

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING CERTAIN ACTIONS INCLUDING PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE A RIGHT OF WAY IN PARCEL NUMBER 2 DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

WHEREAS, the City of Pflugerville, Texas (the "City") has found and determined that public necessity requires the City to acquire certain right of ways from the landowner for the extension of Colorado Sand Drive from Copper Mine Drive southward to connect with the existing portion of Colorado Sand Drive north of Lone Star Ranch Blvd known as the Colorado Sand Drive Extension project ("Project"); and

WHEREAS, the public purpose is the construction of a roadway, curb and gutter, sidewalk, storm sewer, streetlighting, utility relocations, and intersection traffic improvements. The right-of-way acquisition is required along the project route by purchase or eminent domain proceedings pursuant to the City's power of eminent domain as outlined in Section 251.001 and 552.011 of the Texas Local Government Code, as amended, and other pertinent statutory authority; and

WHEREAS eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

WHEREAS, under Chapter 21 of the Texas Property Code, a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

WHEREAS, the City of Pflugerville City Council finds that the City has, through agents and representatives, entered bona fide good faith negotiations with the landowners or their agents or representatives of the hereinafter described property and has failed to agree with the landowner and/or his agents or representatives the purchase price and damages, if any, due to said landowner. Now, therefore, the City is authorizing the use of its power of eminent domain to condemn property; and

WHEREAS the City Council further finds that a public necessity exists and that acquiring the property referenced herein is necessary to accomplish the above-described public purpose and public use.

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

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

SECTION 2. Public necessity requires that the City of Pflugerville, Texas acquire rights in the property in connection therewith, over, across, upon and under certain real property, hereinafter called the “Property”, in Travis County, Texas, to wit:

<u>Parcel Number</u>	<u>Landowner</u>	<u>County</u>	<u>Survey</u>	<u>Abstract</u>	<u>Acres Owned</u>	<u>Property Subject to Condemnation</u>	<u>Exhibit</u>
2	Cornerstone at Kelly Lane, LLC Larry Mellenbruch	Travis	John Davis Survey No. 13	231	Being a portion of the called 10.502-acre tract of land.	1.666 acres Right of Way (In fee)	A

As more fully described in **Exhibit “A”** attached hereto and made a part hereof for all purposes, from said landowners or other persons who are determined to be the owners of the Property, for the public purpose in the construction of a roadway, curb and gutter, sidewalk, storm sewer, streetlighting, utility relocations, and intersection traffic improvements to improve mobility and reduce congestion to accommodate the current and future residential and commercial population growth the area has experienced which is expected to continue well into the foreseeable future which requires that the City to acquire the right of way either through purchase or by the process of eminent domain and that the City take all other lawful action necessary and incidental to such purchases or eminent domain proceedings.

SECTION 3: It is hereby determined that the City of Pflugerville, Texas, and the owners of such property interests have been unable to agree and cannot agree upon the value of such property interests or the damages to be paid, if any, and further settlement negotiations have become futile.

SECTION 4. The City Council of the City of Pflugerville, Texas hereby authorizes and directs the City Manager or the City Manager’s Designee, on behalf of the City, to condemn the property interests in the Property described above and to sign and execute all necessary documents to institute eminent domain proceedings for the acquisition of the Property described above and in **Exhibit “A”** herein.

SECTION 5. The City of Pflugerville City Council authorizes and directs the City Attorney, on behalf of the City, to initiate condemnation proceedings and such other actions as are necessary to acquire the property interest in the Property described above and in **Exhibit “A”** herein, by the exercise of the power of eminent domain.

SECTION 6: All acts and proceedings done or initiated by the employees, agents, and attorneys of the City of Pflugerville, Texas for the acquisition of such property is hereby authorized, ratified, approved, confirmed, and validated and declared to be valid in all

respects as of the respective dates thereof with and in regard to the grantor from whom such rights have been or are being acquired.

SECTION 7. If it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney is authorized to have such errors corrected or revisions made without the necessity of obtaining a new Resolution of the City Council authorizing the condemnation of the corrected or revised Property.

SECTION 8: If any provisions, sections, subsections, sentences, clauses or phrases of this Resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the City Council of the City of Pflugerville, Texas in adopting this Resolution that no portion thereof, or provisions or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

SECTION 9: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordained herein.

SECTION 10: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code, and that the vote authorizing the adoption of this Resolution and the use of eminent domain power as specified herein was taken in a public meeting by record vote.

