

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.

SIDEWALK EASEMENT AGREEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This Sidewalk Easement Agreement (“Agreement”) is made by and between **TERRABROOK FALCON POINTE, LLC**, a Delaware limited liability company (“Owner”) and the **CITY OF PFLUGERVILLE, TEXAS**, a Texas home-rule municipality (“City”), and is as follows:

RECITALS

A. Owner is the owner of certain real property located in Travis County, Texas, which is more particularly described on Exhibit “A” and Exhibit “B”, attached hereto and incorporated herein by reference (the “Easement Tracts”);

B. Owner has agreed to grant City a non-exclusive easement and right-of-way upon, over, through and across the Easement Tracts (“Easement”), subject to the terms, conditions and other matters set forth in this Agreement.

NOW, THEREFORE, for and in consideration of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged and confessed, Owner hereby GRANTS, SELLS and CONVEYS, to City an access easement on, over, through and across the Easement Tracts, subject to the reservations, terms and conditions of this Agreement and subject to any and all encumbrances and easements of record, to the extent the same are valid and enforceable. The Easement shall be subject to the following terms and provisions:

1. **Character of Easement.** The Easement is an easement in gross.
2. **Duration of Easement.** The Easement is perpetual.
3. **Exclusiveness of Easement.** The Easement is non-exclusive and City’s use shall be in common with Owner and its successors and assigns. Owner hereby reserves, for itself and its successors and assigns, the right to enter upon and use the surface of the Easement Tracts, subsurface of the Easement Tracts and the air space over the Easement Tracts for the purposes of installing, constructing, repairing, maintaining, operating, replacing, upgrading and using (i) landscaping, irrigation sleeves and other irrigation facilities; and (ii) any other improvements that are permitted under the City of Pflugerville Code of Ordinances to encroach into any setbacks or private easements. It is acknowledged that Owner, or its successors and assigns, may need to

grant additional public or private easements across the Easement Tracts to provide access to and from and/or to bring utility services to the property adjacent to the Easement Tracts, and that such access and/or utility service are critical to the development, use and enjoyment of such adjacent property. Grantor agrees, however, that the plans for the construction of any improvements or utility lines on or under the Easement Tracts shall be subject to the prior approval of Grantee, which approval shall not be unreasonably conditioned, withheld or delayed so long as such proposed improvements or lines do not cause any damage to the sidewalk improvements located on the Easement Tracts and the plans comply with applicable codes and construction standards. Owner shall not otherwise use the Easement Tracts in any other manner or otherwise grant any easement on or across the Easement Tracts that interferes in any material way or is inconsistent with the easements, rights, and privileges granted hereunder or the terms and conditions hereof.

4. **Purpose of Easement.** The Easement shall be used only for the purpose of pedestrian ingress and egress over and across the Easement Tracts by Grantee and Grantee's licensees, employees, agents, invitees, members, and the general public.

5. **Repairs and Restoration.** In the event that City's operations and/or other activities on the Easement Tracts result in any damage to or destruction of any subsurface improvements constructed or installed on the Easement Tracts by Owner (or its successors and assigns), then City agrees to repair or replace, as necessary, at City's expense, any such improvements so damaged or destroyed. In the event that Owner's construction, repairs, operations and/or other activities on the Easement Tracts result in any damage to or destruction of any improvements constructed or installed on the Easement Tracts by City (or its successors and assigns), then Owners agree to repair or replace, as necessary, at Owner's expense, any such improvements so damaged or destroyed.

6. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the rights granted. Any oral representations or modifications concerning this Agreement shall be of no force and effect except in a subsequent modification in writing, signed by the party to be charged.

7. **Assignment.** The Easement may be assigned by City, its successors or assigns, without the prior written consent of Owner as long as the proposed successor or assign is a governmental entity that expressly assumes City's obligations under this Agreement.

8. **Attorney's Fees.** In the event of any controversy, claim, or dispute relating to this Agreement or the breach, the prevailing party shall be entitled to recover from the non-prevailing party reasonable expenses, attorney's fees, and costs.

9. **Binding Effect.** This Agreement, and the terms, covenants, and conditions shall be covenants running with the Easement Tracts and shall inure to the benefit of and be binding upon the heirs, personal representatives, successors, and assigns of each of the parties.

10. **No Waiver.** Except for a written waiver signed by the party to be charged, any action or inaction by any party with respect to any provision of this Agreement, including, but not limited to, a party's failure to enforce any provision of this Agreement, shall not constitute a waiver of that provision or any other provision of this Agreement. Any waiver by any party of any provision of this Agreement shall not constitute a waiver of any other provision of this Agreement.

11. **Headings.** Any section headings in this Agreement are for reference only and shall not modify or affect the interpretation of this Agreement in any manner whatsoever.

IN WITNESS WHEREOF, this Agreement is executed this _____ day of September, 2013 (the "Effective Date").

OWNER:

TERRABROOK FALCON POINTE, LLC

By: _____
E. William Meyer, Vice President

CITY:

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

Address:
City of Pflugerville
Attn: City Manager
P.O. Box 589
Pflugerville, Texas 78691

By: _____
Brandon Wade, City Manager

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of September, 2013, by E. William Meyer, as Vice President of TERRABROOK FALCON POINTE, LLC, a Delaware limited liability company, on behalf of said limited liability company.

Notary Public, State of Texas
Print Name: _____
My commission expires: _____

(seal)

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on September, 2013, by Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-rule municipality, on behalf of said municipality.

