

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

**CONDITIONAL PURCHASE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **FRANKLIN STIBA** and **RUBY M. STIBA**, hereinafter referred to as “**SELLER**”, for and in consideration of the agreed purchase price of **THIRTY THREE THOUSAND TWO HUNDRED SEVENTY-SEVEN AND 25/100 (\$33,277.25) DOLLARS** (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL** and **CONVEY** by Special Warranty Deed to the **CITY OF PFLUGERVILLE, TEXAS**, a Texas home rule municipality, hereinafter referred to as “**PURCHASER**”; 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:

**DESCRIBE PROPERTY:** As more fully described in **Exhibits “A-1” and “A-2”**, the property is described as follows:

Being a 0.117 acre tract located in the **HENRY BLESSING SURVEY, ABSTRACT 99**, and being out of the remainder of a called 5.00 acre tract described in a deed to Franklin Stiba recorded in Volume 5724, Page 619 of the named records of Travis County, Texas. Said 0.117 acre tract being more particularly shown on the attached survey exhibit drawing and further described by metes and bounds as follows: particularly described by metes and bounds in Exhibit “A-1” attached hereto.

Being a 0.117 acre tract located in the **HENRY BLESSING SURVEY, ABSTRACT 99**, and being out of the remainder of a called 5.00 acre tract described in a deed to Franklin Stiba recorded in Volume 5724, Page 619 of the named records of Travis County, Texas. Said 0.117 acre tract being more particularly shown on the attached survey exhibit drawing and further described by metes and bounds as follows: particularly described by metes and bounds in Exhibit “A-2” attached hereto.

Together with all improvements incident or belonging thereto.

**Purchase and Sale Agreement:** **SELLER** agrees to sell and convey the Property to **PURCHASER**, and **PURCHASER** conditionally agrees to buy and pay **SELLER** for the Property. The promises by **PURCHASER** and **SELLER** stated in this contract are the consideration for the formation of this contract.

**Offer Conditional:** Pursuant to Pflugerville City Charter Section 3.14, **PURCHASER’S** obligation to buy or convey the real property described in this agreement is conditional and shall not be effective until such action is approved by City Council.

**SELLER** hereby agrees to furnish **PURCHASER** a Release, Partial Release or Subordination of Lien, if applicable.

**Special Conditions:** NONE

The agreed Purchase Price includes full accord, satisfaction and compensation for all demands and damages to the remaining property of the **SELLER**, if any.

The **PURCHASER**, without expense to the **SELLER**, shall prepare the Special Warranty Deed document and shall bear the expense of all closing costs.

**INDEPENDENCE TITLE COMPANY** shall act as **Agent**, and the **SELLER** agrees that closing shall occur at a mutually agreeable time and day at the **Agent's** office located at **203 W. Main Street, Pflugerville, Texas 78660** and **SELLER** shall appear at **Agent's** office at said time to execute a **SPECIAL WARRANTY DEED** in substantially similar form as **EXHIBIT "B"** and other conveyance documents reasonably required by **Agent**.

Until title has been conveyed to the **PURCHASER**, loss or damage to the property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, and **PURCHASER** does not proceed to condemnation, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Property. In addition, should the purchase fail to close, as a result of **PURCHASER'S** decision not to proceed with closing or condemnation, and **PURCHASER'S** decision is not attributable, in whole or part, to fault of **SELLER**; in such event, **PURCHASER** shall instruct **TITLE COMPANY** to release the Earnest Money and accrued interest to **SELLER**. This shall be **SELLER'S** sole remedy in the event of **PURCHASER'S** determination not to proceed to proceed with closing. This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager, or other designated official. Such acceptance shall be acknowledged by the City Manager, or other designated official's execution of this contract. This contract contains the entire consideration for the purchase and conveyance of the property, it being agreed and understood that there is no valid other written or parole agreement regarding the property between **SELLER** and the City, or any officer or employee of the City.

