

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS APPROVING A RIGHT-OF-WAY LICENSE AGREEMENT WITH ASHTON AUSTIN RESIDENTIAL, LLC FOR VINE CREEK DEVELOPMENT PURSUANT TO THE PFLUGERVILLE CODE OF ORDINANCES, CHAPTER 96 RIGHT-OF-WAY MANAGEMENT, DIVISION V. ROW LICENSES

WHEREAS, the City Charter, Section 3.14., requires an ordinance to convey or lease or authorize the conveyance or lease of any city land; and

WHEREAS, the City Council approved through the adoption by ordinance the process for a acquiring a Right-of-Way license agreement with the City under Chapter 96 Right-of-Way Management, Division V. ROW Licenses; and

WHEREAS, the property owner has submitted an application for a Right-of-Way license as required and the City has reviewed the application for completeness and has received a signed license agreement for the use of rights-of-way for Cele Road, Landmark Dove and Melber Lane for landscape bedding, shrubs with landscape, bedding, sod, sidewalk, and irrigation systems; and

WHEREAS, the ROW Licenses provisions require that any license whose duration is greater that thirty (30) days must be approved by City Council; and

WHEREAS, the City Council has determined the granting of said license agreement does not hinder the long-term use or development of the city property for public purposes.

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

The City Council of the City of Pflugerville hereby authorizes the City Manager to execute the license agreement attached hereto as Exhibit "A" on behalf of the City.

APPROVED this _____ day of _____, 2020.

CITY OF PFLUGERVILLE, TEXAS

By: _____
VICTOR GONZALES, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

Exhibit "A"
Right-of-Way License Agreement

**Right of Way Encroachment
License Agreement No. # _____**

The City of Pflugerville, a home-rule municipal corporation located in Travis and Williamson Counties, State of Texas (the “**CITY**”), acting through its duly authorized agent the City Manager or designee (the “**PROPERTY MANAGER**” or “**City**”), and Ashton Austin Residential, LLC., a Texas limited liability company (“**LICENSEE**”), enter into this License Agreement (this “**AGREEMENT**”), effective upon final signature under the terms and conditions set forth below.

1. **Premises.** The City grants Licensee the right to use 1.571 acres out of the right-of-way within Cele Road, Landmark Drive and Melber Lane (public rights-of-way), Pflugerville, Texas (the “**LICENSED PROPERTY**”), as shown on the attached and incorporated **Exhibit “A”** (the “**ADJOINING PROPERTY**”).

The City makes this grant solely to the extent of its right, title and interest in the Licensed Property, without any express or implied warranties.

2. **Purpose.** The City grants Licensee permission to use the Licensed Property solely to install, repair, maintain and remove **trees with landscape bedding, shrubs with landscape bedding, sod, sidewalk, and irrigation systems** of the size and in the method shown on the attached and incorporated Site Plan Set attached as **Exhibit “B”** (collectively, the “**IMPROVEMENTS**”).

3. **Consideration.** In consideration of the mutual promises contained in this Agreement, the receipt and sufficiency of which is acknowledged, Licensee is not required to pay any monetary consideration. However, Licensee covenants to properly and timely maintain the Improvements.

4. **Damages and Destruction.** The parties agree the City is not obligated to restore or repair the Improvements that may be removed, altered, damaged or destroyed as a result of the City’s use, maintenance, and repair of the underlying right-of-way or easement.

If the City causes damage to or destruction of Licensee’s Improvements, Licensee covenants not to sue the City, or pursue other remedies, legal or equitable, against the City to recover costs of repairing or replacing the Improvements.

If the City’s use of the Licensed Property substantially interferes with or destroys Licensee’s use of the Licensed Property, or any Improvements placed thereon or therein by Licensee, then this Agreement automatically terminates, and Licensee must immediately remove its Improvements at its sole cost.

5. **Term.** This Agreement begins on the execution date and continues thereafter for so long as the Licensed Property is used solely for the purposes set out in this Agreement, subject to earlier termination as set out in this Agreement.

6. **Limits on License.** The existence of this Agreement is expressly subordinate to the present and future right of the City, its successors, assigns, lessees, and grantees, to construct, install, establish, maintain, use, operate, and renew any public utilities facilities, transportation

facilities, franchised public utilities, rights-of-way, roadways, sidewalks, or streets on, beneath, or above the surface of the Licensed Property (the “**FACILITIES**”).

The City may enter the Licensed Property without giving notice and without incurring any obligation to Licensee and remove the Improvements or any alteration thereof. Such removal will occur only if the Property Manager deems it is necessary: (a) to exercise the City’s rights or duties with respect to the Licensed Property; (b) to protect persons or property; or (c) for the public health or safety with respect to the Licensed Property.

7. Conditions.

- A. Repair or Relocate Existing Facilities.** Licensee must pay all costs required to repair damage to or relocate existing Facilities, which are damaged or destroyed or need to be relocated as a result of activities under this Agreement by, or on behalf of, Licensee.
- B. Covenant on Adjoining Property.** This Agreement, until its expiration or revocation, runs as a covenant on the Adjoining Property; therefore, the conditions set forth herein inure to and bind each party’s successors and assigns. Licensee, and its assigns, if any, must notify any immediate successors-in-interest to the Licensed Property or Adjoining Property about the existence of this Agreement.
- C. Remove or Modify Improvements.** Licensee agrees to pay all costs required to remove or modify any Improvements now existing or to be replaced if the Property Manager determines that the Improvements need to be removed or modified. If Licensee voluntarily removes all Improvements, Licensee must provide at least thirty (30) days’ written notice to the other owners of the Adjoining Property at the time, if any.
- D. Maintenance.** Licensee shall maintain the Licensed Property by keeping the area free of debris and litter on an ongoing basis. Further, Licensee must timely and properly maintain all Improvements. After any installation or repair of any Facilities is complete, Licensee must repair or replace any damaged Improvements such that pedestrian safety and accessibility within the Licensed Property, if applicable, is reestablished within forty-eight (48) hours.
- E. Security Deposits.** Licensee is not required to post a security deposit.
- F. Recording.** The City will file this Agreement in the applicable official public records to inform all future owners of any interest in the Adjoining Property of the existence of this Agreement and the obligations hereunder.

- 8. Insurance.** Licensee at its expense shall provide a commercial general liability insurance policy with a combined single limit of not less than \$1,000,000, written by a company acceptable to the Property Manager and licensed to do business in Texas. The coverage may be provided in the form of a rider and/or endorsement to a previously existing insurance policy. The insurance must cover all perils arising from the activities of Licensee, its officers, employees, agents, contractors, and invitees, related to the Improvements authorized to be placed on the Licensed Property by this Agreement. Licensee must pay all deductibles stated in the policy.

The insurance must specifically name the City of Pflugerville as an additional insured and provide a waiver of subrogation in favor of the City. A certificate of insurance evidencing coverage must be provided and delivered to the Property Manager with this executed Agreement.

Licensee must ensure that the Property Manager receives written notice of any cancellation, non-renewal, reduction, restriction or other limitation of the insurance policy. This notice is required to be provided thirty (30) days before any of the above actions are taken on the insurance policy. A substitute certificate of insurance evidencing equivalent substitute insurance must be received by the Property Manager prior to the date shown on the notice. All certificates must affirmatively show that the City of Pflugerville is named as an additional insured.

- 9. INDEMNIFICATION. LICENSEE SHALL INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES AND INSURERS, INCLUDING WITHOUT LIMITATION THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS (THE “INDEMNIFIED PARTIES”), FROM ALL LIABILITY, LOSS, CLAIMS, SUITS, ACTIONS, AND PROCEEDINGS WHATSOEVER (“CLAIMS”) THAT MAY BE BROUGHT OR INSTITUTED ON ACCOUNT OF OR GROWING OUT OF ANY AND ALL INJURIES OR DAMAGES, INCLUDING DEATH, TO PERSONS OR PROPERTY RELATING TO THE USE OR OCCUPANCY OF THE LICENSED PROPERTY DURING THE TERM INCLUDING CLAIMS THAT ARISE OUT OF OR RESULT FROM THE ACTIVE OR PASSIVE NEGLIGENCE, OR SOLE, JOINT, CONCURRENT, OR COMPARATIVE NEGLIGENCE OF ANY OF THE INDEMNIFIED PARTIES AND REGARDLESS OF WHETHER LIABILITY WITHOUT FAULT OR STRICT LIABILITY IS IMPOSED OR ALLEGED AGAINST SUCH INDEMNIFIED PARTIES, AND ALL LOSSES, LIABILITIES, JUDGMENTS, SETTLEMENTS, COSTS, PENALTIES, DAMAGES, AND EXPENSES RELATING THERETO, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS’ FEES AND OTHER ACTUAL OUT OF POCKET COSTS OF DEFENDING AGAINST, INVESTIGATING, AND SETTLING THE CLAIMS.**

Licensee shall assume on behalf of the Indemnified Parties and conduct with due diligence and in good faith the defense of all Claims against any of the Indemnified Parties. The Indemnified Parties shall have the right (but not the obligation) to participate in the defense of any claim or litigation with attorneys of their own selection without relieving Licensee of any obligations in this Agreement. In no event may Licensee admit

liability on the part of an Indemnified Party without the written consent of the City Attorney.

Maintenance of the insurance referred to in this Agreement does not affect Licensee's obligations under this Section. Licensee shall be relieved of its obligation of indemnity to the extent of the amount actually recovered from one or more of the insurance carriers of Licensee and either (a) paid to City or (b) paid for City's benefit in reduction of any liability, penalty, damage, expense, or charge actually imposed upon, or incurred by, City in connection with the Claims. Licensee may contest the validity of any Claims, in the name of the City, as the City may in good faith deem appropriate, provided that the expenses thereof are paid by Licensee, or Licensee shall cause the same to be paid by its insurer, and provided further Licensee maintains adequate insurance to cover any loss(es) that might be incurred if such contest is ultimately unsuccessful.

Licensee shall require its general partner, if applicable, and all subcontractors to indemnify City as provided in this Section.

Licensee accepts the Licensed Property "AS IS," and its duty to indemnify extends to injuries caused by defective conditions present on the Licensed Property, INCLUDING DEFECTS ALLOWED TO EXIST BY THE CITY'S OWN NEGLIGENCE.

10. Termination.

- A. Termination by Licensee.** Licensee may terminate this Agreement by delivering written notice of termination to the Property Manager not later than 30 days before the effective date of termination. Licensee shall remove all Improvements from the Licensed Property within the 30-day notice period at its sole cost and expense. Failure to do so constitutes a breach of this Agreement and authorizes the Property Manager to notify Licensee of the cost of such removal and disposal and Licensee shall pay such costs within 30 days of such notice. The Property Manager may file a lien against the Adjoining Property and the cost of such removal and disposal if the Licensee fails to timely pay these costs. Additionally, in such an event, the Property Manager may draw down the Security Deposit, if any.
- B. Termination by City.** Subject to prior written notification to Licensee or its successor-in-interest, this Agreement is revocable by the Property Manager if any of the below conditions are met and the Property Manager receives no substantive response within thirty (30) days, unless another timeframe is specifically identified:
1. The Improvements, or a portion of them, interfere with the City's rights in any of the rights-of-way;
 2. Use of any of the rights-of-way areas becomes necessary for a public purpose;

3. Immediately, if the Improvements, or a portion of them, constitute a danger to the public, which the Property Manager deems not to be remediable by alteration or maintenance of such Improvements;
4. Despite forty-eight (48) hours' prior notice to Licensee, maintenance or alteration to the Improvements necessary to alleviate a danger to the public has not been made;
5. Despite thirty (30) days' written notice to Licensee, Licensee has not provided certificates of insurance to the Property Manager;
6. Licensee fails to properly and timely maintain the Improvements as set out herein; or
7. Except as provided for above, City provides ninety-one (91) days' prior written notice of such termination for any reason.

C Termination by Abandonment. If Licensee abandons or fails to maintain the Licensed Property, and the Property Manager receives no substantive response within thirty (30) days following written notification to Licensee, then the City may remove and/or replace all Improvements. Licensee covenants to pay the City's actual expenses incurred in connection therewith within 30 days after being billed therefor. All of Licensee's Improvements not removed are deemed property of the City when abandoned by Licensee.

11. **Eminent Domain.** If eminent domain is exerted on the Licensed Property by paramount authority, then the City will, to the extent permitted by law, cooperate with Licensee to affect the removal of Licensee's affected Improvements thereon, at Licensee's sole expense. Licensee may retain all monies paid by the condemning authority for Licensee's Improvements taken, if any.
12. **Venue/Controlling Law.** Venue for all claims, actions, lawsuits or damages of any kind arising under this Agreement shall lie exclusively in Travis County, Texas. This Agreement shall be subject to and construed under Texas law.
13. **Assignment.** Licensee shall not assign, sublet or transfer its interest in this Agreement without the prior written consent of the Property Manager. Such consent shall not be unreasonably withheld, subject to the assignee's compliance with the insurance requirements set forth herein, if any and the assignee's promise to comply with all covenants and obligations herein. Licensee shall provide the Property Manager a copy of any such proposed assignment or transfer of any of Licensee's rights in this Agreement, which must include the name, address, and contact person of the assignee, along with the proposed date of assignment or transfer.
14. **Notice.** Notice may be given by fax, hand delivery, or certified mail, postage prepaid, and is deemed received on the day faxed or hand delivered or on the third day after deposit if sent certified mail. Notice must be sent as follows:

If to City:
Office of Development Services
201 E. Pecan St. Bldg. B

Pflugerville, TX 78660
Phone: 512-990-6300
Fax: 512-990-4374

If to Licensee:

Ashton Austin Residential, LLC
10721 Research Blvd. B-210
Phone: 512-610-7000

15. **Default.** If Licensee fails to provide certificates of insurance, maintain the Licensed Property, comply with the insurance requirements of this Agreement, or otherwise comply with the terms or conditions herein, then the Property Manager shall give Licensee written notice as set forth herein. Licensee will have thirty (30) days from the date of such notice to take action to remedy the failure complained of, or such lesser period if such is required, and, if Licensee does not satisfactorily remedy the same within that thirty (30) day period, the City may remedy the default or contract to remedy the default. However, if the default is a monetary default, Licensee must cure that within ten (10) business days' of notice. Licensee covenants to pay within ten (10) days of written demand by the Property Manager, all reasonable costs expenses incurred by the City in remedying the default.