Notary Public Signature

(seal)

After Recording Return To:

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

**PROPOSED 1.556 ACRE SIDEWALK EASEMENT
THE JOHN DAVIS SURVEY, ABSTRACT 13
CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS**

Being a 1.556 acre (67,783 square feet) of land in the John Davis Survey, Abstract 13, City of Pflugerville, Travis County, Texas, being out of a Remainder of a called 149.599 acre tract and a called 44.341 acre tract of record to Terrabrook Falcon Pointe, L.P. as recorded for name change from Terrabrook Falcon Ridge, L.P. TRV 200119445, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.) and TRV 2000105424 O.P.R.T.C.T. for the description of the properties and being more particularly described by Meets and Bounds as follows:

COMMENCING at a found 1/2-inch iron rod (no cap) at the southwesterly corner of a called 197.270 acres of record to Timmerman & Hagn, LTD, as recorded in Volume 8394, Page 542 of the Deed Records Travis County, Texas (D.R.T.C.T.), being at a southeasterly corner of said Terrabrook Falcon Pointe, L.P., called 149.599 acre tract, and being on the northerly right-of-way (80.00-foot) line of Pfluger Lane as recorded in Volume 2268, Page 185 of the (D.R.T.C.T.), also being in the south line of a proposed 20.00- foot additional Right-of Way dedication of the Proposed Falcon Pointe-South Tract Major Facilities, Final Plat;

THENCE, North 27° 35' 35" East, with the common line between the said Terrabrook Falcon Pointe, L.P. called 149.599 acre tract and the called 197.270 acres of record to Timmerman & Hagn, LTD tract, 20.00 feet to a 1 /2- inch iron rod with "MCKCRD" cap set for the proposed north line of Pfluger Lane of said Proposed Falcon Pointe-South Tract Major Facilities, Final Plat (Final Plat);

THENCE, North 60° 28' 09" West, continuing with the proposed north line of Pfluger Lane of said Final Plat, 217.02 feet to a 1 /2- inch iron rod with "MCKCRD" cap set for the beginning of a tangent curve to right being a point in the proposed east right-of-way line of Colorado Sand Drive (90-foot wide) as shown on said Proposed Final Plat;

THENCE, 18.61 feet along said tangent curve to the right having a radius of 25.00, a central angle of 42° 38' 27", and a chord which bears North 39° 08' 56" West, 18.18 feet to the **POINT OF BEGINNING** and being a point on said curve to the right;

THENCE, over and across the said Terrabrook Falcon Pointe, L.P. 149.599 acre tract, and said 44.341 acre tract and along the proposed east line's of said Colorado Sand Drive and of proposed Lone Star Ranch Boulevard, the following thirteen (13) courses:

1. 20.54 feet continuing along the arc of said curve to the right having a Radius of 25.00 feet, a Central angle of 47° 04' 33", and a chord which bears North 05° 41' 30" East, 19.97 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";

Exhibit "A"

2. North 29°13'46" East, 155.36 feet for a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the left;
3. 403.70 feet along the arc of said curve to the left having a Radius of 545.00 feet, a Central angle of 42° 26' 26", and a chord which bears North 08° 00' 33" East, 394.53 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
4. North 13°12'40" West, 582.91 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the right;
5. 341.24 feet along the arc of said tangent curve to the right having a Radius of 895.00 feet, a Central angle of 21° 50' 44", and a chord which bears North 02° 17' 18" West, 339.18 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
6. North 08° 38' 04" East, 460.50 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the left;
7. 664.73 feet along the arc of said tangent curve to the left having a Radius of 985.00 feet, a Central angle of 38° 39' 58", and a chord which bears North 10° 41' 55" West, 652.18 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a reverse curve to the right;
8. 37.78 feet along the arc of said reverse curve to the right having a Radius of 25.00 feet, a Central angle of 86° 35' 39", and a chord which bears North 13° 15' 56" East, 34.29 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" on the southerly line of said proposed Lone Star Ranch Boulevard (70.00 feet wide);
9. North 56° 33' 46" East, 74.20 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the left;
10. 133.64 feet along the arc of said tangent curve to the left having a Radius of 535.00 feet, a Central angle of 14° 18' 46", and a chord which bears North 49° 24' 23" East, 133.30 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
11. North 42° 15' 01" East, 405.89 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" hereof and the beginning of a tangent curve to the right;
12. 276.93 feet along the arc of said tangent curve to the right having a Radius of 1165.00 feet, a Central angle of 13° 37' 10", and a chord which bears North 49° 03' 36" East, 276.27 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" hereof;
13. North 55° 52' 11" East, 297.89 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" hereof, and from which a 1/2-inch iron rod found with "AECOM" cap, being the southeast terminus corner of Lone Star Ranch Boulevard as

dedicated by the final plat of Falcon Pointe, Section 6-B, as recorded in TRV 200700231 of the O.P.R.T.C.T., Bears North 55° 52' 11" East, 24.22 feet;

THENCE, departing said proposed east line of Lone Star Ranch Boulevard and over and across said Terrabrook Falcon Pointe, L.P. 44.341 acre and 149.599 acre tracts the following sixty (60) courses:

1. South 42° 11' 21" East, 2.00 feet, to a point for the beginning of a non-tangent curve to the left;
2. 11.37 feet along the arc of said non-tangent curve to the left having a Radius of 98.00 feet, a Central angle of 06° 38' 58", and a Chord which bears South 44° 29' 10" West, 11.37 feet to a point for reverse curvature to the right hereof;
3. 230.78 feet along the arc of said curve to the right having a Radius of 512.00 feet, a Central angle of 25° 49' 31", a Chord which bears South 54° 04' 27" West, 228.83 feet to a point for reverse curvature to the left;
4. 25.57 feet along the arc of said reverse curve to the left having a Radius of 175.87 feet, a Central angle of 08° 19' 52", a Chord which bears South 62° 40' 09" West, 25.55 feet to a point for compound curvature to the left;
5. 13.50 feet along the arc of said curve to the left having a Radius of 156.30 feet, a Central angle of 04° 56' 51", a Chord which bears South 56° 19' 35" West, 13.49 feet to a point for reverse curvature to the right;
6. 1.23 feet along the arc of said curve to the right having a Radius of 25.00 feet, a Central angle of 02° 49' 38", a Chord which bears South 55° 15' 58" West, 1.23 feet to a point of tangency;
7. South 56° 40' 47" West, 6.62 feet, for the beginning of a non-tangent curve to the right;
8. 8.96 feet along the arc of said non-tangent curve to the right having a Radius of 992.50 feet, a Central angle of 00° 31' 03", a Chord which bears South 55° 16' 05" West, 8.96 feet to a point for compound curvature to the right;
9. 3.18 feet along the arc of said curve to the right having a Radius of 25.00 feet, a Central angle of 07° 17' 37", a Chord which bears South 59° 10' 25" West, 3.18 feet to a point of tangency;
10. South 62° 49' 13" West, 13.24 feet, for the beginning of a tangent curve to the right;

