

RESTRICTIVE COVENANT

OWNER: Sunoco Retail, LLC, a Pennsylvania limited liability company

OWNER ADDRESS: 8111 Westchester Drive
Dallas, Texas 75225

CITY: **CITY OF AUSTIN, TEXAS**, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson

CITY's ADDRESS: P.O. Box 1088
Austin, Travis County, Texas 78767-1088

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which are acknowledged.

PROPERTY: **Tract 1:** 0.510 acre (called .509 acre) tract of land situated in Travis County, Texas, out of the Santiago Del Valle Survey, Abstract No. 24, Travis County, Texas being the remainder of Tract "A", DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 4, Page 176, Plat Records of Travis County, Texas, said .510 acres of land being more particularly described by metes and bounds in the attached Exhibit "A", and

Tract 2: Lot 1, Block 1, Tract "B", RESUBDIVISION OF TRACT "B" and TRACT "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, of the Plat Records of Travis County, Texas, SAVE and EXCEPT a 0.029 acre parcel of land conveyed to the State of Texas in Deed recorded in Document No. 2013182042, in the Official Public Records of Travis County, Texas, and

Tract 3: Lot 2, Block 1, Tract "B", RESUBDIVISION OF TRACT "B" & "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, Plat Records of Travis County, Texas, SAVE and EXCEPT a 0.029 acre parcel of land conveyed to the State of Texas in Deed recorded in Document No.

2013219837, in the Official Public Records of Travis County, Texas, and

Lot 3, Block 1, Tract "B", RESUBDIVISION OF TRACT "B" & "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, Plat Records of Travis County, Texas, SAVE and EXCEPT a 0.029 acre parcel of land conveyed to the State of Texas in Document No. 2013219835, in the Official Public Records of Travis County, Texas, and

Tract 4: Lot 1, Block 1, Tract "C", RESUBDIVISION OF TRACT "B" & "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, Plat Records of Travis County, Texas, SAVE and EXCEPT a 0.03 acre parcel of land conveyed to the State of Texas in Document Nos. 2015059076 and 2017159365, in the Official Public Records of Travis County, Texas, and

Lot 2, Block 1, Tract "C", RESUBDIVISION OF TRACT "B" & "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, Plat Records of Travis County, Texas, SAVE and EXCEPT 0.03 acre parcel of land conveyed to the State of Texas in Document No. 2015093699, in the Official Public Records of Travis County, Texas, and

Tract 5: Lot 3, Block 8, DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 4, Page 176, Plat Records of Travis County, Texas, and

Tract 6: Lots 5 & 6, Block 1, Tract "B", RESUBDIVISION OF TRACT "B" & TRACT "C" OF DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 719, Page 1, Deed Records of Travis County, Texas (cumulatively referred to as the "Property").

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell, and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and

restrictions shall run with the land and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis (“NTA”) memorandum from the Transportation Development Services division of the Austin Transportation Department (the “Department”), dated April 14, 2021. The NTA memorandum shall be kept on file at the Department.
2. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the Owner of the Property, or a portion of the Property, subject to the modification, amendment, or termination at the time of such modification, amendment or termination.

EXECUTED this the _____ day of _____, 2021.

Owner:

Sunoco Retail, LLC, a Pennsylvania limited liability company

Vincent Record, Senior Manager

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on this the _____ day of _____ 2021, by Vincent Record, as Senior Manager of Sunoco Retail, LLC, a Pennsylvania liability company, on behalf of said company.

Notary Public, State of Texas



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.510 ACRES
TRAVIS COUNTY, TEXAS
SANTIAGO DEL VALLE SURVEY, ABSTRACT 24**

LEGAL DESCRIPTION OF A 0.510 ACRE (CALLED 0.509 ACRE) TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF TRACT "A" OF THE DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN VOLUME 4, PAGE 176 OF THE PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE REMAINDER OF THAT SAME TRACT OF LAND DESCRIBED BY DEED DATED APRIL 11, 2001, CONVEYED FROM FRANCES STEWART, EXECUTOR TO DON BLACKMON AS RECORDED IN INSTRUMENT NO. 2001055262 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND LATER CONVEYED TO STRIPES LLC IN DOCUMENT NO. 2016030955; SAID 0.509 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron pipe found in the southwesterly right-of-way line of Eva Street (50-foot R.O.W.) for the east corner of said 0.509 acre tract, same being the north corner of Lot 6, Block 1, Resubdivision of Tract B and C of the Davidson City Addition, a subdivision recorded in Volume 719, page 1, Plat Records of Travis County, Texas;