SECTION 11. This Resolution shall become effective immediately upon its passage.

<u>Council Member</u>	<u>In Favor</u>	<u>Opposed</u>
Mayor Victor Gonzales	_____	_____
Council Member Doug Weiss (Pro Tem)	_____	_____
Council Member Ceasar Ruiz	_____	_____
Council Member Kimberly Holiday	_____	_____
Council Member Rudy Metayer	_____	_____
Council Member Jim McDonald	_____	_____
Council Member David Rogers	_____	_____

PASSED AND APPROVED on this _____ day of _____, 2023.

Victor Gonzales, Mayor
City of Pflugerville, Texas

ATTEST:

Trista Evans, City Secretary

RESOLUTION EXHIBIT A

EXHIBIT "B"

County: Travis
Project: Colorado Sand
Halff AVO: 36819.001

Page 1 of 8
April 19, 2023

BEING A 1.666 ACRE TRACT OF LAND (APPROX. 72,562 SQ. FT.) IN THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE CALLED 10.502 ACRE TRACT OF LAND CONVEYED TO CORNERSTONE AT KELLY LANE, LLC IN DOCUMENT NO. 2017192882, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 1.666 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with "Holt" cap found at an angle point in the south right-of-way line of Coppermine Drive (right-of-way width varies) described in Document No. 201300099, O.P.R.T.C.T., being the northwest corner of the proposed Colorado Sand Drive right-of-way, being a common corner with said 10.502 acre Cornerstone at Kelly Lane tract, being also 45.00 feet right of proposed Colorado Sand Drive Engineer's Centerline Station (E.C.S.) 22+87.41 for the northwest corner of the herein described tract of land, having Texas State Plane NAD 83 (Central Zone) surface coordinate values N:10144439.70 E:3160343.38;

THENCE South 87°05'55" East, with the south right-of-way line of Copper Mine Drive, being the north line of the said 10.502 acre Cornerstone at Kelly Lane tract, being also the proposed north right-of-way line of Colorado Sand Drive, a distance of 90.05 feet to a 1/2-inch iron rod with "Holt" cap found 45.00 feet left of E.C.S. 22+64.26, for common corner, being the northeast corner of the proposed Colorado Sand Drive right-of-way and northeast corner of the herein described tract of land;

THENCE leaving the south right-of-way line of Coppermine Drive, being the north line of the said 10.502 acre Cornerstone at Kelly Lane tract, over and across the said 10.502 acre Cornerstone at Kelly Lane tract with the proposed east right-of-way line of Colorado Sand Drive, the following four (4) courses and distances:

1. South 04°54'26" West, a distance of 576.74 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet left of E.C.S. 28+61.00 for a point of curvature of a tangent circular curve to the right;
2. with said curve to the right, having a radius of 555.00 feet, a delta angle of 08°23'37", an arc length of 81.30 feet, and a chord which bears South 09°06'14" West, a distance of 81.23 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet left of E.C.S. 29+35.71 for point of tangency;
3. South 13°18'03" West, a distance of 37.03 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet left of E.C.S. 29+72.74, for point of curvature of a tangent circular curve to the left;
4. with a curve to the left, having a radius of 465.00 feet, a delta angle of 00°30'13", an arc length of 4.09 feet, and a chord which bears South 13°02'56" West, a distance of 4.09 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet left of E.C.S. 29+77.22, being in the common line of the said 10.502 acre Cornerstone at Kelly Lane tract and the called 66.12 acre tract of land conveyed to Pflugerville Independent School District (PISD) in Document No. 1999049719, O.P.R.T.C.T. for the southeasterly corner of the herein described tract of land, from which a 1/2-inch iron rod with "Holt" cap found at the most southerly corner of the said Coppermine Drive right-of-way, being in the northwest line of the said 66.12 acre PISD tract, being the most easterly corner of the said 10.502 acre Cornerstone at Kelly Lane tract bears North 27°35'57" East, a distance of 660.97 feet;

EXHIBIT "B"

County: Travis
Project: Colorado Sand
Halff AVO: 36819.001

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April 19, 2023

THENCE South 27°35'57" West, leaving the proposed east right-of-way line of Colorado Sand Drive, over and across the proposed Colorado Sand Drive right-of-way, with the common line of the said 10.502 acre Cornerstone at Kelly Lane tract and the said 66.12 acre PISD tract, a distance of 213.33 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet right of E.C.S. 31+75.63, at an angle point in the proposed west right-of-way line of Colorado Sand Drive, for the most southerly corner of the herein described tract of land;

