

RESOLUTION NO. 1554-17-04-11-0398

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 0.8442 ACRES OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.1688 ACRES OF LAND FOR A PERMANENT PUBLIC UTILITY EASEMENT, CONSISTING OF FOUR PARCELS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS AND BEING OUT OF THOSE TRACTS OF LAND DESCRIBED IN DOCUMENTS NOS. 2008040026 AND 2008040028 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROPERTY OWNED AND CLAIMED BY JACK AND JACKIE PAYNE; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS

WHEREAS, the City of Pflugerville is authorized by Section 251.001 of the Texas Local Government Code to institute eminent domain proceedings to acquire interests in real property for a public use; and

WHEREAS, the City Council finds that fee-simple right of way and public utility easement acquisitions are necessary for a public use pursuant to Section 251.001 of the Texas Local Government Code; and

WHEREAS, the City Council has determined and finds that the safety and welfare of the citizens of the City requires infrastructure improvements for the community generally described as the Weiss Lane Roadway Widening Project ("Project"); and

WHEREAS, the City Council has determined and finds that it is necessary to acquire fee-simple and easement interests in real property for the construction of the Project and associated infrastructure improvements and/or relocations; and

WHEREAS, the City Council finds that the City has made a good faith and bona fide offer in accordance with the standard procedures required by Texas Property Code, Chapter 21, Subchapter B and failed to reach an agreement with the landowner as to the purchase price of the needed property; and

WHEREAS, the City Council find that it is necessary that the Project continue forward and there is no other option to acquire the needed property for right of way and permanent public utility easement purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. City Council authorizes the City of Pflugerville City Manager to sign and execute all necessary documents to institute eminent domain proceedings for the acquisition of a total of 0.8442 acres of land in fee-simple for right of way purposes, consisting of two parcels as more specifically described in subsections (a) and (b) below; and 0.1688 acres of land for use as a permanent public utility easement, consisting of two parcels as more specifically described in subsections (c) and (d) below, as follows:

- (a) 0.1880 acre (8,188 Square Feet (SF)) out of the George M. Martin Survey No. 9, Abstract No. 529, Travis County, Texas, being out of a called 1.402 acre tract described as Exhibit “A-1”, Tract 1, in a deed to Jackie Payne recorded in Document No. 2008040026, Official Public Records, Travis County, Texas; and
- (b) 0.6562 acre (28,585 SF) out of the George M. Martin Survey No. 9, Abstract No. 529, Travis County, Texas, being out of a called 5.794 acre tract described as Exhibit A, in a deed to Jack Payne recorded in Document No. 2008040028, Official Public Records, Travis County, Texas; and
- (c) 0.0574 acre (2,499 SF) out of the George M. Martin Survey No. 9, Abstract No. 529, Travis County, Texas, being out of a called 1.402 acre tract described as Exhibit “A-1”, Tract 1, in a deed to Jackie Payne recorded in Document No. 2008040026, Official Public Records, Travis County, Texas; and
- (d) 0.1114 acre (4,851 SF) out of the George M. Martin Survey No. 9, Abstract No. 529, Travis County, Texas, being out of a called 5.794 acre tract described as Exhibit A, in a deed to Jack Payne recorded in Document No. 2008040028, Official Public Records, Travis County, Texas.

With all parcels being described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein for all purposes.

SECTION 3. City Council directs the City Attorney to initiate condemnation proceedings consistent with all applicable laws of the State of Texas. The City Attorney is also hereby authorized to continue to negotiate for the property interests identified above in conjunction with condemnation proceedings.

SECTION 4. This Resolution shall become effective immediately upon its passage, approval and publication as provided by law.

<u>Council Member</u>	<u>In Favor</u>	<u>Opposed</u>	
Mayor Victor Gonzales	N/A	N/A	(Absent)
Council Member Doug Weiss	X	_____	
Council Member Jeff Marsh	X	_____	
Council Member Omar Peña	X	_____	
Council Member Starlet Sattler	X	_____	

Council Member Mike Heath X _____

PASSED AND APPROVED this _____ day of _____ 2017.

Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

GEORGE E. HYDE, City Attorney
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

Exhibit A

DESCRIPTION OF 0.1880 OF ONE ACRE

DESCRIPTION OF 0.1880 OF ONE ACRE OR 8,188 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT DESCRIBED AS 1.402 ACRES (EXHIBIT “A-1”, TRACT 1) IN A DEED TO JACKIE PAYNE, OF RECORD IN DOCUMENT NO. 2008040026, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.1880 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the south corner of this tract and said Jackie Payne tract and the east corner of that tract described as 12.104 acres (Exhibit A), in a deed to Diaper Full of Love, LLC, of record in Document No. 2015179720, Official Public Records, Travis County, Texas, same being in the existing northwest right-of-way line of Weiss Lane, from which 1/2” iron rod found with cap at the south corner of said Diaper Full of Love tract bears S27°20’54”W 39.99 feet, and from which said point of beginning a 1/2” iron rod found with cap in the southwest line of said Diaper Full of Love tract bears S27°20’54”W 39.99 feet and N63°08’15”W 29.99 feet, and said point of beginning having State Plane Coordinates (Texas Central Zone, NAD83, U.S. Feet, Combined Grid to Surface Scale Factor of 1.00010) grid value of N=10,137,907.80 E=3,170,199.51;

