-way line of Elroy Road at the northwest corner of said 10.060, same being the northeast corner of said 10.035 acre tract, for an inside ell corner of the tract herein described;

THENCE, continuing in a northerly direction along the proposed corporate limit line of the City of Austin with the northerly prolongation of the common dividing line of said 10.060 acre tract and said 10.035 acre tract, crossing Elroy Road to a point in the present northerly right-of-way line of Elroy Road, same being the southerly line of said 117.208 acre tract for an inside ell corner of the tract herein described;

THENCE, in a westerly direction along the proposed corporate limit line of the City of Austin with the present northerly right-of-way line of Elroy Road common with the southerly line of said 117.208 acre tract to a point at the southwest corner of said 117.208 acre tract, same being at the intersection of the present northerly right-of-way line of Elroy Road and the

present easterly right-of-way line of Kellam Road, for an outside ell corner of the tract herein described;

THENCE, in a northerly direction along the proposed corporate limit line of the City of Austin with the present easterly right-of-way line of Kellam Road common with the westerly line of said 117.208 acre tract to the POINT OF BEGINNING.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

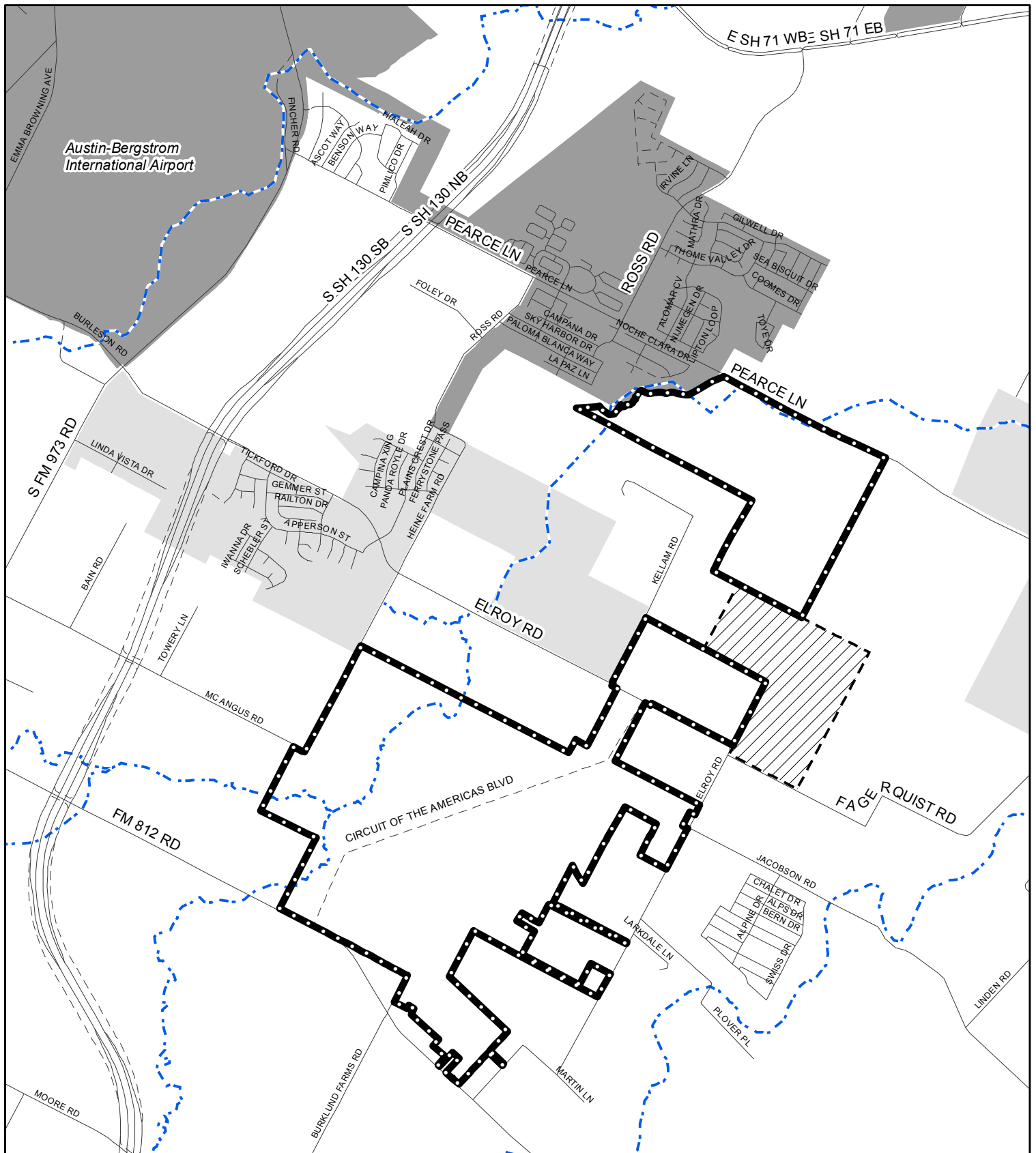
LEGAL DESCRIPTION: Mary P. Hawkins
10-15-2012