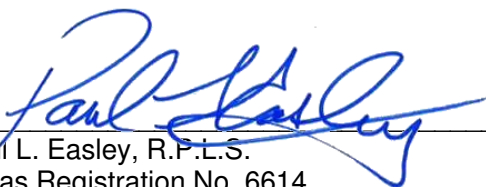
THENCE leaving said common line, over and across the said 10.502 acre Cornerstone at Kelly Lane tract with the proposed west right-of-way line of Colorado Sand Drive, the following five (5) courses and distances:

1. North 02°02'36" West, a distance of 66.31 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 right of E.C.S. 31+09.32, for the point of curvature of a tangent circular curve to the right;
2. with said curve to the right, having a radius of 555.00 feet, a delta angle of 15°20'39", an arc length of 148.63 feet, and a chord which bears North 05°37'43" East, a distance of 148.19 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet right of E.C.S. 29+72.74 for point of tangency;
3. North 13°18'03" East, a distance of 37.03 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet left of E.C.S. 29+35.71 for the point of curvature of a tangent circular curve to the left;
4. with said curve to the left, having a radius of 465.00 feet, a delta angle of 08°23'37", an arc length of 68.12 feet, and a chord which bears North 09°06'14" East, a distance of 68.06 feet to a 1/2-inch iron rod with "Halff" cap set 45.00 feet right of E.C.S. 28+61.00 for point of tangency;
5. North 04°54'26" East, a distance of 573.59 feet to the **POINT OF BEGINNING** and containing 1.666 acre of land, more or less, within these metes and bounds.

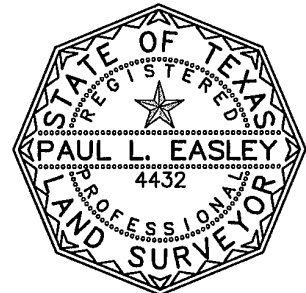
Notes:

Basis of Bearings is the Texas Coordinate System of 1983 (NAD83), Central Zone, based on local network observations utilizing the Leica Smartnet network, utilizing a grid to surface scale factor of 1.00010581119482, scaled about 0,0. Last date of field survey: January 4, 2020.

I, Paul L. Easley, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.


Paul L. Easley, R.P.L.S.
Texas Registration No. 6614
Halff Associates, Inc., TBPELS Firm No. 10029607
9500 Amberglenn Blvd., Bldg. F, Suite 125
Austin, Texas 78729 512-777-4600

04/19/2023
Date



LEGEND

- 1/2-INCH IRON ROD WITH "HALFF" CAP SET
- △ CALCULATED POINT
- 1/2-INCH IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- HOLT ● 1/2-INCH IRON ROD WITH "HOLT" CAP FOUND
- TXDOT ● 1/2-INCH IRON ROD WITH "TXDOT" CAP FOUND
- () RECORD INFORMATION
- [] RECORD INFORMATION FROM TXDOT R.O.W. C.S.J. 5005-34-240
- C.S.J. CONTROL-SECTION-JOB
- P.O.B. POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	S13°18'03"W	37.03'
L2	N62°24'58"W	2.88'
L3	N13°18'03"E	37.03'
L4	S13°18'03"W	37.03'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	223.41'	955.00'	13°24'13"	S85°22'52"E	222.90'
	(223.48')	(955.00')		(S85°21'56"E)	(222.97')
C2	167.52'	866.50'	11°04'36"	S67°56'28"E	167.26'
		(866.50')		(S67°56'44"E)	(167.16')
C3	81.30'	555.00'	8°23'37"	S09°06'14"W	81.23'
C4	124.53'	465.00'	15°20'39"	S05°37'43"W	124.16'
C5	148.63'	555.00'	15°20'39"	N05°37'43"E	148.19'
C6	68.12'	465.00'	8°23'37"	N09°06'14"E	68.06'
C7	4.09'	465.00'	0°30'13"	S13°02'56"W	4.09'
C8	120.44'	465.00'	14°50'26"	S05°22'37"W	120.11'
C9	74.71'	510.00'	8°23'37"	S09°06'14"W	74.65'
C10	136.58'	510.00'	15°20'39"	S05°37'43"W	136.17'



BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON LOCAL NETWORK OBSERVATIONS UTILIZING THE LEICA SMARTNET NETWORK, UTILIZING A GRID TO SURFACE SCALE FACTOR OF 1.00010581119482, SCALED ABOUT 0.0.