THENCE, with the southwest line of this tract and said Jackie Payne tract and the northeast line of said Diaper Full of Love tract, **N62°49’08”W 29.05 feet** to a 1/2” iron rod set with a plastic cap at the west corner of this tract;

THENCE, with the northwest line of this tract and the proposed northwest right-of-way line of Weiss Lane, crossing said Jackie Payne tract, the following three (3) courses, numbered 1 through 3:

- 1) **N27°31'23"E 16.24 feet** to a 1/2" iron rod set with a plastic cap;
- 2) with a curve to the left, whose intersection angle is **02°01'44"**, radius is **2,442.50 feet**, an arc distance of **86.49 feet**, the chord of which bears **N26°30'31"E 86.48 feet** to a 1/2" iron rod set with a plastic cap; and
- 3) **N23°33'41"E 147.36 feet** to a chiseled "X" at the north corner of this tract, same being in the northeast line of said Jackie Payne tract and the southwest line of that tract described as 5.794 acres (Exhibit "A"), in a deed to Jack Payne, of record in Document No. 2008040028, Official Public Records, Travis County, Texas;

THENCE, with the northeast line of this tract and said Jackie Payne tract and the southwest line of said Jack Payne tract, **S63°18'34"E 40.01 feet** to a calculated point at the east corner of this tract and said Jackie Payne tract and the south corner of said Jack Payne tract, same being in the existing northwest right-of-way line of Weiss Lane;

THENCE, with the southeast line of this tract and said Jackie Payne tract and the existing northwest right-of-way line of Weiss Lane, **S27°20'54"W 250.12 feet** to the POINT OF BEGINNING, and containing 0.1880 of one acre, or 8,188 square feet, more or less, contained within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS96). The Combined Grid to Surface Scale Factor is 1.00010) and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



A handwritten signature in blue ink, appearing to read "Chris Conrad", written over a horizontal line.

08/31/16

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

2016/Descriptions/Weiss Lane/0.1880 ac

TCAD # 0275600301

DESCRIPTION OF 0.0574 OF ONE ACRE

DESCRIPTION OF 0.0574 OF ONE ACRE OR 2,499 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT DESCRIBED AS 1.402 ACRES (EXHIBIT “A-1”, TRACT 1) IN A DEED TO JACKIE PAYNE, OF RECORD IN DOCUMENT NO. 2008040026, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0574 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2” iron rod set with a plastic cap at the south corner of this tract, same being in the southwest line of said Jackie Payne tract and the northeast line of that tract described as 12.104 acres (Exhibit A) in a deed to Diaper Full of Love, LLC, of record in Document No. 2015179720, Official Public Records, Travis County, Texas, from which 1/2” iron rod found with cap at the south corner of said Diaper Full of Love tract bears S62°49’08”E 29.05 feet and S27°20’54”W 39.99 feet, and said point of beginning having State Plane Coordinates (Texas Central Zone, NAD83, U.S. Feet, Combined Grid to Surface Scale Factor of 1.00010) grid value of N=10,137,921.07 E=3,170,173.67;

THENCE, with the southwest line of this tract and said Jackie Payne tract and the northeast line of said Diaper Full of Love tract, **N62°49’08”W 10.00 feet** to a calculated point at the west corner of this tract;

THENCE, with the northwest line of this tract, crossing said Jackie Payne tract, the following three (3) courses, numbered 1 through 3:

- 1) **N27°31'23"E 16.30 feet** to a calculated point;
- 2) with a curve to the left, whose intersection angle is **02°01'29"**, radius is **2,432.50 feet**, an arc distance of **85.96 feet**, the chord of which bears **N26°30'38"E 85.96 feet** to a calculated point; and
- 3) **N23°33'41"E 147.74 feet** to a calculated point at the north corner of this tract, same being in the northeast line of said Jackie Payne tract and the southwest line of that tract described as 5.794 acres (Exhibit "A"), in a deed to Jack Payne, of record in Document No. 2008040028, Official Public Records, Travis County, Texas;

THENCE, with the northeast line of this tract and said Jackie Payne tract and the southwest line of said Jack Payne tract, **S63°18'34"E 10.01 feet** to a chiseled "X" at the east corner of this tract;

THENCE, with the southeast line of this tract, crossing said Jackie Payne tract, the following three (3) courses, numbered 1 through 3:

- 1) **S23°33'41"W 147.36 feet** to a 1/2" iron rod set with a plastic cap;
- 2) with a curve to the right, whose intersection angle is **02°01'44"**, radius is **2,442.50 feet**, an arc distance of **86.49 feet**, the chord of which bears **S26°30'31"W 86.48 feet** to a 1/2" iron rod set with a plastic cap; and
- 3) **S27°31'23"W 16.24 feet** to the POINT OF BEGINNING, and containing 0.0574 of one acre, or 2,499 square feet, more or less, contained within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS96). The Combined Grid to Surface Scale Factor is 1.00010) and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