THENCE, S 41°52'05" W a distance of **277.91 feet** to a TXDOT 1/2" iron rod with aluminum cap for the south corner of said 0.509 acre tract and the west corner of Lot 1, Block 1 of said Resubdivision of Tract B and C; same also being the north corner of that certain 0.029 acre tract described as Parcel 58 conveyed to the State of Texas for right-of-way purposes in Document No. 2013182042 of the Official Public Records of Travis County, Texas;

THENCE, with the northeasterly right-of-way line of State Highway 71 (R.O.W. varies), **N 60°57'58" W** a distance of **29.21 feet** to a cut-back corner in said R.O.W. line for an angle point of said 0.509 acre tract;

THENCE, N 05°38'00" W a distance of **61.03 feet** to a 1/2" iron rod set with cap stamped "Chaparral" at the south corner of that certain 0.0022 acre tract described as Parcel 20-Part 1 conveyed to the State of Texas in Document 2014116365 for another cut-back corner in said R.O.W. line and an angle point of said 0.509 acre tract;

THENCE, with the common line of said Parcel 20-Part 1 and said 0.509 acre tract, **N 13°47'42" E** a distance of **30.00 feet** to a 1/2" iron rod set with cap stamped "Chaparral" at a cut-back corner of the northeasterly intersection of said SH 71 and Alice Avenue (50-foot R.O.W.), from which a TXDOT Type II Monument at the west corner of said Parcel 20-Part 1 bears **S 41°58'27" W** a distance of 13.51 feet;

THENCE, with the southeasterly right-of-way line of said Alice Avenue and the northwesterly line of said 0.509 acre tract **N 41°58'27" E** a distance of **197.01 feet** to a 1/2" Iron pipe found in the southwesterly right-of-way line of said Eve Street for the north corner of said 0.509 acre tract;

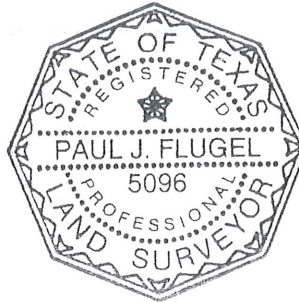
THENCE, with said southwesterly right-of-way line of said Eve Street **S 60°51'14" E** a distance of **89.42 feet** to the **POINT OF BEGINNING**, containing 0.509 acre of land, more or less.

Surveyed on the ground August 13, 2021.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203).

Paul J. Flugel 8-16-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPELS Firm No. 10124500



AN ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC & TREE SURVEY OF 1.573 ACRES (APPROXIMATELY 68,531 SQ. FT.) IN THE SANTIAGO DEL VALLE SURVEY ABSTRACT 24, TRAVIS COUNTY, TEXAS, CONSISTING OF:

TRACT 1: BEING A 0.12 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLEY SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF LOT 1, BLOCK 1, TRACT "B" OF THE RESUBDIVISION OF TRACT "B" & TRACT "C", DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED **VOLUME 719, PAGE 1** OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED APRIL 4, 2008, CONVEYED FROM JOHNNIE MAE EAKLES TO BENNY HOWARD AS RECORDED IN INSTRUMENT NO. **2008056657** OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 2: BEING A 0.509 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF TRACT "A" OF THE DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN **VOLUME 4, PAGE 176** OF THE PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE REMAINDER OF THAT SAME TRACT OF LAND DESCRIBED BY DEED DATED APRIL 11, 2001, CONVEYED FROM FRANCES STEWART, EXECUTOR TO DON BLACKMON AS RECORDED IN INSTRUMENT NO. **2001055262** OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 3: BEING A 0.243 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF LOTS 2 & 3, BLOCK 1, TRACT "B" OF THE RESUBDIVISION OF TRACT "B" & TRACT "C", DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN **VOLUME 719, PAGE 1** OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY GENERAL WARRANTY DEED DATED JULY 15, 2015, CONVEYED FROM JONAH M. HUTCHINS, ET AL TO DON BLACKMON AS RECORDED IN INSTRUMENT NO. **20151116715** OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 4: BEING A 0.249 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF LOTS 1 & 2, BLOCK 1, TRACT "B" & TRACT "C" OF THE RESUBDIVISION OF TRACT "B" & TRACT "C", DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN **VOLUME 719, PAGE 1** OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY WARRANTY DEED WITH VENDOR'S LIEN DATED JANUARY 10, 1977, CONVEYED FROM LIMUEL HUNTER TO PETRA COLUNGA AND FRANK FLORES AS RECORDED IN **VOLUME 5686, PAGE 496** OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS.