Mary P. Hawkins 10/19/12

APPROVED: Mary P. Hawkins, RPLS No. 4433
Quality and Standards Management Division
Department of Public Works
City of Austin

REFERENCES

Austin Grid N-10, N-11, P-10, P-11, P-12, P-13, Q-10, Q-11,
Q-12, Q-13 & R-13
TCAD MAPS 3-3141, 3-3931, 3-3941, 3-4831 & 3-4841



Circuit of the Americas Annexation Area

LEGEND

- Circuit of the Americas Annexation Area
- Myers Annexation & Development Agreement
- Street - Built
- Street - Planned
- Major Creek

0 1,500 3,000 6,000 Feet

1 in = 3,000 feet

CURRENT JURISDICTION

- Austin Full Purpose
- Austin Limited Purpose
- Austin ETJ

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Sources: All data by COA unless otherwise provided.



City of Austin PDRD
J. Chuter
October 10, 2012



EXHIBIT B



CITY OF AUSTIN ANNEXATION SERVICE PLAN

Case Name: Circuit of the Americas

Case Number: C7a-12-0011

Date: September 7, 2012

INTRODUCTION

This Service Plan ("Plan") is made by the City of Austin, Texas ("City") pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of land ("annexation area") known as the Circuit of the Americas annexation area. The annexation area includes approximately 1,521 acres in Travis County south of Pearce Lane approximately one half mile east of the intersection of Pearce Lane and Ross Road. This area is currently in the city's extraterritorial jurisdiction and is adjacent to the city's full purpose jurisdiction on the northwest side. This area includes undeveloped land owned by the State of Texas in addition to undeveloped agricultural parcels, a segment of the right-of-way of Elroy Road, and the Circuit of the Americas site.

The annexation area is described by metes and bounds in Exhibit A, which is attached to the annexation ordinance of which this Plan is a part. The annexation area is also shown on the map in Exhibit A.

EFFECTIVE TERM

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

INTENT

It is the intent of the City of Austin that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

SERVICE COMPONENTS

In General. This Plan includes three service components: (1) the Early Action Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

1. EARLY ACTION PROGRAM

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

- a. Police Protection. The Austin Police Department (“APD”) will provide protection and law enforcement services in the annexation area. These services include:
- normal patrols and responses;
 - handling of complaints and incident reports; and
 - special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppression, and special weapons and tactics team.

- b. Fire Protection. The Austin Fire Department (“AFD”) will provide emergency and fire prevention services in the annexation area. These services include:
- fire suppression and rescue;
 - emergency medical services first response for Austin/Travis County Emergency Medical Services Department on life threatening medical emergencies;
 - hazardous materials mitigation and regulation;
 - emergency prevention and public education efforts;
 - dive rescue;
 - technical rescue;
 - aircraft/rescue/ firefighting;
 - construction plan review;
 - inspections; and
 - rescue/hazardous materials unit.

AFD serves as the first responder on life threatening emergencies for Austin/Travis County EMS. All AFD personnel are certified at an Emergency Medical Technician (“EMT”) level or higher. All engines (pumpers), ladder trucks, and rescue units carry Automatic External Defibrillators for use with heart attack victims.

