

STATE OF TEXAS       §

§

COUNTY OF TRAVIS   §

**CONDITIONAL DONATION AND CONVEYANCE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

That John S. Lloyd, individually; First United Corporation, a Texas corporation; Richard Z. Rady and Agatha O. Rady, Co-Trustees of The Rady Family Trust dated September 8, 1994; and Realtron, Inc., a Texas corporation, hereinafter referred to as "**DONORS**", and the **City of Pflugerville**, a Texas home rule municipality, hereinafter referred to as "**the CITY**", in accordance with the mutual promises and consideration stated herein, have agreed, and do hereby agree to the following:

**Section 1: AGREEMENT TO DONATE**

**DONORS**, for and in consideration of **TEN AND NO/100 (\$10.00) DOLLARS** and the promise by **the CITY** to convey certain property to **DONORS** as stated below, hereby contract to **GRANT, DONATE** and **CONVEY** by Deed to **the CITY** a good, marketable title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described Property in the City of Pflugerville, Travis County, Texas, to-wit:

Being a 0.189 acre (8,251 square feet) tract of land, more or less, hereinafter referred to as "**the Property**", situated in the Peter Conrad Survey No. 71, Abstract No. 2--, Travis County, said tract of land being more fully described in attached **Exhibit "A"**, together with all improvements incident or belonging thereto.

**Section 1.1: Conditions, Special Provisions, and Representations**

It is expressly understood and agreed that:

(a) Pursuant to Pflugerville City Charter, acceptance by **the CITY** of the donation of the property described in this agreement is conditional and shall not be effective until action is approved by the Pflugerville City Council.

(b) Before **the CITY** accepts donation of **the Property**, **DONORS** shall furnish **the CITY**:

- i: a Release, Partial Release or Subordination of Lien, if applicable, for any lien(s) encumbering the property;
- ii: properly executed corporate resolutions in recordable form approving the donation from First United Corporation and Realtron Inc.;

iii. a copy of the Trust Agreement or Indenture and any amendments, modifications or revocations of The Rady Family Trust dated September 8, 1994.

(c) **The CITY** shall, at its expense, at the time of construction relocate any fencing, gates and mail boxes located within **the Property**, if applicable.

(d) **DONORS** represent to **the CITY** that there are no water wells, or other wells, or underground storage tanks on the property, capped or uncapped, registered or unregistered. This provision shall survive acceptance by **the CITY** of the donation.

(e) If examination of title or any other source discloses any defects in the title to **the Property** which, in the opinion of **the CITY**, cannot be cured in a reasonable time, then **the CITY** may cancel this agreement by providing written notice to **DONORS**.

(f) Concurrent with their execution of this agreement, **DONORS** shall execute a deed in exact form as that referenced as attached Exhibit "C". **DONORS** shall deliver the executed deed to **the CITY** at the notice address provided below. Upon acceptance by the City Council of the donation, **the CITY** shall record the deed and pay all recording fees.

## Section 2: AGREEMENT TO CONVEY

**The CITY**, for and in consideration of the promise herein by **DONORS** to donate **the Property**, hereby contracts to **GRANT, SELL, and CONVEY** to **DONORS** the tract of land described in the attached Exhibit "B" by Special Warranty Deed, subject to the conditions stated below.

### Section 2.1: Conditions, Special Provisions, and Representations

It is expressly agreed and understood that upon either completion and CITY acceptance of the Heatherwilde widening capital improvement project for which the donation of **the Property** was needed, or June 30, 2018, whichever is the earlier event, the **CITY** shall execute and deliver to **DONORS** at the notice address provided below a Special Warranty Deed in exact form as that referenced as attached Exhibit "D".

## Section 3: MISCELLANEOUS PROVISIONS

For the purpose of providing notice under the terms of this agreement, the following addresses shall be used.

### DONORS:

JOHN S. LLOYD  
4720 Rockcliff Road, Unit 4  
Austin, TX 78746

FIRST UNITED CORPORATION  
13276 RESEARCH BLVD # 105  
~~4111 Lakeplace Lane~~  
Austin, TX ~~78746~~ 78750

RICHARD Z. RADY AND AGATHA O. RADY, CO-TRUSTEES  
OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994  
13276 Research Blvd., #105  
Austin, TX 78750

REALTRON, INC.  
13276 N. Highway 183  
Suite 105  
Austin, TX 78759

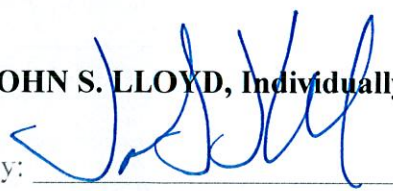
**The CITY OF PFLUGERVILLE:**

P. O. Box 589  
Pflugerville, TX 78691

EXECUTED this the 2 day of APRIL, 2015.