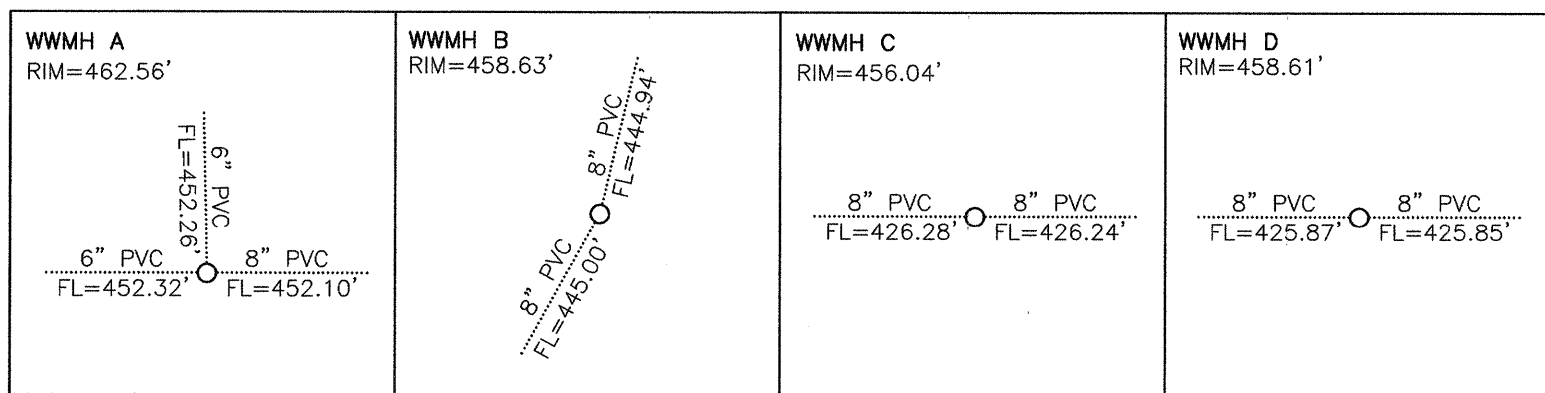
TRACT 5: BEING A 0.300 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING LOTS 5 & 6, BLOCK 1, TRACT "B" OF THE RESUBDIVISION OF TRACT "B" & TRACT "C", DAVIDSON CITY ADDITION, ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN **VOLUME 719, PAGE 1** OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY DEEDS DATED AUGUST 22, 1996, CONVEYED FROM DEL VALLE I.S.D., TRUSTEE TO PETRA C. FLORES AS RECORDED IN **VOLUME 12757, PAGES 800 AND 803**, RESPECTIVELY, OF THE REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 6: BEING A 0.15 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE SANTIAGO DEL VALLE SURVEY, ABSTRACT 24, TRAVIS COUNTY, TEXAS, BEING LOT 3, BLOCK 8 OF THE DAVIDSON CITY ADDITION ACCORDING TO THE ESTABLISHED MAP AND PLAT THEREOF RECORDED IN **VOLUME 4, PAGE 176** OF THE PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF AND DESCRIBED BY WARRANTY DEED DATED JANUARY 20, 1995, CONVEYED FROM JULIA PETRA COLUNGA FLORES AS RECORDED IN **VOLUME 12358, PAGE 5** OF THE REAL PROPERTY RECORDS, TRAVIS, COUNTY, TEXAS.

