

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO SEPARATE TRACTS OF LAND CONSISTING OF APPROXIMATELY 84 ACRES WITHIN THE SH 45 RIGHT OF WAY, OUT OF THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 IN TRAVIS AND WILLIAMSON COUNTY, TEXAS TO BE KNOWN AS THE SH 45 RIGHT OF WAY ANNEXATION (ANX1106-01); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the “City”) desires to annex approximately 84 acres of land, more particularly described in Exhibit “A”, attached hereto and incorporated herein by reference; and

WHEREAS, the City is authorized, pursuant to Chapter 43, Section 43.021 of the Texas Local Government Code and Section 1.04 of the Home Rule Charter for the City of Pflugerville, to unilaterally annex the Land; and

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements, and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. The Land is hereby annexed to the City, and the boundaries of the City are extended to include the Land within the corporate limits of the City. From and after the date of this ordinance, the Land shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. The City finds annexation of the Land to be in the public interest.

Section 3. The service plan attached as Exhibit “B” is approved, and municipal services shall be extended to the Land in accordance therewith.

Section 4. The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

Section 6. The City Council intends to annex the Land described in this Ordinance; but if there is included within the description of the Land annexed by this Ordinance any lands or

area that may not be annexed by the City for any reason (“Excluded Lands”), then the Excluded Lands should be excluded and excepted from the Land annexed by this Ordinance as fully as if the Excluded Lands were expressly described in this Ordinance and the remainder of the Land were annexed to the City of Pflugerville.

PASSED AND APPROVED this _____ day of _____, 2011.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Floyd Akers, City Attorney

EXHIBIT "A"

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 1
50.5 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

219	DOC. NO. 2003117169
220	NO RECORD FOUND
221	DOC. NO. 2008019287

FORMER WILKE LN. / HEATHERWILDE BLVD. RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE SOUTHEAST CORNER OF STATE OF TEXAS RIGHT-OF-WAY PARCEL 219, A 0.568 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003117169, O.P.R.T.C.T., SAME BEING THE SOUTHWESTERLY CORNER OF PARCEL 220, AN 11.066 ACRE TRACT APPARENTLY IN POSSESSION BY THE STATE AND EVIDENCED BY A SAVE AND EXCEPT DESCRIPTION IN A DEED TO RICHARD Z. RADY AND AGATAHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994 RECORDED IN DOC. NO. 2006202615, O.P.R.T.C.T.;

THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER TRACT 2 DESCRIBED IN ANNEXATION ORDINANCE NO. 720-03-11-11, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **16,987.23 FEET**, A CENTRAL ANGLE OF **0°47'39"**, A CHORD BEARING AND LENGTH OF **NORTH 76°48'48" WEST, 235.42 FEET**, FOR AN ARC LENGTH OF **235.43 FEET** TO A POINT BEING THE SOUTHWESTERLY CORNER OF SAID PARCEL 219, SAME BEING THE MOST SOUTHWESTERLY CORNER HEREIN;

THENCE **NORTH 01°56'43" WEST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF PARCEL 219 FOR A DISTANCE OF **65.32 FEET** TO A POINT FOR A CORNER BEING THE WESTERLY NORTHWEST CORNER HEREIN;

THENCE **NORTH 86°36'56" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF PARCEL 219 FOR A DISTANCE OF **262.59 FEET** TO A POINT FOR A CORNER BEING THE NORTHEASTERLY CORNER OF PARCEL 219 AND THE SOUTHERLY NORTHWEST CORNER OF SAID PARCEL 220;

THENCE **NORTH 86°36'56" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF **374.34 FEET** TO A POINT BEING AN ELL CORNER IN PARCEL 220;

THENCE **NORTH 01°46'10" WEST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF **211.05 FEET** TO A POINT BEING THE SOUTHWESTERLY CORNER OF A CERTAIN TRACT 3 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE EASTERLY NORTHWEST CORNER HEREIN;

THENCE **SOUTH 80°02'41" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF **279.47 FEET** TO A POINT OF CURVATURE;

THENCE CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **7,660.94 FEET**, A CENTRAL ANGLE OF **2°34'48"**, A CHORD BEARING AND LENGTH OF **SOUTH 78°45'16" EAST, 344.98 FEET**, FOR AN ARC LENGTH OF **344.98 FEET** TO A POINT BEING THE NORTHWESTERLY CORNER OF PARCEL 221, A 40.539 ACRE SH 45 RIGHT OF WAY TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 20081019287, O.P.R.T.C.T.;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **7,660.94 FEET**, A CENTRAL ANGLE OF **6°03'00"**, A CHORD BEARING AND LENGTH OF **SOUTH 74°26'22" EAST, 808.55 FEET**, FOR AN ARC LENGTH OF **808.93 FEET** TO A POINT OF TANGENCY;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING THREE COURSES:

1. **SOUTH 71°24'54" EAST** FOR A DISTANCE OF **896.79 FEET** TO A POINT;
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **11,480.66 FEET**, A CENTRAL ANGLE OF **3°03'18"**, A CHORD BEARING AND LENGTH OF **SOUTH 69°53'15" EAST, 612.06 FEET**, FOR AN ARC LENGTH OF **612.13 FEET** TO A NON- TANGENTIAL END OF CURVE;
3. **SOUTH 72°53'31" EAST** FOR A DISTANCE OF **310.98 FEET** TO A POINT;

THENCE **SOUTH 72°53'31" EAST** CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT, FOR A DISTANCE OF **130.82 FEET** TO AN ANGLE POINT ON THE APPROXIMATE CENTERLINE OF HEATHERWILDE BOULEVARD, SAME BEING A POINT ON THE WESTERLY LINE OF CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23, SAME BEING THE NORTHEASTERLY CORNER HEREIN;

THENCE **SOUTH 28°58'26" WEST** CROSSING THE SAID SH 45 RIGHT-OF-WAY AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT ESTABLISHED IN PART PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART PER ANNEXATION ORDINANCE NO. 478-97-12-23, AND IN PART PER ANNEXATION ORDINANCE NO. 548-99-06-08 FOR A DISTANCE OF **844.28 FEET** TO AN ANGLE POINT BEING THE NORTHEASTERLY CORNER OF A CERTAIN TRACT 2 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE SOUTHEASTERLY CORNER HEREIN;

THENCE **NORTH 64°43'43" WEST** CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, FOR A DISTANCE OF **137.59 FEET** TO AN ANGLE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45 PARCEL 221;

THENCE **NORTH 64°43'43" WEST** WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF **1718.42 FEET** TO A POINT OF CURVATURE;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **7,617.94 FEET**, A CENTRAL ANGLE OF **3°41'16"**, A CHORD BEARING AND LENGTH OF **NORTH 66°34'21" WEST, 490.25 FEET**, FOR AN ARC LENGTH OF **490.34 FEET** TO A POINT OF COMPOUND CURVATURE BEING THE SOUTHWESTERLY CORNER OF PARCEL 221 AND THE SOUTHEASTERLY CORNER OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **7,617.94 FEET**, A CENTRAL ANGLE OF **7°27'10"**, A CHORD BEARING AND LENGTH OF **NORTH 72°08'34" WEST, 990.21 FEET**, FOR AN ARC LENGTH OF **990.91 FEET** TO A POINT OF COMPOUND CURVATURE IN THE SOUTHERLY LINE OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE THE LEFT HAVING A RADIUS OF **16,987.23 FEET**, A CENTRAL ANGLE OF **0°32'52"**, A CHORD BEARING AND LENGTH OF **NORTH 76°08'35" WEST, 162.40 FEET**, FOR AN ARC LENGTH OF **162.40 FEET** TO THE POINT OF BEGINNING AND CONTAINING 50.5 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

BAKER-AICKLEN & ASSOCIATES, INC.

405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



0479-3-019-20

W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 1.DOC

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 2
33.6 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

224	DOC. NO. 2003103131
225	DOC. NO. 2003100467
226	DOC. NO. 2003177212
227	DOC. NO. 2003214008
228	DOC. NO. 2003170456
229	DOC. NO. 2003170457

FORMER WILKE RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE NORTHEAST CORNER OF SH 45 RIGHT-OF-WAY PARCEL 229, A 5.134 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003170457, O.P.R.T.C.T., SAME BEING AN ANGLE POINT IN A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING NORTHEASTERLY CORNER HEREIN;

THENCE **SOUTH 26°49'53" WEST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **416.08 FEET** TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, SAME BEING THE MOST SOUTHEASTERLY CORNER HEREIN;

THENCE **NORTH 62°18'52" WEST** WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT FOR A DISTANCE OF **1,122.85 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING AN ANGLE POINT CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE **NORTH 62°22'14" WEST** CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A DISTANCE OF **1,636.34 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE **NORTH 62°38'34" WEST** CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A

DISTANCE OF **342.48 FEET** TO AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING THE SOUTHWESTERLY CORNER HEREIN;

THENCE **NORTH 28°20'19" EAST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23 AND IN PART WITH THE WESTERLY LINE OF SH 45 RIGHT-OF-WAY PARCEL 224, A 1.541 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003103131, O.P.R.T.C.T. FOR A DISTANCE OF **473.65 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23;