**DONORS:**

**JOHN S. LLOYD, Individually**

By:   
John S. Lloyd

**FIRST UNITED CORPORATION**

~~4111 Lakeplace Lane~~ 13276 RESEARCH BLVD  
Austin, TX ~~78746~~ 78750 #105

By:   
Richard Z. Rady, President




**RICHARD Z. RADY AND AGATHA O.  
RADY, CO-TRUSTEES OF THE RADY  
FAMILY TRUST DATED SEPTEMBER  
8, 1994**

By:  CO-TRUSTEE  
Richard Z. Rady, Co-Trustee

By:   
Agatha O. Rady, Co-Trustee

**REALTRON, INC.  
13276 N. Highway 183  
Suite 105  
Austin, TX 78759**

By:   
Name: JACK Z. RADY  
Title: PRESIDENT

**AGREED AND ACCEPTED:**

**CITY OF PFLUGERVILLE, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Brandon E. Wade, City Manager

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

EXHIBIT "A"

County: Travis  
Parcel No.: LLOYD—ROW  
Project: Heatherwilde Blvd Roadway Improvements  
Halff AVO: 26890

Page 1 of 5  
2/20/2015

DESCRIPTION FOR JOHN S. LLOYD—RIGHT-OF-WAY DEDICATION

BEING A 0.189 ACRE (8,251 SQUARE FEET) TRACT SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 132.6766 ACRES TRACT DESCRIBED IN A CORRECTION WARRANTY DEED TO JOHN S. LLOYD, AND RECORDED IN DOCUMENT NO. 2003196132 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 132.6766 ACRES TRACT BEING FURTHER DESCRIBED IN A GENERAL WARRANTY DEED TO RICHARD Z. RADY AND AGATHA O. RADY, AND RECORDED IN DOCUMENT NO. 2006202616 OF SAID OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a Texas Department of Transportation (TxDOT) Type II Concrete Monument with Brass Disk found in the east line of said 132.6766 acres tract, same being the west right-of-way line of Heatherwilde Boulevard, a varying width right-of-way according to TxDOT CSJ Map No. 0683-06-013, said Type II Concrete Monument being 947.41 feet right of centerline station 750+99.83 of State Highway 45, a varying width right-of-way according to said TxDOT CSJ Map No. 0683-06-013, and from which a TxDOT Type II Concrete Monument with Brass Disk found in the east right-of-way line of said Heatherwilde Boulevard, same being the west line of a called 27.067 acres tract described in a Special Warranty Deed to Bancroft Austin 45 LP, and recorded in Document No. 2005085898, said Official Public Records of Travis County, Texas, bears S61°45'51"E a distance of 74.23 feet;

**THENCE** with said east line of the 132.6766 acres tract and said west right-of-way line of Heatherwilde Boulevard, S28°26'56"W a distance of 121.25 feet to the southeast corner of said 132.6766 acres tract, same being the intersection of said west right-of-way line of Heatherwilde Boulevard with the north right-of-way line of Meister Lane, a varying width right-of-way;

**THENCE** with said north right-of-way line of Meister Lane, same being the south line of said 132.6766 acres tract, S87°41'58"W a distance of 44.65 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set;

**THENCE** leaving said north right-of-way line of Meister Lane and said south line of the 132.6766 acres tract, crossing said 132.6766 acres tract, N27°45'26"E a distance of 385.57 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set in said west right-of-way line of Heatherwilde Boulevard;



EXHIBIT "A"

County: Travis  
Parcel No.: LLOYD—ROW  
Project: Heatherwilde Blvd Roadway Improvements  
Half AVO: 26890

Page 2 of 5  
2/20/2015

DESCRIPTION FOR JOHN S. LLOYD—RIGHT-OF-WAY DEDICATION

**THENCE** with said west right-of-way line of Heatherwilde Boulevard, the following two (2) courses and distances:


1. S21°49'26"W a distance of 242.98 feet to a TxDOT Type II Concrete Monument with Brass Disk found for an angle point, and
2. S61°09'38"E a distance of 14.99 feet to said **POINT OF BEGINNING**, and containing 0.189 acre (8,251 square feet).

NOTES:

All bearings shown hereon are based upon the Texas Coordinate System of 1983, Central Zone. All distances shown hereon are surface distances. The Grid to Surface adjustment scale factor is 1.00011.

See Texas Department of Transportation Right-of-Way Map CSJ No. 0683-06-013 for detailed information regarding State Highway 45.

I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying plat of even date herewith, are true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey on the ground under my direction and supervision.

  
\_\_\_\_\_  
Dan H. Clark, R.P.L.S.

Registered Professional Land Surveyor

Texas Registration No. 6011

Half Associates, Inc.,

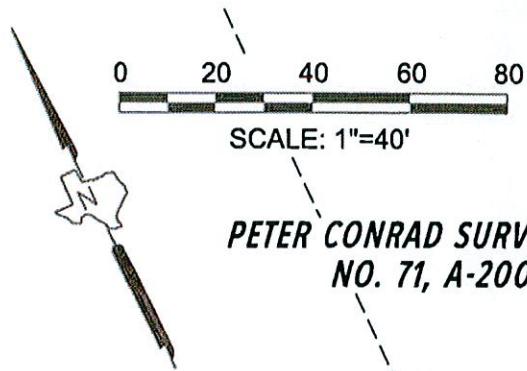
4030 W. Braker Ln, Suite 450, Austin, Texas 78759, 512-252-8184