MANHOLE AND INLET NOTE:

THIS SURVEY SHOWS FIELD MEASURED SIZES AND DEPTHS AS OBSERVED FROM GROUND LEVEL OPENINGS. EXACT MEASUREMENTS AND DEPTHS, PARTICULARLY IN CRITICAL AREAS, SHOULD BE VERIFIED WITH UTILITY RECORD MAPS AND/OR FIELD VERIFICATION PRIOR TO FINAL PLANNING OR CONSTRUCTION.

MANHOLE DETAILS



BENCHMARK INFORMATION:

BM #1: SQUARE CUT ON END OF CURB AT NORTHWEST CORNER OF INTERSECTION OF S.H. 71 AND BESSIE AVENUE
ELEVATION = 459.69'
VERTICAL DATUM: NAVD 88 (GEOID 128)

LEGEND

- 1/2" IRON PIPE FOUND (OR AS NOTED)
- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH "TXDOT" CAP FOUND
- 1/2" REBAR WITH "URBAN SURVEYING" CAP FOUND
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- CONCRETE HIGHWAY MONUMENT FOUND
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- WATER MANHOLE
- VENT PIPE
- UTILITY POLE
- GUY WIRE
- OVERHEAD UTILITIES
- ELECTRIC UTILITY
- ELECTRIC PULL BOX
- LIGHT POLE
- CROSSWALK SIGNAL POLE
- TRAFFIC SIGNAL POLE
- CROSSWALK SIGNAL POLE
- SIGNAL BOX
- TELEPHONE UTILITY
- UNDERGROUND FIBER OPTIC MARKER
- GAS UTILITY
- GAS VALVE
- AC PAD
- CLEANOUT
- WASTEWATER CLEANOUT
- WASTEWATER MANHOLE
- STORMSEWER MANHOLE
- SIGN
- MAILBOX
- EDGE OF ASPHALT PAVEMENT
- BARB WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- ACCESS DENIAL
- T.W.S.E. TEMPORARY WORKING SPACE EASEMENT
- R.O.E. & P. RIGHT OF ENTRY AND POSSESSION
- E.L. & S. ELECTRIC LINES AND SYSTEMS AND T.U.C. TELEPHONE LINES EASEMENT
- W.W.E. WASTEWATER EASEMENT
- () RECORD INFORMATION

TREE INDEX

TAG NO. TYPE INDICATES MULTI TRUNK
514 LO 17 14 11
INDIVIDUAL TRUNK DIA. (IN INCHES)
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES.