Either party may waive any default of the other at any time, without affecting or impairing any right arising from any subsequent or other default.

16. **Compliance with Laws.** Licensee covenants that all construction, installation, repair, maintenance, and removal of the Improvements permitted by this Agreement must be done in compliance with all applicable City, County, State and/or Federal laws, ordinances, regulations and policies now existing or later adopted.
17. **Interpretation.** Although drafted by the Licensee, this Agreement must, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.
18. **Application of Law.** This Agreement must be governed by the laws of the State of Texas. If the final judgment of a court of competent jurisdiction invalidates any part of this Agreement, then the remaining parts must be enforced, to the extent possible, consistent with the intent of the parties as evidenced by this Agreement.

Terms and Conditions Accepted on _____, 2020__.

**CITY OF PFLUGERVILLE, a Texas home rule
municipal corporation**

By: _____
Sereniah Breland, City Manager
City of Pflugerville

**LICENSEE:
Ashton Austin Residential, LLC.**

By: Keith Pearson
Keith Pearson, VP of Land
Ashton Austin Residential, LLC

**THE STATE OF TEXAS §
COUNTY OF TRAVIS §**

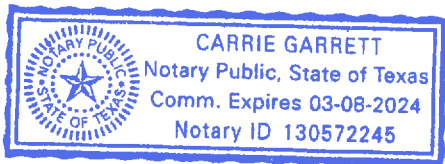
This instrument was acknowledged before me on _____, 2020, by Sereniah Breland, City Manager, City of Pflugerville, a Texas municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

**STATE OF TEXAS §
COUNTY OF TRAVIS §**

Before me, the undersigned Notary Public of the State of Texas, on this day personally appeared Keith Pearson, VP of Land, Ashton Austin Residential, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 27th day of August, A.D. 2020.



[Signature]
Notary Public, State of Texas

After recording, return to:

City of Pflugerville
Office of Development Services
201 E. Pecan St. Bldg. B
Pflugerville, TX. 78660

Attn: Jeremy Frazzell
LA#

EXHIBIT A

METES AND BOUNDS DESCRIPTION

TRACT 1

BEING A 0.027 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.027 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY AND ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.027 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of Lot 50, Block 'A' and the northwest corner of Lot 51, Block 'A', same being on the south boundary line of Lot 52, Block 'A' of said Vine Creek Phase 1, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southeast corner of said Lot 50, Block 'A' and the southwest corner of said Lot 51, Block 'A', bears S 27°06'27" W for a distance of 125.00 feet;

THENCE, S 45°34'45" E in part with the north boundary line of said Lot 51, Block 'A', in part with the north boundary line of Lot 110, Block 'A' of said Vine Creek Phase 1 and with the south boundary line of said Lot 52, Block 'A', passing at a distance of 80.69 feet a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 51, Block 'A' and the northwest corner of said Lot 110, Block 'A', in all a total distance of 85.69 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 110, Block 'A' and the southeast corner of said Lot 52, Block 'A', same being on the east right-of-way line of said Landmark Drive for the northwest corner and **POINT OF BEGINNING** hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 52, Block 'A' and the southeast corner of Lot 53, Block 'A' of said Vine Creek Phase 1, bears N 44°25'15" E for a distance of 50.00 feet;

THENCE, over and across said Landmark Drive and said Zinfandel Drive, the following seven (7) courses and distances:

1. **S 45°34'45" E** for a distance of **9.50 feet** to a calculated point for the northeast corner hereof;
2. **S 44°25'15" W** for a distance of **28.74 feet** to a calculated point for the beginning of a curve to the left;

3. With said curve to the left an arc length of **64.93 feet**, said curve having a radius of **485.50 feet**, a delta angle of **7°39'46"** and a chord which bears **S 40°35'22" W** for a distance of **64.88 feet** to a calculated point for the beginning of a curve to the right;
4. With said curve to the right an arc length of **26.65 feet**, said curve having a radius of **25.00 feet**, a delta angle of **61°04'12"** and a chord which bears **S 70°07'16" W** for a distance of **25.40 feet** to a calculated point for the south corner hereof;
5. **N 15°38'36" W** for a distance of **6.19 feet** to a calculated point;
6. **N 35°06'25" E** for a distance of **2.71 feet** to a calculated point;
7. **N 25°05'07" W** for a distance of **5.08 feet** to a calculated point on the southeasterly boundary line of said Lot 51, Block 'A' for the west corner hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most southerly southeast corner of said Lot 51, Block 'A', same being on the northerly right-of-way line of said Zinfandel Drive, bears **N 68°27'19" W** for a distance of **9.38 feet**;

THENCE, with said southeasterly boundary line of said Lot 51, Block 'A', common with said right-of-ways of Zinfandel Drive and Landmark Drive, with a curve to the left an arc length of **11.70 feet**, said curve having a radius of **25.00 feet** a delta angle of **26°49'23"** and a chord which bears **N 87°19'17" E** for a distance of **11.60 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southeast corner of said Lot 51, Block 'A' and the south corner of said Lot 110, Block 'A';

THENCE, with the east boundary line of said Lot 110, Block 'A' and said west right-of-way line of Landmark Drive, the following three (3) courses and distances:

1. With a curve to the left an arc length of **15.72 feet**, said curve having a radius of **25.00 feet**, a delta angle of **36°02'07"** and a chord which bears **N 55°53'31" E** for a distance of **15.47 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the right;
2. With said curve to the right an arc length of **56.56 feet**, said curve having a radius of **495.00 feet**, a delta angle of **6°32'47"** and a chord which bears **N 41°08'51" E** for a distance of **56.53 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;
3. **N 44°25'15" E** for a distance of **28.74 feet** to the **POINT OF BEGINNING** hereof, and containing **0.027 acre** of land more or less.

TRACT 2

BEING A 0.038 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.038 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY AND ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.038 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of Lot 30, Block 'J' and the northeast corner of Lot 29, Block 'J', same being on the south boundary line of Lot 27, Block 'J' of said Vine Creek Phase 1, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southwest corner of said Lot 30, Block 'J' and the southeast corner of said Lot 29, Block 'J', bears S 32°21'24" W for a distance of 139.40 feet;

THENCE, N 45°34'45" W with the south boundary line of said Lot 27, Block 'J', in part with the north boundary line of said Lot 29, Block 'J' and the north boundary line of Lot 28, Block 'J' of said Vine Creek Phase 1, passing at a distance of 51.10 feet a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of said Lot 29, Block 'J' and the northeast corner of said Lot 28, Block 'J', in all a total distance of 56.10 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of said Lot 28, Block 'J' and the southwest corner of said Lot 27, Block 'J', same being on the east right-of-way line of said Landmark Drive for the northeast corner and **POINT OF BEGINNING** hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting, the northwest corner of said Lot 27, Block 'J' and the southwest corner of Lot 26, Block 'J' of said Vine Creek Phase 1, bears N 44°25'15" E for a distance of 50.00 feet;

THENCE, with the west boundary line of said Lot 28, Block 'J' and said east right-of-way line of Landmark Drive, the following three (3) courses and distances:

1. **S 44°25'15" W** for a distance of **87.13 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
2. With said curve to the left an arc length of **38.41 feet**, said curve having a radius of **435.00 feet**, a delta angle of **5°03'34"** and a chord which bears **S 41°53'28" W** for a distance of **38.40 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting a point of compound curvature to the left;

3. With said curve to the left an arc length of **16.54 feet**, said curve having a radius of **25.00 feet**, a delta angle of **37°54'20"** and a chord which bears **S 20°24'31" W** for a distance of **16.24 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the south corner of said Lot 28, Block 'J' and the most westerly southwest corner of said Lot 29, Block 'J';

THENCE, with the southwesterly boundary line of said Lot 29, Block 'J' and said right-of-ways of Landmark Drive and Zinfandel Drive, with a curve to the left an arc length of **11.02 feet**, said curve having a radius of **25.00 feet**, a delta angle of **25°16'02"** and a chord which bears **S 11°10'40" E** for a distance of **10.94 feet**, to a calculated point for the southeast corner hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most southerly southwest corner of said Lot 29, Block 'J' same being on the north right-of-way line of said Zinfandel Drive, bears **S 40°43'39" E** for a distance of **14.55 feet**;

THENCE, over and across said Landmark Drive and said Zinfandel Drive, the following six (6) courses and distances:

1. **S 39°26'19" W** for a distance of **7.98 feet** to a calculated point;
2. **S 84°12'27" W** for a distance of **6.65 feet** to a calculated point for the south corner hereof;
3. With a curve to the right an arc length of **30.74 feet**, said curve having a radius of **25.00 feet**, a delta angle of **70°26'46"** and a chord which bears **N 00°06'40" W** for a distance of **28.84 feet** to a calculated point on the beginning of a point of compound curvature of a curve to the right;
4. With said curve to the right an arc length of **52.00 feet**, said curve having a radius of **444.50 feet**, a delta angle of **6°42'08"** and a chord which bears **N 41°04'11" E** for a distance of **51.97 feet** to a calculated point for the end of this curve;
5. **N 44°25'15" E** for a distance of **87.13 feet** to a calculated point for the northwest corner hereof;
6. **S 45°34'45" E** for a distance of **9.50 feet** to the **POINT OF BEGINNING** hereof, and containing **0.038 acre** of land more or less.

TRACT 3

BEING A 0.210 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.210 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.210 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the south corner of Lot 19, Block 'D' and the most easterly southeast corner of Lot 1, Block 'D' of said Vine Creek Phase 1, same being on the curving southeasterly right-of-way line of said Landmark Drive and the northerly right-of-way line of said Shafer Drive for the **POINT OF BEGINNING** hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most southerly southeast corner of said Lot 1, Block D, same being on said northerly right-of-way line of Shafer Drive, bears N 89°17'24" W for a distance of 22.49 feet;

THENCE, with the east boundary line of said Lot 19, Block 'D' and the west right-of-way line of said Landmark Drive, the following three (3) courses and distances:

1. With a curve to the left an arc length of **16.09 feet**, said curve having a radius of **25.00 feet**, a delta angle of **36°52'12"** and a chord which bears **N 45°32'33" E** for a distance of **15.81 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;
2. **N 27°06'27" E** for a distance of **870.85 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
3. With said curve to the left an arc length of **16.09 feet**, said curve having a radius of **25.00 feet**, a delta angle of **36°52'12"** and a chord which bears **N 08°40'21" E** for a distance of **15.81 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the north corner of said Lot 19, Block 'D', same being on the most easterly northeast corner of Lot 18, Block 'D' of said Vine Creek Phase 1;

THENCE, with the northeasterly boundary line of said Lot 18, Block 'D' and said right of way with a curve to the left an arc length of **6.63 feet**, said curve having a radius of

25.00 feet, a delta angle of **15°12'02"** and a chord which bears **N 17°21'46" W** for a distance of **6.61 feet** to a calculated point, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most northerly northeast corner of said Lot 18, Block 'D', bears **N 41°18'12" W** for a distance of **14.07 feet**;

THENCE, over and across said right-of-ways of Zinfandel Drive, Landmark Drive, and Shafer Drive, the following seven (7) courses and distances:

1. **N 12°54'33" E** for a distance of **7.86 feet** to a calculated point for the northwest corner hereof;
2. **N 83°09'35" E** for a distance of **7.50 feet** to a calculated point for the northeast corner hereof;
3. With a curve to the right an arc length of **28.87 feet**, said curve having a radius of **25.00 feet**, a delta angle of **66°09'31"** and a chord which bears **S 05°58'18" E** for a distance of **27.29 feet** to a calculated point for the end of this curve;
4. **S 27°06'27" W** for a distance of **897.62 feet** to a calculated point on the beginning of a curve to the right;
5. With said curve to the right an arc length of **24.27 feet**, said curve having a radius of **25.00 feet**, a delta angle of **55°37'43"** and a chord which bears **S 55°38'01" W** for a distance of **23.33 feet** to a calculated point on the end of this curve for the south corner hereof;
6. **N 29°05'54" W** for a distance of **5.58 feet** to a calculated point;
7. **N 30°30'48" E** for a distance of **20.53 feet** to the **POINT OF BEGINNING** hereof, and containing 0.210 acre of land more or less.