  
\_\_\_\_\_  
Date



# SKETCH TO ACCOMPANY PARCEL DESCRIPTION

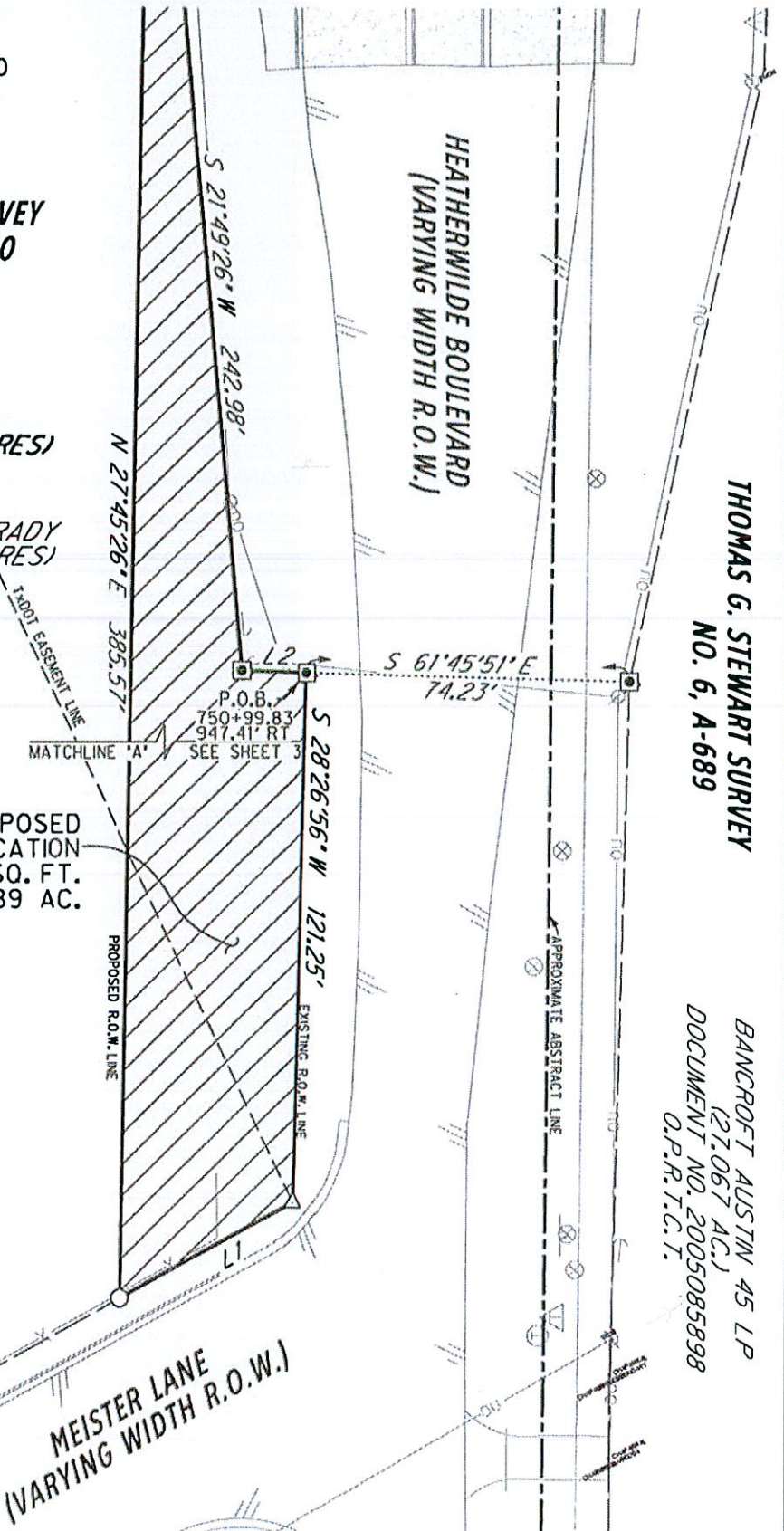
PAGE 3 OF 5  
2/20/2015



**PETER CONRAD SURVEY  
NO. 71, A-200**

**JOHN S. LLOYD  
(132.6766 ACRES LESS 40.539 ACRES)  
DOC. NO. 2003196132  
O.P.R.T.C.T.**

**RICHARD Z. RADY AND AGATHA O. RADY  
(132.6766 ACRES LESS 40.539 ACRES)  
DOC. NO. 2006202616  
O.P.R.T.C.T.**



**PROPOSED  
R.O.W. DEDICATION  
8,251 SQ. FT.  
0.189 AC.**

**MEISTER LANE  
(VARYING WIDTH R.O.W.)**

**HEATHERWILDE BOULEVARD  
(VARYING WIDTH R.O.W.)**

**THOMAS G. STEWART SURVEY  
NO. 6, A-689**

**BANCROFT AUSTIN 45 LP  
(21.067 AC.)  
DOCUMENT NO. 2005085898  
O.P.R.T.C.T.**