PAUL L. EASLEY,
RPLS 4432
DATE 04/19/2023



9500 AMBERGLEN BLVD
BLDG. F, STE. 125
AUSTIN, TEXAS 78729
TEL (512) 777-4600
FAX (512) 252-8141
TBPLS FIRM NO. 10029607

1.666 ACRES (72,562 S.F.) OF LAND
OUT OF THE JOHN DAVIS SURVEY NO. 13,
ABSTRACT NO. 231, TRAVIS COUNTY, TEXAS

Project No.: 36819.001

Issued: 04/19/2023

36819.001 CORNERSTONE
ROW.DWG

03 of 08

SCALE: 1" = 100'

GRAPHIC SCALE

100 50 0 100

CORNERSTONE AT KELLY LANE, LLC
CALLED 3.114 ACRES
DOC. NO. 2017192882
O.P.R.T.C.T.

COPPER MINE DRIVE
(R.O.W. WIDTH VARIES)
(DOC. NO. 201300099)

COLORADO SAND DRIVE
(90' R.O.W. WIDTH)
(DOC. NO. 201300099)

CORNERSTONE AT KELLY LANE, LLC
CALLED 6.023 ACRES
DOC. NO. 2017192882
O.P.R.T.C.T.

STATE HIGHWAY NO. 130
(R.O.W. VARIES)
(TX.D.O.T. C.S.J. 5005-34-240)

(N04°56'28"E 533.89')

PROPOSED COLORADO
SAND DRIVE

CORNERSTONE AT KELLY LANE, LLC
CALLED 10.502 ACRES
DOC. NO. 2017192882
O.P.R.T.C.T.

1.666 ACRES
(72,562 SQ. FT.)

MATCH SHEET 04

MATCH SHEET 05

STA 28+61.00
O/S 45.00' RT

N04°54'26"E 573.59'

PROPOSED R.O.W. LINE

ENGINEER'S CENTERLINE

PROPOSED R.O.W. LINE

S04°54'26"W 576.74'

(N87°04'31"W)
(90.05')
S87°05'55"E
90.05'

N36°26'14"W 37.89'
(N36°26'54"W 37.84')
P.O.B.
(SURFACE COORDS)
N:10144439.70
E:3160343.38
STA 22+87.41
O/S 45.00' RT

N57°02'05"E
24.10' (S56°57'20"W)
(24.12')
STA 22+84.26
O/S 45.00' LT

(N30°00'00"E) (1887.78')
PFLUGERVILLE INDEPENDENT
SCHOOL DISTRICT
CALLED 66.12 ACRES
DOC. NO. 1999049719
O.P.R.T.C.T.

(S27°35'34"W) (1151.85')
N27°35'57"E 660.97'



PAUL L. EASLEY,
RPLS 4432
DATE 04/19/2023



9500 AMBERGLEN BLVD
BLDG. F, STE. 125
AUSTIN, TEXAS 78729
TEL (512) 777-4600
FAX (512) 252-8141
TBPLS FIRM NO. 10029607

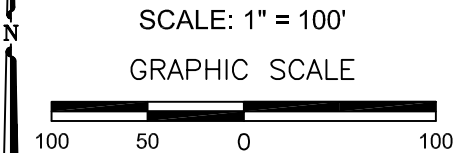
1.666 ACRES (72,562 S.F.) OF LAND
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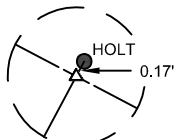
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36819.001 CORNERSTONE
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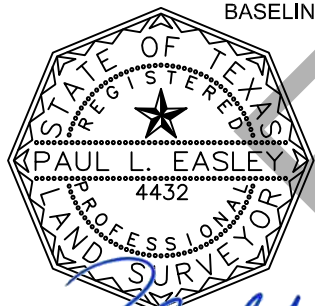
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STATE HIGHWAY NO. 130
(R.O.W. VARIES)
(TX.D.O.T. C.S.J. 5005-34-240)



DETAIL "A" - NOT TO SCALE



Paul L. Easley

PAUL L. EASLEY,
RPLS 4432
DATE 04/19/2023

MATCH SHEET 04
MATCH SHEET 05

N02°03'13"W 596.50'
[N02°03'15"W 595.98']
(N02°04'14"W 596.44')

1.666 ACRES
(72,562 SQ. FT.)
PROPOSED
COLORADO
SAND DRIVE

RELOCATED 40'
ACCESS EASEMENT
DOC. NO. 2005029845
O.P.R.T.C.T.

