

RESOLUTION NO. 20051201-024

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

WHEREAS, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owner on the fair market value thereof; **NOW, THEREFORE**,

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

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

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

Owner: CMH Homes, Inc.

Project: Govalle 3 - Carson Creek at Montopolis Drive Project, a portion of the Austin Clean Water Program

Intended Purpose: the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines, and to comply with a federal mandate;

the temporary working space easement described in the attached Exhibit "B" is necessary to install the permanent wastewater lines and appurtenances thereto in the permanent wastewater line easement described in the attached Exhibit "A;" and

the temporary staging area and material storage site easement described in the attached Exhibit "C" is necessary to stage equipment and store material needed to install and repair the wastewater lines described in the attached Exhibit "A."

Location: 6801 East Ben White Boulevard, Austin, Texas.

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

ADOPTED: December 1, 2005

ATTEST: 
Shirley A. Brown
City Clerk

CMH Homes, Inc.,
to the
City of Austin
(Wastewater Easement)

FIELD NOTES FOR PARCEL 5105.04 WE

ALL OF THAT CERTAIN 0.286-ACRE (12,467 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 0.286-ACRE TRACT BEING A PORTION OF LOT 3, BLOCK A, BACON SUBDIVISION, AS RECORDED IN BOOK 96, PAGES 279-280 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 3, BLOCK A, HAVING BEEN CONVEYED TO CMH HOMES, INC., A TENNESSEE CORPORATION, BY SPECIAL WARRANTY DEED DATED JUNE 14, 1999 AND RECORDED IN VOLUME 12246, PAGE 1595 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing for **POINT OF REFERENCE** at a ½" iron rod found on the south right-of-way line of State Highway 71- East Ben White Boulevard (200' wide right-of-way), said 1/2" iron rod found being the common north corner of Lot 2, Block A, Bacon Subdivision and the above referenced Lot 3; Thence, with the common lot line of said Lots 2 and 3, S21°42'18"E a distance of 546.81 feet to a ½" iron rod found at the common south corner of said Lots 2 and 3; Thence, with the south line of said Lot 3, said line also being a north line of a 58.606-acre tract as conveyed to Leigh Acres, Ltd. by Warranty Deed as recorded in Volume 12357, Page 889 of the Real Property Records of Travis County, Texas, S42°27'49"W a distance of 105.03 feet to a 60d nail set having Texas State Plane Coordinate (Texas Central Zone, NAD83/93 HARN, U.S. Feet, Combined Scale Factor 0.99995348) values of N=10,050,765.757, E=3,127,434.924, for the northeast corner and **POINT OF BEGINNING** of the herein described tract of land;

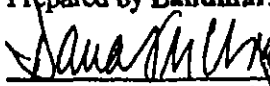
THENCE, with said common line of said Lot 3, Block A, Bacon Subdivision and said Leigh Acres Ltd. 58.606-acre tract, S42°27'49"W a distance of 23.42 feet to a 60d nail set for the southeast corner of this tract;

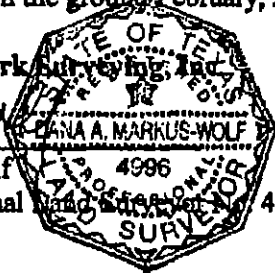
THENCE, crossing said Lot 3, Block A, Bacon Subdivision, the following nine (9) courses:

1. N78°53'27"W a distance of 25.15 feet to a 60d nail set at an angle point of this tract,
2. N89°49'42"W a distance of 172.44 feet to a 60d nail set at an angle point of this tract;