11. 4.66 feet along the arc of said tangent curve to the left having a Radius of 25.00 feet, a Central angle of $10^{\circ} 40' 38''$, a Chord which bears South $57^{\circ} 28' 54''$ West, 4.65 feet to a point;
12. South $52^{\circ} 08' 35''$ West, 49.71 feet, for the beginning of a non-tangent curve to the left;
13. 77.39 feet along the arc of said non-tangent curve to the left having a Radius of 187.27 feet, a Central angle of $23^{\circ} 40' 35''$, a Chord which bears South $39^{\circ} 36' 00''$ West, 76.84 feet to a point for reverse curvature to the right;
14. 142.55 feet along the arc of said curve to the right having a Radius of 287.66 feet, a Central angle of $28^{\circ} 23' 37''$, a Chord which bears South $41^{\circ} 02' 14''$ West, 141.10 feet to a point for reverse curvature to the left;
15. 145.29 feet along the arc of said curve to the left having a Radius of 689.62 feet, a Central angle of $12^{\circ} 04' 16''$, a Chord which bears South $46^{\circ} 54' 14''$ West, 145.02 feet to a point for compound curvature to the left;
16. 35.69 feet along the arc of said curve to the left having a Radius of 689.47 feet, a Central angle of $02^{\circ} 57' 57''$, a Chord which bears South $39^{\circ} 23' 05''$ West, 35.69 feet to a point for reverse curvature to the right;
17. 192.68 feet along the arc of said curve to the right having a Radius of 762.00 feet, a Central angle of $14^{\circ} 29' 16''$, a Chord which bears South $45^{\circ} 08' 44''$ West, 192.17 feet to a point for reverse curvature to the left;
18. 15.80 feet along the arc of said curve to the left having a Radius of 48.00 feet, a Central angle of $18^{\circ} 51' 56''$, a Chord which bears South $42^{\circ} 57' 25''$ West, 15.73 feet to a point of tangency;
19. South $33^{\circ} 31' 27''$ West, 21.93 feet, for beginning of a tangent curve to the right;
20. 20.49 feet along the arc of said curve to the right having a Radius of 62.00 feet, a Central angle of $18^{\circ} 55' 53''$, a Chord which bears South $42^{\circ} 59' 23''$ West, 20.39 feet to a point for compound curvature to the right;
21. 20.37 feet along the arc of said curve to the right having a Radius of 62.00 feet, a Central angle of $18^{\circ} 49' 30''$, a Chord which bears South $57^{\circ} 28' 25''$ West, 20.28 feet to a point;
22. South $66^{\circ} 53' 10''$ West, 13.49 feet, for the beginning of a tangent curve to the left;

23. 25.26 feet along the arc of said tangent curve to the left having a Radius of 48.00 feet, a Central angle of $30^{\circ} 09' 20''$, a Chord which bears South $51^{\circ} 48' 30''$ West, 24.97 feet to a point for compound curvature to the left;
24. 309.37 feet along the arc of said curve to the left having a Radius of 248.00 feet, a Central angle of $71^{\circ} 28' 29''$, a Chord which bears South $00^{\circ} 59' 36''$ West, 289.70 feet to a point for reverse curvature to the right;
25. 149.90 feet along the arc of said curve to the right having a Radius of 203.27 feet, a Central angle of $42^{\circ} 15' 12''$, a Chord which bears South $13^{\circ} 37' 02''$ East, 146.53 feet to a point for reverse curvature to the left;
26. 41.98 feet along the arc of said curve to the left having a Radius of 169.34 feet, a Central angle of $14^{\circ} 12' 15''$, a Chord which bears South $00^{\circ} 24' 27''$ West, 41.87 feet to a point for reverse curvature to the right;
27. 47.17 feet along the arc of said curve to the right having a Radius of 992.50 feet, a Central angle of $02^{\circ} 43' 24''$, a Chord which bears South $05^{\circ} 19' 59''$ East, 47.17 feet to a point for compound curvature to the right;
28. 25.58 feet along the arc of said curve to the right having a Radius of 997.90 feet, a Central angle of $01^{\circ} 28' 08''$, a Chord which bears South $02^{\circ} 57' 36''$ East, 25.58 feet to a point;
29. South $01^{\circ} 43' 41''$ West, 37.26 feet, for the beginning of a non-tangent curve to the right;
30. 29.17 feet along the arc of said curve to the right having a Radius of 992.50 feet, a Central angle of $01^{\circ} 41' 02''$, a Chord which bears South $00^{\circ} 56' 41''$ West, 29.17 feet to a point for reverse curvature to the left;
31. 36.21 feet along the arc of said curve to the left having a Radius of 163.43 feet, a Central angle of $12^{\circ} 41' 39''$, a Chord which bears South $03^{\circ} 05' 24''$ East, 36.14 feet to a point for reverse curvature to the right;
32. 131.21 feet along the arc of said curve to the right having a Radius of 262.00 feet, a Central angle of $28^{\circ} 41' 36''$, a Chord which bears South $04^{\circ} 54' 34''$ West, 129.84 feet to a point for reverse curvature to the left;
33. 123.39 feet along the arc of said curve to the left having a Radius of 313.00 feet, a Central angle of $22^{\circ} 35' 10''$, a Chord which bears South $07^{\circ} 57' 47''$ West, 122.59 feet to a point for reverse curvature to the right;
34. 122.88 feet along the arc of said curve to the right having a Radius of 279.38 feet, a Central angle of $25^{\circ} 12' 02''$, a Chord which bears South $09^{\circ} 16' 12''$ West, 121.89 feet to a point for reverse curvature to the left;