08/31/16

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

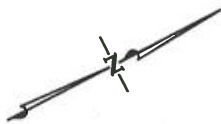
Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

2016/Descriptions/Weiss Lane/0.0574 ac

TCAD # 0275600301

**SKETCH TO ACCOMPANY DESCRIPTION
OF 0.0574 AC. OR 2,499 SQ. FT. OF LAND OUT OF
THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529,
TRAVIS COUNTY, TEXAS.**

RE: TRAVIS COUNTY



SCALE 1" = 50'

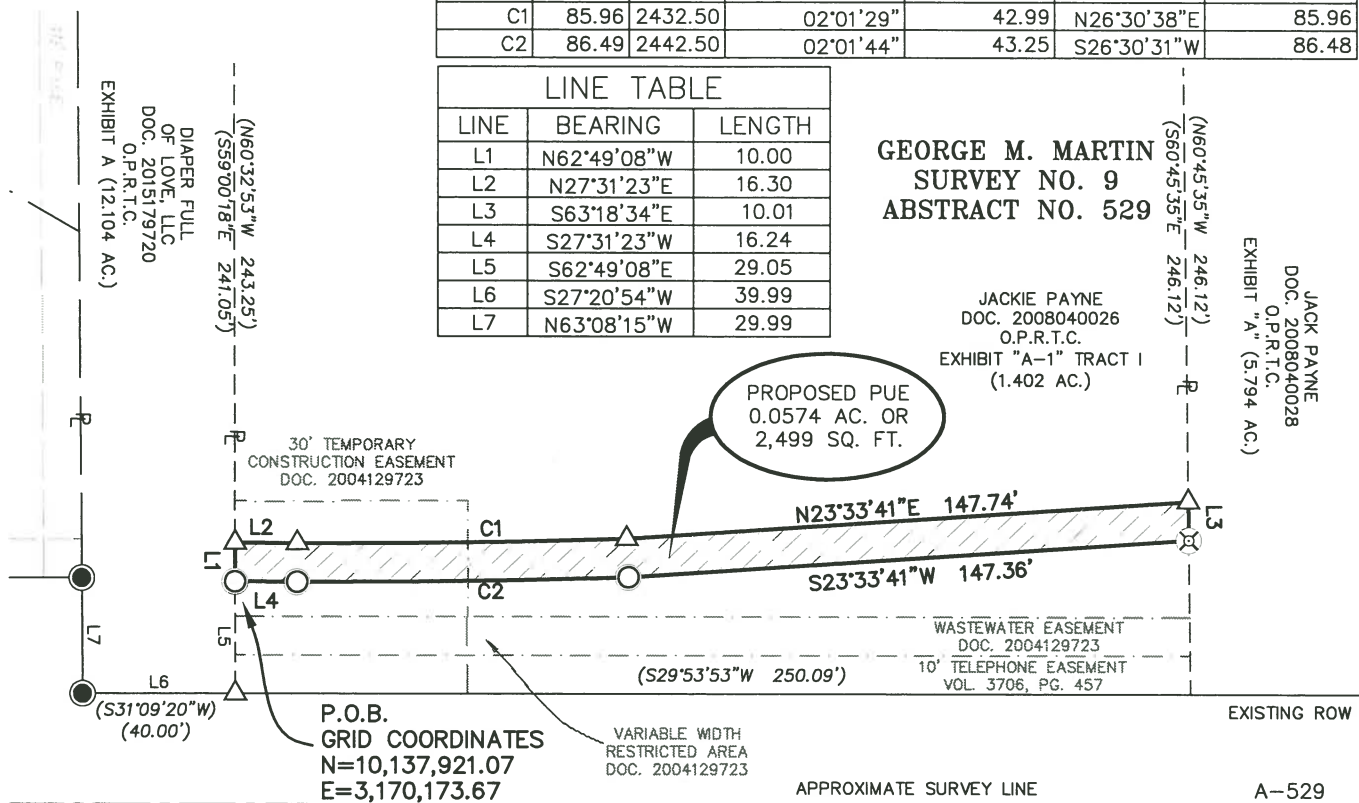
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	85.96	2432.50	02°01'29"	42.99	N26°30'38"E	85.96
C2	86.49	2442.50	02°01'44"	43.25	S26°30'31"W	86.48

LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°49'08"W	10.00
L2	N27°31'23"E	16.30
L3	S63°18'34"E	10.01
L4	S27°31'23"W	16.24
L5	S62°49'08"E	29.05
L6	S27°20'54"W	39.99
L7	N63°08'15"W	29.99

**GEORGE M. MARTIN
SURVEY NO. 9
ABSTRACT NO. 529**

JACKIE PAYNE
DOC. 2008040026
O.P.R.T.C.
EXHIBIT "A-1" TRACT I
(1.402 AC.)

JACK PAYNE
DOC. 2008040028
O.P.R.T.C.
EXHIBIT "A" (5.794 AC.)