3. S00°10'18"W a distance of 21.00 feet to a 60d nail set at an angle point of this tract;
4. N89°49'42"W a distance of 61.54 feet to a 60d nail set at an angle point of this tract;
5. S24°35'35"W a distance of 97.42 feet to a 60d nail set on the north line of two existing City of Austin Sanitary Sewer Easements as recorded in Volume 4050, Page 1339 and Volume 4057, Page 967, respectively, both of the Deed Records of Travis County, Texas, for the most southeast corner of this tract;
6. With the north line of said existing City of Austin Sanitary Sewer Easement as recorded in Volume 4050, Page 1339, S72°40'01"W a distance of 55.11 feet to 60d nail set for the most southwest corner of this tract;
7. Leaving said existing City of Austin Sanitary Sewer Easement as recorded in Volume 4050, Page 1339, N24°35'35"E a distance of 160.65 feet to a 60d nail set for the most northwest corner of this tract;
8. S89°49'42"E a distance of 262.31 feet to a 60d nail set at an angle point of this tract; and
9. S78°53'27"E a distance of 39.25 feet to the **POINT OF BEGINNING** and containing 0.286-acre (12,467 square feet) of land, more or less.


I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground February, 2005 under my supervision.

Prepared by Landmark Surveying, Inc.

 Dana A. Markus-Wolf
 Registered Professional Surveyor No. 4996
 March 16, 2005



Bearing Basis: Texas State Plane Coordinates, Central Zone 4203, NAD '83 Horizontal Grid Coordinates for the reference monuments SOCC AND A740 as established and published by the Lower Colorado River Authority were used as the controlling monuments for this survey. Combined scale factor=0.99995348.

5105.04 we_rev2 lot 3 bacon sub.doc
 Austin Map No. 646, Grid No. L17
 TCAD No. 0315110822

FIELD NOTES REVIEWED
 By:  Date: 3-17-05
 Austin Clean Water Program
 Survey Coordinator



EAST BEN WHITE BOULEVARD
(STATE HIGHWAY 71)
(200' ROW)

PAGE 3 OF 4

SANTIAGO DEL VALLE GRANT.

LOT 3
BLOCK A

CMH HOMES INC., A TENNESSEE CORPORATION
VOLUME 12246, PAGE 1595
R.P.R.T.C.T.

BACON SUBDIVISION
BK. 96, PGS. 279-280
P.R.T.C.T.

<u>LINE TABLE</u>		
<u>LINE</u>	<u>BEARING</u>	<u>DISTANCE</u>
L1	S42°27'49"W	23.42'
L2	N78°53'27"W	25.15'
L3	S00°10'18"W	21.00'
L4	S72°40'01"W	55.11'

PARCEL 5105.04 WE
-WASTEWATER EASEMENT
0.288-ACRE
(12.467 SF)

10' ELECTRIC EASEMENT
BK. 96, PGS. 279-280
P.R.T.C.T.

520°09'12"E 546.68'
521°42'18"E 546.81'

LOT 2
BLOCK A

MENT OF

N 10,050,765.757
E 3,127,434.924
(GND)

LEIGH ACRES, LTD.
VOL. 12357, PG. 889
(58.606-ACRES)
B.P.B.T.C.T.

SKETCH TO
ACCOMPANY
FIELD NOTES

HEARING BASES NOTE:

NAD 83 COORDINATE SYSTEM (GRID) TEXAS CENTRAL (4203)
COMBINED SCALE FACTOR 0.999995348 NAD83 VERTICAL DATUM
HORIZONTAL AND VERTICAL COORDINATES FOR SOCC AND A740 AS
PUBLISHED BY THE LCRA, WERE USED AS THE CONTROLLING
MONUMENTS FOR THIS SURVEY.

NOTE

FOR RESTRICTIVE COVENANTS AND EASEMENTS.
LEGEND, AND BEARING BASIS,
SEE PAGE 4 OF 4.



Landmark
SURVEYING, INC.

1301 E. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 318
AUSTIN, TEXAS 78746
PH: (512) 338-7461 FAX: (512) 338-2461

BOUGHAN-SIMS SUBDIVISION
BK. 82, PG. 223
P.R.T.C.T.