PEC = PECAN
HB = HACKBERRY
CB = CHINABERRY
RD = RED OAK
ASH = GREEN ASH
AL = AMERICAN ELM
LG = LARGELF LOGSTRUM

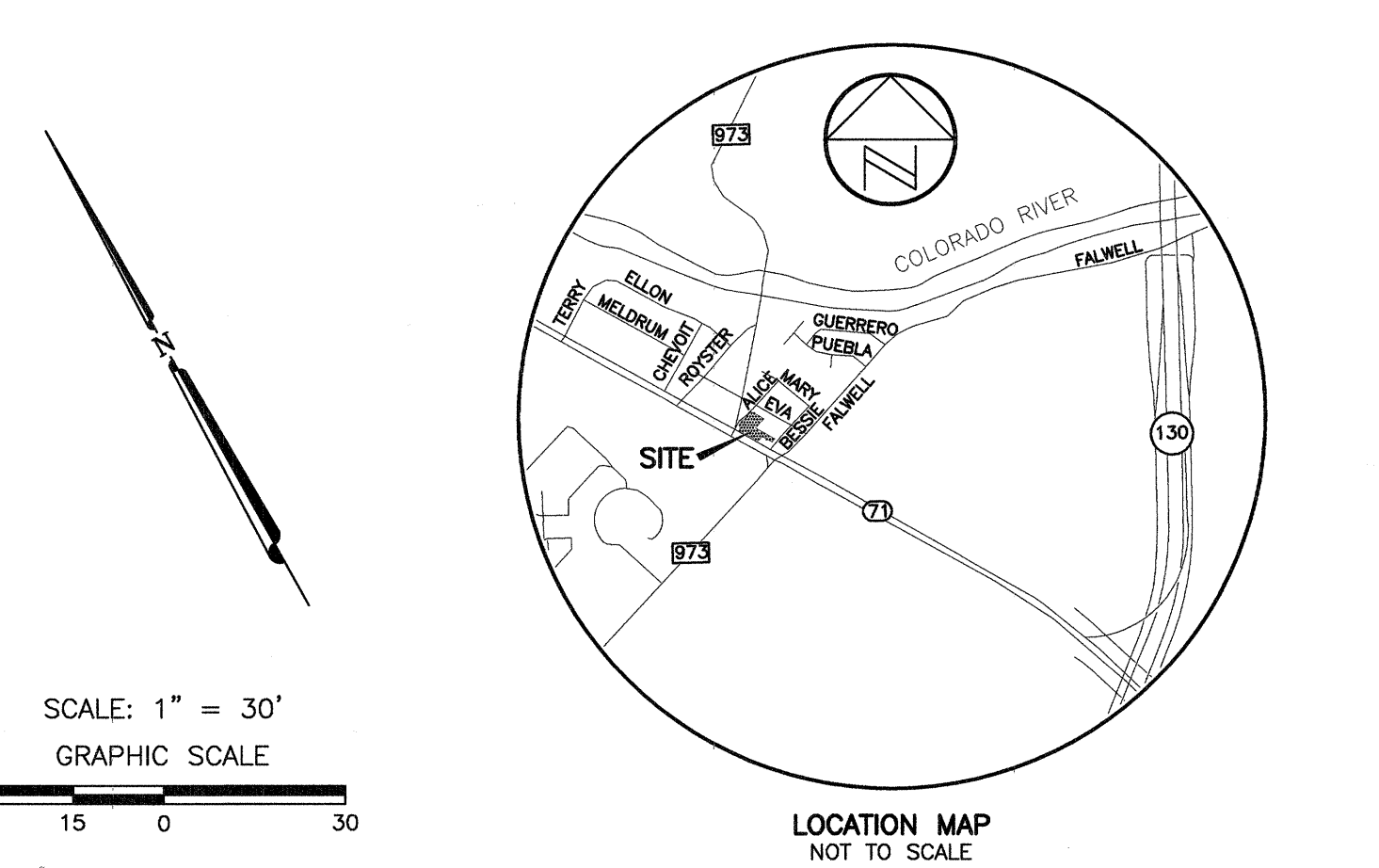
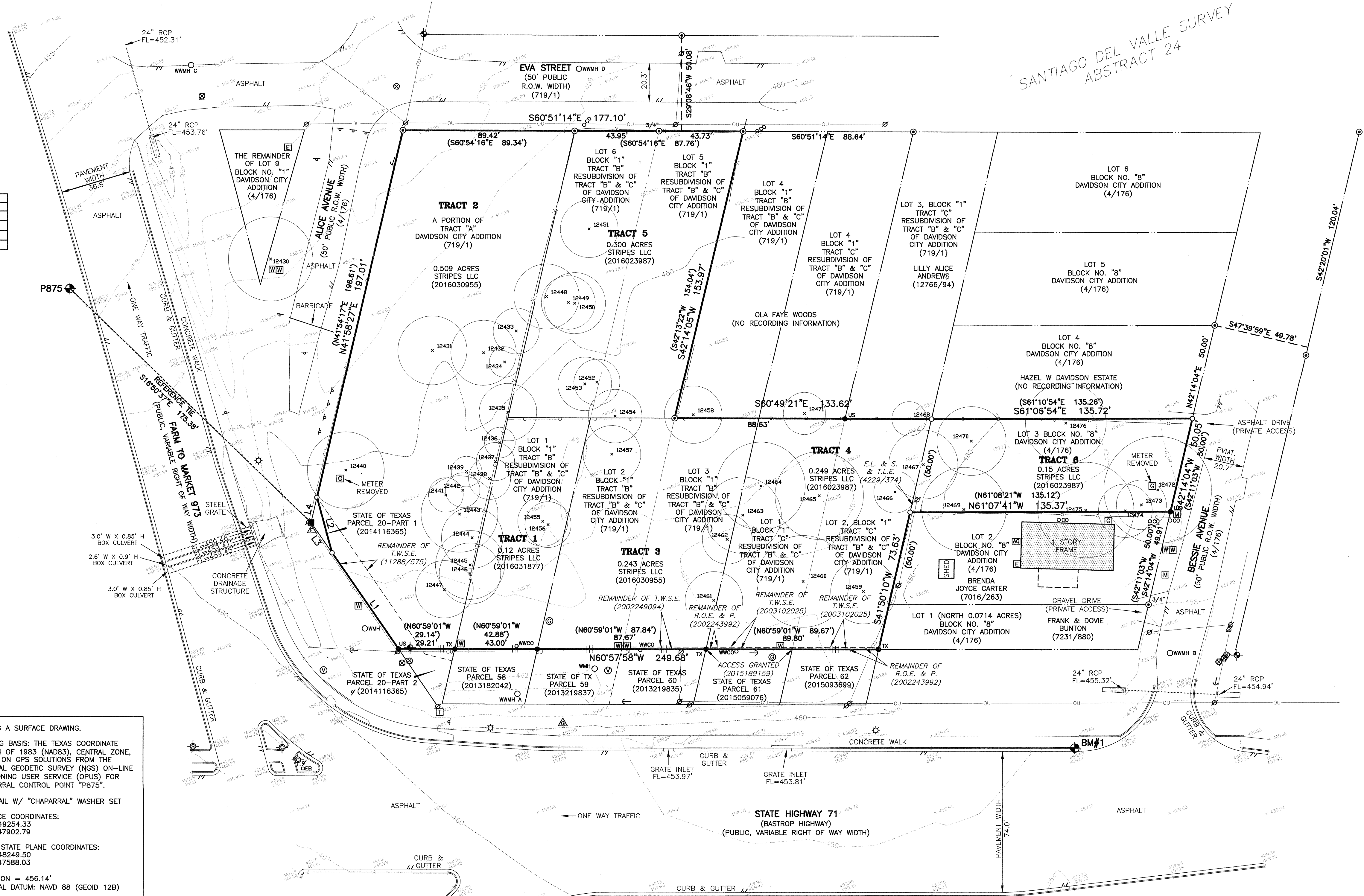
THE SPECIES OF TREES SHOWN WERE DETERMINED TO THE BEST OF OUR ABILITIES BY THE GROUND SURVEY CREW. NOT A CERTIFIED ARBORIST. CONSULT A CERTIFIED ARBORIST FOR FINAL DETERMINATION OF SPECIES.
NOTE ABOUT DEAD TREES: IF THE TREE APPEARED TO BE DEAD, THEN IT HAS BEEN NOTED AS DEAD. HOWEVER, SUCH DETERMINATION IS SUBJECT TO VERIFICATION BY A QUALIFIED ARBORIST.