THENCE **NORTH 28°17'47" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART WITH THE WESTERLY LINE SAID PARCEL 224 FOR A DISTANCE OF **118.34 FEET** TO A POINT FOR A CORNER ON THE NORTHERLY RIGHT-OF-WAY OF SH 45, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 224, SAME BEING A SOUTHWESTERLY CORNER OF A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING THE NORTHWESTERLY CORNER HEREIN;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 AND WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **11,480.66 FEET**, A CENTRAL ANGLE OF **0°04'46"**, A CHORD BEARING AND LENGTH OF **SOUTH 57°26'04" EAST, 15.91 FEET**, FOR AN ARC LENGTH OF **15.91 FEET** TO A POINT OF TANGENCY;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **113.95 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID PARCEL 224, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 225, A 2.847 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003100467, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 225 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **251.64 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 225, SAME BEING THE NORTHWESTERLY CORNER OF PARCEL 226, A 3.825 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003177212, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 226 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **357.63 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 226, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 227, A 6.859 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003214008, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 227 AND WITH THE CURRENT

PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **712.15 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 227, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 228, A 8.142 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003170456, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **282.36 FEET** TO A POINT BEING THE BEGINNING OF A CURVE;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **5,708.08 FEET**, A CENTRAL ANGLE OF **4°44'47"**, A CHORD BEARING AND LENGTH OF **SOUTH 59°46'05" EAST, 472.71 FEET**, FOR AN ARC LENGTH OF **472.85 FEET** TO A POINT OF TANGENCY;

THENCE **SOUTH 62°08'29" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **240.62 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 228, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 229;

THENCE **SOUTH 62°08'29" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 229 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **648.68 FEET** TO THE **POINT OF BEGINNING** AND CONTAINING 33.6 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

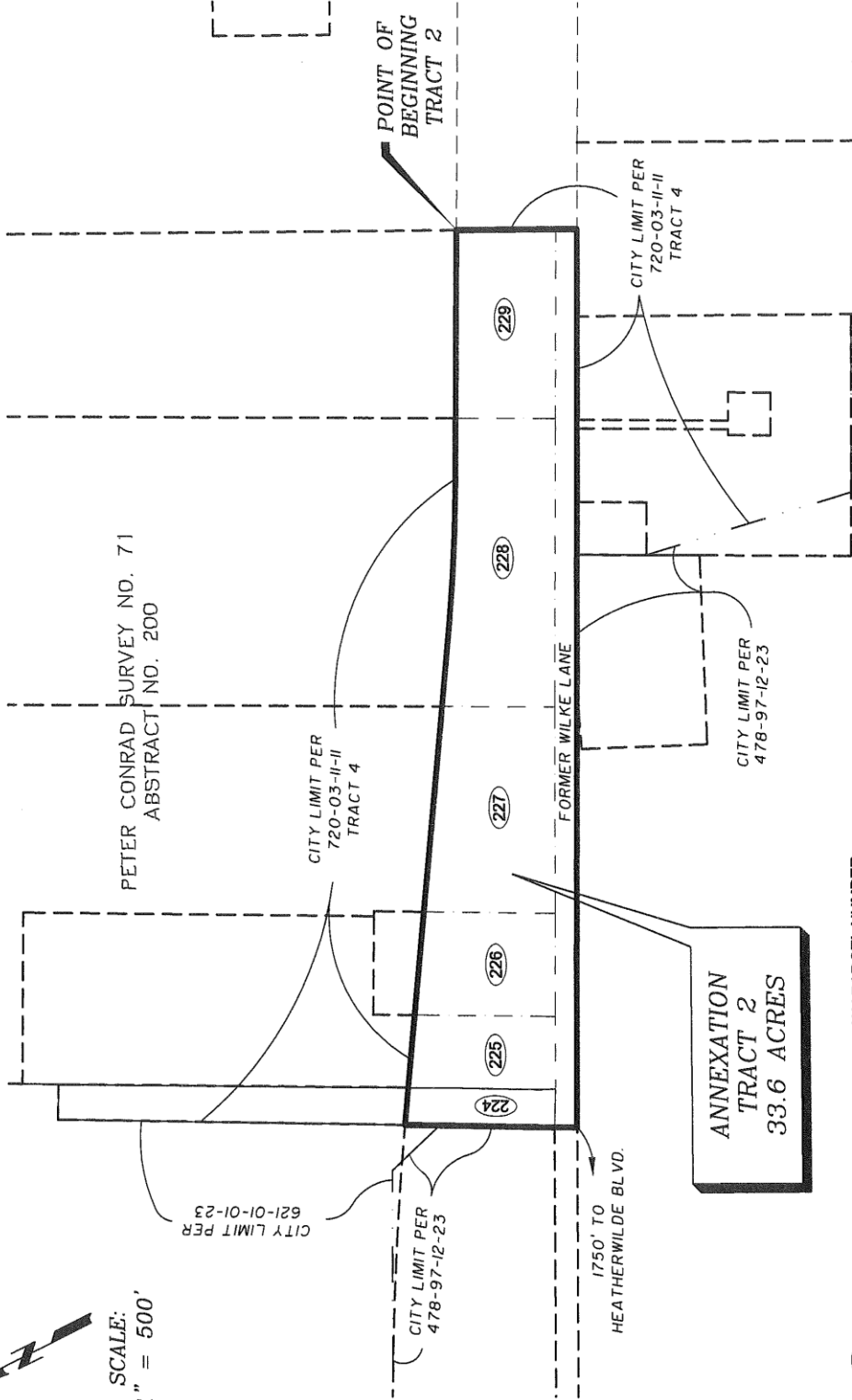
BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