Exhibit "A"
Page 3 of 4

Client: Others, Inc. (58.606-ACRES)
 Order: MARCH 6, 2005
 Order #: ALBROUDI
 Order #: R.P.R.T.C.T.
 F.I.#: 740/21 & 744/1
 Order #: 2\OTHER\gavella3-Carson\Landmark Drawings\grid-Staff\ Emmert\CO-grid-2.dwg
 Order #: 482-07-03

**SURVEY OF A PORTION OF LOT 3, BLOCK A, BACON SUBDIVISION,
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 4 OF 4

PARCEL 5105.04 WE

COMMITMENT NOTE:

All easements of which I have knowledge and those recorded easements furnished by Chicago Title Insurance Company according to Commitment No. 44-908-80-2405167, effective October 28, 2004 are shown or depicted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

RESTRICTIVE COVENANTS AND EASEMENTS

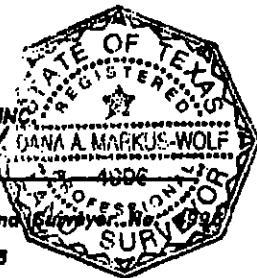
1. A drainage easement of varying width across the rear portion of property as shown on plat recorded in Volume 96, Page 279, of the Plat Records of Travis County, Texas, DOES AFFECT the proposed easement as shown on the attached sketch.
2. An electric distribution and telecommunications lines and system easement granted to the City of Austin as recorded in Volume 12638, Page 1142, of the Real Property Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
3. All of the terms, conditions and provisions of Notice Concerning Construction of Subdivision Improvements as recorded in Volume 12652, Page 1 of the Real Property Records of Travis County, Texas, DO AFFECT the proposed easement.
4. A 10-foot wide public utility easement as shown on plat recorded in Book 96, Page 279, of the Plat Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
5. A 5-foot wide electric easement across the east side of Lot 3, Block A, Bacon Subdivision, as shown on plat as recorded in Book 96, Page 279, of the plat records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
6. All of the terms, conditions and provisions of Rental Agreement executed by and between CMH Homes, Inc. dba Clayton Homes and Dinosaur Outdoor Advertising as recorded in Document No. 2003136857 of the Official Public Records of Travis County, Texas, DO AFFECT the proposed easement.
7. A 5-foot wide electric and telephone easement across the rear portion of property as shown on plat recorded in Volume 96, Page 279, of the Plat Records of Travis County, Texas, and granted to the City of Austin as recorded in Volume 6743, Page 1809, of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
8. A 15-foot wide sanitary sewer easement across the rear portion of property as shown on plat recorded in Volume 96, Page 279, of the Plat Records of Travis County, Texas, and granted to the City of Austin in Volume 4057, Page 967, of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
9. A 15-foot wide sanitary sewer easement granted to the City of Austin as recorded in Volume 4050, Page 1339, of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
10. A channel easement granted to the State of Texas as recorded in Volume 1971, Page 207 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
11. A artificial water quality zone across the rear portion of property as shown on plat recorded in Volume 96, Page 279, of the Plat Records of Travis County, Texas, DOES AFFECT the proposed easement as shown on the attached sketch.

LEGEND

- | | |
|---|--|
| ● 1/2" IRON PIPE FOUND | ROW RIGHT-OF-WAY |
| ● 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED) | P.R.T.C.T. Plat Records
Travis County, Texas |
| ○ 1/2" IRON ROD SET | D.R.T.C.T. Deed Records
Travis County, Texas |
| △ 800 NAIL SET | O.P.R.T.C.T. Official Public Records
Travis County, Texas |
| △ CALCULATED POINT
(NOT ESTABLISHED ON GROUND) | R.P.R.T.C.T. Real Property Records
Travis County, Texas |
| ⊗ CLEAN OUT | |
| ⊗ WASTEWATER MANHOLE | |
| () RECORD INFORMATION | |
| ~ BREAK IN SCALE | |
| BK. BOOK | |
| PG. PAGE | |
| VOL. VOLUME | |

AS SURVEYED BY
LANDMARK SURVEYING, INC.