**PROPOSED R.O.W. DEDICATION  
JOHN S. LLOYD TO CITY OF PFLUGERVILLE**

**HEATHERWILDE BLVD.  
ROADWAY IMPROVEMENTS**

ACCOMPANYING FILE: h26000s\26890\Draw Out\SV-LD-LLOYD-COP-26890.DOC

**PROJECT AVO: 26890**

**COUNTY: TRAVIS**

**EASEMENT AREA: 0.189 AC.  
8,251 SQ. FT.**

**SCALE: 1"=40'**



**HALFF**

4030 WEST BRAKER LANE, SUITE 450  
AUSTIN, TEXAS 78759-5358  
TEL (512) 252-8184  
FAX (512) 252-8141

C:\Users\jhalff\OneDrive\Documents\26890\Draw Out\SV-LD-LLOYD-COP-26890.DOC



# SKETCH TO ACCOMPANY PARCEL DESCRIPTION

PAGE 4 OF 5  
2/20/2015

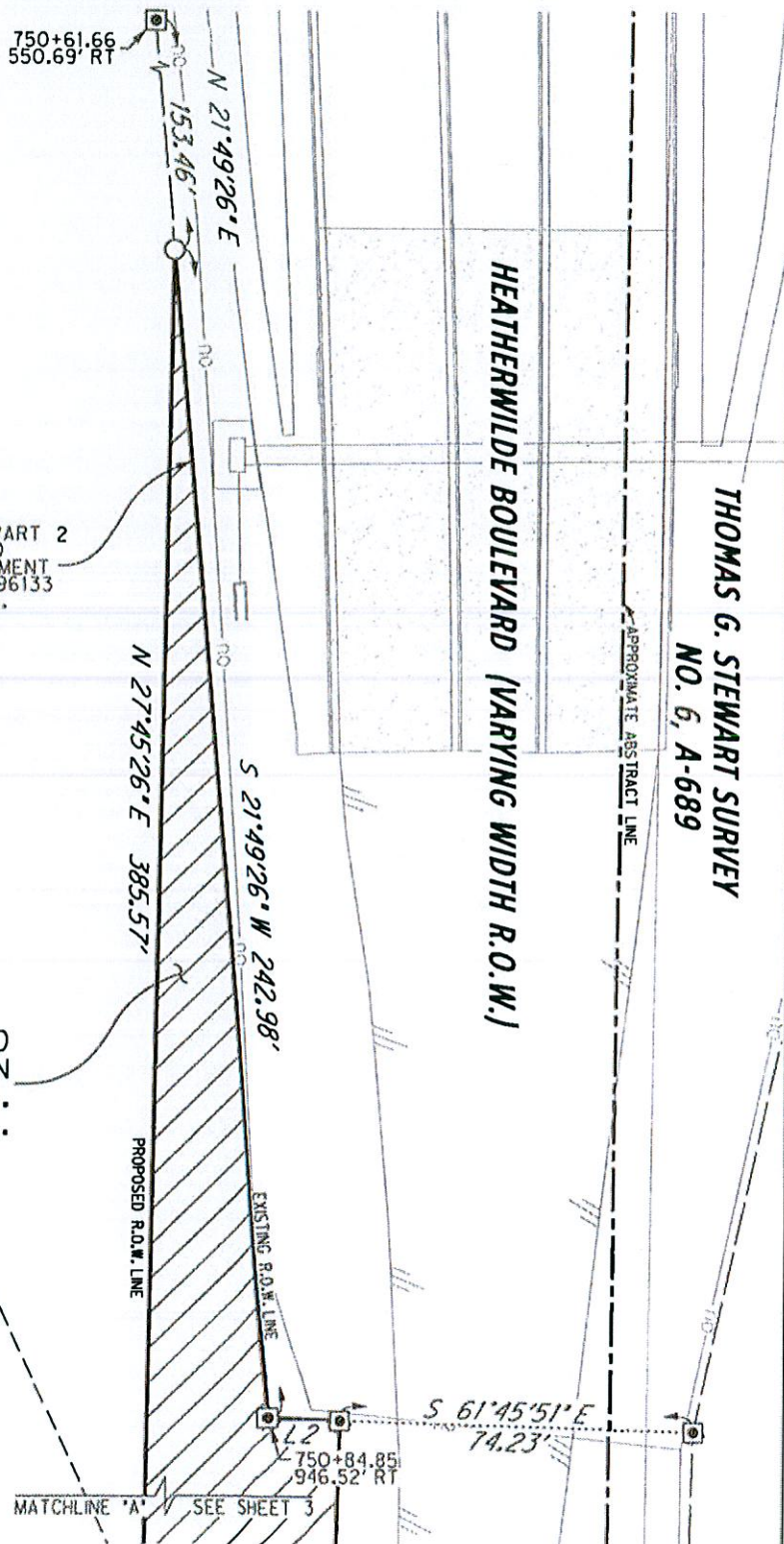


**PETER CONRAD SURVEY  
NO. 71, A-200**

PARCEL 221CE PART 2  
(1.962 AC.)  
EXISTING EASEMENT  
DOC. NO. 2003196133  
O.P.R.T.C.T.