TRACT 4

BEING A 0.207 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.207 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.207 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most southerly southwest corner of Lot 1, Block 'E', Vine Creek Phase 3 & 4 a subdivision recorded in Document No. 201900200 of the Official Public Records of Travis County, Texas, same being an angle point in the east boundary line of said Vine Creek Phase 1, same being on the north right-of-way line of said Shafer Drive, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most southerly southeast corner of said Lot 1, Block 'E', same being on said north right-of-way line of Shafer Drive, bears S 62°53'33" E for a distance of 80.00 feet;

THENCE, with the southwesterly boundary line of said Lot 1, Block E common with said Vine Creek Phase 1 and said Vine Creek Phase 3 & 4, with a curve to the right an arc length of 23.18 feet, said curve having a radius of 25.00 feet, a delta angle of 53°07'51" and a chord which bears S 36°19'40" E for a distance of 22.36 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most westerly southwest corner of said Lot 1, Block 'E' and the south corner of Lot 18, Block 'E' of said Vine Creek Phase 1, for the **POINT OF BEGINNING** hereof;

THENCE, over and across said right-of-ways of Shafer Drive, Landmark Drive, and Zinfandel Drive, the following seven (7) courses and distances:

1. **S 19°18'13" W** for a distance of **9.11 feet** to a calculated point;
2. **S 27°26'20" W** for a distance of **8.68 feet** to a calculated point for the south corner hereof;
3. With a curve to the right an arc length of **29.73 feet**, said curve having a radius of **25.00 feet**, a delta angle of **68°07'41"** and a chord which bears **N 06°57'24" W** for a distance of **28.01 feet** to a calculated point on the end of this curve;
4. **N 27°06'27" E** for a distance of **889.16 feet** to a calculated point on the beginning of a curve to the right, for the northwest corner hereof;
5. With said curve to the right an arc length of **30.69 feet**, said curve having a radius of **25.00 feet**, a delta angle of **70°19'46"** and a chord which bears **N 62°16'20" E** for a distance of **28.80 feet** to a calculated point for the northeast corner hereof;
6. **S 15°33'01" E** for a distance of **5.64 feet** to a calculated point;
7. **S 03°33'10" E** for a distance of **8.02 feet** to a calculated point on the northwesterly boundary line of Lot 17, Block 'E' of said Vine Creek Phase 1, same being on the south right-of-way line of said Zinfandel Drive, from which a

1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most northerly northwest corner of said Lot 17, Block 'E' same being on said south right-of-way line of Zinfandel Drive, bears S 72°03'50" E for a distance of 12.45 feet;

THENCE, with said northwesterly boundary line of said Lot 17, Block 'E' common with said right-of-ways of Zinfandel Drive and Landmark Drive, with a curve to the left an arc length of **12.89 feet**, said curve having a radius of **25.00 feet**, a delta angle of **29°32'17"** and a chord which bears **S 78°44'47" W** for a distance of **12.75 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most westerly northwest corner of said Lot 17, Block 'E' and the north corner of said Lot 18, Block 'E';

THENCE, with the west boundary line of said Lot 18, Block 'E' common with said right-of-way of Landmark Drive, the following three courses and distances:

1. With a curve to the left an arc length of **16.09 feet**, said curve having a radius of **25.00 feet**, a delta angle of **36°52'12"** and a chord which bears **S 45°32'33" W** for a distance of **15.81 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;
2. **S 27°06'27" W** for a distance of **869.25 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
3. With said curve to the left an arc length of **16.09 feet**, said curve having a radius of **25.00 feet**, a delta angle of **36°52'12"** and a chord which bears **S 08°40'21" W** for a distance of **15.81 feet** to the **POINT OF BEGINNING** hereof, and containing 0.207 acre of land more or less

TRACT 5

BEING A 1.089 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1.089 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY. SAID 1.089 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southwest corner of Lot 1, Block 'A' and the southeast corner of Lot 2, Block 'A' of said Vine Creek Phase 1, same being on the north boundary line of Lot 111, Block 'A' of said Vine Creek Phase 1;

THENCE, N 27°06'27" E for a distance of 124.57 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the north corner of said Lot 1, Block 'A' and the northeast corner of Lot 2, Block 'A', same being on the south right-of-way line of said Shafer Drive, for the **POINT OF BEGINNING** hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" on an angle point in the north boundary line of said Lot 2, Block 'A' same being on said south right-of-way line of Shafer Drive, bears N 56°57'22" W for a distance of 4.88 feet;

THENCE, over and across said right-of-ways of Landmark Drive and Cele Road, and said 1.009 acre right-of-way dedication, the following eleven (11) courses and distances:

1. **N 27°06'27" E** for a distance of **9.98 feet** to a calculated point, for the most northerly northeast corner hereof;
2. **S 62°33'27" E** for a distance of **4.65 feet** to a calculated point on the beginning of a curve to the right;
3. With said curve to the right an arc length of **39.12 feet**, said curve having a radius of **25.00 feet**, a delta angle of **89°39'53"** and a chord which bears **S 17°43'30" E** for a distance of **35.25 feet** to a calculated point on the end of this curve for the most easterly northeast corner hereof;
4. **S 27°06'27" W** for a distance of **126.03 feet** to a calculated point on the beginning of a curve to the right;
5. With said curve to the right an arc length of **28.63 feet**, said curve having a radius of **25.00 feet**, a delta angle of **65°37'24"** and a chord which bears **S 60°37'01" W** for a distance of **27.09 feet** to a calculated point on the end of this curve, for the southeast corner hereof;
6. **N 62°38'22" W** for a distance of **294.09 feet** to a calculated point on the beginning of a curve to the left;
7. With said curve to the left an arc length of **130.27 feet**, said curve having a radius of **1470.03 feet**, a delta angle of **5°04'38"** and a chord which bears **N 64°33'18" W** for a distance of **130.23 feet** to a calculated point on the end of this curve;

8. **N 65°51'37" W** for a distance of **183.33 feet** to a calculated point;
9. **N 62°10'17" W** for a distance of **130.10 feet** to a calculated point on the beginning of a curve to the right;
10. With said curve to the right an arc length of **242.30 feet**, said curve having a radius of **479.68 feet**, a delta angle of **28°56'32"** and a chord which bears **N 45°21'38" W** for a distance of **239.73 feet** to a calculated point on the end of this curve;
11. **N 27°39'12" W** for a distance of **154.88 feet** to a calculated point for the southwest corner hereof;

THENCE, **N 28°02'47" E** in part over and across said Cele Road right-of-way, in part with the west boundary line of said 1.009 acre right-of-way dedication and in part with the east boundary line of the called 1.348 acre tract of land conveyed to Robert M. Tiemann, recorded in Document No. 2018186787 of the Official Public Records of Travis County, Texas, passing at a distance of 40.89 feet a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southwest corner of said 1.009 acre right-of-way dedication and the southeast corner of said 1.348 acre Tiemann tract, in all a total distance of **58.18 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of said 1.009 acre right-of-way dedication and the southwest corner of said Lot 111, Block 'A', for the northwest corner hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of said Lot 111, Block 'A' and the southwest corner of the remnant portion of the called 147.16 acre tract of land conveyed to Midtex Partners, LTD., recorded in Document No. 2002240814 of the Official Public Records of Williamson County, Texas, same being on said east boundary line of the 1.348 acre Tiemann tract, bears **N 28°02'47" E** for a distance of 21.80 feet;

THENCE, with the north boundary line of said 1.009 acre right-of-way dedication and the south boundary line of said Lot 111, Block 'A', the following four (4) courses and distances:

1. With a curve to the right an arc length of **119.19 feet**, said curve having a radius of **990.00 feet**, a delta angle of **6°53'54"** and a chord which bears **S 34°46'50" E** for a distance of **119.12 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting a point of reverse curvature of a curve to the left;
2. With said curve to the left an arc length of **485.79 feet**, said curve having a radius of **890.00 feet**, a delta angle of **31°16'25"** and a chord which bears

S 46°58'06" E for a distance of **479.78 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;

3. **S 62°36'19" E** for a distance of **505.48 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
4. With said curve to the left an arc length of **34.24 feet**, said curve having a radius of **25.00 feet**, a delta angle of **78°27'47"** and a chord which bears **N 78°09'48" E** for a distance of **31.62 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the east corner of said Lot 111, Block 'A' and the southeast corner of said Lot 1, Block 'A' same being on the west right-of-way line of said Landmark Drive;

THENCE, with the east boundary line of said Lot 1, Block 'A' and said west right-of-way line of Landmark Drive, the following three (3) courses and distances:

1. With a curve to the left an arc length of **5.16 feet**, said curve having a radius of **25.00 feet**, a delta angle of **11°49'27"** and a chord which bears **N 33°01'10" E** for a distance of **5.15 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;
2. **N 27°06'27" E** for a distance of **95.05 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
3. With said curve to the left an arc length of **34.24 feet**, said curve having a radius of **25.00 feet**, a delta angle of **78°27'45"** and a chord which bears **N 12°07'26" W** for a distance of **31.62 feet** to the **POINT OF BEGINNING** hereof, and containing 1.089 acres of land more or less.

TRACT 6

BEING A 1.257 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1.257 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.260 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 3 & 4, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF CELE ROAD A

VARIABLE WIDTH RIGHT-OF-WAY AND MELBER LANE A VARIABLE WIDTH RIGHT-OF-WAY. SAID 1.257 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton gin spindle found monumenting the southeast corner of said 1.260 acre right-of-way dedication, same being the southeast corner of said Vine Creek Phase 3 & 4, for the southeast corner and **POINT OF BEGINNING** hereof;

THENCE, over and across said 1.260 acre right-of-way dedication, said 1.009 acre right-of-way dedication, said Cele Road, said Landmark Drive and said Shafer Drive, the following eleven (11) courses and distances:

1. **N 61°18'37" W** for a distance of **76.08 feet** to a calculated point;
2. **N 61°43'45" W** for a distance of **351.96 feet** to a calculated point;
3. **N 62°45'06" W** for a distance of **375.81 feet** to a calculated point;
4. **N 61°07'22" W** for a distance of **55.70 feet** to a calculated point;
5. **N 62°09'17" W** for a distance of **83.48 feet** to a calculated point;
6. **S 28°45'41" W** for a distance of **2.07 feet** to a calculated point, for the most southerly southwest corner hereof;
7. With a curve to the right an arc length of **38.12 feet**, said curve having a radius of **25.00 feet**, a delta angle of **87°22'23"** and a chord which bears **N 17°33'07" W** for a distance of **34.54 feet** to a calculated point on the end of this curve, for the most westerly southwest corner hereof;
8. **N 27°06'27" E** for a distance of **126.29 feet** to a calculated point on the beginning of a curve to the right;
9. With said curve to the right an arc length of **39.27 feet**, said curve having a radius of **25.00 feet**, a delta angle of **90°00'00"** and a chord which bears **N 72°06'27" E** for a distance of **35.36 feet** to a calculated point on the end of this curve;
10. **S 62°53'33" E** for a distance of **4.50 feet** to a calculated point;
11. **S 27°06'27" W** for a distance of **10.01 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of Lot 1, Block 'H' of said Vine Creek Phase 1, and the northwest corner of Lot 2, Block 'H' of

said Vine Creek Phase 3 & 4, same being on the north right-of-way line of said Shafer Drive, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most northerly northwest corner of said Lot 2, Block 'H' same being on said south right-of-way line of Shafer Drive, bears S 68°39'40" E for a distance of 5.03 feet;

THENCE, with the west boundary line of said Lot 1, Block 'H' and the east right-of-way line of said Landmark Drive, in part with said north right-of-way line of Shafer Drive, the following three (3) courses and distances:

1. With a curve to the left an arc length of **34.24 feet**, said curve having a radius of **25.00 feet**, a delta angle of **78°27'47"** and a chord which bears **S 66°20'20" W** for a distance of **31.62 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;
2. **S 27°06'27" W** for a distance of **95.10 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;
3. With said curve to the left an arc length of **4.91 feet**, said curve having a radius of **25.00 feet**, a delta angle of **11°14'59"** and a chord which bears **S 21°28'57" W** for a distance of **4.90 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southwest corner of said Lot 1, Block 'H' and the north corner of Lot 45, Block 'H' of said Vine Creek Phase 1;

THENCE, with the southwesterly boundary line of said Lot 45, Block 'H' common with said right-of-ways with a curve to the left an arc length of **29.33 feet**, said curve having a radius of **25.00 feet**, a delta angle of **67°12'48"** and a chord which bears **S 17°44'56" E** for a distance of **27.67 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the south corner of said Lot 45, Block 'H' of said Vine Creek Phase 1, the southwest corner of Lot 45, Block 'H' of said Vine Creek Phase 3 & 4, the northeast corner of said 1.009 acre right-of-way dedication and the northwest corner of said 1.260 acre right-of-way dedication;

THENCE, with the south boundary line of said Lot 45, Block 'H' of said Vine Creek Phase 3 & 4, the north boundary line of said 1.260 acre right-of-way dedication and said north right-of-way line of Cele Road, the following two (2) courses and distances:

1. With a curve to the left an arc length of **4.91 feet**, said curve having a radius of **25.00 feet**, a delta angle of **11°14'59"** and a chord which bears **S 56°58'50" E** for a distance of **4.90 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the end of this curve;

2. **S 62°36'19" E** for a distance of **560.13 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southeast corner of said Lot 45, Block 'H' of said Vine Creek Phase 3 & 4 and the southwest corner of Lot 43, Block 'H' of said Vine Creek Phase 3 & 4, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting, the southeast corner of Lot 13, Block 'H' and the southwest corner of Lot 14, Block 'H' of said Vine Creek Phase 3 & 4, bears N 27°06'27" E for a distance of 20.00 feet;

THENCE, **S 62°36'19" E** with the north boundary line of said 1.260 acre right-of-way dedication, the south boundary line of said Lot 43, Block 'H' and said north right-of-way line of Cele Road for a distance of **340.00 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southeast corner of said Lot 43, Block 'H' and an interior ell corner of said 1.260 acre right-of-way dedication, same being on the west right-of-way of said Melber Lane;

THENCE, **N 27°07'34" E** with the east boundary line of said Lot 43, Block 'H' and the west boundary line of said 1.260 acre right-of-way dedication, same being said west right-of-way line of Melber Lane for a distance of **1074.61 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the left;

THENCE, with the northeasterly boundary line of said Lot 43, Block 'H' with a curve to the left an arc length of **34.24 feet**, said curve having a radius of **25.00 feet**, a delta angle of **78°27'47"** and a chord which bears **N 12°06'20' W** for a distance of **31.62 feet** to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the north corner of said Lot 43, Block 'H' and the northeast corner of Lot 42, Block 'H' of said Vine Creek Phase 3 & 4, from which a 1/2" iron rod found with cap marked "Diamond Surveying" an angle point in the north boundary line of said Lot 42, Block 'H', bears **N 57°06'53" W** for a distance of 5.03 feet;

THENCE, over and across said Zinfandel Drive, said 1.260 acre right-of-way dedication and said Melber Lane, the following three (3) courses and distances:


1. **N 27°07'34" E** for a distance of **10.01 feet** to a calculated point for the most northerly northwest corner hereof;
2. **S 62°53'33" E** for a distance of **35.91 feet** to a calculated point for the beginning of a curve to the right;
3. With said curve to the right an arc length of **8.56 feet**, said curve having a radius of **25.00 feet**, a delta angle of **19°37'09"** and a chord which bears **S 51°55'57" E** for a distance of **8.52 feet** to a calculated point on the east boundary line of said 1.260 acre right-of-way dedication same being on the east boundary line of said Vine Creek Phase 3 & 4, for the northeast corner hereof, from which a 1/2" iron

rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said 1.260 acre right-of-way dedication same being the northeast corner of said Vine Creek Phase 3 & 4 same being an exterior ell corner of the remnant portion of the called 147.16 acre tract of land conveyed to Midtex Partners, LTD., recorded in Document No. 2002240814 of the Official Public Records of Williamson County, Texas, bears N 26°41'56" E for a distance of 67.28 feet;

THENCE, S 26°41'56" W with the east boundary line of said 1.260 acre right-of-way dedication and said east boundary line of Vine Creek Phase 3 & 4 for a distance of 1135.17 feet to the POINT OF BEGINNING hereof, and containing 1.257 acres of land more or less.