Dana A. Markus-Wolf
Dana A. Markus-Wolf
Registered Professional Land Surveyor, No. 1998
DATE: MARCH 9, 2005
REVISED: MARCH 18, 2005



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

Client: Other, Inc.
Date: MARCH 9, 2005
Office: M. BOWMAN
Drawn: J.F.B.
F.B.I. 40/21 & 744/1
Blair: 21\UTWON\gordell3-Carson\Landmark Drawings\grid-Steff\ Easements\CC-artlines-2.dwg
Copy: J.B.
Job No.: 480-07-03

Landmark
SURVEYING, INC.
1301 S. CAPITAL OF TEXAS HWY.
BUILDING 8, SUITE 515
AUSTIN, TEXAS 78748
PH: (813)328-7411 FAX: (813)328-7413

Exhibit "A"
Page 4 of 4

CMH Homes, Inc.,
to the
City of Austin
(For Temporary Working Space Easement)

FIELD NOTES FOR PARCEL 5105.04 TWSE

ALL OF THAT CERTAIN 0.369-ACRE (16,084 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SAID 0.369-ACRE TRACT BEING A PORTION OF LOT 3, BLOCK A, BACON SUBDIVISION, AS RECORDED IN BOOK 96, PAGES 279-280 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO CMH HOMES, INC., A TENNESSEE CORPORATION, BY SPECIAL WARRANTY DEED DATED JUNE 14, 1999, RECORDED IN VOLUME 12246, PAGE 1595 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing for POINT OF REFERENCE at a ½" iron rod found on the south right-of-way line of State Highway 71-East Ben White Boulevard (200' wide right-of-way), said ½" iron rod found being the common north corner of Lot 2, Block A, Bacon Subdivision and the above described Lot 3, Block A; Thence, with the common lot line of said Lots 2 and 3, S21°42'18"E a distance of 546.81 feet to a ½" iron rod found at the common south corner of said Lots 2 and 3; Thence, with the south line of said Lot 3, also being a north line of a 58.606-acre tract as conveyed to Leigh Acres, Ltd. by Warranty Deed recorded in Volume 12357, Page 889 of the Real Property Records of Travis County, Texas, S42°27'49"W a distance of 87.46 feet to a calculated point, having Texas State Plane Coordinate (Texas Central Zone, NAD83/93 HARN, U.S. Feet, Combined Scale Factor 0.99995348) values of N=10,050,778.714, E=3,127,446.782, for the northeast corner and POINT OF BEGINNING of the herein described tract of land;

THENCE, continuing with said common line of Lot 3, Block A, Bacon Subdivision and the Leigh Acres, Ltd. 58.606-acre tract, S42°27'49"W a distance of 17.57 feet to a 60d nail set for the southeast corner of this tract;

THENCE, crossing said Lot 3, Block A, Bacon Subdivision, the following four (4) courses:

1. N78°53'27"W a distance of 39.25 feet to a 60d nail set at an angle point of this tract;
2. N89°49'42"W a distance of 262.31 feet to a 60d nail set at an angle point of this tract; and
3. S24°35'35"W a distance of 160.65 feet to a 60d nail set on the north line of an existing Sanitary Sewer Easement conveyed to the City of Austin by instrument

recorded in Volume 4050, Page 1339 of the Deed Records of Travis County, Texas, for an angle point of this tract;

4. With said north line of City of Austin Sanitary Sewer Easement, S72°40'01"W a distance of 17.12 feet to a calculated point on the common line of said Lot 3 and a 28.686-acre tract conveyed to the Lower Colorado River Authority (LCRA) by general warranty deed dated March 29, 2000 as recorded in Document No. 2000046599 of the Official Public Records of Travis County, Texas, for the southwest corner of this tract;


THENCE, with said common line of Lot 3 and the LCRA 28.686-acre tract, N11°54'30"W a distance of 55.48 feet to a ½" iron rod found at the northeast corner of said 28.686-acre tract and the southeast corner of Lot 1, Boughan-Sims subdivision, as recorded in Book 82, Page 223 of the Plat Records of Travis County, Texas, for an angle point of this tract;

THENCE, with the common line of said Lot 3 and said Lot 1, Boughan-Sims Subdivision, N11°42'51"W a distance of 114.63 feet to a calculated point for the northwest corner of this tract;

THENCE, crossing said Lot 3, Block A, Bacon Subdivision, the following two (2) courses:

1. S89°49'42"E a distance of 381.71 feet to a calculated point at an angle point of this tract; and
2. S78°53'27"E a distance of 49.83 feet to a calculated point for the **POINT OF BEGINNING** and containing 0.369-acre (16,084 square feet) of land, more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground on February 10, 2005 under my supervision.