This Agreement shall remain binding on the Parties for a period of 180 days after execution by the City Manager, or other designated city official. After such period should the sale that is the subject of this contract not close, and **PURCHASER** has failed to initiate condemnation, such failure shall be deemed as **PURCHASER'S** decision not to proceed with closing or condemnation.


The **PURCHASER** may take possession of the Property and begin construction immediately upon the **SELLER'S** execution of the Special Warranty Deed and funding of the conveyance.

The **SELLER** represents to the **PURCHASER** 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 closing.

If examination of title or any other source discloses any defects in the title to the Property which, in the opinion of the **PURCHASER**, cannot be cured in a reasonable time or which negatively impact the value of the property, then the **PURCHASER**, in lieu of completing the purchase of the property, may, but shall not be required to, proceed to acquire the same by condemnation.

**EXECUTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**SELLER:**

  
\_\_\_\_\_  
Franklin Stiba

  
\_\_\_\_\_  
Ruby M. Stiba

**PURCHASER:**

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

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

**ATTEST:**

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

**PARCEL ADDRESS:**  
1401 Pfennig Lane  
Pflugerville, Texas 78660



600 Austin Ave., Suite 20  
Waco, Texas 76701

**0.117 ACRE RIGHT-OF-WAY TRACT  
LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99  
IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS**

FIELD NOTES FOR A 0.117 ACRE TRACT LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99, AND BEING OUT OF THE REMAINDER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO FRANKLIN STIBA RECORDED IN VOLUME 5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.117 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED SURVEY EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 5/8" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE (VARIABLE WIDTH RIGHT-OF-WAY) MARKING THE NORTHWEST CORNER OF SAID 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT FROM WHICH THE NORTHEAST CORNER OF LOT 1, BLOCK A, WALDEN SQUARE ACCORDING TO THE PLAT THEREOF RECORDED IN TRAVIS COUNTY CLERK'S DOCUMENT 201500273 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS BEARS S 27°27'59" W – 35.00', AND A 1/2" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF THE REMAINDER OF SAID 5.00 ACRE TRACT BEARS S 27°27'59" W – 523.80';

**THENCE S 62°41'58" E – 207.73'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID PFENNIG LANE TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE NORTHEAST CORNER OF THE 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT FROM WHICH A 1" IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE MARKING THE NORTHEAST CORNER OF THE REMAINDER OF ANOTHER CALLED 5.00 ACRE TRACT DESCRIBED IN SAID DEED TO FRANKLIN STIBA BEARS S 62°41'58" E – 207.74';

**THENCE S 27°29'44" W – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACTS TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 62°41'58" W – 207.72'** CROSSING THE INTERIOR OF SAID 5.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN RIGHT-OF-WAY LINE OF SAID PFENNIG LANE, SAME BEING THE WEST LINE OF THE 5.00 ACRE TRACT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 27°27'59" E – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID PFENNIG LANE RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.117 ACRE OF LAND.

**THIS DESCRIPTION IS BASED ON THE ATTACHED SURVEY EXHIBIT DRAWING MADE BY DANA B. SPIGENER, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4809.**

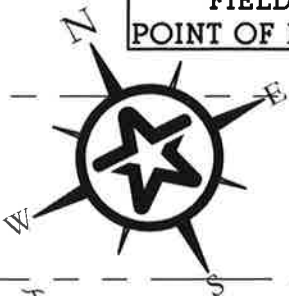
**BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.**

SURVEYED: JUNE, 2016  
RELEASED: JULY 12, 2016

*Dana B. Spigener*  
DANA B. SPIGENER, R.L.S. 4809  
PROJ NO. 1-02715  
PLAT NO. A1-1060  
FIELD NOTE NO. 02  
MAP CHECKED 06-21-16 DBS



**FIELD NOTE  
POINT OF BEGINNING**



REMAINDER OF  
TERRELL TIMMERMAN  
CALLED 129.137 ACRES  
T.C.C.D. 1999104399, O.P.R.T.C.T.