**JOHN S. LLOYD  
(132.6766 ACRES LESS 40.539 ACRES)  
DOC. NO. 2003196132  
O.P.R.T.C.T.**

**PROPOSED  
R.O.W. DEDICATION  
8,251 SQ. FT.  
0.189 AC.**



**HEATHERWILDE BOULEVARD (VARYING WIDTH R.O.W.)**

**THOMAS G. STEWART SURVEY  
NO. 6, A-689**



4030 WEST BRAKER LANE, SUITE 450  
AUSTIN, TEXAS 78759-5358  
TEL (512) 252-8184  
FAX (512) 252-8141

**DRAINAGE EASEMENT  
JOHN S. LLOYD**

**HEATHERWILDE BLVD.  
ROADWAY IMPROVEMENTS**

ACCOMPANYING FILE: I:\26000s\26890\Draw Data\SV-LD-LLOYD-DR-26890.DOC

PROJECT AVO: 26890

COUNTY: TRAVIS

EASEMENT AREA: 0.189 AC.  
8,251 SQ. FT.

SCALE: 1"=40'

\\sdc\apps\26890\Draw Data\SV-LD-LLOYD-DR-26890.DOC



## LEGEND

SKETCH TO ACCOMPANY  
PARCEL DESCRIPTION

1) THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES, THE GRID TO SURFACE ADJUSTMENT SCALE FACTOR IS 1.00011.

2) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.

3) THE RECORDED EASEMENTS, SETBACKS AND ENCUMBRANCES SHOWN HEREON ARE FROM SCHEDULE B OF THE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NO. 1207380-KFO, EFFECTIVE DATE APRIL 3, 2012, ISSUE DATE APRIL 11, 2012. THE SURVEYOR HAS RELIED UPON THE ACCURACY AND COMPLETENESS OF THE INFORMATION DESCRIBED ABOVE AND HAS MADE NO INDEPENDENT INVESTIGATION OR SEARCH FOR THIS INFORMATION.

4) SEE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP CSJ NO. 0683-06-013 FOR DETAILED INFORMATION AND STATIONING REGARDING STATE HIGHWAY 45.

■	TXDOT TYPE I CONCRETE MONUMENT FOUND
□	TXDOT TYPE II CONCRETE MONUMENT FOUND
□	TXDOT TYPE II CONCRETE MONUMENT SET
○	1/2" IRON ROD SET WITH "HALFF ESMT" CAP (UNLESS NOTED)
●	IRON ROD FOUND (SIZE/CAP NOTED)
■	SQUARE-HEAD BOLT FOUND
○	IRON PIPE FOUND (SIZE NOTED)
▲	FOUND "X" CUT (UNLESS NOTED)
△	CALCULATED POINT
○	FENCE POST
N.T.S.	NOT TO SCALE
(XXX)	RECORD INFORMATION PARENT TRACT
[XXX]	RECORD INFORMATION ADJOINER TRACT
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS
DOC.*	DOCUMENT NUMBER
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING SETBACK LINE
---	DISTANCE NOT SHOWN TO SCALE
---	PROPERTY LINE
---	APPROXIMATE SURVEY LINE
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING

## LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	S 87°41'58" W	44.65'
L2	S 61°09'38" E	14.99'

I HEREBY CERTIFY THAT THIS PLAT AND THE ACCOMPANYING DESCRIPTION OF EVEN DATE HERewith ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



DAN H. CLARK  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6011

2/20/2015  
DATE



4030 WEST BRAKER LANE, SUITE 450  
AUSTIN, TEXAS 78759-5356  
TEL (512) 252-8184  
FAX (512) 252-8141

DRAINAGE EASEMENT  
JOHN S. LLOYD

HEATHERWILDE BLVD.  
ROADWAY IMPROVEMENTS

ACCOMPANYING FILE: I:\26000s\26890\data Out\SV-LD-LLOYD-DR-26890.DOC

PROJECT AVO: 26890

COUNTY: TRAVIS

EASEMENT AREA: 0.189 AC.  
8.251 SQ.FT.

SCALE: 1"=40'



EXHIBIT "B"

County: Travis  
Parcel No.: COP—ROW  
Project: Heatherwilde Blvd Roadway Improvements  
Half AVO: 26890

Page 1 of 4  
6/14/2013

DESCRIPTION FOR CITY OF PFLUGERVILLE—RIGHT-OF-WAY ABANDONMENT

BEING A 0.135 ACRE (5,883 SQUARE FEET) TRACT SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF MEISTER LANE, A VARYING WIDTH RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a Texas Department of Transportation (TxDOT) Type II Concrete Monument with Brass Disk found in the east line of a called 132.6766 acres tract described in a Correction Warranty Deed to John S. Lloyd, and recorded in Document No. 2003196132 of the Official Public Records of Travis County, Texas, same being an angle point in the west right-of-way line of Heatherwilde Boulevard, a varying width right-of-way according to TxDOT CSJ Map No. 0683-06-013, said Type II Concrete Monument being 947.41 feet right of centerline station 750+99.83 of State Highway 45, a varying width right-of-way according to said TxDOT CSJ Map No. 0683-06-013, and from which a TxDOT Type II Concrete Monument with Brass Disk found for an angle point in said west right-of-way line of Heatherwilde Boulevard bears N61°09'38"W a distance of 14.99 feet, and from which a TxDOT Type II Concrete Monument with Brass Disk found in the east right-of-way line of said Heatherwilde Boulevard, same being the west line of a called 27.067 acres tract described in a Special Warranty Deed to Bancroft Austin 45 LP, and recorded in Document No. 2005085898, said Official Public Records of Travis County, Texas, bears S61°45'51"E a distance of 74.23 feet;