Prepared by Landmark Surveying, Inc.

Dana A. Markus-Wolf
Registered Professional Land Surveyor No. 4996
May 10, 2005

Bearing Basis: Texas State Plane Coordinates, Central Zone 4203, NAD '83 Horizontal Grid Coordinates for the reference monuments SOCC AND A740 as established and published by the Lower Colorado River Authority were used as the controlling monuments for this survey. Combined scale factor=0.99995348.

5105.04 twse_rev3- lot 3 bacon sub.doc
Austin Map No. 646, Grid No. L17
TCAD No. 0315110822

Exhibit "B"
Page 2 of 4

FIELD NOTES REVIEWED
By: RF Date: 5-24-05
Austin Clean Water Program
Survey Coordinator



SCALE 1"=80'

**SURVEY OF A PORTION OF LOT 3, BLOCK A,
BACON SUBDIVISION,
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**
PAGE 3 OF 4

**EAST BEN WHITE BOULEVARD
(STATE HIGHWAY 71)
(200' ROW)
POINT OF
REFERENCE**

**LOT 3
BLOCK A**

SANTIAGO DEL VALLE GRANT.

**CMH HOMES INC., A TENNESSEE CORPORATION
VOLUME 12246, PAGE 1595
R.P.R.T.C.T.**

**BOUGHAN-SIMS SUBDIVISION
BK. 82, PG. 223
P.R.T.C.T.**

**BACON SUBDIVISION
BK. 96, PGS. 279-280
P.R.T.C.T.**

**PARCEL 5105.04 TWSE
TEMPORARY WORKING SPACE EASEMENT
0.369-ACRE
(16,064 SF)**

**10' ELECTRIC EASEMENT
BK. 96, PGS. 279-280
P.R.T.C.T.**

**POINT OF
BEGINNING
N 10,050.778.714
E 3,127.448.782
(GRID)**

**LEIGH ACRES, LTD.
VOL. 12357, PG. 889
(58.606-ACRES)
R.P.R.T.C.T.**

**SKETCH TO
ACCOMPANY
FIELD NOTES**

**Landmark
SURVEYING, INC.**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH (512) 338-7411 FAX (512) 338-7413

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S42°27'49"W	17.57'
L2	S72°40'01"W	17.12'

Check: []
Drawn: []
Office: []
Crew: []
F.L.S.: []
State: []
Copy: []
Date: MAY 16, 2008
By: []
Job: 740/21 & 744/1
Z:\OTHON\general3-Corpus\Landmark Drawings\grid-5105\ Easements\CC-grid5105-S.dwg
Job No. 400-87-08

Page 3 of 4
Exhibit "B"

**SURVEY OF A PORTION OF LOT 3, BLOCK A, BACON SUBDIVISION,
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 4 OF 4

TITLE COMMITMENT NOTE:

A title commitment was NOT REVIEWED for the purpose of this survey.

BEARING BASIS NOTE:

NAD 83
COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203)
COMBINED SCALE FACTOR 0.99995348
NAD 83 VERTICAL DATUM
HORIZONTAL AND VERTICAL COORDINATES FOR
SODC AND A740 AS PUBLISHED BY THE LCRA
WERE USED AS THE CONTROLLING MONUMENTS
FOR THIS SURVEY.