35. 175.40 feet along the arc of said curve to the left having a Radius of 409.75 feet, a Central angle of $24^{\circ} 31' 35''$, a Chord which bears South $09^{\circ} 36' 25''$ West, 174.06 feet to a point for reverse curvature to the right;
36. 102.38 feet along the arc of said curve to the right having a Radius of 412.00 feet, a Central angle of $14^{\circ} 14' 14''$, a Chord which bears South $04^{\circ} 27' 45''$ West, 102.11 feet to a point for reverse curvature to the left;
37. 108.37 feet along the arc of said curve to the left having a Radius of 322.81 feet, a Central angle of $19^{\circ} 14' 07''$, a Chord which bears South $01^{\circ} 57' 49''$ West, 107.87 feet to a point to a point of tangency;
38. South $07^{\circ} 39' 15''$ East, 7.22 feet, to a point;
39. South $07^{\circ} 28' 53''$ East, 54.78 feet, for the beginning of a non-tangent curve to the left;
40. 9.54 feet along the arc of said non-tangent curve to the left having a Radius of 497.03 feet, a Central angle of $01^{\circ} 06' 00''$, a Chord which bears South $08^{\circ} 03' 09''$ East, 9.54 feet to a point for compound curvature to the right;
41. 132.98 feet along the arc of said curve to the left having a Radius of 495.70 feet, a Central angle of $15^{\circ} 22' 15''$, a Chord which bears South $16^{\circ} 16' 17''$ East, 132.58 feet to a point for reverse curvature to the right;
42. 131.93 feet along the arc of said curve to the right having a Radius of 312.00 feet, a Central angle of $24^{\circ} 13' 42''$, a Chord which bears South $11^{\circ} 54' 12''$ East, 130.95 feet to a point for reverse curvature to the left;
43. 96.20 feet along the arc of said curve to the left having a Radius of 228.96 feet, a Central angle of $24^{\circ} 04' 26''$, a Chord which bears South $11^{\circ} 49' 34''$ East, 95.50 feet to a point for reverse curvature to the right;
44. 66.81 feet along the arc of said curve to the right having a Radius of 132.00 feet, a Central angle of $28^{\circ} 59' 51''$, a Chord which bears South $09^{\circ} 21' 52''$ East, 66.09 feet to a point for reverse curvature to the left;
45. 37.78 feet along the arc of said curve to the left having a Radius of 118.00 feet, a Central angle of $18^{\circ} 20' 43''$, a Chord which bears South $04^{\circ} 02' 18''$ East, 37.62 feet to a point for compound curvature to the left;
46. South $13^{\circ} 12' 40''$ East, 28.61 feet, for the beginning of a non-tangent curve to the left;

47. 8.40 feet along the arc of said non-tangent curve to the left having a Radius of 178.00 feet, a Central angle of $02^{\circ} 42' 09''$, a Chord which bears South $06^{\circ} 39' 13''$ East, 8.39 feet to a point for reverse curvature to the right;
48. 79.92 feet along the arc of said curve to the right having a Radius of 1332.69 feet, a Central angle of $03^{\circ} 26' 09''$, a Chord which bears South $13^{\circ} 12' 40''$ East, 79.91 feet to a point for reverse curvature to the left;
49. 59.41 feet along the arc of said curve to the left having a Radius of 178.00 feet, a Central angle of $19^{\circ} 07' 24''$, a Chord which bears South $27^{\circ} 58' 44''$ East, 59.14 feet to a point for reverse curvature to the right;
50. 103.64 feet along the arc of said curve to the right having a Radius of 102.00 feet, a Central angle of $58^{\circ} 13' 07''$, a Chord which bears South $08^{\circ} 25' 53''$ East, 99.24 feet to a point for reverse curvature to the left;
51. 19.13 feet along the arc of said curve to the left having a Radius of 48.00 feet, a Central angle of $22^{\circ} 49' 51''$, a Chord which bears South $09^{\circ} 15' 45''$ West, 19.00 feet to a point;
52. South $01^{\circ} 36' 39''$ East, 9.49 feet, to a point;
53. South $00^{\circ} 32' 53''$ East, 9.50 feet, for the beginning of a non-tangent curve to the right;
54. 73.92 feet along the arc of said curve to the right having a Radius of 512.21 feet, a Central angle of $08^{\circ} 16' 09''$, a Chord which bears South $04^{\circ} 07' 02''$ West, 73.86 feet to a point for reverse curvature to the left;
55. 27.25 feet along the arc of said curve to the left having a Radius of 148.00 feet, a Central angle of $10^{\circ} 33' 01''$, a Chord which bears South $02^{\circ} 58' 36''$ West, 27.21 feet to a point for reverse curvature to the right;
56. 111.10 feet along the arc of said curve to the right having a Radius of 152.00 feet, a Central angle of $41^{\circ} 52' 48''$, a Chord which bears South $18^{\circ} 38' 29''$ West, 108.65 feet to a point for reverse curvature to the left;
57. 108.86 feet along the arc of said curve to the left having a Radius of 298.00 feet, a Central angle of $20^{\circ} 55' 49''$, a Chord which bears South $29^{\circ} 06' 59''$ West, 108.26 feet to a point for reverse curvature to the right;
58. 73.67 feet along the arc of said curve to the right having a Radius of 202.00 feet, a Central angle of $20^{\circ} 53' 48''$, a Chord which bears South $29^{\circ} 05' 58''$ West, 73.26 feet to a point for reverse curvature to the left;

59. 27.97 feet along the arc of said curve to the left having a Radius of 159.99 feet, a Central angle of $10^{\circ} 01' 03''$, a Chord which bears South $34^{\circ} 32' 20''$ West, 27.94 feet to a point;

60. South $29^{\circ} 31' 49''$ West, 34.02 feet, to the **POINT OF BEGINNING** and containing a computed area of 1.556 acres or (67,783 square feet) of land.