SKETCH TO ACCOMPANY DESCRIPTION



SCALE:
1" = 500'



(220) TEXAS STATE HWY. 45 RIGHT-OF-WAY PARCEL NUMBER

DATE: MAY, 2010
JOB NO.: 0479-3-019-20
BY: W. FORSHEY
PAGE 4 OF 4

CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 2
33.6 ACRES

BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS/SURVEYORS

EXHIBIT “B”

**SERVICE PLAN FOR PROPOSED ANNEXATION BY THE CITY OF
PFLUGERVILLE, IN TRAVIS COUNTY, TEXAS**

SH 45 RIGHT OF WAY ANNEXATION

This service plan establishes a program under which the City of Pflugerville, Texas (the “City”), will provide full municipal services to the area described on the attached Exhibit “A” (the “Annexed Area”), as required by § 43.065 of the Texas Local Government Code.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area as applicable at a level consistent with the service to other areas of the City with similar population density. The City’s police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.

- B. Fire Protection and Emergency Medical Service.
 - 1. Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.

 - 2. The City fire marshal enforces the fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.

 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. After annexation, transport services will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. Emergency Medical First Responder Services are provided by TCESD #2, and TCESD #2 will continue to provide such services to the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

- A. Solid Waste Collection. The Annexed Area consists of the SH 45 Right of Way and solid waste collection is not applicable. Should service be needed, the City will provide solid waste collection services as provided throughout the City limits for a fee and as determined through a contract between the City and a private refuse collection company. The solid waste collection services typically include garbage collection, recycling, bulky

item collection and brush collection or chipping. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation. The City may not prohibit the collection of solid waste by a private provider or charge a fee for solid waste collection if service is retained by a private provider during the first two years following annexation. If service is retained by a private provider during the two years following annexation, the City is not required to provide solid waste collection services.

B. Maintenance. Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area effective as of the date of annexation:

1. **Water and wastewater facilities** that are not within the service area of another water or wastewater utility. These facilities will include all internal water and wastewater distribution and collection lines owned by the City that are within the Annexed Area. The City maintains distribution and collection lines and handles all customer billing, service calls and complaints.
2. **Public streets and right-of-ways**. The City provides street repairs, improvements, inspections, street lighting and traffic control devices. This City does not maintain private streets, private right-of-ways or State Highway facilities.
3. **Other public easement, facilities or buildings**, including drainage facilities, such as drainage channels, storm sewers and detention ponds contained within dedicated public easements. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will inspect the land a minimum of every six (6) weeks and perform maintenance as required which includes but is not limited to mowing and the removal of debris no fewer than six (6) times a year. Any unacceptable conditions that exist in the drainage areas and are reported to the City of Pflugerville between scheduled inspections will be evaluated and resolved as necessary. A maintenance schedule for these areas can be obtained from the Public Works and Parks and Recreation Departments. If the City establishes a city-wide maintenance plan after the establishment of this service plan the city-wide service plan will replace the maintenance plan established in this service plan.

III.

A. Capital Improvements. As provided in Section 43.056(e) of the Local Government Code, the City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Area. The acquisition or construction will occur in accordance with applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area except as provided below for water and wastewater service.

B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City or another utility, the City will extend water and wastewater service to such areas in accordance with the City's service extension policy

attached as Exhibit “B”, at the appropriate levels considering the topography, land use and population density of the property requesting service. In addition, unless consistent with the City’s existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service under this service plan.

The portions of the Annexed Area that are currently within the certificated service areas of other water and wastewater utilities will continue to receive water and wastewater utility services from such utility providers after annexation.