N 27°27'59" E  
24.47'  
(S 60°08'00" E - 207.62')  
S 62°41'58" E 207.73'

**PFENNIG LANE  
(R-O-W WIDTH VARIES)**

S 62°41'58" E 207.74'  
(S 60°08'00" E - 207.62')

1" IRON PIPE  
FOUND

5/8" IRON ROD  
FOUND  
S 27°27'59" W  
35.00'

**0.117 ACRE**

N 62°41'58" W 207.72'

S 27°29'44" W  
24.47'

10' P.U.E.  
T.C.C.D. 201500273  
O.P.R.M.C.T.

**PROPOSED  
0.117 ACRE  
RIGHT-OF-WAY  
TRACT**

LOT 1, BLOCK A  
WALDEN SQUARE  
T.C.C.D. 201500273  
O.P.R.T.C.T.

( ) = DEED CALL

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET

**FRANKLIN STIBA  
REMAINDER OF  
CALLED 5.00 ACRES  
VOLUME 5724, PAGE 619  
N.R.T.C.T.**

30' WIDE INGRESS, EGRESS,  
REGRESS EASEMENT BENEFITING  
FRANKLIN STIBA AND ANTHONY  
SCHLAB, THEIR HEIRS AND ASSIGNS  
CALLED 0.72 ACRE  
VOLUME 5724, PAGE 986  
N.R.T.C.T.

FRANKLIN STIBA  
REMAINDER OF  
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VOLUME 5724, PAGE 619  
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KATYMEAD JOINT VENTURES  
CALLED 0.72 ACRES  
VOLUME 11536, PAGE 1211  
R.P.R.T.C.T.

PHILIP DULOCK AND LEANDRA DULOCK  
CALLED 0.81 ACRE  
T.C.C.D. 2015143334  
O.P.R.T.C.T.

**HENRY BLESSING SURVEY  
ABSTRACT 99  
TRAVIS COUNTY, TEXAS**



SURVEYOR'S NOTES:

*Dana B. Spigener*

SURVEY DATE: JUNE, 2016  
RELEASE DATE: JULY 12, 2016

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:  
0.117 ACRE RIGHT-OF-WAY TRACT LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS.

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS

**EXHIBIT SHOWING  
0.117 ACRE RIGHT-OF-WAY TRACT**

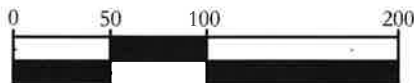
**IN THE HENRY BLESSING SURVEY, ABSTRACT 99, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, BEING A PORTION  
OF THE REMAINDER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO FRANKLIN STIBA, RECORDED IN VOLUME  
5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS**

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**Walker Partners**  
engineers ★ surveyors

600 Austin Avenue, Suite 20 • Waco, Texas 76701  
Phone: 1-254-714-1402 • T.B.P.E. Registration No. 8053  
T.B.P.L.S. Registration No. 10032500



GRAPHIC SCALE IN FEET

REVISIONS

PLAT NO. A1-1060 DRAFT DATE 3-30-16 FB/PAGE 353/1  
PROJ. NO. 1-02715 TAB NO. NA FIELD NOTE NO. 02  
DWG. NAME 1-02715ROW STIBA1 DRAWN BY DBS



600 Austin Ave., Suite 20  
Waco, Texas 76701

**0.117 ACRE RIGHT-OF-WAY TRACT  
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**BEGINNING** AT A 1" IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE (60' WIDE RIGHT-OF-WAY) MARKING THE NORTHEAST CORNER OF SAID 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.72 ACRE TRACT DESCRIBED IN A DEED TO KATYMEAD JOINT VENTURES RECORDED IN VOLUME 11536, PAGE 1211 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS FROM WHICH A 5/8" IRON ROD FOUND IN THE WEST LINE OF THE 0.72 ACRE TRACT MARKING THE SOUTHEAST CORNER OF THE 5.00 ACRE TRACT BEARS S 27°31'34" W – 524.26';

**THENCE S 27°31'34" W – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID 0.72 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 62°41'58" W – 207.73'** CROSSING THE INTERIOR OF SAID 5.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE WEST LINE OF THE 5.00 ACRE TRACT, SAME BEING THE EAST LINE OF ANOTHER CALLED 5.00 ACRE TRACT DESCRIBED IN SAID DEED TO FRANKLIN STIBA FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