Prepared by McKim & Creed
Job No. 06022 - 0074

 8-8-13

Darrell D. White, RPLS

**PROPOSED 0.030 OF ONE ACRE SIDEWALK EASEMENT
THE JOHN DAVIS SURVEY, ABSTRACT 13
CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS**

Being a 0.030 of one acre (1,316 square feet) of land in the John Davis Survey, Abstract 13, City of Pflugerville, Travis County, Texas, being out of a Remainder of a called 149.599 acre tract of record to Terrabrook Falcon Pointe, L.P. as recorded in TRV 200105424, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.) and being more particularly described by Meets and Bounds as follows:

COMMENCING at a found 1/2-inch iron rod (no cap) at the southwesterly corner of a called 197.270 acres of record to Timmerman & Hagn, LTD, as recorded in Volume 8394, Page 542 of the Deed Records Travis County, Texas (D.R.T.C.T.), being at a southeasterly corner of said Terrabrook Falcon Pointe, L.P., called 149.599 acre tract, and being on the northerly right-of-way (80.00-foot) line of Pfluger Lane as recorded in Volume 2268, Page 185 of the (D.R.T.C.T.), also being in the south line of a proposed 20.00- foot additional Right-of Way dedication of the Proposed Falcon Pointe-South Tract Major Facilities, Final Plat;

THENCE, North 27° 35' 35" East, with the common line between the said Terrabrook Falcon Pointe, L.P. called 149.599 acre tract and the called 197.270 acres of record to Timmerman & Hagn, LTD tract, 20.00 feet to a 1 /2- inch iron rod with "MCKCRD" cap set for the proposed north line of Pfluger Lane of said Proposed Falcon Pointe-South Tract Major Facilities, Final Plat (Final Plat);

THENCE, North 60° 28' 09" West, continuing with the proposed north line of Pfluger Lane of said Final Plat, 217.02 feet to a 1 /2- inch iron rod with "MCKCRD" cap set for the beginning of a tangent curve to right being a point in the proposed east right-of-way line of Colorado Sand Drive (90-foot wide) as shown on said Proposed Final Plat;

THENCE, 18.61 feet along said tangent curve to the right having a radius of 25.00, a central angel of 42° 38' 27", and a chord which bears North 39° 08" 56" West, 18.18 feet to the a point on said curve to the right;

THENCE, over and across the said Terrabrook Falcon Pointe, L.P. 149.599 acre tract, and said 44.341 acre tract and along the proposed east line's of said Colorado Sand Drive and of proposed Lone Star Ranch Boulevard, the following thirteen (13) courses:

1. 20.54 feet continuing along the arc of said curve to the right having a Radius of 25.00 feet, a Central angle of 47° 04' 33", and a chord which bears North 05° 41' 30" East, 19.97 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
2. North 29°13'46" East, 155.36 feet for a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the left;

Exhibit "B"

3. 403.70 feet along the arc of said curve to the left having a Radius of 545.00 feet, a Central angle of $42^{\circ} 26' 26''$, and a chord which bears North $08^{\circ} 00' 33''$ East, 394.53 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
4. North $13^{\circ} 12' 40''$ West, 582.91 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the right;
5. 341.24 feet along the arc of said tangent curve to the right having a Radius of 895.00 feet, a Central angle of $21^{\circ} 50' 44''$, and a chord which bears North $02^{\circ} 17' 18''$ West, 339.18 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
6. North $08^{\circ} 38' 04''$ East, 460.50 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a tangent curve to the left;
7. 664.73 feet along the arc of said tangent curve to the left having a Radius of 985.00 feet, a Central angle of $38^{\circ} 39' 58''$, and a chord which bears North $10^{\circ} 41' 55''$ West, 652.18 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" at the beginning of a reverse curve to the right;
8. Over and across the curve returns of said Colorado Sand Drive, 117.10 feet along the arc of said curve to the left having a Radius of 985.00 feet, a Central angle of $06^{\circ} 48' 41''$, a Chord which bears North $33^{\circ} 26' 14''$ West, 117.03 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" for a point of compound curvature of said proposed Colorado Sand and proposed Lone Star Ranch Boulevard, of said Final Plat,
9. Continuing along the proposed east right-of-way line of Colorado Sand Drive; 132.54 feet along the arc of said curve to the left having a Radius of 985.00 feet, a Central angle of $07^{\circ} 42' 35''$, a Chord which bears North $40^{\circ} 41' 52''$ West, 132.44 feet to a **POINT OF BEGINNING** hereof;

THENCE, continuing over and across the said Terrabrook Falcon Pointe, L.P. 149.599 acre tract and along the proposed northeasterly right-of-way line of Colorado Sand Drive; 131.71 feet along the arc of said curve to the left having a Radius of 985.00 feet, a Central angle of $07^{\circ} 39' 41''$, a Chord which bears North $48^{\circ} 22' 53''$ West, 131.61 feet to a point for curvature to the left;

THENCE, over and across the said Terrabrook Falcon Pointe, L.P. 149.599 acre tract and departing the said proposed east line's of said Colorado Sand Drive, the following six (6) courses:

1. 19.09 feet along the arc of said curve to the left having a Radius of 235.54 feet, a Central angle of $04^{\circ} 38' 33''$, a Chord which bears South $71^{\circ} 32' 46''$ East, 19.08 feet to a point for reverse curvature hereof to the right;
2. 31.39 feet along the arc of said curve to the right having a Radius of 58.32 feet, a Central angle of $30^{\circ} 50' 06''$, a Chord bearing of South $64^{\circ} 20' 06''$ East, 31.01 feet to a point of tangency;