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET
- △ 800 NAIL SET
- △ CALCULATED POINT
(NOT ESTABLISHED
ON GROUND)
- CLEAN OUT
- ⊕ WASTEWATER MANHOLE
- () RECORD INFORMATION
- √ BREAK IN SCALE
- P.R.T.C.T. Plat Records
Travis County, Texas
- D.R.T.C.T. Deed Records
Travis County, Texas
- O.P.R.T.C.T. Official Public Records
Travis County, Texas
- R.P.R.T.C.T. Real Property Records
Travis County, Texas
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- ROW RIGHT-OF-WAY

AS SURVEYED BY
LANDMARK SURVEYING, INC.

Dana A. Markus-Wolf
Dana A. Markus-Wolf
Registered Professional Land Surveyor No. 4998
DATE: MAY 10, 2005



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

Client: Office, Inc.
Date: MAY 10, 2005
Office: M. Laughlin
Drawn: Jeff
F.E.: 740/21 & 744/1
Check: D:\GTHOM\gavale3-Carson\Landmark Drawings\grid-Staff\ Easements\CO-gridbase-J.dwg
Copro:
Job No.: 480-07-08

Landmark
SURVEYING, INC.

1301 E. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 318
AUSTIN, TEXAS 78748
PH (512)328-7411 FAX (512)328-7413

Exhibit "B"

Page 4 of 4

CMH Homes, Inc.,
to the
City of Austin
(For Temporary Staging Area and Material Storage Site)

FIELD NOTES FOR PARCEL 5105.04 TSAAMSS

ALL OF THAT CERTAIN 0.518-ACRE (22,553 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SAID 0.518-ACRE BEING PART OF LOT 3, BLOCK A, BACON SUBDIVISION, AS RECORDED IN BOOK 96, PAGES 279-280 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO CMH HOMES, INC., A TENNESSEE CORPORATION, BY SPECIAL WARRANTY DEED DATED JUNE 14, 1999, RECORDED IN VOLUME 12246, PAGE 1595 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing for POINT OF REFERENCE at a ½" iron rod found on the south right-of-way line of State Highway 71-East Ben White Boulevard (200' wide right-of-way), said ½" iron rod found being the north common corner of the above described Lot 3, Block A, Bacon Subdivision, and Lot 1, Boughan-Sims Subdivision, as recorded in Book 82, Page 223 of the Plat Records of Travis County, Texas; Thence, with the common line of said Lot 3 and said Lot 1, S11°42'51"E a distance of 338.80 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD83/93 HARN, U.S. Feet, Combined Scale Factor 0.99995348) values of N=10,050,869.917 E=3,126,999.516, for the northwest corner and POINT OF BEGINNING of the herein described tract of land;

THENCE, continuing through said Lot 3, Block A, the following three (3) courses:

- 1. S89°49'42"E, a distance of 280.46 feet to a calculated point for the northeast corner of this tract;**
- 2. S11°43'15"E a distance of 82.18 feet to a calculated point for the southeast corner of this tract;**
- 3. N89°49'42"W, a distance of 280.47 feet to a calculated point on the common line of said Lot 3 and said Lot 1, for the southwest corner of this tract;**

THENCE, with the common line of said Lot 3 and said Lot 1, N11°42'51"W a distance of 82.17 feet to the POINT OF BEGINNING and containing 0.518-acre (22,553 square feet) of land, more or less.

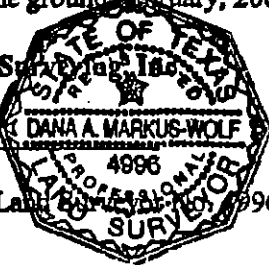
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Prepared by Landmark Surveying, Inc.

Dana A. Markus-Wolf

Dana A. Markus-Wolf

Registered Professional Land Surveyor No. 4996
May 10, 2005



Bearing Basis: Texas State Plane Coordinates, Central Zone 4203, NAD '83 Horizontal Grid Coordinates for the reference monuments SOCC AND A740 as established and published by the Lower Colorado River Authority were used as the controlling monuments for this survey. Combined scale factor=0.99995348.

