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.

### PUBLIC UTILITY EASEMENT AGREEMENT

THE STATE OF TEXAS

COUNTY OF TRAVIS §

#### **GRANT OF EASEMENT:**

LARRY L. MELLENBRUCH, NANCY H. MELLENBRUCH, MONTGOMERY C. MEIGS, MARY ANN MEIGS, JOHN C. MELLENBRUCH, DAVID L. MELLENBRUCH, WILLIAM B. MEIGS, and MATTHEW M. MEIGS ("Grantor"), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto THE CITY OF PFLUGERVILLE, TEXAS, a homerule city located in Travis County, Texas ("Grantee"), an easement ("Easement") upon and across the property of Grantor which is more particularly described on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein by reference ("Easement Tracts").

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights and privileges and on the terms and conditions set forth below.

Grantor does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to all validly existing restrictions, covenants, conditions, easements, royalty and mineral reservations, and all other matters of record, if any, affecting the Property.

#### **CHARACTER OF EASEMENT:**

The Easement is an easement in gross.

#### PURPOSE OF EASEMENT:

The Easement shall be used for public utility purposes, including placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of public utility facilities and related appurtenances, or making connections thereto and for no other purpose.

The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the public utility facilities and related appurtenances. Public utilities include but are not limited to water, wastewater, electrical lines, gas lines, telecommunications and cable television services.

### **DURATION OF EASEMENT:**

The Easement shall be perpetual.

#### **EXCLUSIVENESS OF EASEMENT:**

The Easement shall be non-exclusive, and Grantor may dedicate all or any portions of the Easement Tracts to any utility so long as such dedication and use recognizes, accepts and does not unreasonably interfere or conflict with the use of the Easement Tract by Grantee for the purposes, uses and rights herein provided. Grantor may use the Easement Tract in any manner that is not inconsistent with this Easement.

#### **MAINTENANCE:**

Grantor shall maintain the surface area or the Easement Property, which shall include but shall not be limited to regular mowing.

### **ENTIRE AGREEMENT:**

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the party to be charged.

### **BINDING EFFECT:**

This agreement shall bind and inure to the benefit of the respective parties hereto, their heirs, legal representatives, successors and assigns.

### **ASSIGNABILITY:**

This Easement and the rights of Grantee hereunder may be assigned in whole or in part by Grantee.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK – SIGNATURES AND ACKNOWLEDGEMENTS OF GRANTORS FOLLOW]

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF LARRY L. MELLENBRUCH

2013.	In witness whereof, this instrument	is executed this	_ <b>ZZ</b> _ day of _	May	2013,
			LARRY L. ME	<i>Molki</i> LLENBRU	<b>Lond</b> JCH, Grantor
	ACKY	NOWLEDGEMI	ENT		
	E OF TEXAS ITY OF TRAVIS	§ § §			
This in	strument was acknowledged before me RRY L. MELLENBRUCH.	on <u>Inay</u>	39		, 2013,
(seal)	ANNAMARIE LITTRELL MY COMMISSION EXPIRES March 27, 2017		Dwn Annu A Notary Public, S	Littre State of Tex	OD kas

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF NANCY H. MELLENBRUCH

In witness whereof, this instrument is 2013.	executed this	32 day of <u>May</u> ,
		AMULEM YUCH, Grantor
ACKNO	OWLEDGEM	ENT
STATE OF TEXAS COUNTY OF TRAVIS	§ § §	
This instrument was acknowledged before me oby NANCY H. MELLENBRUCH.	on <u>Nay</u>	<u>22</u> , 2013,
(seal)  ANNAMARIE LITTRELL  MY COMMISSION EXPIRES  March 27, 2017		Omna have Littrell Notary Public, State of Texas