BEARING BASIS: STATE PLANE COORDINATES SYSTEM, NAD-83, TEXAS CENTRAL ZONE (4203). DISTANCES ARE SURFACE VALUES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00010.

A survey drawing has been prepared to accompany this metes and bounds description.

 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900



MAY 29, 2020

SHANE SHAFER, R.P.L.S. NO. 5281 DATE



Z:\ALM ENGINEERING\VINE CREEK_VC LICENSE AGREEMENT\VINE CREEK LICENSE AGREEMENT TRACTS m&b.doc

VERONA DEVELOPMENT, INC.
CALLED 147.591 ACRES
DOC. NO. 2014076627

ROBERT M. TIEMANN AND
CARRIE PARKER TIEMANN
CALLED 151.023 ACRES
DOC. NO. 2019123052

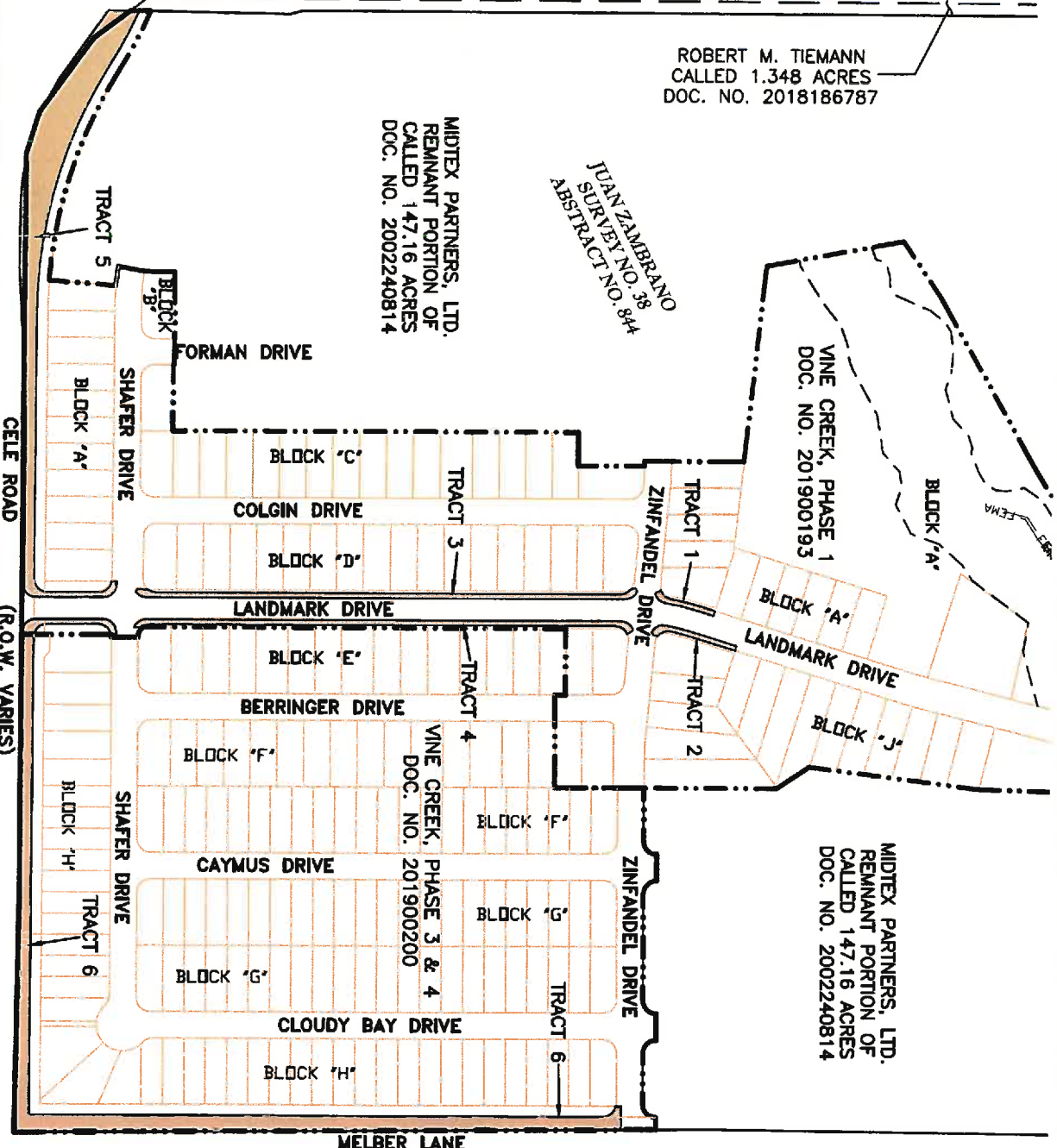
JAMES P. KEMPE SURVEY
ABSTRACT NO. 464
APPROXIMATE SURVEY LINE

ROBERT M. TIEMANN
CALLED 1.348 ACRES
DOC. NO. 2018186787

MIDTEX PARTNERS, LTD.
REMNANT PORTION OF
CALLED 147.16 ACRES
DOC. NO. 2002240814

JUAN ZAMBRANO
SURVEY NO. 38
ABSTRACT NO. 844

EXHIBIT FOR 6 TRACTS OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID TRACTS OF LAND BEING A PORTION OF VINE CREEK, PHASE 1 A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF VINE CREEK PHASE 3 & 4 A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY



ARDALIA E. MARTIN
CALLED 108.25 ACRES
DOC. NO. 2014022161

ANDREW AUSTIN SURVEY ABSTRACT NO. 38
APPROXIMATE SURVEY LINE

CELE ROAD (R.O.W. VARIES)

MIDTEX PARTNERS, LTD.
REMNANT PORTION OF
CALLED 147.16 ACRES
DOC. NO. 2002240814

DRAWING TO ACCOMPANY A
METERS AND BOUNDS DESCRIPTION
FOR TRACTS 1 THROUGH 6 ON
PAGES 2 THROUGH 11

SHEET INDEX:

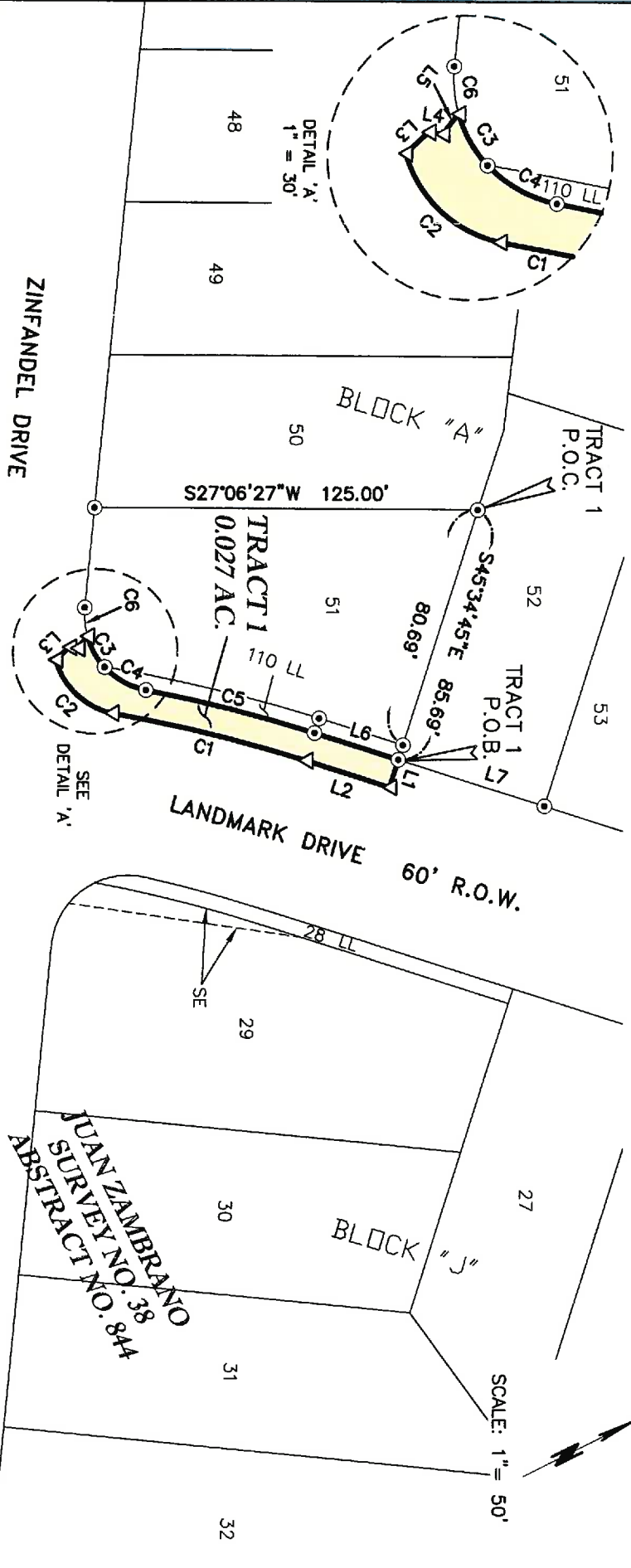
SHEET 1	= KEY MAP
SHEET 2	= TRACT 1
SHEET 3	= TRACT 2
SHEETS 4 & 5	= TRACT 3
SHEETS 6 & 7	= TRACT 4
SHEETS 8 & 9	= TRACT 5
SHEETS 10 & 11	= TRACT 6
SHEET 12	= LEGEND, NOTES & CERTIFICATION



DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900

KEY MAP
SHEET 1 OF 12

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 1, BEING A 0.027 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.027 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY AND ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



DETAIL 'A'
1" = 30'

SEE
DETAIL 'A'

LINE	BEARING	DISTANCE
L1	S45°34'45"E	9.50'
L2	S44°25'15"W	28.74'
L3	N15°38'36"W	6.19'
L4	N35°06'25"E	2.71'
L5	N25°05'07"W	5.08'
L6	N44°25'15"E	28.74'
L7	N44°25'15"E	50.00'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	485.50'	64.93'	7°39'46"	S40°35'22"W	64.88'
C2	25.00'	26.65'	61°04'12"	S70°07'16"W	25.40'
C3	25.00'	11.70'	26°49'23"	N87°19'17"E	11.60'
C4	25.00'	15.72'	36°02'07"	N55°53'31"E	15.47'
C5	495.00'	56.56'	6°32'47"	N41°08'51"E	56.53'
C6	25.00'	9.44'	21°37'25"	N68°27'19"W	9.38'

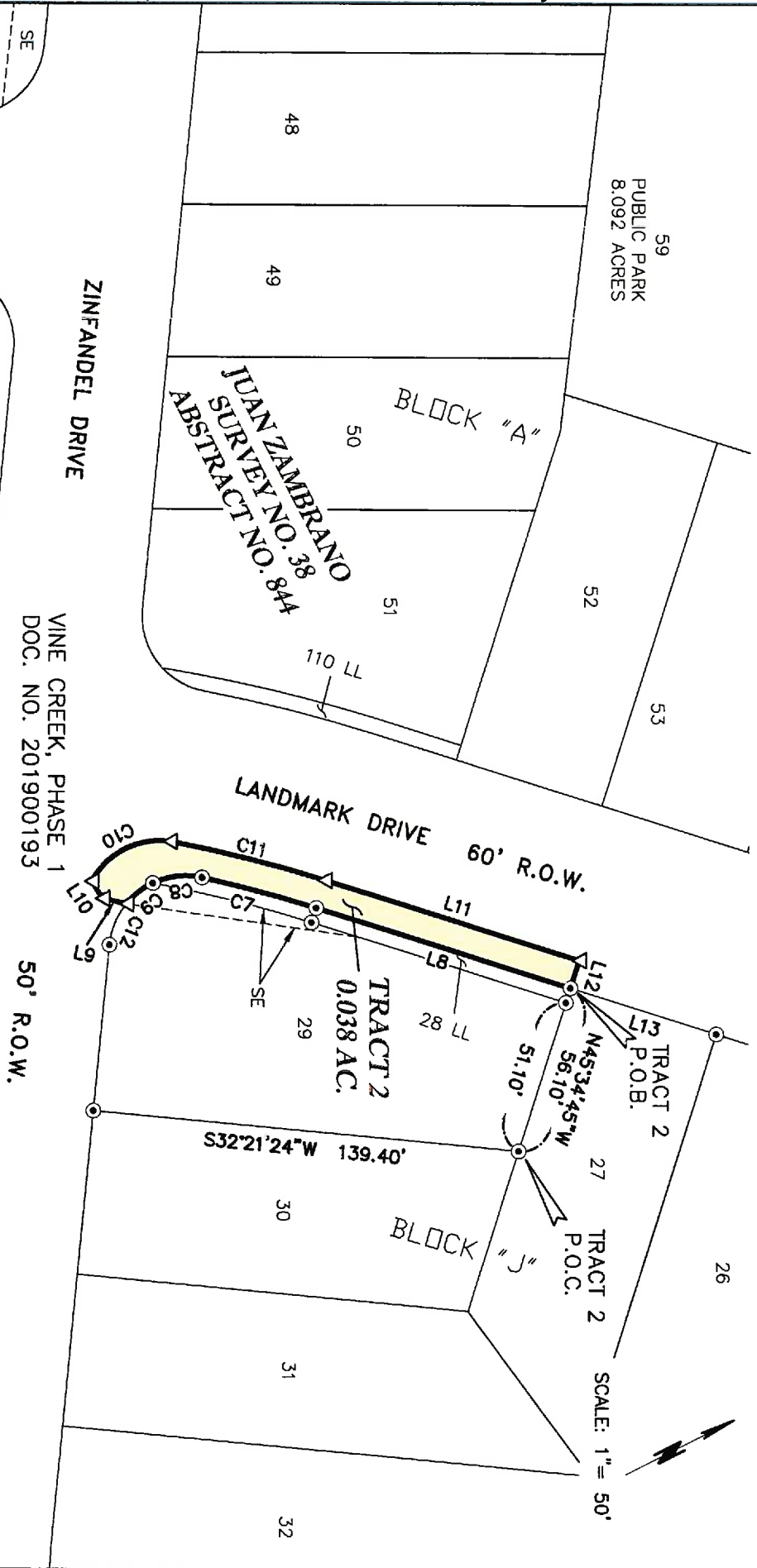
VINE CREEK, PHASE 1
DOC. NO. 201900193

BERRINGER DRIVE
50' R.O.W.