**THENCE** with said east line of the 132.6766 acres tract and said west right-of-way line of Heatherwilde Boulevard, S28°26'56"E a distance of 121.25 feet to the southeast corner of said 132.6766 acres tract, same being the intersection of said west right-of-way line of Heatherwilde Boulevard with the north right-of-way line of said Meister Lane;

**THENCE** with said north right-of-way line of Meister Lane, same being the south line of said 132.6766 acres tract, S87°41'58"W a distance of 44.65 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for the **POINT OF BEGINNING** of the tract described herein;

**THENCE** leaving said south line of the 132.6766 acres tract and said north right-of-way line of Meister Lane, crossing said Meister Lane, the following three (3) courses and distances:

1. S27°45'26"W a distance of 68.15 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for non-tangent point of curvature to the right;
2. with the arc of said curve to the right a distance of 14.97 feet, said curve having a radius of 25.00 feet, a central angle of 34°18'12", and a chord bearing N81°57'40"W a distance of 14.75 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for a point of reverse curvature to the left, and



EXHIBIT "B"

County: Travis  
Parcel No.: COP—ROW  
Project: Heatherwilde Blvd Roadway Improvements  
Half AVO: 26890

Page 2 of 4  
6/14/2013

DESCRIPTION FOR CITY OF PFLUGERVILLE—RIGHT-OF-WAY ABANDONMENT

3. with the arc of said curve to the left a distance of 190.68 feet, said curve having a radius of 535.00 feet, a central angle of  $2^{\circ}47'34''$ , and a chord bearing  $N75^{\circ}01'11''W$  a distance of 189.67 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set in said north right-of-way line of Meister Lane and said south line of the 132.6766 acres tract;

**THENCE** with said north right-of-way line of Meister Lane and said south line of the 132.6766 acres tract,  $N87^{\circ}41'58''E$  a distance of 229.75 feet to said **POINT OF BEGINNING**, and containing 0.135 acre (5,883 square feet).

NOTES:

All bearings shown hereon are based upon the Texas Coordinate System of 1983, Central Zone. All distances shown hereon are surface distances. The Grid to Surface adjustment scale factor is 1.00011.

See Texas Department of Transportation Right-of-Way Map CSJ No. 0683-06-013 for detailed information regarding State Highway 45.

I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying plat of even date herewith, are true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey on the ground under my direction and supervision.

  
Dan H. Clark, R.P.L.S.

Registered Professional Land Surveyor

Texas Registration No. 6011

Halff Associates, Inc.,

4030 W. Braker Ln, Suite 450, Austin, Texas 78759, 512-252-8184

6/14/2013  
Date



SKETCH TO ACCOMPANY  
PARCEL DESCRIPTIONPAGE 3 OF 4  
6/14/2013

0 20 40 60 80

SCALE: 1"=40'

PETER CONRAD SURVEY  
NO. 71, A-200JOHN S. LLOYD  
(132.6766 ACRES LESS 40.539 ACRES)  
DOC. NO. 2003196132  
O.P.R.T.C.T.RICHARD Z. RADY AND AGATHA O. RADY  
(132.6766 ACRES LESS 40.539 ACRES)  
DOC. NO. 2006202616  
O.P.R.T.C.T.PROPOSED  
R.O.W. ABANDONMENT  
5,883 SQ. FT.  
0.135 AC.MEISTER LANE  
(VARYING WIDTH R.O.W.)CITY OF  
PFLUGERVILLE  
(0.155 ACRE)  
DOC. NO. 2009124443  
O.P.R.T.C.T.LOT 1, BLOCK A  
ROYAL POINTE COMMERCIAL  
DOC. NO. 200400349  
P.R.T.C.T.

HEATHERWILDE BOULEVARD (VARYING WIDTH R.O.W.)

P.O.B.

P.O.C.  
750+99.83  
947.41' RTS 61°45'51"E  
74.23'

S 28°26'56"W 121.25'

EXISTING R.O.W. LINE

PROPOSED R.O.W. LINE

L2

C1

C2

N 87°41'58"E 229.75'

68.15'

**HALFF**4030 WEST BRAKER LANE, SUITE 450  
AUSTIN, TEXAS 78759-5356  
TEL (512) 252-8154  
FAX (512) 252-8141RIGHT-OF-WAY ABANDONMENT  
CITY OF PFLUGERVILLEHEATHERWILDE BLVD.  
ROADWAY IMPROVEMENTS

ACCOMPANYING FILE: h26000s\26890\Draw Out\SV-LD-COP-LLLOYD-26890.DOC

PROJECT AVO: 26890

COUNTY: TRAVIS

EASEMENT AREA: 0.135 AC.  
5,883 SQ.FT.