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF DAVID L. MELLENBRUCH

In witness whereof, this instrument 2013.	is executed this 22 day of May,  DAVID L. MELLENBRUCH, Grantor
ACK	NOWLEDGEMENT
STATE OF TEXAS COUNTY OF TRAVIS	§ § §
This instrument was acknowledged before mby DAVID L. MELLENBRUCH.	e on <u>May</u> 22 , 2013,
(seal)  ANNAMARIE LITTRELL MY COMMISSION EXPIRES March 27, 2017	Notary Public, State of Texas

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF JOHN C. MELLENBRUCH

In witness whereof, this instrument is executed this <u>23</u> day of <u>May</u> , 2013.
John C. Mellenbrus 10HN C. MELLENBRUCH, Grantor
ACKNOWLEDGEMENT
STATE OF TEXAS §  COUNTY OF TRAVIS §
This instrument was acknowledged before me on
(seal)  ANNAMARIE LITTRELL  Notary Public, State of Texas  March 27, 2017

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF MARY ANN MEIGS

In witness whereof, this ins 2013.	trument is executed	d this 23rd day of May	<del></del>
		MARY ANN MEIGS, Grant	' <i>351</i> r
	ACKNOWLEDO	GEMENT	
STATE OF VIRGINIA COUNTY OF ARLINGTON	& & &		
This instrument was acknowledged by MARY ANN MEIGS.	pefore me on	23rd May	, 2013,
		In lufarr Notary Public, Commonwealth o	of Virginia
(seal)		ANDREW LEE PRIC NOTARY PUBLIC REGISTRATION # 750 COMMONWEALTH OF V MY COMMISSION EX APRIL 30, 2015	: 04443 IRGINIA PIRES

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF MONTGOMERY C. MEIGS

2013. In	n witness whereof, this instr	rument is execute	ed this 23rd day of May.	
			MONTGOMERY C. MEIGS, G	neve
		ACKNOWLED	GEMENT	
	OF VIRGINIA Y OF ARLINGTON	\$ \$ \$		
	ument was acknowledged be IGOMERY C. MEIGS.	efore me on	23rd of May	, 2013,
(seal)			Notary Public, Commonwealth of Vi	irginia
			ANDREW LEE PRICE NOTARY PUBLIC REGISTRATION # 75044 COMMONWEALTH OF VIRG MY COMMISSION EXPIRI APRIL 30, 2015	INDEA 5

# SIGNATURE AND ACKNOWLEDGEMENT PAGE OF MATTHEW M. MEIGS

2013.	In witness whereof, this instrument is executed this 28th day of May,
	MATTHEW M. MEIGS Grantor
	ACKNOWLEDGEMENT
	E OF TEXAS (Masson & State of Travis Millians of & State of State
	estrument was acknowledged before me on
(seal)	DEBBIE E FERRERI My Commission Expires September 25, 2013

### SIGNATURE AND ACKNOWLEDGEMENT PAGE OF WILLIAM B. MEIGS

2013.	In witness whereof, this instrume	nt is exe	cuted this	28 day of	May	,
				WILLIAM B. MI	EIGS, Granton	Γ
	AC	KNOWI	LEDGEME	NT		
	E OF TEXAS TY OF TRAVIS	§ § §				
	strument was acknowledged before LLIAM B. MEIGS.	me on	May	2874		_, 2013,
				Mum A	7 Jela	#
(seal)					LIAM HENRY LO Notary Public STATE OF TE	XAS

### CITY OF PFLUGERVILLE, TEXAS, a Texas home-rule municipality By:\_\_\_\_ Brandon Wade, City Manager ATTEST: Karen Thompson, City Secretary THE STATE OF TEXAS COUNTY OF \_\_\_\_\_ This instrument was acknowledged before me on \_\_\_\_\_, 2013, by , an individual residing in Travis County, Texas. Notary Public Signature (seal) THE STATE OF TEXAS COUNTY OF behalf of said municipality. Notary Public Signature (seal)