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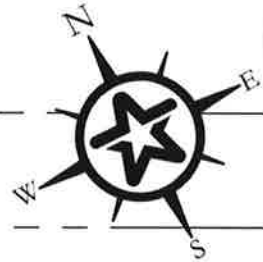
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SURVEYED: JUNE, 2016  
RELEASED: JULY 12, 2016

*Dana B. Spigener*  
DANA B. SPIGENER, R.L.S. 4809  
PROJ NO. 1-02715  
PLAT NO. A1-1061  
FIELD NOTE NO. 03  
MAP CHECKED 06-21-16 DBS



REMAINDER OF  
TERRELL TIMMERMAN  
CALLED 129.137 ACRES  
T.C.C.D. 1999104399, O.P.R.T.C.T.



**FIELD NOTE  
POINT OF BEGINNING**

(S 60°08'00" E - 207.62')  
**S 62°41'58" E 207.74'**

**PFENNIG LANE  
(60' R-O-W)**

N 62°41'58" W 207.73'

5/8" IRON ROD  
FOUND

N 27°29'44" E  
24.47'

**0.117 ACRE**

N 62°41'58" W 207.73'

1" IRON PIPE  
FOUND

S 27°31'34" W  
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**PROPOSED  
0.117 ACRE  
RIGHT-OF-WAY  
TRACT**

30' WIDE INGRESS, EGRESS,  
REGRESS EASEMENT BENEFITING  
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VOLUME 5724, PAGE 986  
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FRANKLIN STIBA  
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N.R.T.C.T.**

**HENRY BLESSING SURVEY  
ABSTRACT 99  
TRAVIS COUNTY, TEXAS**

BARBARA P. MATHEWS  
CALLED 5.00 ACRES  
VOLUME 6859, PAGE 436  
N.R.T.C.T.



*Dana B. Spigener*

( ) = DEED CALL

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET

N.R.T.C.T. = NAMED RECORDS OF TRAVIS COUNTY, TEXAS

T.C.C.D. = TRAVIS COUNTY CLERK'S DOCUMENT

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

PHILIP DULOCK AND LEANDRA DULOCK  
CALLED 0.81 ACRE  
T.C.C.D. 2015143334  
O.P.R.T.C.T.

5/8" IRON ROD  
FOUND

**SURVEYOR'S NOTES:**

SURVEY DATE: JUNE, 2016  
RELEASE DATE: JULY 12, 2016

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:  
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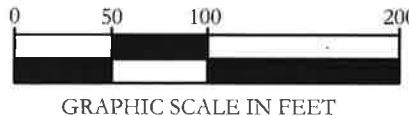
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0.117 ACRE RIGHT-OF-WAY TRACT**

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Phone: 1-254-714-1402 • T.B.P.E. Registration No. 8053  
T.B.P.L.S. Registration No. 10032500



GRAPHIC SCALE IN FEET

**REVISIONS**

PLAT NO.	<u>A1-1061</u>	DRAFT DATE	<u>3-30-16</u>	FB/PG	<u>353/1</u>
PROJ. NO.	<u>1-02715</u>	TAB NO.	<u>NA</u>	FIELD NOTE NO.	<u>03</u>
DWG. NAME	<u>1-02715ROW STIBA2</u>	DRAWN BY	<u>DBS</u>		

**EXHIBIT "B"**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY 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 **FRANKLIN STIBA** and **RUBY M. STIBA** ("Grantor"), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable 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-1" and Exhibit "A-2", attached hereto and incorporated herein by reference ("Property").

**Grantor and Grantee** agree that the property described in Exhibit "A-1" and Exhibit "A-2", is being conveyed to the City of Pflugerville under the imminence of condemnation, as that term is used in the United States Internal Revenue Code.