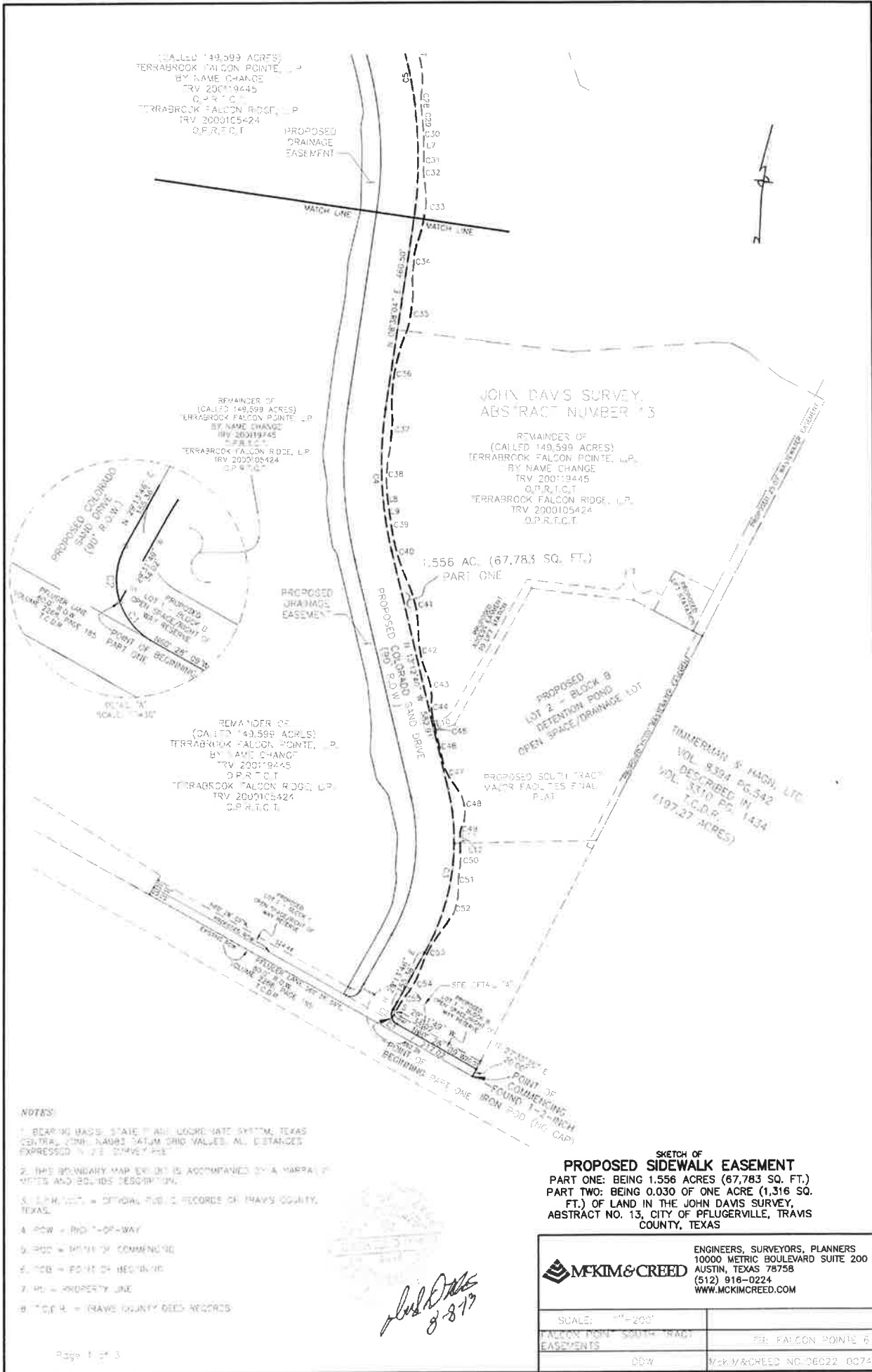
3. South $48^{\circ} 55' 03''$ East, 16.41 feet for the beginning of a non-tangent curve to the right;
4. 20.51 feet along the arc of said curve to the right having a Radius of 864.74 feet, a Central angle of $01^{\circ} 21' 32''$, a Chord bearing of South $47^{\circ} 57' 22''$ East, a distance of 20.51 feet to a point for compound curve to the right;
5. 31.18 feet along the arc of said curve to the right having a Radius of 60.00 feet, a Central angle of $29^{\circ} 46' 28''$, a Chord bearing of South $32^{\circ} 26' 07''$ East, 30.83 feet to a point for reverse curvature to the left;
6. 19.25 feet along the arc of said curve to the left having a Radius of 296.65 feet, a Central angle of $03^{\circ} 43' 02''$, a Chord bearing of South $25^{\circ} 14' 57''$ East, 19.24 feet to the **POINT OF BEGINNING** and containing a computed area of 0.030 of one acre (1,316 square feet) of land.

Prepared by McKim & Creed August, 2013

Job No. 06022 - 0074

 8-8-13

Darrell D. White, RPLS



(CALLED 149,599 ACRES)
TERRABROOK FALCON POINTE, L.P.
BY NAME CHANGE
TRV 200119445
O.P.R.T.C.T.
TERRABROOK FALCON RIDGE, L.P.
TRV 2000105424
O.P.R.T.C.T.

REMAINDER OF
(CALLED 149,599 ACRES)
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TRV 2000105424
O.P.R.T.C.T.

PROPOSED LOT 2 - BLOCK B
DETENTION POND
OPEN SPACE/TRAINWIDE LOT

TIMMERMAN & MAGN, LTD.
VOL. 9304 PG. 542
DESCRIBED IN
VOL. 3310 PG. 1434
(197.27 ACRES)