TRACT 1
SHEET 2 OF 12

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 2, BEING A 0.038 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.038 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY AND ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



LINE TABLE

L8	S44°25'15"W	87.13'
L9	S39°26'19"W	7.98'
L10	S84°12'27"W	6.65'
L11	N44°25'15"E	87.13'
L12	S45°34'45"E	9.50'
L13	N44°25'15"E	50.00'

CURVE TABLE

C7	435.00'	38.41'	50°3'34"	S41°53'28"W	38.40'
C8	25.00'	16.54'	37°54'20"	S20°24'31"W	16.24'
C9	25.00'	11.02'	25°16'02"	S11°10'40"E	10.94'
C10	25.00'	30.74'	70°26'46"	N00°06'40"W	28.84'
C11	444.50'	52.00'	6°42'08"	N41°04'11"E	51.97'
C12	25.00'	14.76'	33°49'55"	S40°43'39"E	14.55'

LINE TABLE

L8	S44°25'15"W	87.13'
L9	S39°26'19"W	7.98'
L10	S84°12'27"W	6.65'
L11	N44°25'15"E	87.13'
L12	S45°34'45"E	9.50'
L13	N44°25'15"E	50.00'

CURVE TABLE

C7	435.00'	38.41'	50°3'34"	S41°53'28"W	38.40'
C8	25.00'	16.54'	37°54'20"	S20°24'31"W	16.24'
C9	25.00'	11.02'	25°16'02"	S11°10'40"E	10.94'
C10	25.00'	30.74'	70°26'46"	N00°06'40"W	28.84'
C11	444.50'	52.00'	6°42'08"	N41°04'11"E	51.97'
C12	25.00'	14.76'	33°49'55"	S40°43'39"E	14.55'

DIAMOND SURVEYING, INC.
 116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
 (512) 931-3100
 T.B.P.L.S. FIRM NO. 10006900

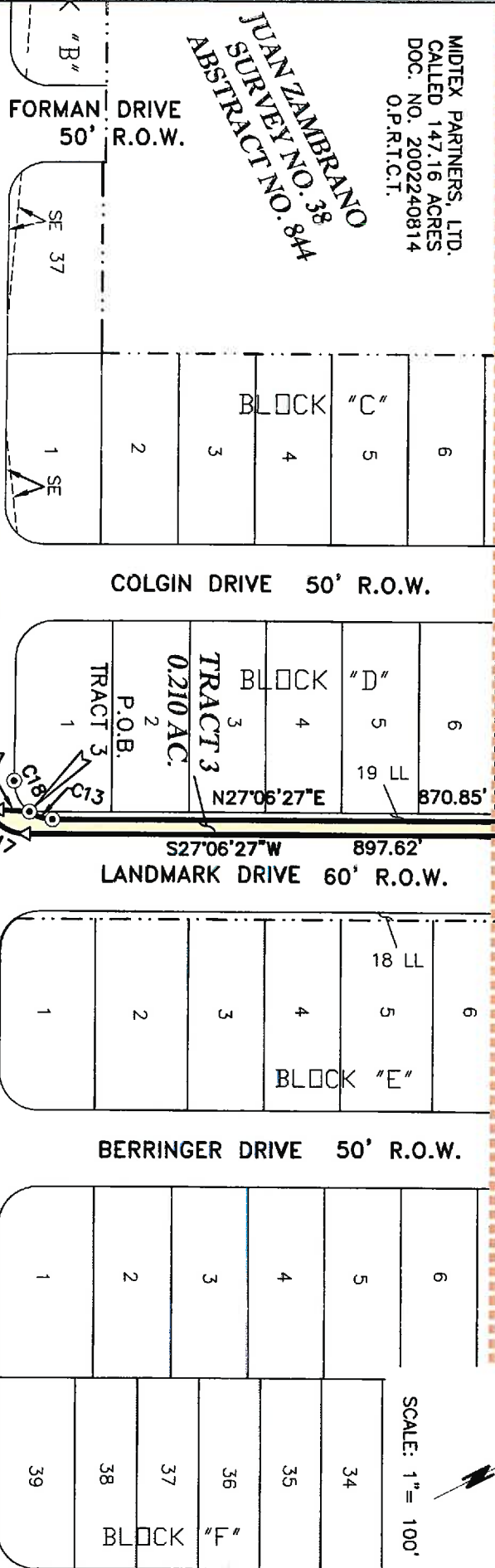
TRACT 2
 SHEET 3 OF 12

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 3, BEING A 0.210 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.210 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

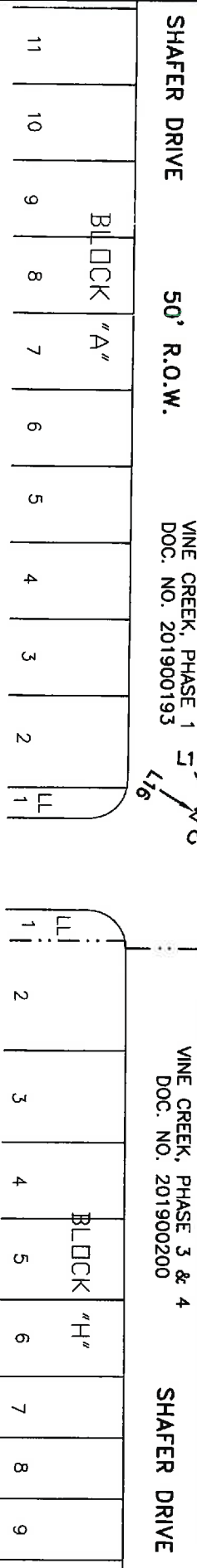
MIDTEX PARTNERS, LTD.
CALLED 147.16 ACRES
DOC. NO. 2002240814
O.P.R.T.C.T.

JUAN ZAMBRANO
SURVEY NO. 38
ABSTRACT NO. 844

MATCHLINE SHEET 5 OF 12



SCALE: 1" = 100'



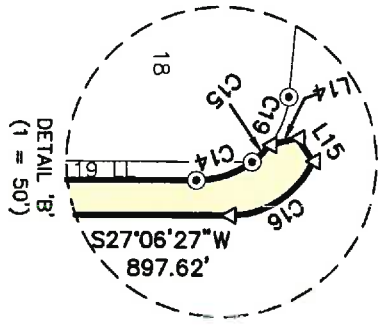
Curve No.	Length	Chord	Delta	Delta/2	Offset
C13	25.00'	16.09'	36°52'12"	N45°32'33"E	15.81'
C14	25.00'	16.09'	36°52'12"	N08°40'21"E	15.81'
C15	25.00'	6.63'	151°2'02"	N17°21'46"W	6.61'
C16	25.00'	28.87'	66°09'31"	S05°58'18"E	27.29'
C17	25.00'	24.27'	55°37'43"	S55°38'01"W	23.33'
C18	25.00'	23.33'	53°27'55"	N89°17'24"W	22.49'
C19	25.00'	14.26'	32°40'49"	N41°18'12"W	14.07'

Line No.	Bearing	Distance
L14	N12°54'33"E	7.86'
L15	N83°09'35"E	7.50'
L16	N29°05'54"W	5.58'
L17	N30°30'48"E	20.53'

TRACT 3
SHEET 4 OF 12

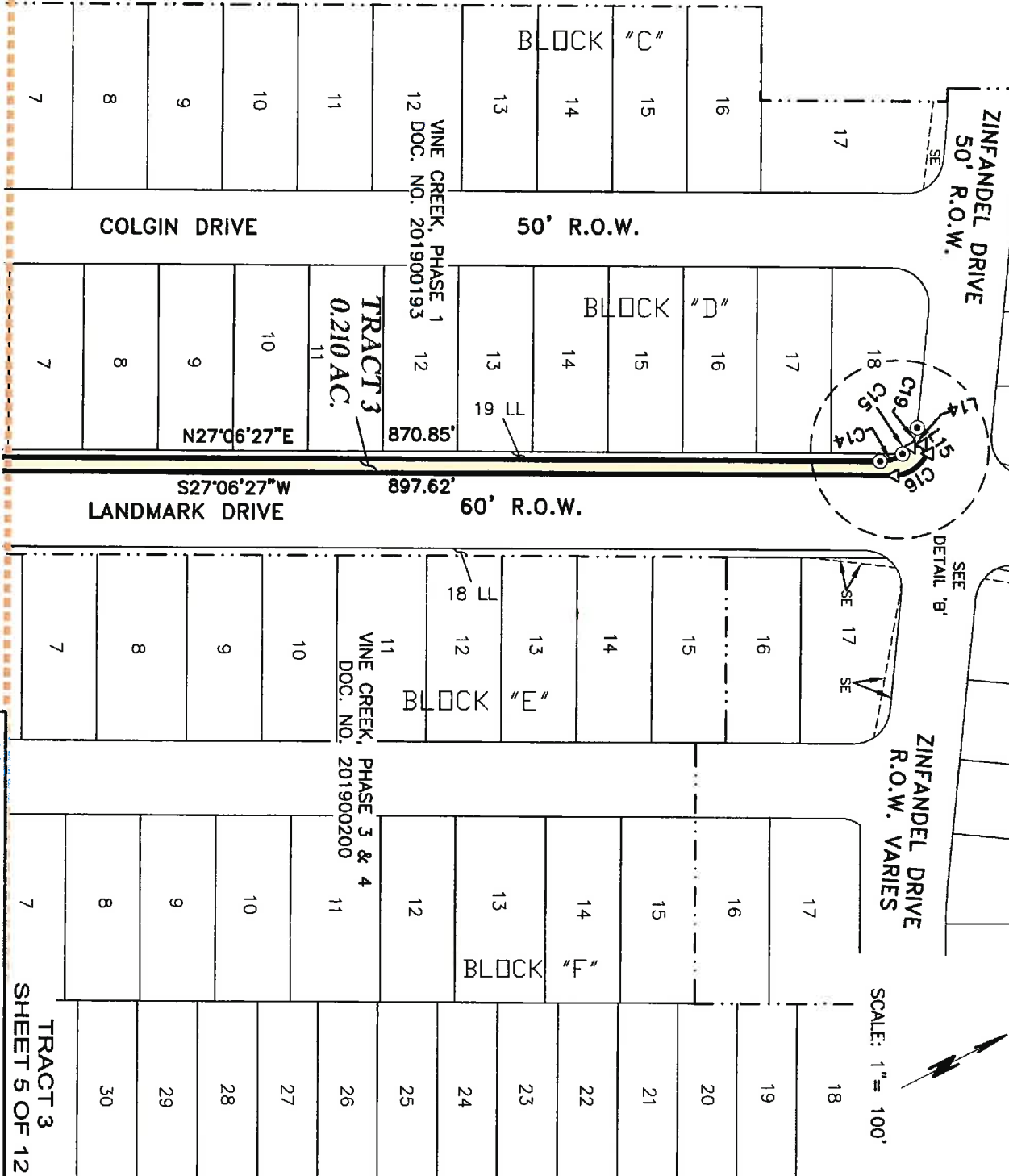
DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 100006900

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 3, BEING A 0.210 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.210 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



**JUAN ZAMBRANO
SURVEY NO. 38
ABSTRACT NO. 844**

MIDTEX PARTNERS, LTD.
CALLED 147.16 ACRES
DOC. NO. 2002240814
O.P.R.T.C.T.