LINE	BEARING	DISTANCE	(RECORD)
L1	N05°38'00"W	61.03'	(N05°22'14"W 61.09')
L2	N13°47'42"E	30.00'	(N13°42'21"E 30.04')
L3	N05°38'00"W	15.18'	(N05°14'47"W 16.18')
L4	S41°58'27"W	13.51'	(N41°57'40"E 13.51')

12430 PEC 22	12431 HB 18	12432 HB 17	12433 CB 12	12434 CB 12	12435 HB 15 (DEAD)	12436 HB 8	12437 HB 10	12438 CB 11 (DEAD)	12439 HB 9	12440 HB 20	12441 HB 9	12442 HB 9	12443 HB 20	12444 HB 18	12445 HB 18	12446 HB 18	12447 HB 17	12448 HB 17	12449 HB 14	12450 HB 18	12451 HB 15	12452 HB 12	12453 HB 13	12454 HB 14 (DEAD)	12455 HB 13	12456 HB 12	12457 PEC 15	12458 CB 15	12459 RO 17	12460 ASH 24	12461 HB 11 8	12462 HB 13	12463 PEC 20	12464 ASH 23	12465 ASH 23 (DEAD)	12466 PEC 11	12467 HB 18 (DEAD)	12468 HB 9	12469 CB 22	12470 AE 18	12471 HB 11	12472 AE 28	12473 HB 13	12474 ASH 14 (DEAD)	12475 ASH 25	12476 LG 21 (MULTI)
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THIS IS A SURFACE DRAWING.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "P875".
MAG. NAIL W/ "CHAPARRAL" WASHER SET
SURVEY COORDINATES:
N 10049254.33
E 3147902.79
TEXAS STATE PLANE COORDINATES:
N 10049249.50
E 3147988.03
ELEVATION = 456.14'
VERTICAL DATUM: NAVD 88 (GEOID 128)
COMBINED SCALE FACTOR = 0.999900010 (FOR SURFACE TO GRID CONVERSION)
INVERSE SCALE FACTOR = 1.000100 (FOR GRID TO SURFACE CONVERSION)
SCALED ABOUT 0.0
THETA ANGLE: 1°23'16"