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*



**EXHIBIT "B"**

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
Franklin Stiba

\_\_\_\_\_  
Ruby M. Stiba

**Acknowledgement**

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 2017,  
by Franklin Stiba for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

**Acknowledgement**

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 2017,  
by Ruby M. Stiba for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

**EXHIBIT "B"**

**AGREED AND ACCEPTED:**

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

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

ATTEST:

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

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



600 Austin Ave., Suite 20  
Waco, Texas 76701

**0.117 ACRE RIGHT-OF-WAY TRACT  
LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99  
IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS**

FIELD NOTES FOR A 0.117 ACRE TRACT LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99, AND BEING OUT OF THE REMAINDER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO FRANKLIN STIBA RECORDED IN VOLUME 5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.117 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED SURVEY EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 5/8" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE (VARIABLE WIDTH RIGHT-OF-WAY) MARKING THE NORTHWEST CORNER OF SAID 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT FROM WHICH THE NORTHEAST CORNER OF LOT 1, BLOCK A, WALDEN SQUARE ACCORDING TO THE PLAT THEREOF RECORDED IN TRAVIS COUNTY CLERK'S DOCUMENT 201500273 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS BEARS S 27°27'59" W – 35.00', AND A 1/2" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF THE REMAINDER OF SAID 5.00 ACRE TRACT BEARS S 27°27'59" W – 523.80';

**THENCE S 62°41'58" E – 207.73'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID PFENNIG LANE TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE NORTHEAST CORNER OF THE 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT FROM WHICH A 1" IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE MARKING THE NORTHEAST CORNER OF THE REMAINDER OF ANOTHER CALLED 5.00 ACRE TRACT DESCRIBED IN SAID DEED TO FRANKLIN STIBA BEARS S 62°41'58" E – 207.74';

**THENCE S 27°29'44" W – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACTS TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 62°41'58" W – 207.72'** CROSSING THE INTERIOR OF SAID 5.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN RIGHT-OF-WAY LINE OF SAID PFENNIG LANE, SAME BEING THE WEST LINE OF THE 5.00 ACRE TRACT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 27°27'59" E – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID PFENNIG LANE RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.117 ACRE OF LAND.

**THIS DESCRIPTION IS BASED ON THE ATTACHED SURVEY EXHIBIT DRAWING MADE BY DANA B. SPIGENER, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4809.**

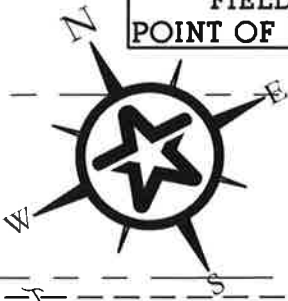
**BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.**

SURVEYED: JUNE, 2016  
RELEASED: JULY 12, 2016

*Dana B. Spigener*  
DANA B. SPIGENER, R.L.S. 4809  
PROJ NO. 1-02715  
PLAT NO. A1-1060  
FIELD NOTE NO. 02  
MAP CHECKED 06-21-16 DBS



**FIELD NOTE  
POINT OF BEGINNING**



REMAINDER OF  
TERRELL TIMMERMAN  
CALLED 129.137 ACRES  
T.C.C.D. 1999104399, O.P.R.T.C.T.

N 27°27'59" E  
24.47'  
(S 60°08'00" E - 207.62')  
S 62°41'58" E 207.73'

**PFENNIG LANE  
(R-O-W WIDTH VARIES)**

S 62°41'58" E 207.74'  
(S 60°08'00" E - 207.62')

1" IRON PIPE  
FOUND

5/8" IRON ROD  
FOUND  
S 27°27'59" W  
35.00'

**0.117 ACRE**

N 62°41'58" W 207.72'

S 27°29'44" W  
24.47'

10' P.U.E.  
T.C.C.D. 201500273  
O.P.R.M.C.T.

**PROPOSED  
0.117 ACRE  
RIGHT-OF-WAY  
TRACT**

LOT 1, BLOCK A  
WALDEN SQUARE  
T.C.C.D. 201500273  
O.P.R.T.C.T.