**WEISS LANE
(R.O.W. VARIES)**

**JOHN BRAY
SURVEY NO. 10
ABSTRACT NO. 462**

NOTES:

1. THE COORDINATE SHOWN HEREON IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (CORS96) DATUM AND WAS ESTABLISHED BY GPS OBSERVATION. THE BEARINGS SHOWN ARE GRID BEARINGS. THE COMBINED GRID TO SURFACE SCALE FACTOR IS 1.00010. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT GF NO. 1618363-KFO.

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
- ⊗ CHISELED "X"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY



Chris Conrad

08/31/16

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: This copy of this plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat.

TCAD# 0275600301

M:\LJA~15-043~Weiss Lane-Pflugerville\DWG\Parcels\Payne 2 PUE

ISSUED: 08/31/16
PAGE 4 OF 4

SURVEYED BY:

**McGRAY & McGRAY
LAND SURVEYORS, INC.**
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

JOB NO.: 15-043

DESCRIPTION OF 0.6562 OF ONE ACRE

DESCRIPTION OF 0.6562 OF ONE ACRE OR 28,585 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT DESCRIBED AS 5.794 ACRES (EXHIBIT “A”) IN A DEED TO JACK PAYNE, OF RECORD IN DOCUMENT NO. 2008040028, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.6562 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the south corner of this tract and said Jack Payne tract and the east corner of that tract described as 1.402 acres (Exhibit “A-1”, Tract 1) in a deed to Jackie Payne, of record in Document No. 2008040026, Official Public Records, Travis County, Texas, same being in the existing northwest right-of-way line of Weiss Lane, from which 1/2” iron rod found with cap at the south corner of that tract described as 12.104 acres (Exhibit A), in a deed to Diaper Full of Love, LLC, of record in Document No. 2015179720, Official Public Records, Travis County, Texas, bears S27°20’54”W 290.12 feet, and from which said point of beginning a 1/2” iron rod found with cap in the southwest line of said Diaper Full of Love tract bears S27°20’54”W 290.12 feet and N63°08’15”W 29.99 feet, and said point of beginning having State Plane Coordinates (Texas Central Zone, NAD83, U.S. Feet, Combined Grid to Surface Scale Factor of 1.00010) grid value of N=10,138,129.94 E=3,170,314.41;

THENCE, with the southwest line of this tract and said Jack Payne tract and the northeast line of said Jackie Payne tract, **N63°18’34”W 40.01 feet** to a chiseled “X” at the west corner of this tract;

THENCE, with the northwest line of this tract and the proposed northwest right-of-way line of Weiss Lane, crossing said Jack Payne tract, the following two (2) courses, numbered 1 and 2:

- 1) **N22°10’56”E 316.15 feet** to a calculated point (inundated); and
- 2) **N27°06’28”E 168.64 feet** to a calculated point (inundated) at the north corner of this tract, same being in the northeast line of said Jack Payne tract and the southwest line of that tract described as 20.162 acres, in a deed to Ronny Wayne Rinderknecht, Lonny Charges Rinderknecht and Becky Rinderknecht Krueger, of record in Volume 9868, Page 82, Real Property Records, Travis County, Texas;

THENCE, with the northeast line of this tract and said Jack Payne tract, the southwest line of said Rinderknecht tract, and the southwest line of that tract described as 0.047 of one acre in a deed to Travis County, Texas, of record in Volume 12756, Page 1272, Real Property Records, Travis County, Texas, **S60°29'10"E 69.23 feet** to a calculated point at the east corner of this tract and said Jack Payne tract and the south corner of said Travis County tract, same being in the existing northwest right-of-way line of Weiss Lane;

THENCE, with the southeast line of this tract and said Jack Payne tract and the existing northwest right-of-way line of Weiss Lane, **S27°20'54"W 480.43 feet** to the POINT OF BEGINNING, and containing 0.6562 of one acre, or 28,585 square feet, more or less, contained within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS96). The Combined Grid to Surface Scale Factor is 1.00010) and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591

TBPLS Firm# 10095500



08/31/16

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

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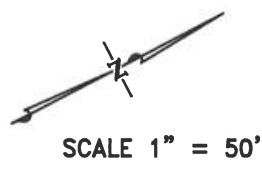
2016/Descriptions/Weiss Lane/0.6562 ac

TCAD # 0275600301

SKETCH TO ACCOMPANY DESCRIPTION
 OF 0.6562 AC. OR 28,585 SQ. FT. OF LAND OUT OF
 THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529,
 TRAVIS COUNTY, TEXAS.