After Recording, Please Return To: City of Pflugerville

Attn: Brandon E. Wade, City Manager P.O. Box 589, Pflugerville, Texas 78691

**AGREED AND ACCEPTED:** 

# 25 50 SCALE I" =50

#### LEGEND X CUT FOUND MAG NAIL SET IN CONCRETE I/2" IRON ROD FOUND IRON ROD WITH CAP FOUND 5/8" IRON ROD W/ ALUMINUM CAP STAMPED "COP-ROW" SET Δ CALCULATED POINT P PROPERTY LINE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS O.P.R.T.C.T. REAL PROPERTY RECORDS R.P.R.T.C.T. TRAVIS COUNTY, TEXAS D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS

CURVE TABLE					
NO.	DELTA	RADIUS	ARC	CHORD	BEARING
CI	27°30'02"	455.00	218.391	216.30	S 45°24'52" W
C2	27°24'46"	445.00	212.91	210.88	N 45°27'30" E

JOHN DAVIS SURVEY NO. 13, A-231

NOTES:

I) BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE.

DISTANCES ARE SURFACE DISTANCES.

2) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN UPDATED TITLE ABSTRACT. THERE MAY BE OTHER INSTRUMENTS OF RECORD THAT AFFECT THIS TRACT NOT DEPICTED HEREON.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

LAWRENCE M. RUSSO DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5050

STATE OF TEXAS INLAND GEODETICS, LP

FIRM REGISTRATION NO. 100591-00 1504 CHISHOLM TRAIL ROAD, SUITE 103

ROUND ROCK, TX 78681

### INLAND GEODETICS 🖫 PROFESSIONAL LAND SURVEYORS 1504 CHISHOLM TRAIL RD. STE. 103

ROUND ROCK, TX. 78681 PH. (512) 238-1200, FAX (512) 238-1251 PLAT TO ACCOMPANY DESCRIPTION LOT 4 BLOCK A LANDMARK PETROLEUM FINAL PLAT DOC. NO. 2010102637 0.P.R.T.C.T. CORNERSTONE AT KELLY LANE PHASE I P.O.B. P.R.T.C.T S 62°13'43" E DOC. NO. 200900101 O.P.R.T.C.T. 10.02 N 62°13'43" 263.12 DECLARATION OF JOINT USE ACCESS EASEMENTS - 4 円 - 4 0.034 ACRES D ACCESS EASEMENT DOC. NO. 2009104649, EXHIBIT C 0.24 ACRES 2009104647, EXHIBIT 0.P.R.T.C.T. 5.4 O.P.R.T.C.T. LARRY L. MELLENBRUCH. AND MARY ANN MEIGS. VOL. 4417, PG. 232 EMPORARY D.R.T.C.T. MATTHEW M. MEIGS DOC. NO. 2005238783 AND DOC. NO. 2009014071 O.P.R.T.C.T. WILLIAM B. MEIGS DOC. NO. 2005238784 CORNERSTONE AT KELLY LANE, LLC TRACT I, EXHIBIT A (5.920 ACRES) AND DOC. NO. 2009014072 O.P.R.T.C.T. JOHN C. MELLENBRUCH DOC. NO. 2013042897 O.P.R.T.C.T. DOC. NO. 2005238781 O.P.R.T.C.T. DAVID L. MELLENBRUCH EASEMENT DOC. NO. 2005238782 0.062 ACRE 2,707 SQ. FT. O.P.R.T.C.T. (REMAINDER OF THAT CALLED 200 AC.) ഗ 27.52 196.E 0 N 77°44'52" 14.64 FINAL PLAT CORNERSTONE AT KELLY LANE COLORADO SAND RIGHT OF WAY DEDICATION (5.920 AC.) (RECORDATION PENDING)