N02°02'36"W
66.31'

STA 31+09.32
O/S 45.00' RT

CORNERSTONE AT
KELLY LANE, LLC
CALLED 10.502 ACRES
DOC. NO. 2017192882
O.P.R.T.C.T.

5' TELECOMM.
EASEMENT
DOC. NO. 2003236039
O.P.R.T.C.T.

PROPOSED
COLORADO
SAND DRIVE
1.389 ACRES
(60,497 SQ. FT.)

[285.00' LT. S.H. 130
BASELINE STA. 993+60.13]

[S62°23'34"E 26.11']
[S62°24'58"E 115.36']
(S62°25'04"E)
(115.32')

N28°14'37"E 45.77'
(N27°35'13"E)(45.87')
[N27°36'26"W](45.87')

[285.00' LT. S.H. 130
BASELINE STA. 994+12.93]

STA 34+16.94
O/S 182.32' RT

N62°24'58"W 261.51'
149.35'
PROPOSED
R.O.W. LINE

PART 1
PROPOSED DRAINAGE ESMT.
0.0828 ACRES
(3605 SQ. FT.)

VERDOT AT PFLUGERVILLE EAST LLC
(90% INTEREST AS TENANT-IN-COMMON)
REM. OF CALLED (38.14 ACRES)
DOC. NO. 2020007785
O.P.R.T.C.T.

PFLUGERVILLE INDEPENDENT
SCHOOL DISTRICT
CALLED 66.12 ACRES
DOC. NO. 1999049719
O.P.R.T.C.T.

KEDMA VENTURES, LLC
REM. OF CALLED (38.14 ACRES)
DOC. NO. 2018174435
O.P.R.T.C.T.

STA 28+61.00
O/S 45.00' RT

STA 29+35.71
O/S 45.00' RT

STA 29+72.74
O/S 45.00' RT

STA 31+09.32
O/S 45.00' RT

STA 31+75.63
O/S 45.00' RT

STA 32+00.00

ENGINEER'S CENTERLINE

STA 33+00.00

STA 34+00.00

STA 35+00.00

STA 36+00.00

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TITLE COMMITMENT NOTE:

THE ADDRESSMENT BY THE SURVEYOR OF THE COMMITMENT FOR TITLE INSURANCE PREPARED BY TITLE RESOURCES GUARANTY COMPANY, REFERENCED BY G.F. NO.: 2058142-KFO HAVING AN EFFECTIVE DATE OF APRIL 6, 2022 AND A DATE OF ISSUANCE OF APRIL 14, 2022, SCHEDULE B ITEMS THAT CAN BE PLOTTED AND ARE WITHIN THE VICINITY OF THE PROPOSED EASEMENT ARE SHOWN.

B.10(a)

EASEMENT:

RECORDED: VOLUME 549, PAGE 624, DEED RECORDS, TRAVIS COUNTY TEXAS.
TO: TEXAS & LIGHT COMPANY
PURPOSE: ELECTRIC

- NON-PLOTTABLE EASEMENT ALONG A COUNTY ROAD, LOCATION UNKNOWN TO SURVEYOR.

B.10(b)

EASEMENT:

RECORDED: VOLUME 2813, PAGE 434, DEED RECORDS, TRAVIS COUNTY TEXAS.
TO: TEXAS & LIGHT COMPANY
PURPOSE: ELECTRIC

- NOT SUBJECT TO EASEMENT, RUNS ALONG FM 685.

B.10(c)

EASEMENT:

RECORDED: VOLUME 2943, PAGE 1655, DEED RECORDS, TRAVIS COUNTY TEXAS.
TO: TEXAS & LIGHT COMPANY
PURPOSE: ELECTRIC

- NOT SUBJECT TO EASEMENT, RUNS ALONG FM 685.

B.10(d)

EASEMENT:

RECORDED: VOLUME 12302, PAGE 174, REAL PROPERTY RECORDS, AS FURTHER AFFECTED BY DOCUMENT NO. 2001214496, OFFICIAL PUBLIC RECORDS , TRAVIS COUNTY TEXAS.
TO: TEXAS UTILITIES COMPANY
PURPOSE: ELECTRIC AND COMMUNICATIONS

- NOT SUBJECT TO EASEMENT, RUNS ALONG FM 685.