RE: TRAVIS COUNTY

LINE TABLE		
LINE	BEARING	LENGTH
L1	N63°18'34"W	40.01
L2	N63°08'15"W	29.99



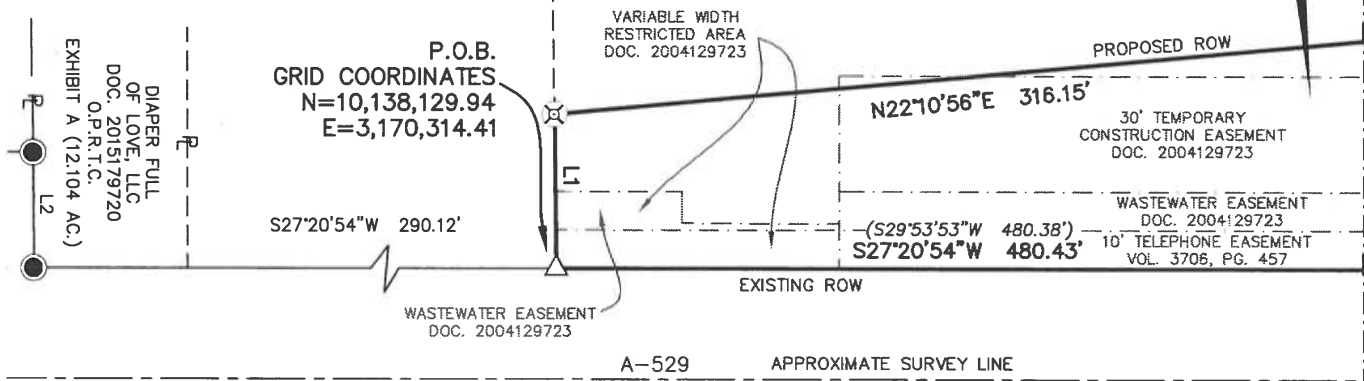
GEORGE M. MARTIN
 SURVEY NO. 9
 ABSTRACT NO. 529

JACK PAYNE
 DOC. 2008040028
 O.P.R.T.C.
 EXHIBIT "A" (5.794 AC.)

JACKIE PAYNE
 DOC. 2008040026
 O.P.R.T.C.
 EXHIBIT "A-1" TRACT I
 (1.402 AC.)

PROPOSED R.O.W.
 0.6562 AC. OR
 28,585 SQ. FT.

MATCH PAGE 4 OF 4



WEISS LANE
 (R.O.W. VARIES)

JOHN BRAY
 SURVEY NO. 10
 ABSTRACT NO. 462

LEGEND

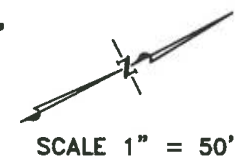
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
- ⊗ CHISELED "X"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℞ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
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- O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

SURVEYED BY: PAGE 3 OF 4

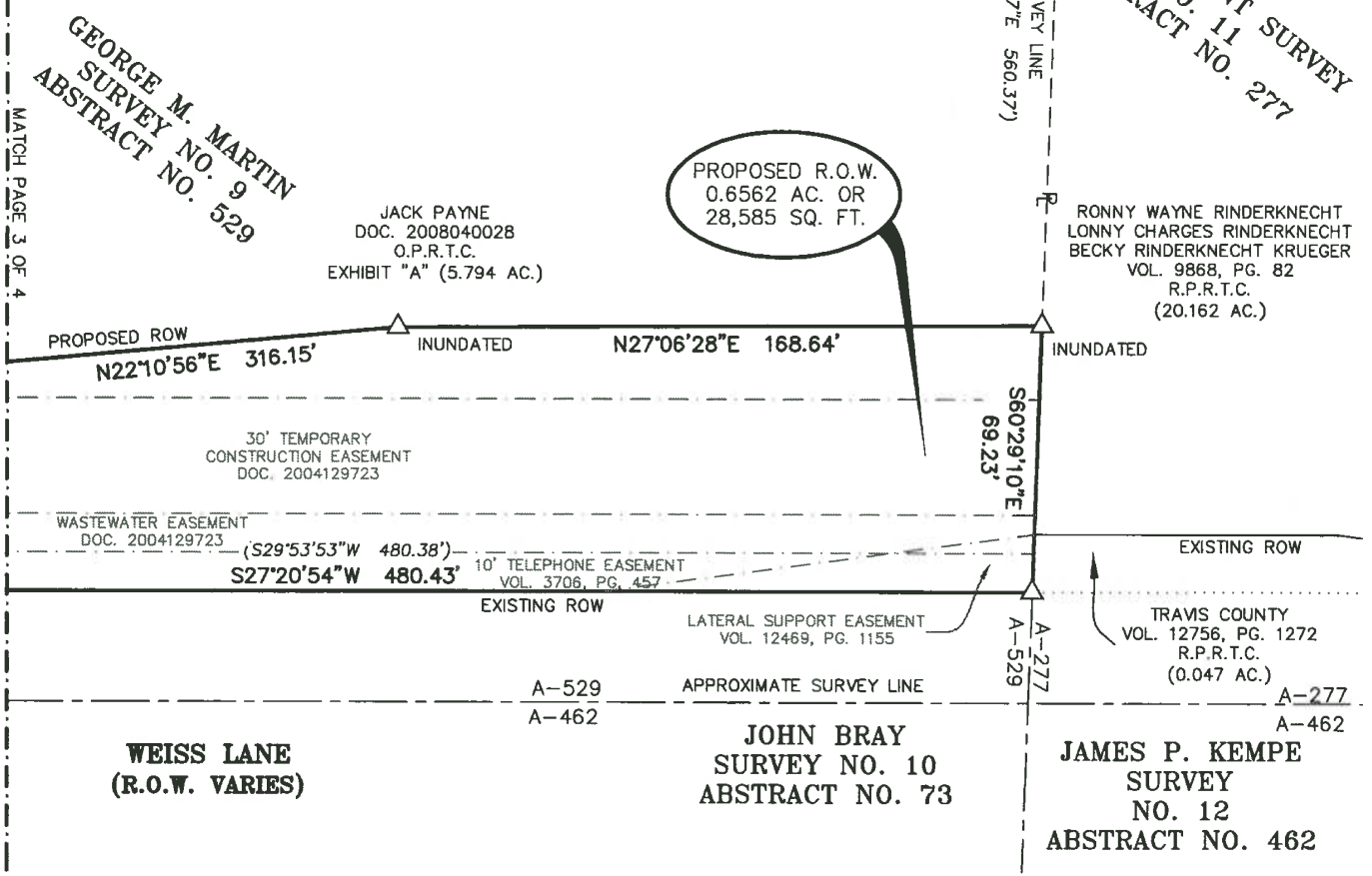
McGRAY & McGRAY
LAND SURVEYORS, INC.
 TBPLS FIRM# 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