### EASEMENT 0.062 ACRE

2,707 SQUARE FEET

EXH	וחו	~	

#### PROPERTY DESCRIPTION

DESCRIPTION OF A 0.062 ACRE (2,707 SQUARE FOOT), TRACT OF LAND SITUATED IN THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE NORTHWESTERLY REMAINDER PORTION OF THAT CALLED 200 ACRE TRACT OF LAND CONVEYED TO LARRY L. MELLENBRUCH AND MARY ANN MEIGS BY INSTRUMENT RECORDED IN VOLUME 4417, PAGE 232 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, MATTHEW M. MEIGS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238783 AND DOCUMENT NO. 2009014071 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, WILLIAM B. MEIGS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238784 AND DOCUMENT NO. 2009014072 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, JOHN C. MELLENBRUCH BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238781 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND TO DAVID L. MELLENBRUCH BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238782 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.062 ACRE (2,707 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Mag Nail in concrete found for the northwesterly corner of that called 5.920 acre tract (Tract 1, Exhibit A) conveyed to Cornerstone at Kelly Lane, LLC by instrument recorded in Document No. 2013042897, same being the northwesterly corner of proposed Colorado Sand Drive (90' right-of-way width) of the "Final Plat Cornerstone at Kelly Lane Colorado Sand Right of Way Dedication" (recordation pending), being in the southerly boundary line of Lot 4, Block A, of the Final Plat Cornerstone at Kelly Lane, Phase 1, a subdivision recorded in Document No. 200900101 of the Plat Records of Travis County, Texas, (said Lot 4, Block A being conveyed to Landmark Petroleum by instrument recorded in Document No. 2010102637 of the Official Public Records of Travis County, Texas), also being the most southerly northeast corner of said northwesterly remainder portion of the 200 acre tract, for the northeasterly corner and POINT OF BEGINNING of the herein described tract, and from which, an "X" cut in concrete found for the southeasterly corner of said Lot 4, Block A, same being the southwesterly corner of the existing Right-Of-Way of Colorado Sand Drive (80' right-of-way width), bears S 62°13'43" E at a distance of 5.44 feet;

**THENCE**, departing said southerly boundary line of Lot 4, Block A, with the common westerly boundary line of said 5.920 acre tract, the easterly boundary line of the said northwesterly remainder portion of the 200 acre tract and the proposed westerly right-of-way line of said Colorado Sand Drive, with the easterly and southerly lines of the herein described tract, the following three (3) courses:

- Along a curve to the right, having a delta angle of 27°30'02", a radius of 455.00 feet, an arc length of 218.39 feet, and a chord which bears S 45°24'52" W for a distance of 216.30 feet to a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for a point of tangency;
- 2) \$ 59°09'53" W for a distance of 49.73 feet to a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for the southeasterly corner of the herein described tract, same being an angle point in said common line;
- 3) N 77°44'52" W for a distance of 14.64 feet to the calculated southwesterly corner of the herein described tract, and from which a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for an angle point in said common line, bears S 77°44'52" E at a distance of 21.96 feet;

**THENCE**, departing said common line, through the interior of said northwesterly remainder portion of the 200 acre tract, with the westerly line of the herein described tract, the following two (2) courses:

- 4) N 59°09'53" E for a distance of 60.42 feet to a calculated point for a point of curvature to the left;
- 5) Along said curve to the left, having a delta angle of 27°24'46", a radius of 445.00 feet, an arc length of 212.91 feet, and a chord which bears N 45°27'30" E for a distance of 210.88 feet to a calculated point in said southerly boundary line of Lot 4, Block A, same being the northerly boundary line of said northwesterly remainder portion of the 200 acre tract, for the northwesterly corner of the herein described tract, and from which a 1/2" iron rod found for the southwesterly corner of said Lot 4, Block A, same being an ell corner in said northerly line of the northwesterly remainder portion of the 200 acre tract, bears N 62°13'43" W at a distance of 263.12 feet;

6) THENCE, with the northerly line of the herein described tract, same being the common line between said Lot 4, Block A and said northwesterly remainder portion of the 200 acre tract, S 62°13'43" E for a distance of 10.02 feet to the POINT OF BEGINNING, containing 0.062 acres (2,707 square feet) of land, more or less.