TITLE COMMITMENT NOTE:

COMMITMENT FOR TITLE INSURANCE PREPARED BY:
Republic Title of Texas, Inc.
Commitment No.: 1002-328548-RTT Effective Date: February 8, 2021 Issued: March 1, 2021
The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.
Schedule "B" items contained therein and re-listed below were considered:
Restrictive Covenants: **Tract 1:** County Clerk's File No. 2013182042, Official Public Records of Travis County, Texas; **Tract 2:** Volume 709, Page 626, Deed Records of Travis County, Texas and under County Clerk's File No. 2014116355, Official Public Records of Travis County, Texas; **Tract 3:** County Clerk's File No. 2013219837 and 2013219835, Official Public Records of Travis County, Texas; **Tract 4:** County Clerk's File No. 2015059076, 2015093699 and 2017159365, Official Public Records of Travis County, Texas. — **Subject to** 10.

b. Electric and Telephone Easement to the City of Austin recorded December 27, 1971 in Volume 4229, Page 374, Deed Records of Travis County, Texas. (Tract 6) — **Subject to, as shown.**
c. Temporary Working Space Easement to the City of Austin recorded August 03, 1990 in Volume 11243, Page 258, Official Public Records of Travis County, Texas. (Tract 3) — **Not subject to, lies within the current right-of-way of State Highway 71.**
e. Terms, Conditions, and Stipulations in the Right of Entry and Possession Agreement by and between James Jones, Johnnie Mae Eakles and City of Austin recorded November 25, 2002 under County Clerk's File No. 2002227667, Official Public Records of Travis County, Texas. (Tract 1) — **Not subject to, lies within the current right-of-way of State Highway 71.**
f. Terms, Conditions, and Stipulations in the Right of Entry and Possession Agreement by and between Frank Flores, Petra Colunga, aka Petra Flores and City of Austin recorded December 18, 2002 under County Clerk's File No. 2002243992, Official Public Records of Travis County, Texas. (Tract 4) — **Subject to, remainder of easement shown.**
g. Terms, Conditions, and Stipulations in the Right of Entry and Possession Agreement by and between Lulu Mae Hutchins, Johnnie M Hutchins, Bertha Lee Arnold, Johnnie Mae Eakles and the City of Austin recorded December 28, 2002 under County Clerk's File No. 2002249094, Official Public Records of Travis County, Texas. (Tract 3) — **Subject to, remainder of easement shown.**
h. Wastewater Easement to the City of Austin recorded January 27, 2003 under County Clerk's File No. 2003018953, Official Public Records of Travis County, Texas. (Tract 1) — **Not subject to, lies within the current right-of-way of State Highway 71.**
i. Wastewater Easement to the City of Austin recorded March 14, 2003 under County Clerk's File No. 2003057027, Official Public Records of Travis County, Texas. (Tract 3) — **Not subject to, lies within the current right-of-way of State Highway 71.**
j. Wastewater Easement to the City of Austin recorded May 11, 2004 under County Clerk's File No. 2004089349, Official Public Records of Travis County, Texas. (Tract 5) — **Not subject to, lies within the current right-of-way of State Highway 71.**