**SKETCH TO ACCOMPANY DESCRIPTION
OF 0.6562 AC. OR 28,585 SQ. FT. OF LAND OUT OF
THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529,
TRAVIS COUNTY, TEXAS.**

RE: TRAVIS COUNTY



LINE TABLE		
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NOTES:
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- LEGEND**
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Chris Conrad

08/31/16

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
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 TCAD# 0275600301

ISSUED: 08/31/16
PAGE 4 OF 4

SURVEYED BY:

**McGRAY & McGRAY
LAND SURVEYORS, INC.**
 TBPLS FIRM# 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

DESCRIPTION OF 0.1114 OF ONE ACRE

DESCRIPTION OF 0.1114 OF ONE ACRE OR 4,851 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THAT TRACT DESCRIBED AS 5.794 ACRES (EXHIBIT “A”) IN A DEED TO JACK PAYNE, OF RECORD IN DOCUMENT NO. 2008040028, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.1114 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a chiseled “X” at the south corner of this tract, same being in the southwest line of said Jack Payne tract and the northeast line of that tract described as 1.402 acres (Exhibit “A-1”, Tract 1) in a deed to Jackie Payne, of record in Document No. 2008040026, Official Public Records, Travis County, Texas, from which 1/2” iron rod found with cap at the south corner of that tract described as 12.104 acres (Exhibit A), in a deed to Diaper Full of Love, LLC, of record in Document No. 2015179720, Official Public Records, Travis County, Texas, bears S63°18’34”E 40.01 feet and S27°20’54”W 290.12 feet, and said point of beginning having State Plane Coordinates (Texas Central Zone, NAD83, U.S. Feet, Combined Grid to Surface Scale Factor of 1.00010) grid value of N=10,138,147.91 E=3,170,278.67;

THENCE, with the southwest line of this tract and said Jack Payne tract and the northeast line of said Jackie Payne tract, **N63°18’34”W 10.03 feet** to a calculated point at the west corner of this tract;

THENCE, with the northwest line of this tract, crossing said Jack Payne tract, the following two (2) courses, numbered 1 and 2:

- 1) **N22°10’56”E 315.79 feet** to a calculated point; and
- 2) **N27°06’28”E 169.49 feet** to a calculated point at the north corner of this tract, same being in the northeast line of said Jack Payne tract and the southwest line of that tract described as 20.162 acres in a deed to Ronny Wayne Rinderknecht, Lonny Charges Rinderknecht and Becky Rinderknecht Krueger, of record in Volume 9868, Page 82, Real Property Records, Travis County, Texas;

THENCE, with the northeast line of this tract and said Jack Payne tract and the southwest line of said Rinderknecht tract, **S60°29'10"E 10.01 feet** to a calculated point (inundated) at the east corner of this tract;

THENCE, with the southeast line of this tract, crossing said Jack Payne tract, the following two (2) courses, numbered 1 and 2:

- 1) **S27°06'28"W 168.64 feet** to a calculated point (inundated); and
- 2) **S22°10'56"W 316.15 feet** to the POINT OF BEGINNING, and containing 0.1114 of one acre, or 4,851 square feet, more or less, contained within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS96). The Combined Grid to Surface Scale Factor is 1.00010) and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



08/31/16

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

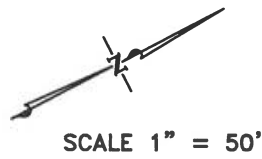
2016/Descriptions/Weiss Lane/0.1114 ac

TCAD # 0275600301

SKETCH TO ACCOMPANY DESCRIPTION
 OF 0.1114 AC. OR 4,851 SQ. FT. OF LAND OUT OF
 THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529,
 TRAVIS COUNTY, TEXAS.