SCALE: 1"=40'



## LEGEND

■	TXDOT TYPE I CONCRETE MONUMENT FOUND
□	TXDOT TYPE II CONCRETE MONUMENT FOUND
⊗	TXDOT TYPE II CONCRETE MONUMENT SET
○	1/2" IRON ROD SET WITH 'HALFF ASSOC INC.' CAP (UNLESS NOTED)
●	IRON ROD FOUND (SIZE/CAP NOTED)
●	SQUARE-HEAD BOLT FOUND
○	IRON PIPE FOUND (SIZE NOTED)
▲	FOUND 'X' CUT (UNLESS NOTED)
△	CALCULATED POINT
⊙	FENCE POST
N.T.S.	NOT TO SCALE
(XXX)	RECORD INFORMATION PARENT TRACT
(XXX)	RECORD INFORMATION ADJOINER TRACT
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS
DOC.#	DOCUMENT NUMBER
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING SETBACK LINE
---	DISTANCE NOT SHOWN TO SCALE
---	PROPERTY LINE
---	APPROXIMATE SURVEY LINE
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING

SKETCH TO ACCOMPANY  
PARCEL DESCRIPTION

1) THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES, THE GRID TO SURFACE ADJUSTMENT SCALE FACTOR IS 1.00011.

2) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.

3) THE RECORDED EASEMENTS, SETBACKS AND ENCUMBRANCES HEREON ARE SHOWN WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SURVEYOR HAS MADE NO INDEPENDENT INVESTIGATION OR SEARCH FOR THIS INFORMATION.

4) SEE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP CSJ NO. 0683-06-013 FOR DETAILED INFORMATION AND STATIONING REGARDING STATE HIGHWAY 45.

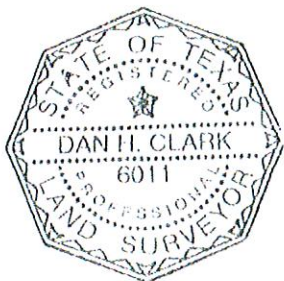
## CURVE TABLE

CV. NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	34°18'12"	25.00'	14.97'	14.75'	N 81°57'40" W
C2	2°47'34"	535.00'	190.68'	189.67'	N 75°01'11" W

## LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N 61°09'38" W	14.99'
L2	S 87°41'58" W	44.65'

I HEREBY CERTIFY THAT THIS PLAT AND THE ACCOMPANYING DESCRIPTION OF EVEN DATE HERewith ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



DAN H. CLARK  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6011

6/14/13  
DATE



4030 WEST BRAKER LANE, SUITE 450  
AUSTIN, TEXAS 78759-3358  
TEL (512) 252-8184  
FAX (512) 252-8141

RIGHT-OF-WAY ABANDONMENT  
CITY OF PFLUGERVILLE

HEATHERWILDE BLVD.  
ROADWAY IMPROVEMENTS

ACCOMPANYING FILE: I:\26000s\26890\Draw Data Out\SV-LD-COP-LL0YD-26890.DOC

PROJECT AVO: 26890

COUNTY: TRAVIS

EASEMENT AREA: 0.135 AC.  
5,883 SQ.FT.

SCALE: 1"=40'



## EXHIBIT "C"

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### SPECIAL WARRANTY DEED

THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

KNOW ALL MEN BY THESE PRESENTS: That **JOHN S. LLOYD**, individually, **FIRST UNITED CORPORATION**, a Texas Corporation, **RICHARD Z. RADY AND AGATHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994** and **REALTRON, INC.**, a Texas Corporation ("Grantor"), for a full valuable cash consideration to Grantor in hand paid by the **CITY OF PFLUGERVILLE, TEXAS**, a home-rule municipality located in Travis County, Texas ("Grantee"), whose mailing address is P.O. Box 589, Pflugerville, Travis County, Texas 78691, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on Exhibit "A", attached hereto and incorporated herein by reference ("Property").

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current, ~~and all subsequent years.~~

*RZR JR* *AKR* *JSL*

Signature page to follow:



EXECUTED effective as of this the 2<sup>nd</sup> day of APRIL, 2015.

**GRANTOR:**

**John S. Lloyd, Individually**

By: 

John S. Lloyd

**FIRST UNITED CORPORATION  
4111 Lakeplace Lane  
Austin, TX 78746**

By: 

Richard Z. Rady, President

**RICHARD Z. RADY AND AGATHA O.  
RADY, CO-TRUSTEES OF THE RADY  
FAMILY TRUST**

By:  CO-TRUSTEE

Richard Z. Rady, Co-Trustee

By:  CO-TRUSTEE

Agatha O. Rady, Co-Trustee

**REALTRON, INC.  
13276 N. Highway 183  
Suite 105  
Austin, TX 78759**

By: 

Name: JACK Z. RADY

Title: PRESIDENT

**AGREED AND ACCEPTED:**

**CITY OF PFLUGERVILLE, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Brandon E. Wade, City Manager

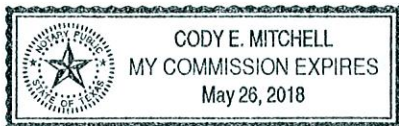
ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS         §

SUBSCRIBED AND SWORN TO before me on APRIL 2, 2015 by John S. Lloyd,  
an individual residing in Travis County, Texas.