EXHIBIT "A" - TO SERVICE PLAN

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 1
50.5 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

219	DOC. NO. 2003117169
220	NO RECORD FOUND
221	DOC. NO. 2008019287

FORMER WILKE LN. / HEATHERWILDE BLVD. RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE SOUTHEAST CORNER OF STATE OF TEXAS RIGHT-OF-WAY PARCEL 219, A 0.568 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003117169, O.P.R.T.C.T., SAME BEING THE SOUTHWESTERLY CORNER OF PARCEL 220, AN 11.066 ACRE TRACT APPARENTLY IN POSSESSION BY THE STATE AND EVIDENCED BY A SAVE AND EXCEPT DESCRIPTION IN A DEED TO RICHARD Z. RADY AND AGATAHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994 RECORDED IN DOC. NO. 2006202615, O.P.R.T.C.T.;

THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER TRACT 2 DESCRIBED IN ANNEXATION ORDINANCE NO. 720-03-11-11, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **16,987.23 FEET**, A CENTRAL ANGLE OF **0°47'39"**, A CHORD BEARING AND LENGTH OF **NORTH 76°48'48" WEST, 235.42 FEET**, FOR AN ARC LENGTH OF **235.43 FEET** TO A POINT BEING THE SOUTHWESTERLY CORNER OF SAID PARCEL 219, SAME BEING THE MOST SOUTHWESTERLY CORNER HEREIN;

THENCE **NORTH 01°56'43" WEST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF PARCEL 219 FOR A DISTANCE OF **65.32 FEET** TO A POINT FOR A CORNER BEING THE WESTERLY NORTHWEST CORNER HEREIN;

THENCE **NORTH 86°36'56" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF PARCEL 219 FOR A DISTANCE OF **262.59 FEET** TO A POINT FOR A CORNER BEING THE NORTHEASTERLY CORNER OF PARCEL 219 AND THE SOUTHERLY NORTHWEST CORNER OF SAID PARCEL 220;

THENCE **NORTH 86°36'56" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF **374.34 FEET** TO A POINT BEING AN ELL CORNER IN PARCEL 220;

THENCE **NORTH 01°46'10" WEST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF **211.05 FEET** TO A POINT BEING THE SOUTHWESTERLY CORNER OF A CERTAIN TRACT 3 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE EASTERLY NORTHWEST CORNER HEREIN;

THENCE **SOUTH 80°02'41" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF **279.47 FEET** TO A POINT OF CURVATURE;

THENCE CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **7,660.94 FEET**, A CENTRAL ANGLE OF **2°34'48"**, A CHORD BEARING AND LENGTH OF **SOUTH 78°45'16" EAST, 344.98 FEET**, FOR AN ARC LENGTH OF **344.98 FEET** TO A POINT BEING THE NORTHWESTERLY CORNER OF PARCEL 221, A 40.539 ACRE SH 45 RIGHT OF WAY TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 20081019287, O.P.R.T.C.T.;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **7,660.94 FEET**, A CENTRAL ANGLE OF **6°03'00"**, A CHORD BEARING AND LENGTH OF **SOUTH 74°26'22" EAST, 808.55 FEET**, FOR AN ARC LENGTH OF **808.93 FEET** TO A POINT OF TANGENCY;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING THREE COURSES:

1. **SOUTH 71°24'54" EAST** FOR A DISTANCE OF **896.79 FEET** TO A POINT;
2. **ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,480.66 FEET**, A CENTRAL ANGLE OF **3°03'18"**, A CHORD BEARING AND LENGTH OF **SOUTH 69°53'15" EAST, 612.06 FEET**, FOR AN ARC LENGTH OF **612.13 FEET** TO A NON- TANGENTIAL END OF CURVE;
3. **SOUTH 72°53'31" EAST** FOR A DISTANCE OF **310.98 FEET** TO A POINT;

THENCE **SOUTH 72°53'31" EAST** CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT, FOR A DISTANCE OF **130.82 FEET** TO AN ANGLE POINT ON THE APPROXIMATE CENTERLINE OF HEATHERWILDE BOULEVARD, SAME BEING A POINT ON THE WESTERLY LINE OF CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23, SAME BEING THE NORTHEASTERLY CORNER HEREIN;

THENCE **SOUTH 28°58'26" WEST** CROSSING THE SAID SH 45 RIGHT-OF-WAY AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT ESTABLISHED IN PART PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART PER ANNEXATION ORDINANCE NO. 478-97-12-23, AND IN PART PER ANNEXATION ORDINANCE NO. 548-99-06-08 FOR A DISTANCE OF **844.28 FEET** TO AN ANGLE POINT BEING THE NORTHEASTERLY CORNER OF A CERTAIN TRACT 2 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE SOUTHEASTERLY CORNER HEREIN;

THENCE **NORTH 64°43'43" WEST** CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, FOR A DISTANCE OF **137.59 FEET** TO AN ANGLE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45 PARCEL 221;