( ) = DEED CALL

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET

N.R.T.C.T. = NAMED RECORDS OF TRAVIS COUNTY, TEXAS

T.C.C.D. = TRAVIS COUNTY CLERK'S DOCUMENT

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

S 28°50'05" W 523.90' PLAT  
S 27°27'59" W 523.80'  
(S 30°03'00" W)

**FRANKLIN STIBA  
REMAINDER OF  
CALLED 5.00 ACRES  
VOLUME 5724, PAGE 619  
N.R.T.C.T.**

(S 30°03'00" W)

30' WIDE INGRESS, EGRESS,  
REGRESS EASEMENT BENEFITING  
FRANKLIN STIBA AND ANTHONY  
SCHLAB, THEIR HEIRS AND ASSIGNS  
CALLED 0.72 ACRE  
VOLUME 5724, PAGE 986  
N.R.T.C.T.

FRANKLIN STIBA  
REMAINDER OF  
CALLED 5.00 ACRES  
VOLUME 5724, PAGE 619  
N.R.T.C.T.

KATYMEAD JOINT VENTURES  
CALLED 0.72 ACRES  
VOLUME 11536, PAGE 1211  
R.P.R.T.C.T.

PHILIP DULOCK AND LEANDRA DULOCK  
CALLED 0.81 ACRE  
T.C.C.D. 2015143334  
O.P.R.T.C.T.



**HENRY BLESSING SURVEY  
ABSTRACT 99  
TRAVIS COUNTY, TEXAS**

SURVEYOR'S NOTES:  
SURVEY DATE: JUNE, 2016  
RELEASE DATE: JULY 12, 2016

*Dana B. Spigener*

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:  
0.117 ACRE RIGHT-OF-WAY TRACT LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS.

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS

**EXHIBIT SHOWING  
0.117 ACRE RIGHT-OF-WAY TRACT**

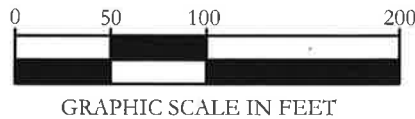
**IN THE HENRY BLESSING SURVEY, ABSTRACT 99, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, BEING A PORTION  
OF THE REMAINDER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO FRANKLIN STIBA, RECORDED IN VOLUME  
5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS**

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**Walker Partners**  
engineers ★ surveyors

600 Austin Avenue, Suite 20 • Waco, Texas 76701  
Phone: 1-254-714-1402 • T.B.P.E. Registration No. 8053  
T.B.P.L.S. Registration No. 10032500



REVISIONS

PLAT NO. A1-1060 DRAFT DATE 3-30-16 FB/PG 353/1  
PROJ. NO. 1-02715 TAB NO. NA FIELD NOTE NO. 02  
DWG. NAME 1-02715ROW STIBA1 DRAWN BY DBS



600 Austin Ave., Suite 20  
Waco, Texas 76701

**0.117 ACRE RIGHT-OF-WAY TRACT  
LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99  
IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS**

FIELD NOTES FOR A 0.117 ACRE TRACT LOCATED IN THE HENRY BLESSING SURVEY, ABSTRACT 99, AND BEING OUT OF THE REMAINDER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO FRANKLIN STIBA RECORDED IN VOLUME 5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.117 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED SURVEY EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 1" IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE (60' WIDE RIGHT-OF-WAY) MARKING THE NORTHEAST CORNER OF SAID 5.00 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.72 ACRE TRACT DESCRIBED IN A DEED TO KATYMEAD JOINT VENTURES RECORDED IN VOLUME 11536, PAGE 1211 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS FROM WHICH A 5/8" IRON ROD FOUND IN THE WEST LINE OF THE 0.72 ACRE TRACT MARKING THE SOUTHEAST CORNER OF THE 5.00 ACRE TRACT BEARS S 27°31'34" W – 524.26';