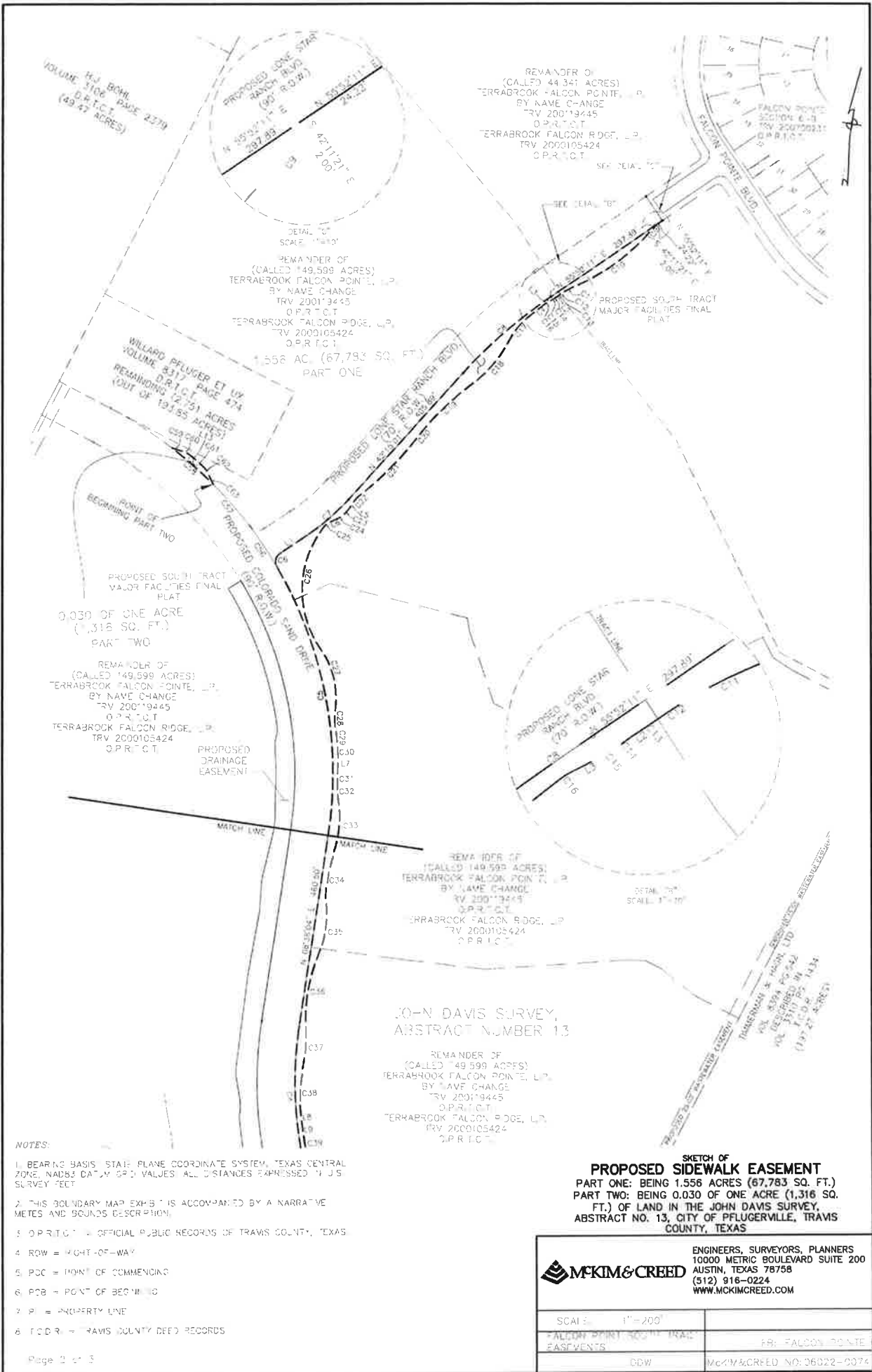
NOTES:

1. BEARING BASE: STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL, ZONE NUMBER 1410M GRID VALUES. ALL DISTANCES EXPRESSED IN FEET SURVEY MEAS.
2. THIS BOUNDARY MAP EXHIBIT IS ACCOMPANIED BY A MAP OF NOTES AND BOUNDS DESCRIPTION.
3. SURVEY RECORDS = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
4. ROW = RIGHT-OF-WAY
5. COD = POINT OF COMMENCEMENT
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7. PL = PROPERTY LINE
8. T.C.E.R. = TRAVIS COUNTY RECORDS

Handwritten signature and date: [Signature] 8-8-13

SKETCH OF
PROPOSED SIDEWALK EASEMENT
PART ONE: BEING 1.556 ACRES (67,783 SQ. FT.)
PART TWO: BEING 0.030 OF ONE ACRE (1,316 SQ. FT.) OF LAND IN THE JOHN DAVIS SURVEY, ABSTRACT NO. 13, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

ENGINEERS, SURVEYORS, PLANNERS 10000 METRIC BOULEVARD SUITE 200 AUSTIN, TEXAS 78758 (512) 916-0224 WWW.MCKIMCREED.COM	
SCALE: 1"=200'	
FALCON POINT - SOUTHERN - RAILWAY EASEMENTS	TO: FALCON POINTE 5
DDW	Mckim&Creed NC-06202 0074



H.J. BOHLE PAGE 2379
VOLUME 5106
P.R.T.C.T.
(49.47 ACRES)

REMAINDER OF
(CALLED 44.341 ACRES)
TERRABROOK FALCON POINTE, L.P.
BY NAME CHANGE
TRV 200119445
O.P.R.T.C.T.
TERRABROOK FALCON RIDGE, L.P.
TRV 2000105424
O.P.R.T.C.T.

REMAINDER OF
(CALLED 149,599 ACRES)
TERRABROOK FALCON POINTE, L.P.
BY NAME CHANGE
TRV 200119445
O.P.R.T.C.T.
TERRABROOK FALCON RIDGE, L.P.
TRV 2000105424
O.P.R.T.C.T.
1,556 AC. (67,783 SQ. FT.)
PART ONE

WILLARD PFLUGER ET UX
VOLUME 8317 PAGE 474
O.P.R.T.C.T.
REMAINING (2,751 ACRES)
(OUT OF 193.85 ACRES)

0.030 OF ONE ACRE
(1,316 SQ. FT.)
PART TWO
REMAINDER OF
(CALLED 149,599 ACRES)
TERRABROOK FALCON POINTE, L.P.
BY NAME CHANGE
TRV 200119445
O.P.R.T.C.T.
TERRABROOK FALCON RIDGE, L.P.
TRV 2000105424
O.P.R.T.C.T.

REMAINDER OF
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TERRABROOK FALCON RIDGE, L.P.
TRV 2000105424
O.P.R.T.C.T.

- NOTES:
1. BEARING BASIS: STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 DATUM. GPD VALUES. ALL DISTANCES EXPRESSED IN SURVEY FEET.
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ABSTRACT NO. 13, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
10000 METRIC BOULEVARD SUITE 200
AUSTIN, TEXAS 78758
(512) 916-0224
WWW.MCKIMCREED.COM