Cody E. Mitchell  
Notary Public, State of TEXAS

CODY E. MITCHELL  
Printed Name of Notary Public

My Commission Expires on  
MAY 26, 2018

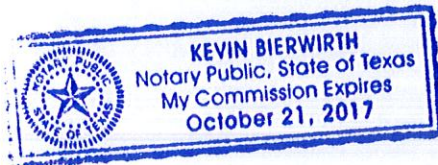


ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
COUNTY OF TRAVIS       §

SUBSCRIBED AND SWORN TO before me on April 2<sup>nd</sup>, 2013 by Richard Z. Rady, President of the FIRST UNITED CORPORATION, on behalf of said Corporation.

  
Notary Public, State of Texas



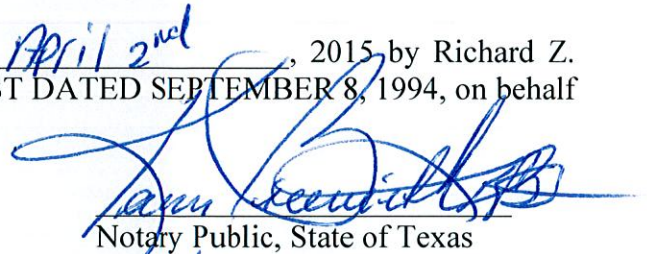
Kevin Bierwirth  
Printed Name of Notary Public

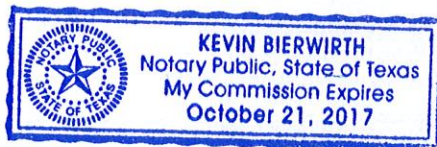
My Commission Expires on \_\_\_\_\_

ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
COUNTY OF TRAVIS       §

SUBSCRIBED AND SWORN TO before me on April 2<sup>nd</sup>, 2015 by Richard Z. Rady, as Co-Trustee of The RADY FAMILY TRUST DATED SEPTEMBER 8, 1994, on behalf of said Trust.

  
Notary Public, State of Texas



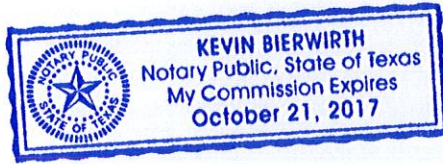
Kevin Bierwirth  
Printed Name of Notary Public

My Commission Expires on \_\_\_\_\_

ACKNOWLEDGEMENT

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

SUBSCRIBED AND SWORN TO before me on April 2nd, 2015 by Agatha O. Rady, as Co-Trustee of The RADY FAMILY TRUST DATED SEPTEMBER 8, 1994, on behalf of said Trust.



[Signature]  
Notary Public, State of Texas

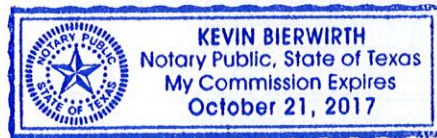
Kevin Bierwirth  
Printed Name of Notary Public

My Commission Expires on \_\_\_\_\_

ACKNOWLEDGEMENT

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

SUBSCRIBED AND SWORN TO before me on April 2nd, 2015 by JACK ~~Richard Z.~~ Rady, as PRESIDENT of REALTRON INC., on behalf of said Corporation



[Signature]  
Notary Public, State of Texas

Kevin Bierwirth  
Printed Name of Notary Public

My Commission Expires on \_\_\_\_\_



ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on \_\_\_\_\_, 2015, by Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-rule municipality, on behalf of said municipality.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name of Notary Public

My   Commission   Expires   on  
\_\_\_\_\_

After recordation please return to:   City of Pflugerville  
Attn: Brandon E. Wade, City Manager  
P.O. Box 589,  
Pflugerville, Texas 78691

**EXHIBIT "A"**



## EXHIBIT "D"

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### SPECIAL WARRANTY DEED

THE STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS           §

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF PFLUGERVILLE, TEXAS**, a home-rule municipality located in Travis County, Texas ("Grantor"), for a full valuable cash consideration to Grantor in hand paid by **JOHN S. LLOYD**, individually, **FIRST UNITED CORPORATION**, a Texas Corporation, **RICHARD Z. RADY AND AGATHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994** and **REALTRON, INC.**, a Texas Corporation ("Grantee"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on Exhibit "A", attached hereto and incorporated herein by reference ("Property").

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years.

Signature page to follow:

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2015.

**GRANTOR:**

**CITY OF PFLUGERVILLE, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Brandon E. Wade, City Manager

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

This instrument was acknowledged before me on \_\_\_\_\_, 2015, by Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-rule municipality, on behalf of said municipality.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name of Notary Public

My   Commission   Expires   on  
\_\_\_\_\_

After recordation please return to:   City of Pflugerville  
Attn: Brandon E. Wade, City Manager  
P.O. Box 589,  
Pflugerville, Texas 78691



## **EXHIBIT "A"**