All bearings cited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

This property description is accompanied by a separate exhibit.

That I, Lawrence M. Russo, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct and that the property described herein was determined by a survey made on the ground under my direct supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

Lawrence M. Russo

Registered Professional Land Surveyor No. 5050

Inland Geodetics, L.P.

Firm Registration No. 100591-00 1504 Chisholm Trail Road, Suite 103

Round Rock, TX 78681

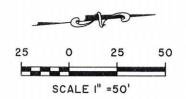
512-238-1200

LAWRENCE M. RUSSO

5050

SURV

### PLAT TO ACCOMPANY DESCRIPTION



#### LEGEND 0 IRON ROD WITH CAP FOUND 5/8" IRON ROD W/ ALUMINUM CAP STAMPED "COP-ROW" SET 0 CALCULATED POINT Δ P PROPERTY LINE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS 0.P.R.T.C.T. R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS

CURVE TABLE						
NO.	DELTA	RADIUS	ARC	CHORD	BEARING	
CI	09°27'12"	1035.00	170.77	170.57	S 67°08'13" E	
C2	08°44'24"	1025.001	156.36	156.21	N 66°46'49" W	

JOHN DAVIS SURVEY

NOTES:

I) BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE
PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE.

S 72°36'13"

DISTANCES ARE SURFACE DISTANCES.

2) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN UPDATED TITLE ABSTRACT. THERE MAY BE OTHER INSTRUMENTS OF RECORD THAT AFFECT THIS TRACT NOT DEPICTED HEREON.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

LAWRENCE M. RUSSO DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5050

STATE OF TEXAS INLAND GEODETICS, LP

FIRM REGISTRATION NO. 100591-00 1504 CHISHOLM TRAIL ROAD, SUITE 103

ROUND ROCK, TX 78681

### N 33°33'31" W 16.26' 🔎 N 33°33'31" W 23.93 P.O.B. EASEMENT 0.058 ACRE 2,505 SQ. FT. ان ا LARRY L. MELLENBRUCH, AND MARY ANN MEIGS, VOL. 4417, PG. 232 D.R.T.C.T. MATTHEW M. MEIGS DOC. NO. 2005238783 AND DOC. NO. 2009014071 O.P.R.T.C.T. WILLIAM B. MEIGS DOC. NO. 2005238784 AND DOC. NO. 2009014072 O.P.R.T.C.T. JOHN C. MELLENBRUCH DOC. NO. 2005238781 O.P.R.T.C.T. DAVID L. MELLENBRUCH DOC. NO. 2005238782 O.P.R.T.C.T. (REMAINDER OF THAT CALLED 200 AC.) 14.14 N 72°36'13" 21.30 TEMPORARY DRAINAGE EASEMENT AGREEMENT (0.712 ACRES) EXHIBIT C DOC. NO. 2013075884 0.P.R.T.C.T. PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT (66.12 AC.) DOC. NO. 1999049719 O.P.R.T.C.T.

COLORADO SAND DRIVE



### GEODETICS &

PROFESSIONAL LAND SURVEYORS 1504 CHISHOLM TRAIL RD. STE. 103 ROUND ROCK, TX. 78681 PH. (512) 238-1200, FAX (512) 238-1251