SCALE: 1" = 200'	
FALCON POINT SOUTH TRACT EASEMENTS	PR: FALCON POINTE
DDW	MCKIM&CREED NO: 36822-2074

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARNG	CHORD LENGTH
C1	18.41'	25.00'	42°38'27"	N 39°08'56" W	16.78'
C2	20.54'	25.00'	47°04'53"	N 35°41'30" E	19.97'
C3	403.70'	545.00'	42°20'26"	N 08°00'33" E	394.53'
C4	341.24'	595.00'	21°30'44"	N 02°17'19" W	339.78'
C5	664.73'	985.00'	38°39'56"	N 10°41'55" W	652.78'
C6	37.78'	25.00'	68°35'38"	N 11°55'56" E	34.29'
C7	133.64'	535.00'	14°18'46"	N 49°24'23" E	111.30'
C8	276.93'	1185.00'	13°37'10"	N 49°03'36" E	276.27'
C9	11.37'	98.00'	06°38'56"	S 44°09'10" W	11.37'
C10	230.79'	512.00'	25°49'31"	S 34°04'27" W	228.83'
C11	25.57'	175.00'	08°19'52"	S 52°40'09" W	25.55'
C12	11.50'	156.30'	04°36'51"	S 36°19'35" W	13.49'
C13	1.23'	25.00'	02°49'38"	S 05°15'58" W	1.23'
C14	8.96'	992.50'	00°31'03"	S 55°18'05" W	8.96'
C15	4.78'	25.00'	07°17'37"	S 09°10'29" W	3.18'
C16	4.65'	25.00'	10°40'38"	S 57°28'54" W	4.65'
C17	77.99'	187.24'	23°40'35"	S 39°36'00" W	76.84'
C18	142.05'	287.66'	28°23'37"	S 41°02'41" W	141.10'
C19	145.79'	689.62'	12°04'16"	S 46°54'14" W	145.02'
C20	35.60'	689.47'	02°57'57"	S 39°23'05" W	35.69'
C21	192.88'	762.00'	14°29'16"	S 45°08'44" W	192.17'
C22	15.80'	48.30'	18°51'59"	S 42°57'25" W	15.73'
C23	20.49'	62.20'	18°55'51"	S 42°59'23" W	20.39'
C24	21.57'	62.20'	18°48'36"	S 57°28'25" W	20.28'
C25	25.26'	48.00'	50°09'29"	S 51°48'30" W	24.97'
C26	509.37'	248.00'	71°26'29"	S 06°59'36" W	239.70'
C27	149.90'	203.27'	42°15'12"	S 13°37'02" E	146.53'
C28	41.96'	169.34'	14°12'15"	S 00°24'27" W	41.87'
C29	47.17'	992.50'	02°43'24"	S 05°19'59" E	47.17'
C30	25.58'	967.90'	01°28'08"	S 02°57'36" E	25.58'
C31	29.17'	992.50'	01°41'02"	S 30°56'43" W	29.17'
C32	38.21'	161.43'	12°41'39"	S 03°35'24" E	36.74'
C33	131.21'	762.00'	23°41'58"	S 04°54'34" W	129.84'
C34	123.39'	313.00'	22°35'10"	S 07°57'47" W	122.59'
C35	122.88'	279.38'	25°12'02"	S 09°16'12" W	121.89'
C36	125.40'	406.76'	24°31'35"	S 09°36'25" W	124.06'
C37	104.38'	412.20'	14°14'14"	S 04°27'48" W	102.11'
C38	106.57'	422.81'	19°14'07"	S 01°57'49" W	107.67'
C39	9.54'	497.03'	01°56'09"	S 08°03'09" E	9.54'
C40	132.96'	496.79'	15°22'15"	S 18°16'17" E	132.58'
C41	131.33'	312.00'	24°13'42"	S 11°54'12" E	130.95'
C42	96.20'	229.96'	24°04'26"	S 11°49'34" E	95.60'
C43	66.81'	132.00'	28°59'51"	S 09°21'52" E	66.09'
C44	37.79'	118.00'	18°20'43"	S 04°02'18" E	37.62'
C45	8.40'	178.00'	02°42'08"	S 08°59'11" E	8.39'
C46	79.92'	1332.69'	03°26'09"	S 13°12'40" E	79.31'
C47	59.41'	178.00'	19°07'24"	S 27°58'44" E	59.14'
C48	103.64'	102.00'	59°13'07"	S 08°25'53" E	98.24'
C49	19.13'	48.00'	22°49'51"	S 09°15'45" W	19.00'
C50	73.92'	512.21'	08°16'09"	S 04°17'02" W	73.86'
C51	27.25'	148.00'	10°33'01"	S 02°58'36" W	27.21'
C52	111.10'	162.00'	41°52'48"	S 13°39'29" W	108.65'
C53	138.86'	298.00'	20°55'48"	S 28°06'59" W	138.76'
C54	73.67'	207.00'	20°53'48"	S 29°05'58" W	73.26'
C55	27.97'	159.99'	10°01'03"	S 34°32'20" W	27.94'
C56	117.10'	985.00'	06°48'41"	N 33°26'14" W	117.03'
C57	132.54'	985.00'	07°42'35"	N 40°41'59" W	132.44'
C58	131.71'	985.00'	07°39'47"	N 45°22'53" W	131.61'
C59	19.03'	235.56'	04°38'53"	S 71°32'48" E	19.08'
C60	31.79'	58.32'	30°56'36"	S 54°20'06" E	31.31'
C61	20.51'	864.74'	01°21'32"	S 47°57'22" E	20.51'
C62	31.19'	60.00'	28°46'28"	S 32°26'07" E	30.83'
C63	19.25'	206.65'	03°43'02"	S 26°14'57" E	19.24'

LINE	BEARNG	DISTANCE
L1	N 56°33'46" E	74.30'
L2	S 56°40'47" W	6.82'
L3	S 60°49'13" W	13.24'
L4	S 52°38'35" W	49.77'
L5	S 33°31'27" W	21.93'
L6	S 68°53'10" W	13.49'
L7	S 01°43'41" W	37.26'
L8	S 07°39'15" E	7.22'
L9	S 07°28'53" E	54.78'
L10	S 13°12'49" E	18.61'
L11	S 01°36'39" E	3.49'
L12	S 09°32'53" E	9.50'
L13	S 48°55'03" E	16.41'

NOTES:

1. BEARING BASIS: STATE PLUMB COGNATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 DATUM. ANGLES: ALL DISTANCES EXPRESSED IN U.S. SURVEY FEET.
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 (512) 916-0224
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FALCON POINT EASEMENTS	SOUTH TRACT	PL: FALCON POINT 6
	ROW	MCKIM&CREED NO.06022-0074