RE: TRAVIS COUNTY

LINE TABLE		
LINE	BEARING	LENGTH
L1	N63°18'34"W	10.03
L2	S60°29'10"E	10.01
L3	N63°08'15"W	29.99



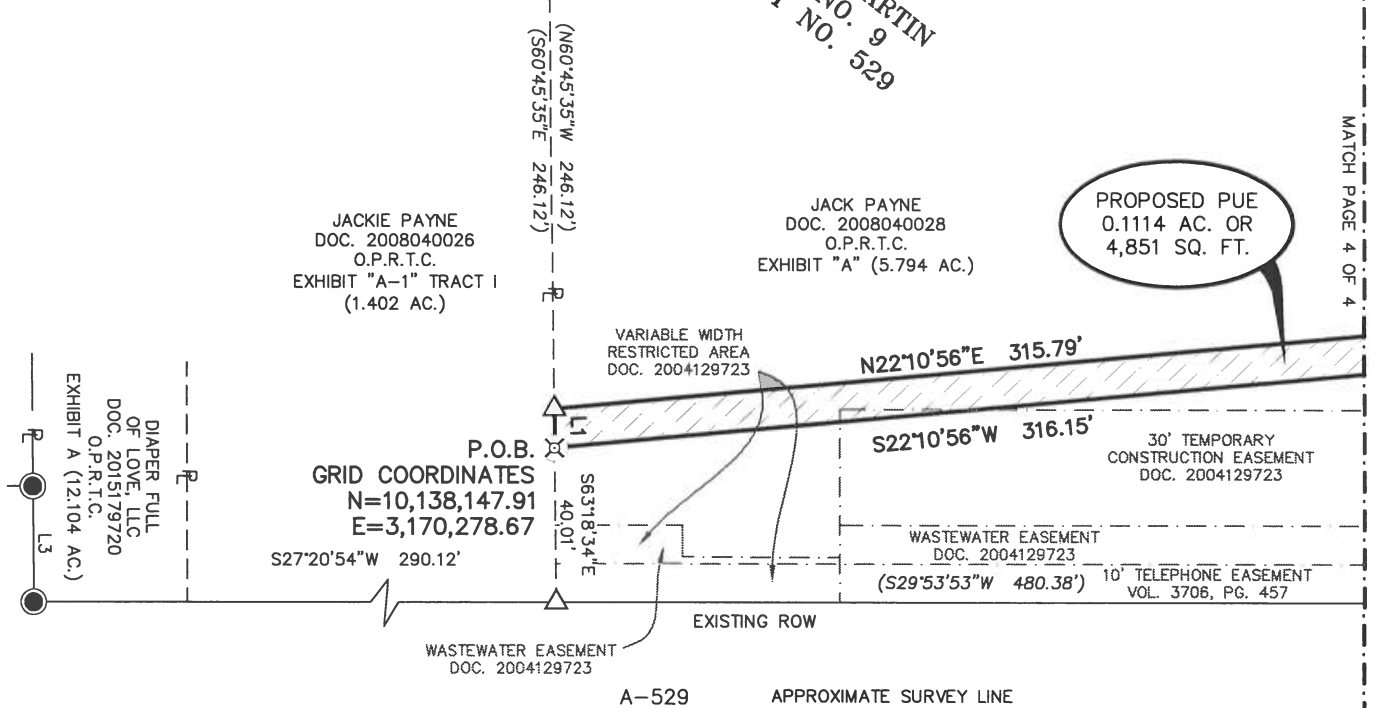
GEORGE M. MARTIN
 SURVEY NO. 9
 ABSTRACT NO. 529

JACKIE PAYNE
 DOC. 2008040026
 O.P.R.T.C.
 EXHIBIT "A-1" TRACT I
 (1.402 AC.)

JACK PAYNE
 DOC. 2008040028
 O.P.R.T.C.
 EXHIBIT "A" (5.794 AC.)

PROPOSED PUE
 0.1114 AC. OR
 4,851 SQ. FT.

MATCH PAGE 4 OF 4



WEISS LANE
 (R.O.W. VARIES)

JOHN BRAY
 SURVEY NO. 10
 ABSTRACT NO. 462

LEGEND

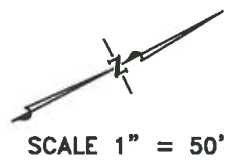
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- ⊗ CHISELED "X"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

SURVEYED BY: PAGE 3 OF 4

McGRAY & McGRAY
LAND SURVEYORS, INC.
 TBPLS FIRM# 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