THENCE NORTH 64°43'43" WEST WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF 1718.42 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 3°41'16", A CHORD BEARING AND LENGTH OF NORTH 66°34'21" WEST, 490.25 FEET, FOR AN ARC LENGTH OF 490.34 FEET TO A POINT OF COMPOUND CURVATURE BEING THE SOUTHWESTERLY CORNER OF PARCEL 221 AND THE SOUTHEASTERLY CORNER OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 7°27'10", A CHORD BEARING AND LENGTH OF NORTH 72°08'34" WEST, 990.21 FEET, FOR AN ARC LENGTH OF 990.91 FEET TO A POINT OF COMPOUND CURVATURE IN THE SOUTHERLY LINE OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE THE LEFT HAVING A RADIUS OF 16,987.23 FEET, A CENTRAL ANGLE OF 0°32'52", A CHORD BEARING AND LENGTH OF NORTH 76°08'35" WEST, 162.40 FEET, FOR AN ARC LENGTH OF 162.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 50.5 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

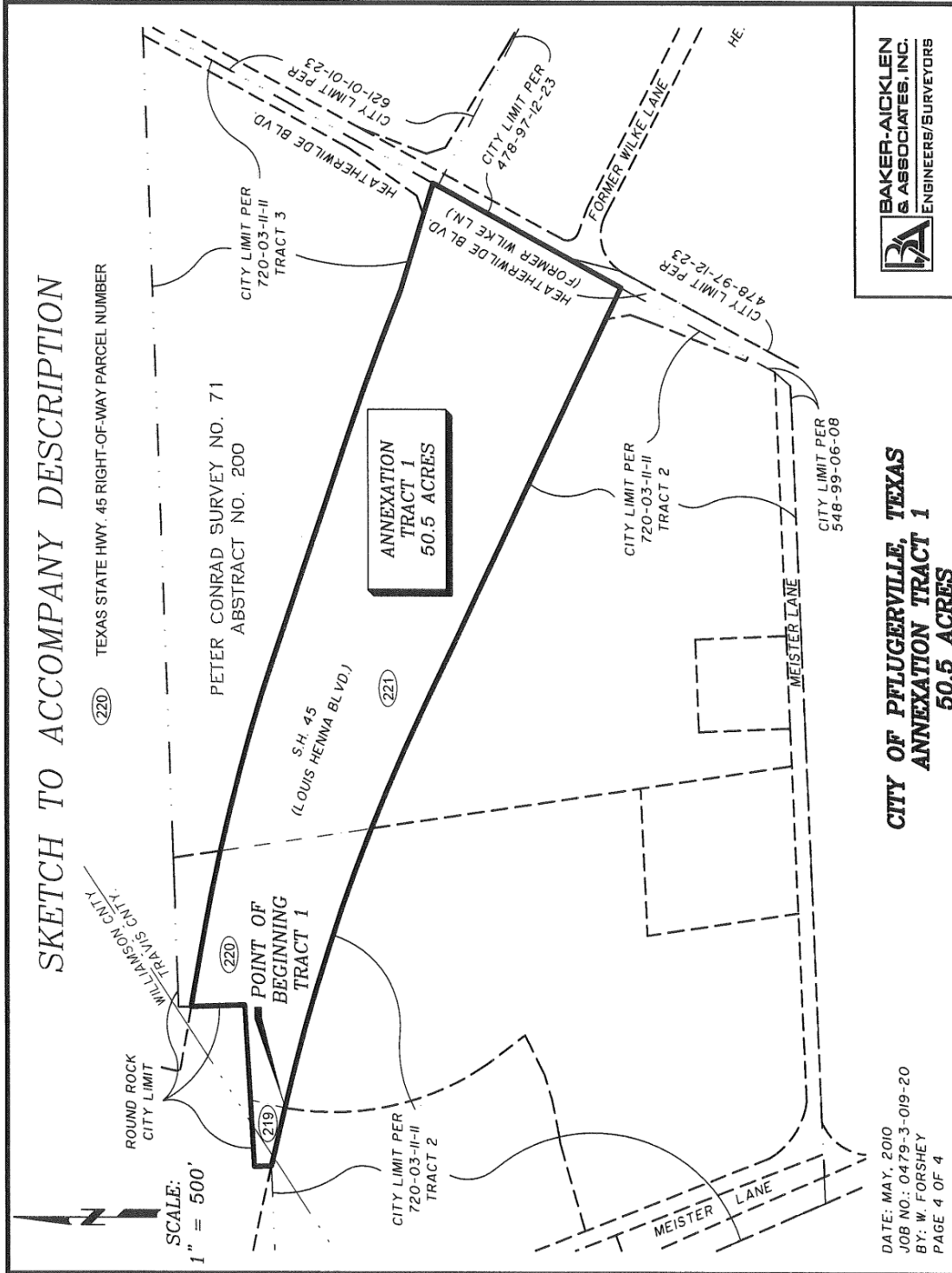
BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