**THENCE S 27°31'34" W – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID 0.72 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 62°41'58" W – 207.73'** CROSSING THE INTERIOR OF SAID 5.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE WEST LINE OF THE 5.00 ACRE TRACT, SAME BEING THE EAST LINE OF ANOTHER CALLED 5.00 ACRE TRACT DESCRIBED IN SAID DEED TO FRANKLIN STIBA FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE N 27°29'44" E – 24.47'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACTS TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE SOUTH RIGHT-OF-WAY LINE OF SAID PFENNIG LANE MARKING THE COMMON NORTH CORNER OF THE 5.00 ACRE TRACTS FROM WHICH A 5/8" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF PFENNIG LANE MARKING THE NORTHWEST CORNER OF THE MOST WESTERLY 5.00 ACRE TRACT BEARS N 62°41'58" W – 207.73';

**THENCE S 62°41'58" E – 207.74'** WITH THE COMMON LINE OF SAID 5.00 ACRE TRACT AND SAID PFENNIG LANE RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.117 ACRE OF LAND.

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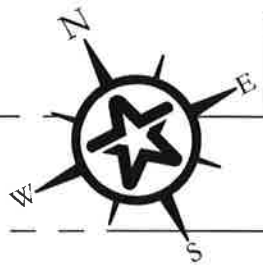
**BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.**

SURVEYED: JUNE, 2016  
RELEASED: JULY 12, 2016

*Dana B. Spigener*  
DANA B. SPIGENER, R.L.S. 4809  
PROJ NO. 1-02715  
PLAT NO. A1-1061  
FIELD NOTE NO. 03  
MAP CHECKED 06-21-16 DBS



REMAINDER OF  
TERRELL TIMMERMAN  
CALLED 129.137 ACRES  
T.C.C.D. 1999104399, O.P.R.T.C.T.



**FIELD NOTE  
POINT OF BEGINNING**

(S 60°08'00" E - 207.62')  
**S 62°41'58" E 207.74'**

**PFENNIG LANE  
(60' R-O-W)**  
N 62°41'58" W 207.73'

5/8" IRON ROD  
FOUND

**N 27°29'44" E  
24.47'**

**0.117 ACRE**  
N 62°41'58" W 207.73'

1" IRON PIPE  
FOUND

**S 27°31'34" W  
24.47'**

**PROPOSED  
0.117 ACRE  
RIGHT-OF-WAY  
TRACT**

30' WIDE INGRESS, EGRESS,  
REGRESS EASEMENT BENEFITING  
FRANKLIN STIBA AND ANTHONY  
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VOLUME 5724, PAGE 986  
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**FRANKLIN STIBA  
REMAINDER OF  
CALLED 5.00 ACRES  
VOLUME 5724, PAGE 619  
N.R.T.C.T.**

**HENRY BLESSING SURVEY  
ABSTRACT 99  
TRAVIS COUNTY, TEXAS**

BARBARA P. MATHEWS  
CALLED 5.00 ACRES  
VOLUME 6859, PAGE 436  
N.R.T.C.T.



*Dana B. Spigener*

( ) = DEED CALL

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET

N.R.T.C.T. = NAMED RECORDS OF TRAVIS COUNTY, TEXAS

T.C.C.D. = TRAVIS COUNTY CLERK'S DOCUMENT

O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

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PHILIP DULOCK AND LEANDRA DULOCK  
CALLED 0.81 ACRE  
T.C.C.D. 2015143334  
O.P.R.T.C.T.

5/8" IRON ROD  
FOUND

**SURVEYOR'S NOTES:**

SURVEY DATE: JUNE, 2016  
RELEASE DATE: JULY 12, 2016

**FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:**

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0.117 ACRE RIGHT-OF-WAY TRACT**

**IN THE HENRY BLESSING SURVEY, ABSTRACT 99, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, BEING A PORTION  
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5724, PAGE 619 OF THE NAMED RECORDS OF TRAVIS COUNTY, TEXAS**

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T.B.P.L.S. Registration No. 10032500



GRAPHIC SCALE IN FEET

REVISIONS

PLAT NO. A1-1061 DRAFT DATE 3-30-16 FB/PG 353/1  
PROJ. NO. 1-02715 TAB NO. NA FIELD NOTE NO. 03  
DWG. NAME 1-02715ROW STIBA2 DRAWN BY DBS