B.10(e)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: VOLUME 13151, PAGE 2153, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS.
TYPE: ACCESS EASEMENT

- NOT SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT.

B.10(f)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 1999049720, AS FURTHER AFFECTED BY RELOCATION OF EASEMENT RECORDED IN DOCUMENT NO. 2005029845, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
TYPE: 120' AND 90' WIDE ACCESS EASEMENT AND 40' WIDE SERVICE, MAINTENANCE AND EMERGENCY ACCESS EASEMENT.

- THE EASEMENT AREAS DESCRIBED THEREIN DO NOT AFFECT THE PROPOSED 1.666 ACRE RIGHT-OF-WAY PARCELS.

B.10(g)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 2001184188, OFFICIAL PUBLIC RECORDS , TRAVIS COUNTY, TEXAS.
TYPE: PUBLIC UTILITY AND ACCESS EASEMENT

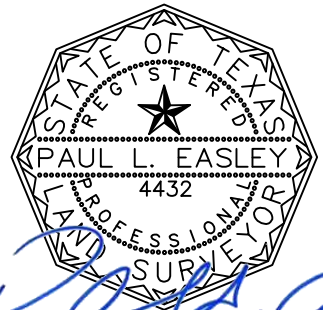
- NOT SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT.

B.10(h)

EASEMENT:

RECORDED: DOCUMENT NO. 2001184189, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.
TO: CITY OF PFLUGERVILLE
PURPOSE: TEMPORARY CONSTRUCTION.

- DOES NOT AFFECT.



PAUL L. EASLEY,
RPLS 4432
DATE 04/19/2023



9500 AMBERGLEN BLVD
BLDG. F, STE. 125
AUSTIN, TEXAS 78729
TEL (512) 777-4600
FAX (512) 252-8141
TBPLS FIRM NO. 10029607

1.666 ACRES (72,562 S.F.) OF LAND
OUT OF THE JOHN DAVIS SURVEY NO. 13,
ABSTRACT NO. 231, TRAVIS COUNTY, TEXAS

Project No.: 36819.001
Issued: 04/19/2023
36819.001 CORNERSTONE
ROW.DWG

06 of 08

TITLE COMMITMENT NOTE:

THE ADDRESSMENT BY THE SURVEYOR OF THE COMMITMENT FOR TITLE INSURANCE PREPARED BY TITLE RESOURCES GUARANTY COMPANY, REFERENCED BY G.F. NO.: 2058142-KFO HAVING AN EFFECTIVE DATE OF APRIL 6, 2022 AND A DATE OF ISSUANCE OF APRIL 14, 2022, SCHEDULE B ITEMS THAT CAN BE PLOTTED AND ARE WITHIN THE VICINITY OF THE PROPOSED EASEMENT ARE SHOWN.

B.10(i)

EASEMENT:

RECORDED: DOCUMENT NO. 2003236039, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TO: GRANDE COMMUNICATIONS NETWORKS, INC.

PURPOSE: TELECOMMUNICATIONS FACILITIES

- DOES NOT AFFECT.

B.10(j)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 2008142279, AMENDED IN DOCUMENT NO. 2013226098, AND DOCUMENT NO. 2017192881, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

TYPE: OPTION

- SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT.

B.10(k)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 2009104647, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TYPE: TEMPORARY TURNAROUND ACCESS EASEMENT

- NOT SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN AGREEMENT.

B.10(l)

EASEMENT:

RECORDED: DOCUMENT NO. 2009104648, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TO: CITY OF PFLUGERVILLE

PURPOSE: WASTEWATER LINE

- DOES NOT AFFECT.

B.10(m)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 2009104649, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TYPE: DECLARATION OF JOINT USE ACCESS EASEMENTS.

- NOT SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT.

B.10(n)

EASEMENT:

RECORDED: DOCUMENT NO. 2009104650, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TO: CITY OF PFLUGERVILLE

PURPOSE: DRAINAGE

- DOES NOT AFFECT.

B.10(o)

EASEMENT:

RECORDED: DOCUMENT NO. 2009144261, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TO: MANVILLE WATER SUPPLY CORPORATION

PURPOSE: WATER LINE.

- DOES NOT AFFECT.