### EASEMENT

0.058 ACRE 2.505 SQUARE FEET

PAGE 2 OF 2

EX	HIB	IT	
-			

#### PROPERTY DESCRIPTION

DESCRIPTION OF A 0.058 ACRE (2,505 SQUARE FOOT), TRACT OF LAND SITUATED IN THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE EASTERLY REMAINDER PORTION OF THAT CALLED 200 ACRE TRACT OF LAND CONVEYED TO LARRY L. MELLENBRUCH AND MARY ANN MEIGS BY INSTRUMENT RECORDED IN VOLUME 4417, PAGE 232 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, MATTHEW M. MEIGS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238783 AND DOCUMENT NO. 2009014071 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, WILLIAM B. MEIGS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238784 AND DOCUMENT NO. 2009014072 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, JOHN C. MELLENBRUCH BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238781 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND TO DAVID L. MELLENBRUCH BY INSTRUMENT RECORDED IN DOCUMENT NO. 2005238782 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.058 ACRE (2,505 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for an angle point in the easterly boundary line of that called 5.920 acre tract of land (Tract 1, Exhibit A) conveyed to Cornerstone at Kelly Lane, LLC by instrument recorded in Document No. 2013042897 of the Official Public Records of Travis County, Texas, same being an angle point in the proposed northerly right-of-way line of Copper Mine Drive (Right-Of-Way width varies) of the "Final Plat Cornerstone at Kelly Lane Colorado Sand Right of Way Dedication" (recordation pending), also being an angle point in the southerly line of said easterly remainder portion of the 200 acre tract, for the southwesterly corner and POINT OF BEGINNING of the herein described tract:

THENCE with the common easterly boundary line of the said 5.920 acre tract, the southerly boundary line of said easterly remainder portion of the 200 acre tract, and the said proposed northerly right-of-way line of Copper Mine Drive, along the westerly line of the herein described tract, N 33°33'31" W for a distance of 16.26 feet to a calculated point for the northwesterly corner of the herein described tract, and from which a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for the southwesterly corner of said easterly remainder portion of the 200 acre tract, same being the point of intersection with said proposed northerly right-of-way line of Copper Mine Drive and the easterly proposed right-of-way line of Colorado Sand Drive (90' Right-Of-Way width), also being an angle point in said easterly boundary line of the 5.920 acre tract, bears N 33°33'31" W at a distance of 23.96 feet;

**THENCE**, departing said common line, through the interior of said easterly remainder portion of the 200 acre tract, with the northerly line of the herein described tract, the following two (2) courses:

- Along a curve to the right, having a delta angle of 09°27'12", a radius of 1035.00 feet, an arc length of 170.77 feet, and a chord which bears S 67°08'13" E for a distance of 170.57 feet to a calculated point of tangency;
- 3) S 62°24'37" E for a distance of 92.01 feet to the calculated northeasterly corner of the herein described tract, in said common line, and from which a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for the southeasterly corner of said easterly remainder portion of the 200 acre tract, same being an angle point in said easterly boundary line of the 5.920 acre tract, also being the northeasterly corner of said proposed Copper Mine Drive, and being in the westerly boundary line of that called 66.12 acre tract of land conveyed to Pflugerville Independent School District by instrument recorded in Document No. 1999049719 of the Official Public Records of Travis County, Texas, bears N 72°36'13" E at a distance of 21.30 feet;

THENCE, with said common line, same being the easterly and southerly lines of the herein described tract, the following three (3) courses:

4) S 72°36'13" W for a distance of 14.14 feet to a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for the southeasterly corner of the herein described tract;

- 5) N 62°24'37" W for a distance of 82.00 feet to a 5/8" iron rod with aluminum cap stamped "C.O.P. R.O.W." set for a point of curvature to the left;
- 6) Along said curve to the left, having a delta angle of 08°44'24", a radius of 1025.00 feet, an arc length of 156.36 feet, and a chord which bears N 66°46'49" W for a distance of 156.21 feet to the POINT OF BEGINNING, containing 0.058 acres (2,505 square feet) of land, more or less;

All bearings cited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

This property description is accompanied by a separate exhibit.

That I, Lawrence M. Russo, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct and that the property described herein was determined by a survey made on the ground under my direct supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

Lawrence M. Russo

Registered Professional Land Surveyor No. 5050

Inland Geodetics, L.P.

Firm Registration No. 100591-00 1504 Chisholm Trail Road, Suite 103

Round Rock, TX 78681

512-238-1200

LAWRENCE M. RUSSO E