SCALE: 1" = 100'

MATCHLINE SHEET 4 OF 12

TRACT 3
SHEET 5 OF 12

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900

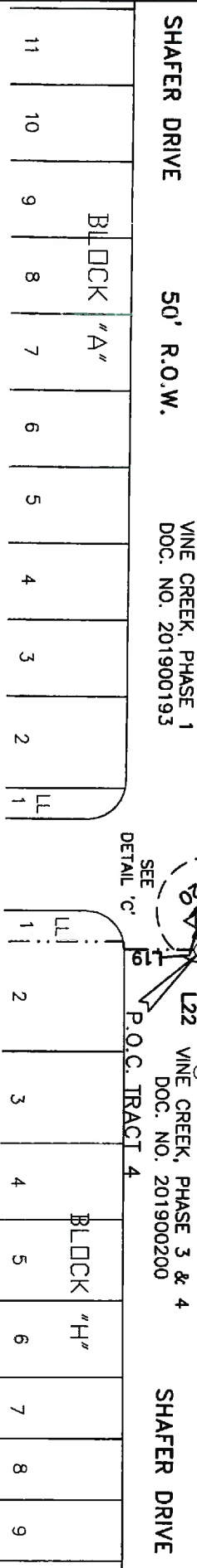
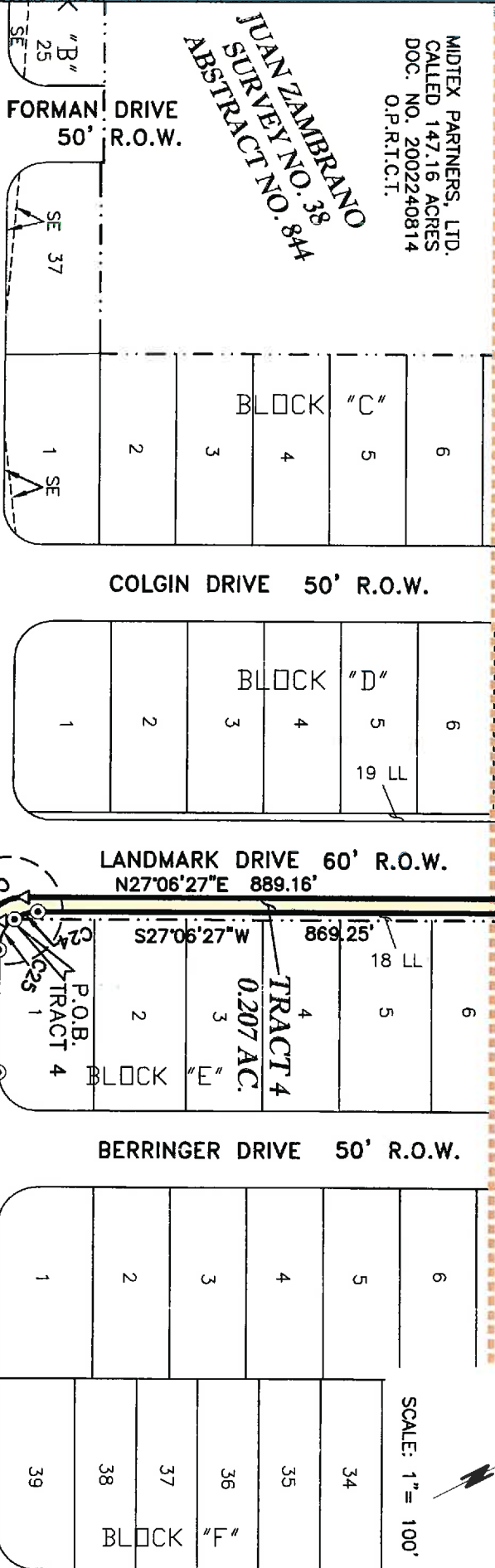
DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 4, BEING A 0.207 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.207 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

MIDTEX PARTNERS, LTD.
CALLED 147.16 ACRES
DOC. NO. 2002240814
O.P.R.T.C.T.

JUAN ZAMBRANO
SURVEY NO. 38
ABSTRACT NO. 844

MATCHLINE SHEET 7 OF 12

SCALE: 1" = 100'



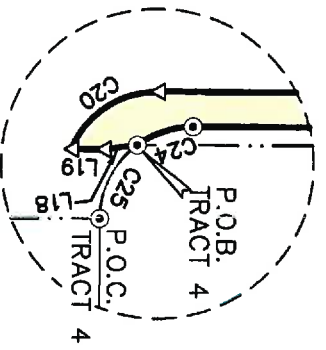
Curve No.	Length	Chord	Chord Bearing	Delta	Delta Bearing
C20	25.00'	29.73'	68°07'41"	28.01'	28.01'
C21	25.00'	30.69'	70°19'46"	28.80'	28.80'
C22	25.00'	12.89'	29°32'17"	12.75'	12.75'
C23	25.00'	16.09'	36°52'12"	15.81'	15.81'
C24	25.00'	16.09'	36°52'12"	15.81'	15.81'
C25	25.00'	23.18'	53°07'51"	22.36'	22.36'
C26	25.00'	12.58'	28°50'28"	12.45'	12.45'

Line No.	Description	Length
L18	S19°18'13"W	9.11'
L19	S27°26'20"W	8.68'
L20	S15°33'01"E	5.64'
L21	S03°33'10"E	8.02'
L22	S62°53'33"E	80.00'

TRACT 4
SHEET 6 OF 12

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 100006900

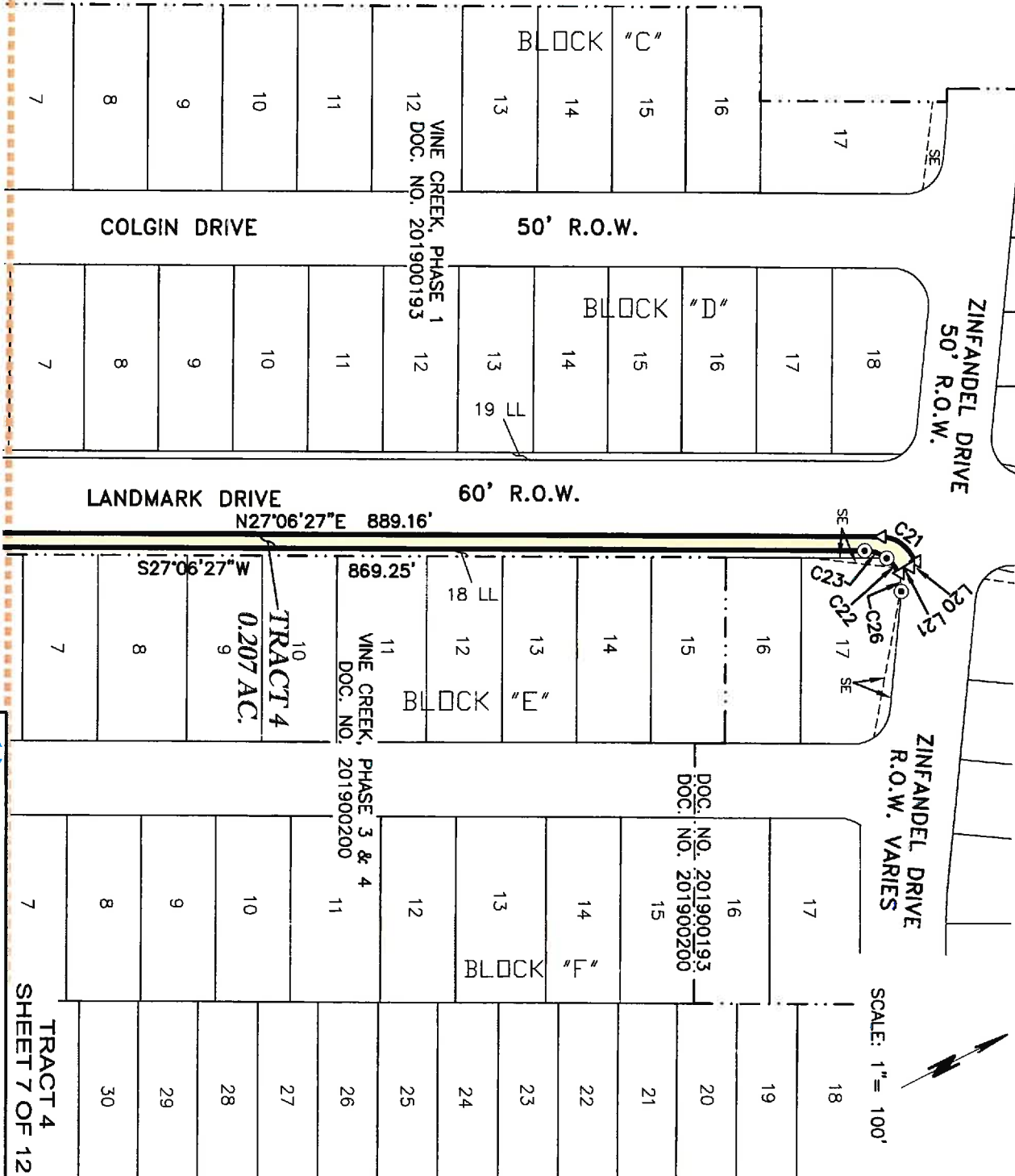
DETAIL 'C'
(1" = 50')



DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 4, BEING A 0.207 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 0.207 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

MIDTEX PARTNERS, LTD.
 CALLED 147.16 ACRES
 DOC. NO. 2002240814
 O.P.R.T.C.T.

JUAN ZAMBRANO
 SURVEY NO. 38
 ABSTRACT NO. 844



SCALE: 1" = 100'

MATCHLINE SHEET 6 OF 12

TRACT 4
 SHEET 7 OF 12

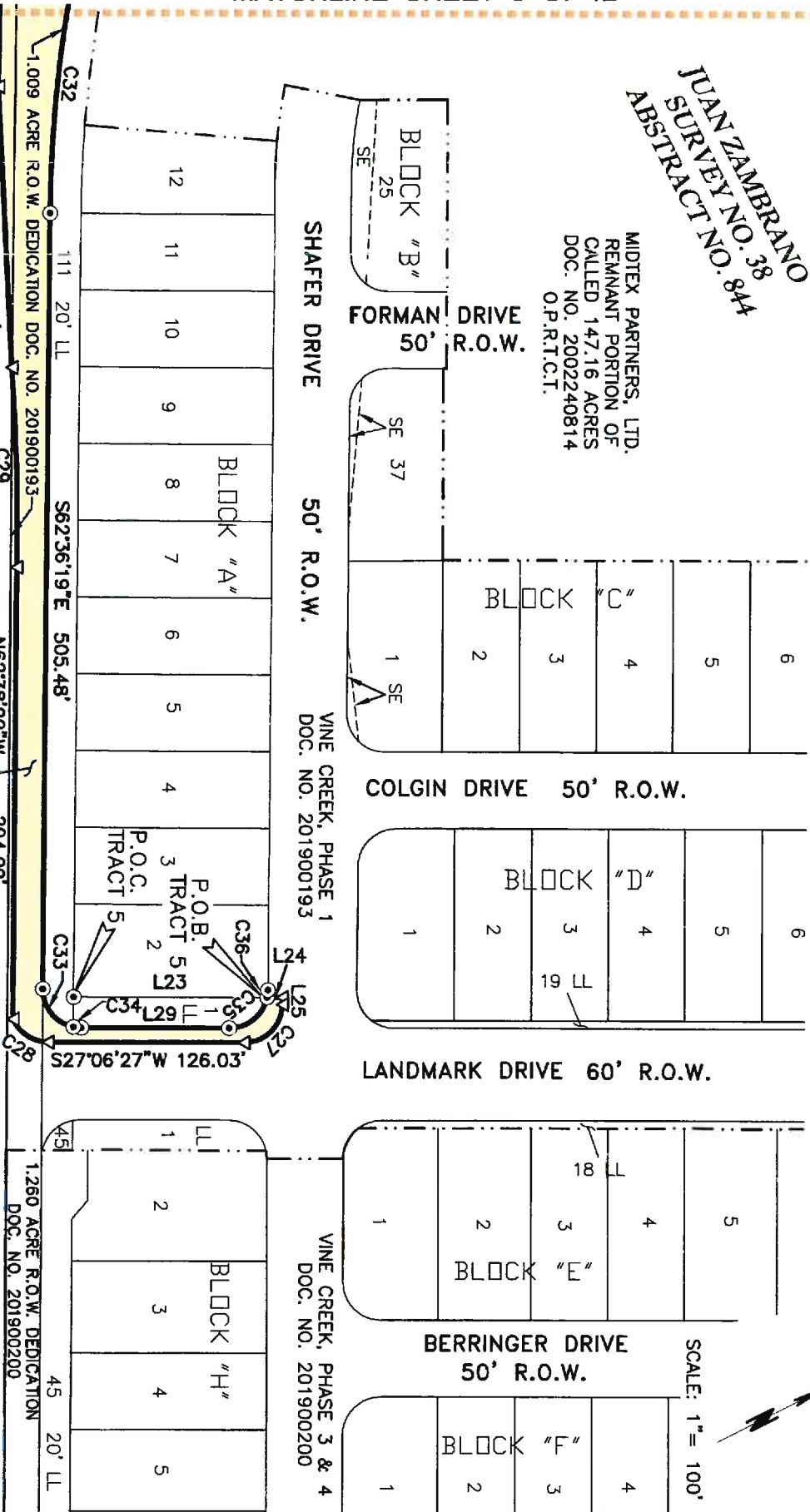
DIAMOND SURVEYING, INC.
 116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
 (512) 931-3100
 T.B.P.L.S. FIRM NO. 10006900

MATCHLINE SHEET 9 OF 12

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 5, BEING A 1,089 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1,089 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1,009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY

**JUAN ZAMBRANO
SURVEY NO. 38
ABSTRACT NO. 844**

MIDTEX PARTNERS, LTD.
REMNANT PORTION OF
CALLED 147.16 ACRES
DOC. NO. 2002240814
O.P.R.T.C.T.



ARDALIA E. MARTIN
CALLED 108.25 ACRES
DOC. NO. 2014022161 O.P.R.T.C.T.