B.10(p)

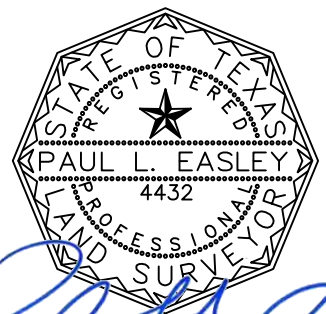
EASEMENT:

RECORDED: DOCUMENT NO. 2010196141, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TO: CITY OF PFLUGERVILLE, TEXAS

PURPOSE: PUBLIC UTILITY

- DOES NOT AFFECT.



PAUL L. EASLEY,
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DATE 04/19/2023



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TBPLS FIRM NO. 10029607

1.666 ACRES (72,562 S.F.) OF LAND
OUT OF THE JOHN DAVIS SURVEY NO. 13,
ABSTRACT NO. 231, TRAVIS COUNTY, TEXAS

Project No.: 36819.001

Issued: 04/19/2023

36819.001 CORNERSTONE
ROW.DWG

07 of 08

TITLE COMMITMENT NOTE:

THE ADDRESSMENT BY THE SURVEYOR OF THE COMMITMENT FOR TITLE INSURANCE PREPARED BY TITLE RESOURCES GUARANTY COMPANY, REFERENCED BY G.F. NO.: 2058142-KFO HAVING AN EFFECTIVE DATE OF APRIL 6, 2022 AND A DATE OF ISSUANCE OF APRIL 14, 2022, SCHEDULE B ITEMS THAT CAN BE PLOTTED AND ARE WITHIN THE VICINITY OF THE PROPOSED EASEMENT ARE SHOWN.

B.10(q)

TERMS, CONDITIONS, PROVISIONS, EASEMENTS, RESTRICTIONS, RESERVATIONS AND OTHER MATTERS:

RECORDED: DOCUMENT NO. 2010098640, AMENDED IN DOCUMENT NO. 2012190941,
OFFICIAL PUBLIC RECORDS, TRAVIS COUNT, TEXAS.
DOCUMENT: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CORNERSTONE AT KELLY LANE COMMERCIAL SUBDIVISION.

- NOT SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, RESTRICTIONS AND OTHER MATTERS.

B.10(r)

TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT:

RECORDED: DOCUMENT NO. 2012190943, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.
TYPE: AGREEMENT PROVIDING RESTRICTIVE COVENANTS.

- NOT SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT.

B.10(s)

TERMS, CONDITIONS, AND STIPULATIONS IN AGREEMENT

RECORDED: DOCUMENT NO. 2012190945, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.
TYPE: JOINT ACCESS EASEMENT.

- DOES NOT AFFECT.

B.10(t)

TERMS, CONDITIONS, AND STIPULATIONS IN TEMPORARY DRAINAGE EASEMENT AGREEMENT.

RECORDED: DOCUMENT NO. 2013075884, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.
TYPE: DRAINAGE EASEMENT.

- DOES NOT AFFECT.

B.10(u)

TERMS, CONDITIONS, AND STIPULATIONS IN THE PUBLIC UTILITY EASEMENT AGREEMENT:

RECORDED: DOCUMENT NO. 2013124981, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.
TYPE: PUBLIC UTILITY EASEMENT

- DOES NOT AFFECT.

B.10(v)

ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATION OF COAL LIGNITE, OIL, GAS AND OTHE RMINERAL, TOGETHER WITH THE RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO APPEARING IN PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.

B.10(w)

ANY AND ALL PORTIONS OF THE SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A PUBLIC OR PRIVATE ROADWAY.

B.10(x)

RIGHTS OF PARTIES IN POSSESSION. (OWNERS POLICY).

B.10(y)

ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ON OR ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED.

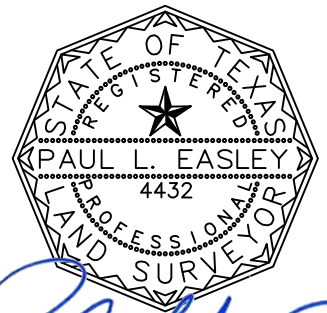
B.10(z)

ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

B.10(aa)

RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER ANY AND ALL UNRECORDED LEASES OR RENTAL AGREEMENTS.

(NOTE: This item can be deleted upon receipt of an Affidavit executed by the seller evidencing there are not any outstanding leases or rental agreements. If the Affidavit reveals unrecorded outstanding leases or rental agreements the exception may be modified to make specific exception to those matters.)



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