0479-3-019-20

W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 1.DOC

SKETCH TO ACCOMPANY DESCRIPTION



**BAKER-AICKLEN
& ASSOCIATES, INC.**
ENGINEERS/SURVEYORS

**CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 1
50.5 ACRES**

DATE: MAY, 2010
JOB NO.: 0479-3-019-20
BY: W. FORSHEY
PAGE 4 OF 4

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 2
33.6 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

224	DOC. NO. 2003103131
225	DOC. NO. 2003100467
226	DOC. NO. 2003177212
227	DOC. NO. 2003214008
228	DOC. NO. 2003170456
229	DOC. NO. 2003170457

FORMER WILKE RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE NORTHEAST CORNER OF SH 45 RIGHT-OF-WAY PARCEL 229, A 5.134 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003170457, O.P.R.T.C.T., SAME BEING AN ANGLE POINT IN A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING NORTHEASTERLY CORNER HEREIN;

THENCE **SOUTH 26°49'53" WEST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **416.08 FEET** TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, SAME BEING THE MOST SOUTHEASTERLY CORNER HEREIN;

THENCE **NORTH 62°18'52" WEST** WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT FOR A DISTANCE OF **1,122.85 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING AN ANGLE POINT CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE **NORTH 62°22'14" WEST** CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A DISTANCE OF **1,636.34 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE **NORTH 62°38'34" WEST** CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A

DISTANCE OF **342.48 FEET** TO AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING THE SOUTHWESTERLY CORNER HEREIN;

THENCE **NORTH 28°20'19" EAST** OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23 AND IN PART WITH THE WESTERLY LINE OF SH 45 RIGHT-OF-WAY PARCEL 224, A 1.541 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003103131, O.P.R.T.C.T. FOR A DISTANCE OF **473.65 FEET** TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23;

THENCE **NORTH 28°17'47" EAST** CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART WITH THE WESTERLY LINE SAID PARCEL 224 FOR A DISTANCE OF **118.34 FEET** TO A POINT FOR A CORNER ON THE NORTHERLY RIGHT-OF-WAY OF SH 45, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 224, SAME BEING A SOUTHWESTERLY CORNER OF A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING THE NORTHWESTERLY CORNER HEREIN;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 AND WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF **11,480.66 FEET**, A CENTRAL ANGLE OF **0°04'46"**, A CHORD BEARING AND LENGTH OF **SOUTH 57°26'04" EAST, 15.91 FEET**, FOR AN ARC LENGTH OF **15.91 FEET** TO A POINT OF TANGENCY;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **113.95 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID PARCEL 224, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 225, A 2.847 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003100467, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 225 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **251.64 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 225, SAME BEING THE NORTHWESTERLY CORNER OF PARCEL 226, A 3.825 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003177212, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 226 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **357.63 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 226, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 227, A 6.859 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003214008, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 227 AND WITH THE CURRENT

PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **712.15 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 227, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 228, A 8.142 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003170456, O.P.R.T.C.T.;

THENCE **SOUTH 57°23'42" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **282.36 FEET** TO A POINT BEING THE BEGINNING OF A CURVE;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF **5,708.08 FEET**, A CENTRAL ANGLE OF **4°44'47"**, A CHORD BEARING AND LENGTH OF **SOUTH 59°46'05" EAST, 472.71 FEET**, FOR AN ARC LENGTH OF **472.85 FEET** TO A POINT OF TANGENCY;

THENCE **SOUTH 62°08'29" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **240.62 FEET** TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 228, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 229;

THENCE **SOUTH 62°08'29" EAST** CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 229 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF **648.68 FEET** TO THE **POINT OF BEGINNING** AND CONTAINING 33.6 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700