k. Restricted rights of ingress, egress and direct access on and off the highway facility as contained in Deed (Parcel 58) to the State of Texas filed October 03, 2013 under County Clerk's File No. 2013182042, Official Public Records of Travis County, Texas. (Tract 1) — **Subject to, as shown.**
m. Restricted rights of ingress, egress and direct access on and off the highway facility as contained in Deed (Parcel 60) to the State of Texas filed December 16, 2013 under County Clerk's File No. 2013219835, Official Public Records of Travis County, Texas. (Tract 3) — **Subject to, as shown.**
n. Restricted rights of ingress, egress and direct access on and off the highway facility as contained in Deed (Parcel 59) to the State of Texas filed December 16, 2013 under County Clerk's File No. 2013219837, Official Public Records of Travis County, Texas. (Tract 3) — **Subject to, as shown.**
o. Restricted rights of ingress, egress and direct access on and off the highway facility as contained in Deed (Parcel 20 Part 1, and 2) to the State of Texas filed August 8, 2014 under County Clerk's File No. 2014116365, Official Public Records of Travis County, Texas. (Tract 2) — **Subject to, as shown.**
p. Restricted access from State Highway 71 as contained in Judgment of Court in Absence of Objection Cause No. C-1-CV-14-001571 (Parcel 61) filed April 20, 2015, under County Clerk's File No. 2015059076, Official Public Records of Travis County, Texas. (Tract 4) — **Subject to, as shown.**
q. Restricted access from State Highway 71 as contained in Judgment of Court in Absence of Objection Cause No. C-1-CV-14-001574 (Parcel 62) filed December 1, 2015, under County Clerk's File No. 2015053699, Official Public Records of Travis County, Texas. (Tract 4) — **Subject to, as shown.**
r. Terms, conditions and stipulations contained in Grant of Access from the Texas Transportation Commission and on behalf of the Texas Department of Transportation to Frank Flores and Petra Colunga a/k/a Petra Flores, filed November 30, 2015 under County Clerk's File No(s). 2015189159, Official Public Records of Travis County, Texas. (Tract 4) — **Subject to, as shown.**
t. Terms, conditions and stipulations contained in Variance Grant for Temporary Type III Permit filed August 11, 2016 under County Clerk's File No. 2016131648, Official Public Records of Travis County, Texas. (Tract 2) — **Subject to.**
u. Restricted access from State Highway 71 as contained in Judgment of Court in Absence of Objection Cause No. C-1-CV-14-001571 (Parcel 61) filed October 3, 2017, under County Clerk's File No. 2017159365, Official Public Records of Travis County, Texas. (Tract 4) — **Subject to.**

ALTA/NSPS SURVEY NOTES:

(Table A, Item 7b1)
Square footage of buildings, if shown, is based on the outside, ground floor footprint. Unless noted otherwise, the surveyor has not accessed the inside of the building for measurement purposes.

FLOOD-PLAIN NOTE:

The tract shown hereon does not lie within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48453C0610L, dated January 22, 2020, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

GENERAL SURVEY NOTES:

BUILDING NOTE: No buildings were observed on the subject tracts at the time of this survey.

PROPERTY ADDRESS:

Tract 1: 3203 Bastrop Hwy (SH 71), Del Valle, TX 78617
Tract 2: 3201 Bastrop Hwy (SH 71), Del Valle, TX 78617
Tract 3: 3205 Bastrop Hwy (SH 71), Del Valle, TX 78617
Tract 4: 3209 Bastrop Hwy (SH 71), Del Valle, TX 78617
Tract 5: 3174 & 3176 Eva St., Del Valle, TX 78617
Tract 6: 3214 Bessie Ave, Del Valle, TX 78617

SURVEYOR'S CERTIFICATE:

CERTIFIED TO:

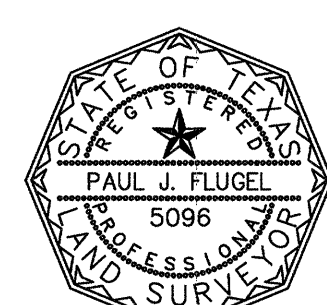
Stripes LLC, a Texas limited liability company
7-Eleven, Inc., a Texas corporation
Republic Title of Texas, Inc.
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 7b(1), 8, 9, 13 and 14 of Table A thereof.

The field work was completed on January 25, 2021.

Paul J. Flugel 3-1-2021

Paul J. Flugel Date
Registered Professional Land Surveyor
State of Texas No. 5096
Paul@chapsurvey.com



3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.: 406-012
DRAWING NO.: 406-012-T12
PLOT DATE: 03/01/21
PLOT SCALE: 1"=30'
DRAWN BY: STS/PAQ
SHEET 01 OF 01

APPROVED AS TO FORM:

Name: _____

Assistant City Attorney
City of Austin

After Recording, Please Return to:
City of Austin
Law Department
P. O. Box 1088
Austin, Texas 78767
Attention: C. Curtis, Paralegal