ANDREW AUSTIN SURVEY ABSTRACT NO. 38

TRACT 5
SHEET 8 OF 12

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900

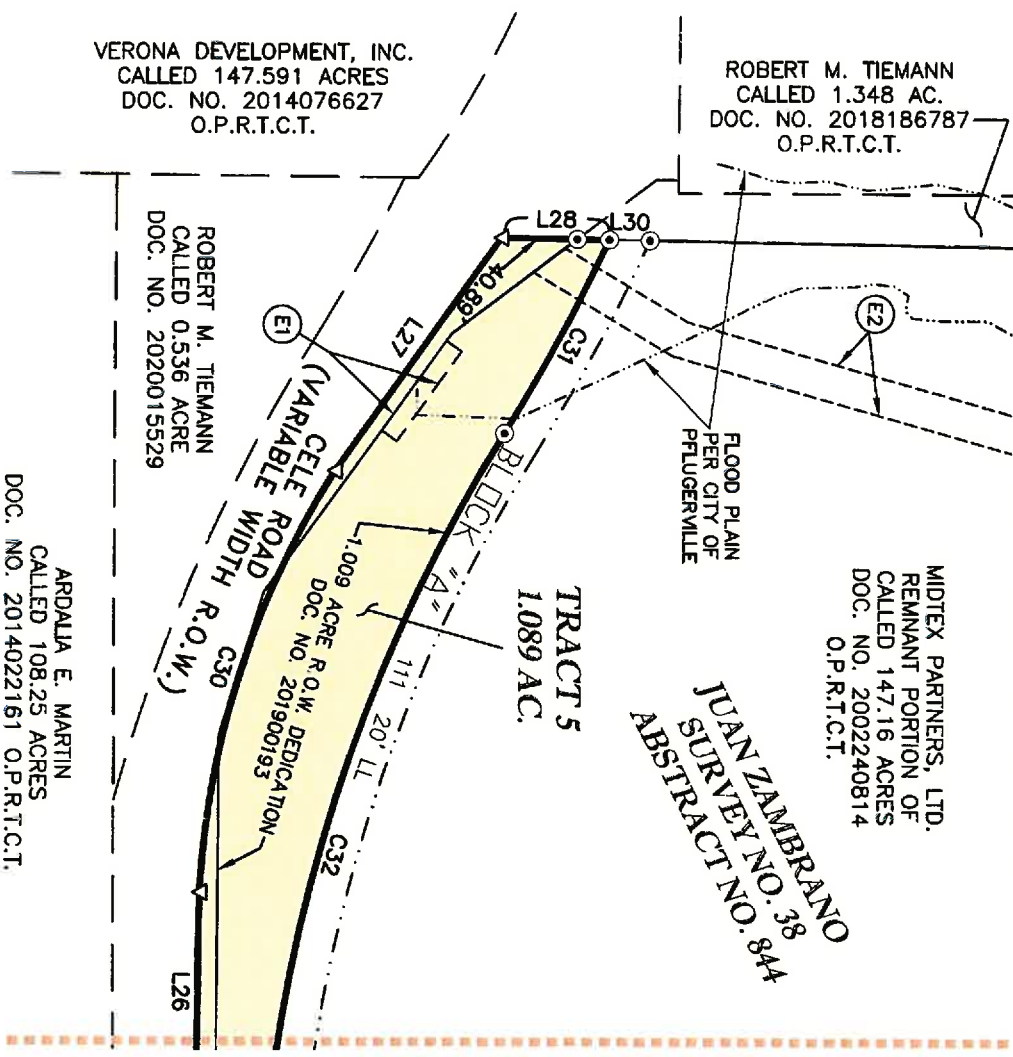
DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 5, BEING A 1.089 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1.089 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY



EASEMENT INFORMATION	
(E1)	TEMPORARY CONSTRUCTION AREA CALLED 0.014 ACRE VOL. 12976, PG. 720 R.P.R.T.C.T. VOL. 12976, PG. 728 R.P.R.T.C.T. VOL. 12976, PG. 736 R.P.R.T.C.T. VOL. 12976, PG. 744 R.P.R.T.C.T. VOL. 13012, PG. 212 R.P.R.T.C.T.
(E2)	THE CITY OF PFLUGERVILLE, TEXAS TEMPORARY LIMITED PUBLIC UTILITY EASEMENT AGREEMENT EXHIBIT 'A-8' - 1.018 AC. DOC. NO. 2018167543 O.P.R.T.C.T.

LINE TABLE	
L23	N27°06'27"E 124.57'
L24	N27°06'27"E 9.98'
L25	S62°33'27"E 4.65'
L26	N62°10'17"W 130.10'
L27	N27°39'12"W 154.88'
L28	N28°02'47"E 58.18'
L29	N27°06'27"E 95.05'
L30	N28°02'47"E 21.80'

CURVE TABLE	
C27	25.00' 39.12' 89°39'53" S17°43'30"E 35.25'
C28	25.00' 28.63' 65°37'24" S60°37'01"W 27.09'
C29	1470.03' 130.27' 5°04'38" N64°33'18"W 130.23'
C30	479.68' 242.30' 28°56'32" N45°21'38"W 239.73'
C31	990.00' 119.19' 6°53'54" S34°46'50"E 119.12'
C32	890.00' 485.79' 31°16'25" S46°58'06"E 479.78'
C33	25.00' 34.24' 78°27'47" N78°09'48"E 31.62'
C34	25.00' 5.16' 11°49'27" N33°01'10"E 5.15'
C35	25.00' 34.24' 78°27'45" N12°07'26"W 31.62'
C36	25.00' 4.89' 11°12'08" N56°57'22"W 4.88'



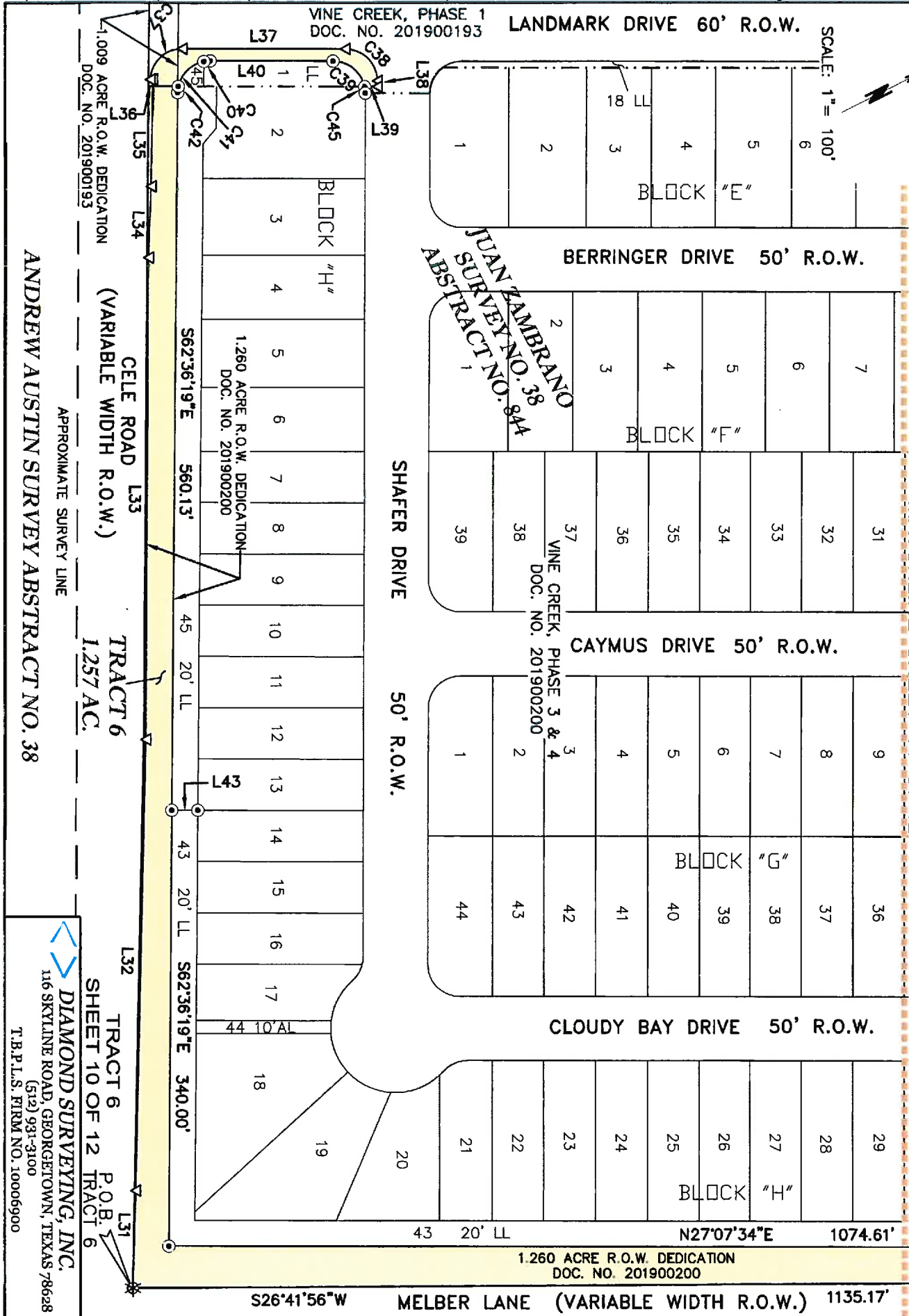
MATCHLINE SHEET 8 OF 12

DIAMOND SURVEYING, INC.
 116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
 (512) 931-3100
 T.B.P.L.S. FIRM NO. 10006900

TRACT 5
SHEET 9 OF 12

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 6, BEING A 1,257 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1,257 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1,009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1,260 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 3 & 4, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY AND MELBER LANE A VARIABLE WIDTH RIGHT-OF-WAY.

SCALE: 1" = 100'



1,009 ACRE R.O.W. DEDICATION
DOC. NO. 201900193

CELE ROAD L33
(VARIABLE WIDTH R.O.W.)

TRACT 6
1,257 AC.

TRACT 6 P.O.B.
SHEET 10 OF 12 TRACT 6

ANDREW AUSTIN SURVEY ABSTRACT NO. 38

APPROXIMATE SURVEY LINE

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 10006900

S26°41'56"W

MELBER LANE (VARIABLE WIDTH R.O.W.)

1135.17'

1,260 ACRE R.O.W. DEDICATION
DOC. NO. 201900200

N27°07'34"E

43 20' LL

S62°36'19"E 340.00'

L32

L31

44 10' AL

45 20' LL

S62°36'19"E 560.13'

1,260 ACRE R.O.W. DEDICATION
DOC. NO. 201900200

SHAFER DRIVE

50' R.O.W.

CAYMUS DRIVE 50' R.O.W.

VINE CREEK, PHASE 3 & 4
DOC. NO. 201900200

BERRINGER DRIVE 50' R.O.W.

LANDMARK DRIVE 60' R.O.W.

VINE CREEK, PHASE 1
DOC. NO. 201900193

L37

L35

L34

L33

L32

L32

L31

L38

L40

C45

C42

C40

C37

C35

C33

L39

L38

L37

L36

L35

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L3

L2

L1

L0

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR TRACT 6, BEING A 1.257 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID 1.257 ACRE TRACT OF LAND BEING A PORTION OF LANDMARK DRIVE A 60' WIDE RIGHT-OF-WAY, SHAFER DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.009 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 1, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF ZINFANDEL DRIVE A 50' WIDE RIGHT-OF-WAY AND A CALLED 1.260 ACRE RIGHT-OF-WAY DEDICATION AS SHOWN ON VINE CREEK, PHASE 3 & 4, A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY AND MELBER LANE A VARIABLE WIDTH RIGHT-OF-WAY.

SCALE: 1" = 100'

DEED INFORMATION

(A) MIDTEX PARTNERS, LTD.
 REMNANT PORTION OF
 CALLED 1.47.16 ACRES
 DOC. NO. 2002240814
 O.P.R.T.C.T.

LINE TABLE

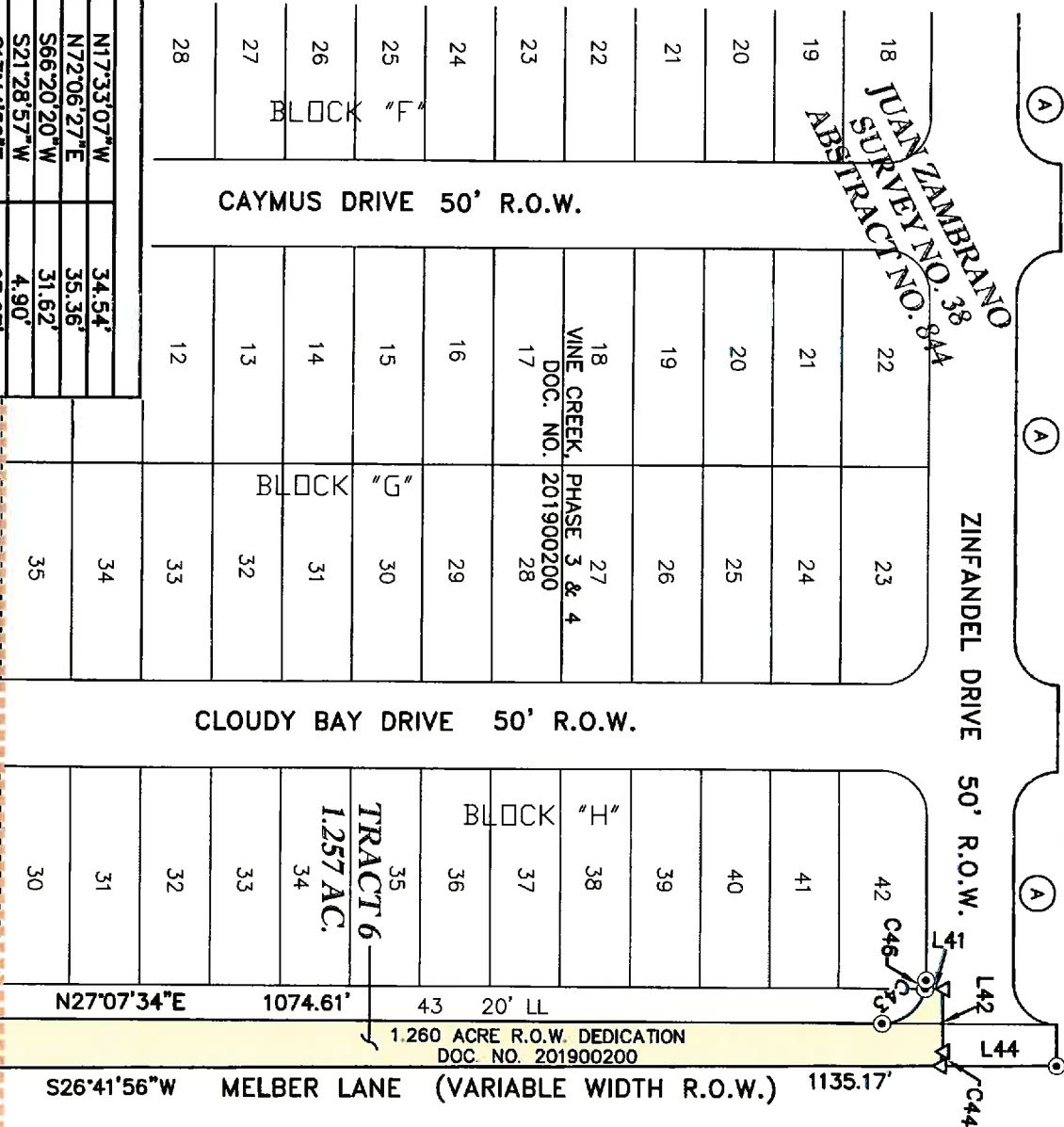
L31	N61°18'37"W	76.08'
L32	N61°43'45"W	351.96'
L33	N62°45'06"W	375.81'
L34	N61°07'22"W	55.70'
L35	N62°09'17"W	83.48'
L36	S28°45'41"W	2.07'
L37	N27°06'27"E	126.29'
L38	S62°53'33"E	4.50'
L39	S27°06'27"W	10.01'
L40	S27°06'27"W	95.10'
L41	N27°07'34"E	10.01'
L42	S62°53'33"E	35.91'
L43	N27°06'27"E	20.00'
L44	N26°41'56"E	67.28'