- c. Emergency Medical Service. The City of Austin/Travis County Emergency Medical Services (“EMS”) Department will provide emergency medical services in the annexation area.

Austin/Travis County EMS will provide the following emergency and safety services to the annexation area:

- medical 911 communications including dispatch, pre-arrival first aid instructions and coordination of other public safety support agencies;
- emergency Advanced Life Support (ALS) ambulance response, treatment and transport;
- medical rescue services; and
- medical support during large scale emergency events.

Austin/Travis County EMS is a mobile service provider, with units constantly moving throughout the system area. An ambulance is frequently dispatched from a location outside the station.

The Austin Fire Department will provide emergency medical first response to all patients in a life-threatening situation. All Austin Fire Department personnel are certified at the Emergency Medical Technician (EMT) level or higher and assist EMS personnel providing patient care.

- d. Solid Waste Collection. The Austin Resource Recovery Department will provide services in the annexation area. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services currently provided in the City for single family residences, including duplex, triplex and fourplex dwelling units, include:
- garbage collection – scheduled cart collection in accordance with City Pay-As-You-Throw guidelines;
 - recycling collection – scheduled curbside collection , materials collected include paper, boxboard and cardboard, aluminum and metal cans, glass bottles and jars, plastic bottles (#1 through #7); and
 - yard trimmings collection – scheduled residential collection in paper bags or reusable containers.

Commercial garbage collection service for businesses is available on a subscription basis from the City or private service providers.

At this time there are no residential customers in the annexation area.

- e. Maintenance of Water and Wastewater Facilities. Water and wastewater service will be provided to areas that are not within the certificated service area of another utility through existing facilities located within or adjacent to the area. The facilities will be maintained and operated by the City's Austin Water Utility as governed by standard policies and procedures, and under the provisions of the attached City service extension policy.
- f. Maintenance of Roads and Streets, Including Street Lighting. The Public Works Department will maintain public streets over which the City has jurisdiction. These services include:

- emergency pavement repair;
- ice and snow monitoring of major thoroughfares;
- street maintenance activities including crack seal, sealcoat, slurry seal, and preventative maintenance overlay; and
- repair maintenance operations of public streets on an as-needed basis including pothole repair, filling depressions (level up), spot surface replacement, spot full-depth repair, and utility cut repairs.

As streets in the area are dedicated and accepted for maintenance they will be included in the city's preventative maintenance program. Preventative maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition (distresses), rideability (smoothness), age, traffic volume, functional classification, and available funding.

If necessary, the Transportation Department will also provide regulatory signage services in the annexation area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs.

Street lighting will be maintained in accordance with the City of Austin ordinances, Austin Energy criteria and state law.

- g. Maintenance of Parks, Playgrounds, and Swimming Pools. At this time there are no public recreation facilities in the annexation area.

Recreational facilities and area amenities, including parks, pools, and medians, that are privately owned, maintained, or operated will be unaffected by the annexation.

- h. Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

2. ADDITIONAL SERVICES

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

- a. Watershed Protection. The Watershed Protection Department will provide drainage maintenance services in the annexation area. Drainage planning and maintenance are fee-based services. Services currently provided by the department, in accordance with and as limited by applicable codes, laws, ordinances and special agreements, include:
- water quality protection;
 - watershed protection master planning for flood hazard mitigation, streambank restoration and erosion control, and water quality protection;

- flood hazard mitigation;
 - streambank restoration and erosion management; and
 - infrastructure and waterway maintenance.
- b. Planning and Development Review. The Planning and Development Review Department will provide comprehensive planning, land development and building review and inspection services in accordance with and as limited by applicable codes, laws, ordinances and special agreements.
- c. Code Compliance. In order to attain compliance with City codes regarding land use regulations and the maintenance of structures, the City's Code Compliance Department will provide education, cooperation, enforcement and abatement relating to code violations
- d. Library. Upon annexation residents may utilize all Austin Public Library facilities.
- e. Public Health, Social, and Environmental Health Services. Upon annexation, the following services will be available from the Austin/Travis County Health and Human Services Department:
- investigation of public health related complaints including foodborne illness, recreational water quality and public swimming pools and spas;
 - enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance;
 - inspection of food establishments, child care facilities;
 - investigation of reported elevated blood lead levels in children;
 - animal services including leash law and rabies control; and
 - rodent and vector control consultation.
- f. Austin Energy. Austin Energy will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.
- g. Clean Community Services. The Austin Resource Recovery Department will provide clean community services in the annexed area. Clean community is a fee-based service. Services currently provided in the City include:
- bulk and brush collection;
 - street and boulevard sweeping;
 - litter collection and abatement;
 - household hazardous waste collection;
 - Austin Resource Recovery Center;
 - Austin reuse and recycling centers;
 - dead animal collection; and
 - zero waste program development.
- h. Other Services. All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