5105.04 tsamss_rev3 - lot 3 bacon sub.doc
Austin Map No. 646, Grid No. L17
TCAD No. 0315110822

FIELD NOTES REVIEWED

By: *[Signature]* Date: 5-24-05

Austin Clean Water Program
Survey Coordinator

SURVEY OF A PORTION OF LOT 3, BLOCK A, BACON SUBDIVISION, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

Page 3 of 3



SCALE 1"=80'

**EAST BEN WHITE BOULEVARD
(STATE HIGHWAY 78 200' ROW)**

5' ELECTRIC EASEMENT
BK. 82, PG. 223 P.R.T.C.T.
VOL. 6743, PG. 1809 D.R.T.C.T.

**POINT OF
REFERENCE**

10' P.U.E. & ELECTRICAL
UTILITY EASEMENT
BK. 86, PGS. 279-280
P.R.T.C.T.
VOL. 12638, PG. 1142
R.P.R.T.C.T.

SANTIAGO DEL VALLE GRANT.

**BOUGHAN-SIMS
SUBDIVISION
BK. 82, PG. 223
P.R.T.C.T.
LOT 1**

**LOT 3
BLOCK A**

**BACON SUBDIVISION
BK. 96, PGS. 279-280
P.R.T.C.T.**

POINT OF BEGINNING
N 10.050.869.917
E 3.126.999.516
(GRID)

**DJK INC.
EAST BEN WHITE BOULEVARD
VOLUME 12947, PG. 2854
R.P.R.T.C.T.**

Power Pole

**5105.04 T8AAMSS
TEMPORARY STAGING AREA
AND MATERIAL STORAGE SITE
0.518-ACRE
(22,533 SF)**

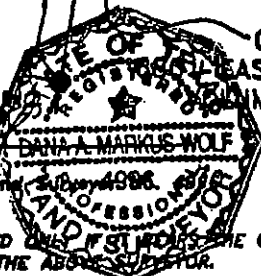
TITLE COMMITMENT NOTE:
A title commitment was
NOT REVIEWED for the
purpose of this survey.

5' ELECTRIC AND TELEPHONE EASEMENT
BK. 86, PGS. 279-280 P.R.T.C.T.
VOL. 6743, PG. 1809 D.R.T.C.T.

Power Pole

AS SURVEYED BY
LANDMARK SURVEYING, INC.

Dana A. Markus-Wolf
Registered Professional Land Surveyor
DATE: MAY 10, 2003



CMH HOMES, INC.
EAST BEN WHITE BOULEVARD
VOLUME 12246, PAGE 1595
R.P.R.T.C.T.

THIS SURVEY PLAT IS VALID ONLY IF IT BORN THE ORIGINAL
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CMH Homes, Inc.
Date: MAY 10, 2003
Office: McLaughlin
Drawn: JTT
F&B: 740/21 & 744/1
Dist: 2:\OTHOM\govinfo3-Carson\Landmark Drawings\grid-Stuff\ Exempts\CC-artdbase-Land
Copy:
Job No.: 480-07-08

BEARING BASIS NOTE:
NAD 83 COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203)
COMBINED SCALE FACTOR 0.99995348
NAVD 88 VERTICAL DATUM
HORIZONTAL AND VERTICAL COORDINATES FOR
SODC AND A740 AS PUBLISHED BY THE LCRA,
WERE USED AS THE CONTROLLING MONUMENTS
FOR THIS SURVEY.

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET
- △ NAIL SET
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- E O/W OVERHEAD ELECTRIC
- () RECORD INFORMATION
- BREAK IN SCALE
- P.R.T.C.T. Plat Records, Travis County, Texas
- D.R.T.C.T. Deed Records, Travis County, Texas
- O.P.R.T.C.T. Official Public Records, Travis County, Texas
- R.P.R.T.C.T. Real Property Records, Travis County, Texas
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- ROW RIGHT-OF-WAY

**SKETCH TO
ACCOMPANY
FIELD NOTES**

**Landmark
SURVEYING, INC.**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH: (512)328-7411 FAX: (512)328-7413