CURVE TABLE

C37	25.00'	38.12'	87°22'23"	N17°33'07"W	34.54'
C38	25.00'	39.27'	90°00'00"	N72°06'27"E	35.36'
C39	25.00'	34.24'	78°27'47"	S66°20'20"W	31.62'
C40	25.00'	4.91'	114°59'	S21°28'57"W	4.90'
C41	25.00'	28.33'	67°12'48"	S17°44'56"E	27.67'
C42	25.00'	4.91'	114°59'	S56°58'50"E	4.90'
C43	25.00'	34.24'	78°27'47"	N12°06'20"W	31.62'
C44	25.00'	8.56'	19°37'09"	S51°55'57"E	8.52'
C45	25.00'	5.03'	11°32'13"	S68°39'40"E	5.03'
C46	25.00'	5.04'	11°33'20"	N57°06'53"W	5.03'

MATCHLINE SHEET 10 OF 12

TRACT 6
 SHEET 11 OF 12



DIAMOND SURVEYING, INC.
 116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
 (512) 931-3100
 T.B.P.L.S. FIRM NO. 100006900

EXHIBIT FOR 6 TRACTS OF LAND SITUATED IN THE JUAN ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844 IN TRAVIS COUNTY, TEXAS, SAID TRACTS OF LAND BEING A PORTION OF VINE CREEK, PHASE 1 A SUBDIVISION RECORDED IN DOCUMENT NO. 2019007193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF VINE CREEK PHASE 3 & 4 A SUBDIVISION RECORDED IN DOCUMENT NO. 201900200 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PORTION OF CELE ROAD A VARIABLE WIDTH RIGHT-OF-WAY

GENERAL NOTES:

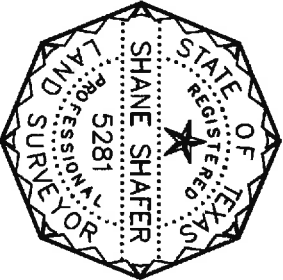
- 1) BEARING BASIS, NAD-83, TEXAS CENTRAL (4203), STATE PLANE SYSTEM. DISTANCES SHOWN HEREIN ARE SURFACE DISTANCES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00010.
- 2) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF TRAVIS COUNTY, TEXAS.

LEGEND

- IRON ROD FOUND
- ⊗ COTTON GIN SPINDLE FOUND
- ⊙ IRON ROD FOUND WITH CAP
- ▽ MARKED "DIAMOND SURVEYING CALCULATED POINT"
- PHASE BOUNDARY
- LL LANDSCAPE LOT / PUBLIC UTILITY EASEMENT
- SE SIDEWALK AND DRAINAGE EASEMENT
- SIGHT EASEMENT
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

SHANE SHAFER, R.P.L.S. NO. 5281

MAY 29, 2020
DATE



SHEET 12 OF 12

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 100006900

Robert C. ...
 License No. ...
 State of ...
 ...
 ...
 ...



SHEET NO. ...
 ...
 ...

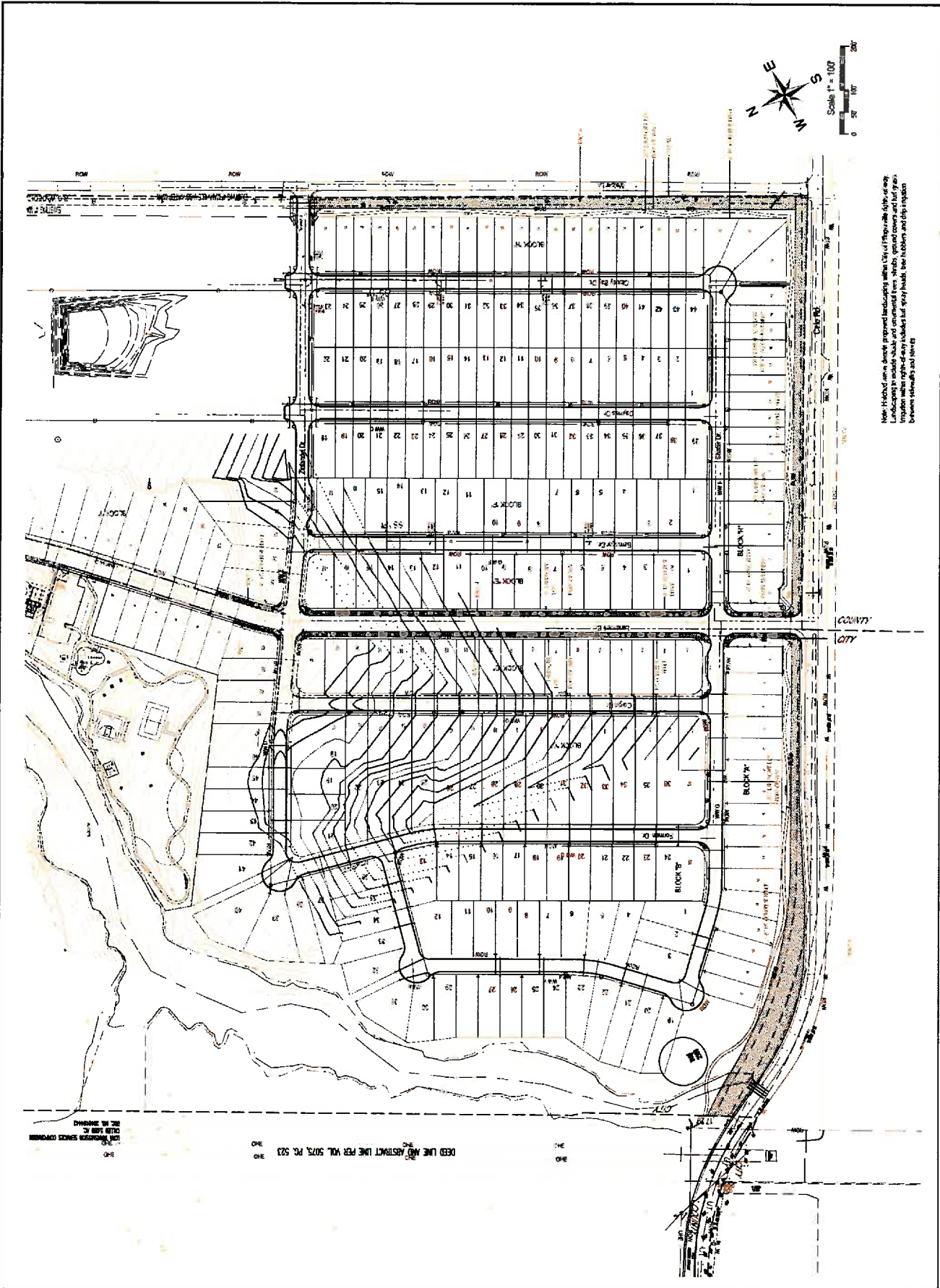
VINE CREEK STREETScape

PHASE 1, 2, 3 & 4

Proposed Streetscape Plan - Overall

FILE NO. ...
 E.I.E.E. ...
 DATE ...
 E.I.I. ...

Exhibit B
 SHEET
L0



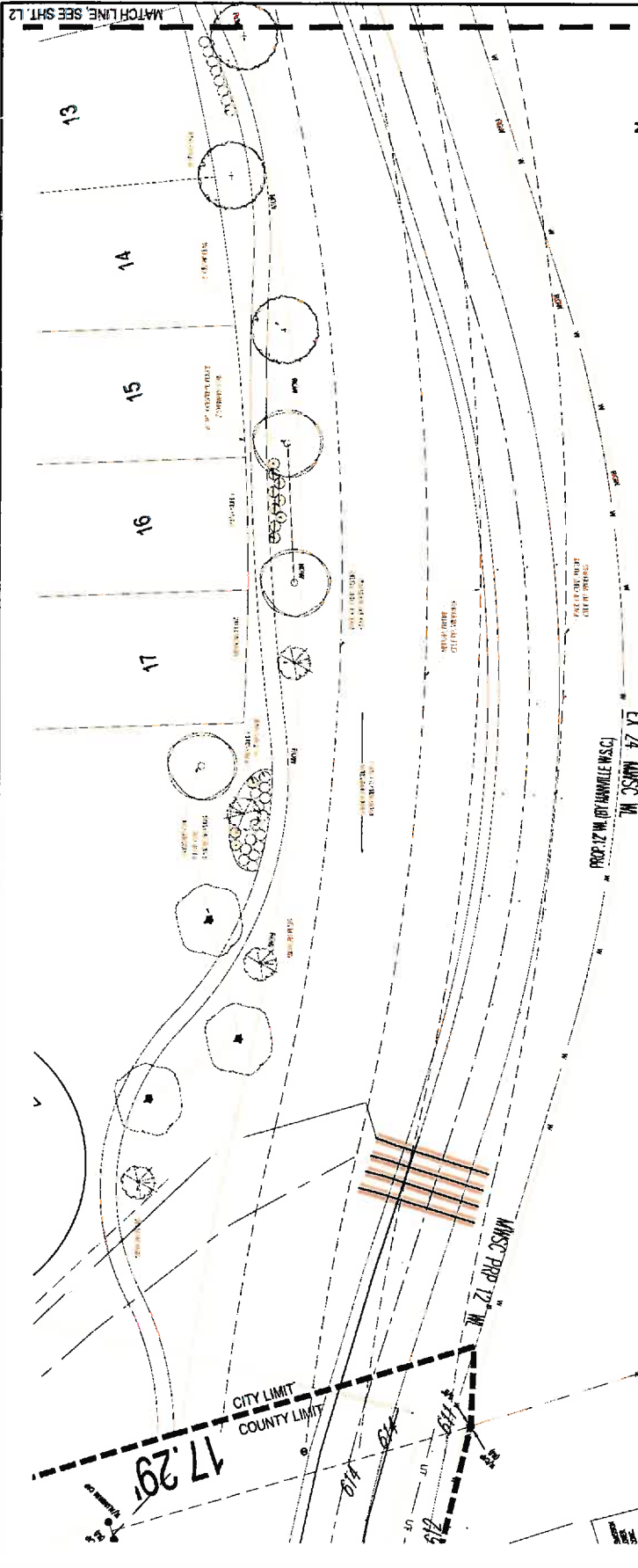


VINE CREEK STREETScape

PHASE 1, 2, 3 & 4

Landscape Plan -
Cele Road

FILE	E.T.
DATE	E.E.E.I.I.
BY	E.I.I.
SCALE	AS SHOWN
SHEET	
L1	



NOTE: REFER TO PLANT LIST
FOR COMPLETE PLANT SPECIFICATIONS

PLANT LIST

QTY	COMMON NAME	BOTANICAL NAME	SIZE	SPACING/COMMENTS
TREES				
6	Mountain Oak	Quercus polymorpha	3' cal., 8'6" H., 6" Trunk d.	Single, Straight Trunk
24	Live Oak	Quercus agrifolia	3' cal., 8'6" H., 6" Trunk d.	Single, Straight Trunk
14	Live Oak	Quercus agrifolia	3' cal., 8'6" H., 6" Trunk d.	Single, Straight Trunk
15	Live Oak	Quercus agrifolia	3' cal., 8'6" H., 6" Trunk d.	Single, Straight Trunk
11	Live Oak	Quercus agrifolia	3' cal., 8'6" H., 6" Trunk d.	Single, Straight Trunk
21	Crane Apple	Leguminosae indet. Barklandi Pod.	2' cal., 45 gals., 6'8" H., 5" Spread	Multi-trunk, Container Grown
9	Texas Redbud	Cercis spp. Terminal	2' cal., 45 gals., 6'8" H., 5" Spread	Single-trunk, Container Grown
6	American Plum	Prunus americana	2' cal., 45 gals., 6'8" H., 5" Spread	Single-trunk, Container Grown
5	Wine Maple	Acer glabrum	2' cal., 45 gals., 6'8" H., 5" Spread	Multi-trunk, Container Grown
SHRUBS & ORNAMENTAL GRASSES				
34	Double Peak Anemone	Ranunculus	5 gal.	per plan
52	Big Mocha	Andropogon	1 gal.	per plan
65	Texas Sage	Leucophyllum	5 gal.	per plan
399	Staked Red Goldenrod	Wegelia	5 gal.	per plan
46	Compass	Compositae	5 gal.	per plan
47	Red Flowering Yucca	Yucca	5 gal.	per plan
85	Artemisia - Red	Salvia greggii	3 gal.	per plan
11	Texas Lantana	Lantana	1 gal.	per plan
24	Blackfoot Daisy	Melampyrum	1 gal.	per plan
185				

Soils: 1. From September 15 to March 1, seeding shall be with a combination of 1 pound per 1,000 sq. ft. of unbuffered Substrate B, Bermudagrass and 5 pounds per 1,000 sq. ft. of Water for with or parity or 15% with 95% germination.
 2. From March 2 to September 14, seeding shall be with full Substrate B, Bermudagrass at a rate of 2 pounds per 1,000 sq. ft. with a purity of 95% with 85% germination.

Soils: See

Bermudagrass: 76419