3. CAPITAL IMPROVEMENTS PROGRAM

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

- a. Police Protection. No capital improvements are necessary at this time to provide police services.
- b. Fire Protection. No capital improvements are necessary at this time to provide fire services.
- c. Emergency Medical Service. No capital improvements are necessary at this time to provide EMS services.
- d. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services.
- e. Water and Wastewater Facilities. No capital improvements are necessary at this time to provide water and wastewater services.

Water and wastewater services to new development and subdivisions will be provided according to the standard policies and procedures of the Austin Water Utility, which may require the developer of a new subdivision or site plan to install water and wastewater lines. The extension of water and sewer service will be provided in accordance with the attached water and wastewater service extension policy.

- f. Roads and Streets. No road or street related capital improvements are necessary at this time. In general, the City will acquire control of all public roads and jurisdiction in, over and under all public roads and public streets within the annexation area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.
- g. Parks, Playgrounds and Swimming Pools. No capital improvements are necessary at this time to provide services.
- h. Watershed Protection. No capital improvements are necessary at this time to provide services.

- i. Street Lighting. No capital improvements are necessary at this time to provide services. Street lighting in new and existing subdivisions will be installed and maintained in accordance with the applicable standard policies and procedures.
- j. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.
- k. Capital Improvements Planning. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services.

AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

FORCE MAJEURE

In case of an emergency, such as Force Majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

SUMMARY OF THE WATER AND WASTEWATER UTILITY SERVICE EXTENSION POLICY

The following information is a summary of the Austin Water Utility Service Extension Policy, as set out in Chapters 25-1 through 25-5 and 25-9 of the Austin City Code, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the City system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property

does not have City water or wastewater service fronting the property, the owner may make an application for an extension of service to the Director of the Austin Water Utility for review. If the Director determines that adequate capacity is available, or will be, and if the project does not include City cost participation or reimbursement, and if the proposed facilities are a logical extension of the City's water and wastewater system and the requested extension otherwise meets the requirements of Chapter 25-9, the extension size, capacity, and routing may be approved by the Director for funding and construction by the developer.

Depending on the size of the new facilities and other conditions, with City Council approval, the City may reimburse the developer for part of the cost of constructing certain facilities. With City Council approval, the City may cost participate by reimbursing costs associated with the oversize capacity of wastewater mains larger than 8 inches but less than 18 inches in diameter, and of water mains greater than 12 inches but less than 24 inches in diameter. With City Council approval, the City may reimburse to the developer the construction cost of the full capacity of wastewater facilities 18 inches in diameter or larger, and water facilities 24 inches in diameter or larger, as well as other facilities such as reservoirs or pumps. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in the Land Development Code.

For lots served by an existing on-site well or septic system that have water or wastewater lines within 100 feet of the lot at the time of annexation, the owner will not be required to pay the impact fees if a tap permit is obtained by the property owner on or before the second anniversary of the date of annexation. For lots served by an existing well or septic system that do not have water or wastewater lines within 100 feet of the lot, the owner will not be required to pay the impact fees if a tap permit is obtained by the property owner on or before the second anniversary of the date of acceptance of the water or sewer line to within 100 feet of their lot. In either case the owner will still be required to pay other applicable connection fees.

As long as a property is using a septic system, the property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails before the City sewer service is extended to the property, the property owner must repair the system. Under certain circumstances the Austin/Travis County Health and Human Services Department may require connection to the City sewer facilities.

This policy is set by the City Council and can be amended in the future by ordinance.