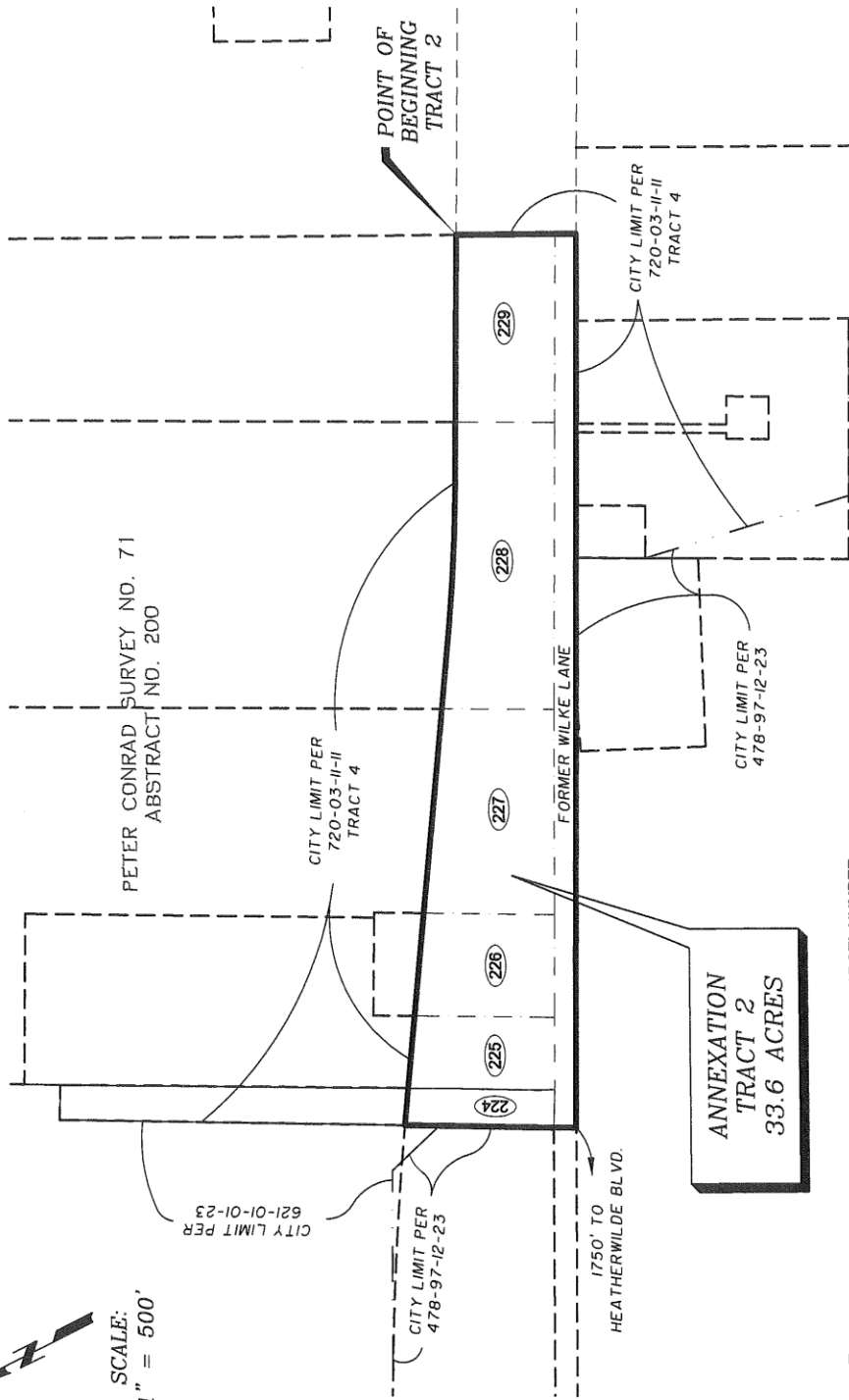


0479-3-019-20
W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 2.DOC

SKETCH TO ACCOMPANY DESCRIPTION



SCALE:
1" = 500'



PETER CONRAD SURVEY NO. 71
ABSTRACT NO. 200

CITY LIMIT PER
720-03-11-II
TRACT 4

CITY LIMIT PER
621-01-01-23

CITY LIMIT PER
478-97-12-23

FORMER WILKE LANE

1750' TO
HEATHERWILDE BLVD.

ANNEXATION
TRACT 2
33.6 ACRES

CITY LIMIT PER
720-03-11-II
TRACT 4

CITY LIMIT PER
478-97-12-23

POINT OF
BEGINNING
TRACT 2

220 TEXAS STATE HWY. 45 RIGHT-OF-WAY PARCEL NUMBER

DATE: MAY, 2010
JOB NO.: 0479-3-019-20
BY: W. FORSHEY
PAGE 4 OF 4

CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 2
33.6 ACRES



**BAKER-AICKLEN
& ASSOCIATES, INC.**
ENGINEERS/SURVEYORS

EXHIBIT “B” - TO SERVICE PLAN

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

- (1) This policy applies to customers requiring extensions to the City’s sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities, and excluding extensions to new subdivisions that are covered by the City’s subdivision ordinance.
- (2)
 - (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.
 - (b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.
- (3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.
- (4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

- (1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.
- (2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.
- (3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.
- (4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total

per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

- (5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.
- (6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

- (1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4). Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.
- (2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.