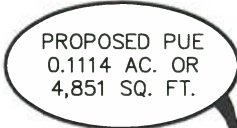
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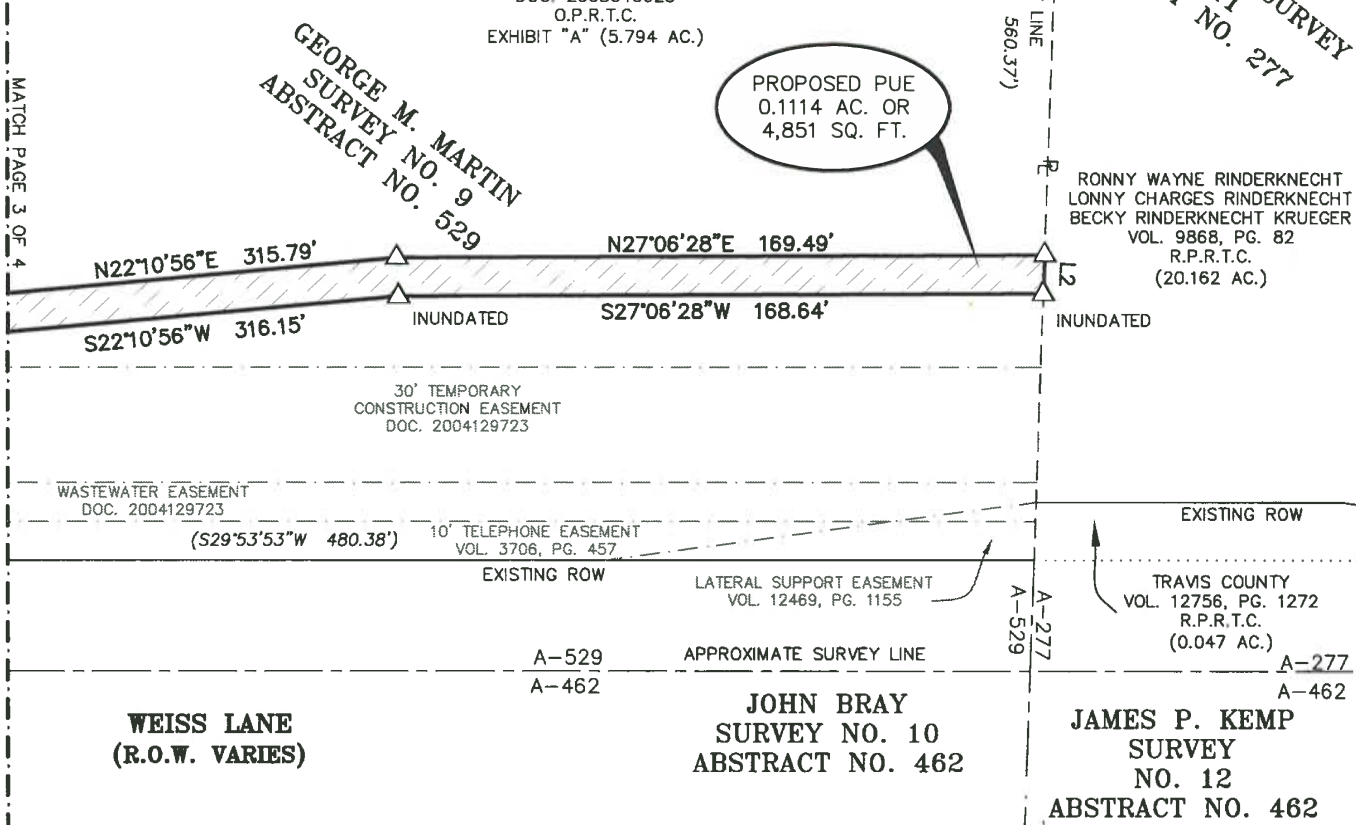
JACK PAYNE
 DOC. 2008040028
 O.P.R.T.C.
 EXHIBIT "A" (5.794 AC.)



EDWARD FLINT SURVEY
 NO. 11
 ABSTRACT NO. 277

RONNY WAYNE RINDERKNECHT
 LONNY CHARGES RINDERKNECHT
 BECKY RINDERKNECHT KRUEGER
 VOL. 9868, PG. 82
 R.P.R.T.C.
 (20.162 AC.)

MATCH PAGE 3 OF 4



NOTES:
 1. THE COORDINATE SHOWN HEREON IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (CORS96) DATUM AND WAS ESTABLISHED BY GPS OBSERVATION. THE BEARINGS SHOWN ARE GRID BEARINGS. THE COMBINED GRID TO SURFACE SCALE FACTOR IS 1.00010. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
 2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT GF NO. 1618363-KFO.

- LEGEND**
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
 - ⊗ CHISELED "X"
 - △ CALCULATED POINT
 - (XXX) RECORD INFORMATION
 - ℞ PROPERTY LINE
 - P.O.B. POINT OF BEGINNING
 - P.R.T.C. PLAT RECORDS TRAVIS COUNTY
 - D.R.T.C. DEED RECORDS TRAVIS COUNTY
 - O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY



08/31/16

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
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TCAD# 0275600301

M:\LJA~15-043~Weiss Lane-Pflugerville\DWG\Parcels\Payne 1 PUE

ISSUED: 08/31/16
 SURVEYED BY: PAGE 4 OF 4
McGRAY & McGRAY
LAND SURVEYORS, INC.
 TBPLS FIRM# 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

JOB NO.: 15-043