

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY CE DEVELOPMENT INC. FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 443.692-ACRE TRACT OF LAND SITUATED IN THE J. LEISSE SURVEY, ABSTRACT NO. 496, SITUATED IN THE J. WIEHL SURVEY, ABSTRACT NO. 802, AND SITUATED IN THE W. CALDWELL SURVEY, ABSTRACT NO. 162 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION (A); 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 443.692 acres of land, more particularly described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Chapter 43 Subchapter B of the Texas Local Government Code, the annexation area is contiguous to the annexing municipality, and is vacant and without residents; and

WHEREAS, pursuant to Chapter 43.071(e) of the Texas Local Government Code, the governing body of Travis County Municipal Utility District No. 23 has consented to the annexation; and

WHEREAS, the City Council approved a resolution on December 8, 2015 approving the schedule for annexation of the property; and

WHEREAS, the City Council held public hearings on January 12, 2016 and January 16, 2016 for all interested persons to attend; and

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable;

WHEREAS, the City Council of the City has granted an annexation petition submitted to the City of Pflugerville; 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 due to the property providing enhancements and greater public access, additional public right-of-way and open spaces and promotes economic growth of the Land and surrounding areas.

Section 3. The Tract shall be zoned Agriculture-Conservation (A) and ultimately be used for residential, right-of-way, and park land purposes in accordance with the approved development agreement.

Section 4. The service plan attached as Exhibit “B” is approved, and municipal services shall be extended to the Land in accordance therewith.

Section 5. 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 6. 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 7. 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 \_\_\_\_\_, 2016.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Jeff Coleman, Mayor

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
GEORGE E. HYDE, City Attorney  
DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH, P.C.

# EXHIBIT "A"

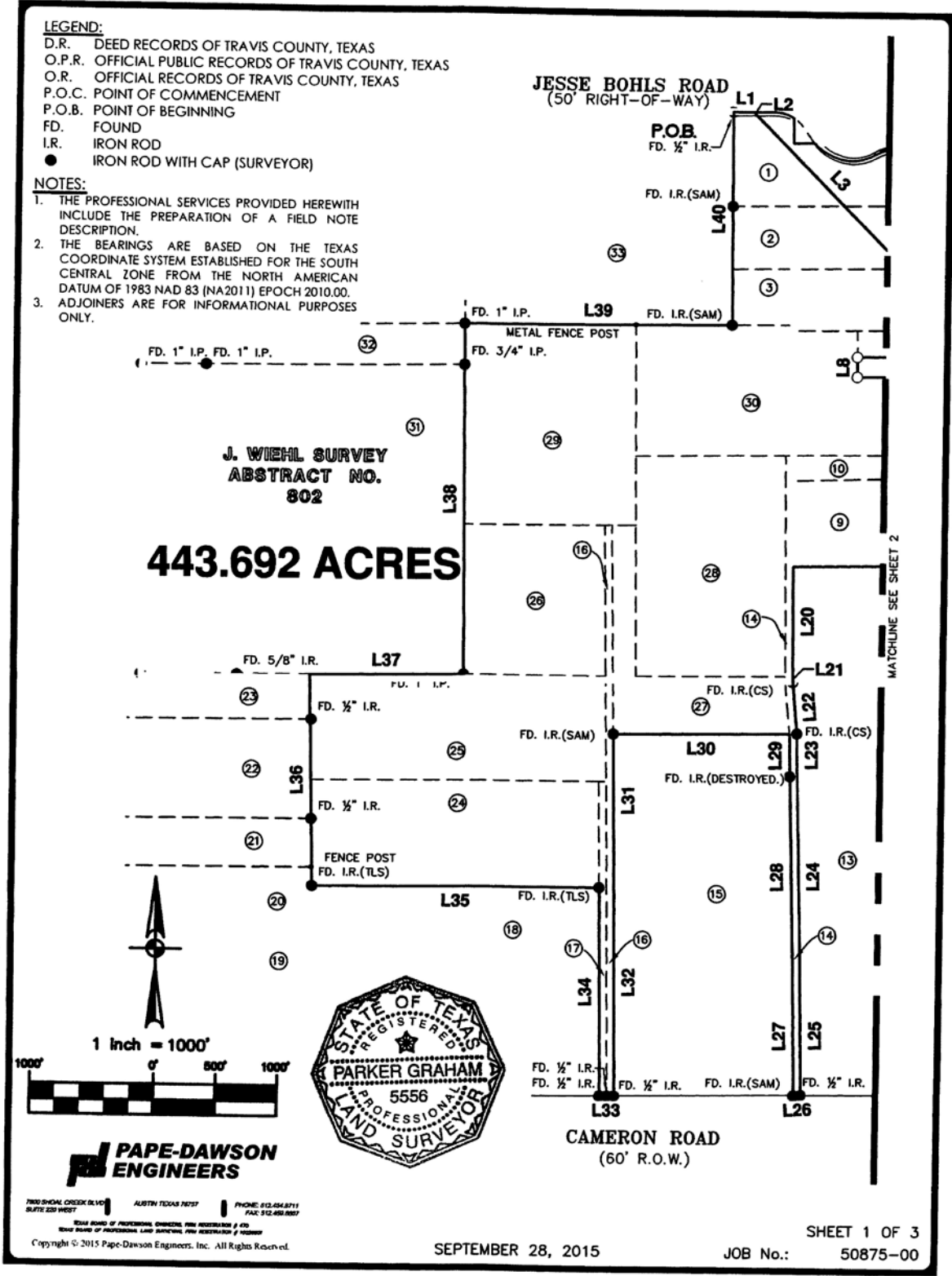
## DESCRIPTION OF THE PROPERTY

**LEGEND:**

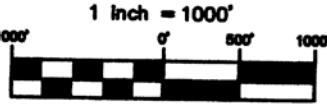
- D.R. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- O.R. OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- FD. FOUND
- I.R. IRON ROD
- IRON ROD WITH CAP (SURVEYOR)

**NOTES:**

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.
3. ADJOINERS ARE FOR INFORMATIONAL PURPOSES ONLY.



Date: Sep 30, 2015, 6:05am User: B: VZurchar  
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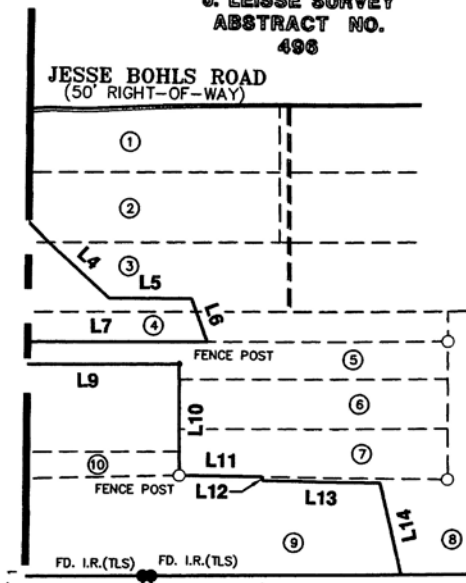
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SEPTEMBER 28, 2015

SHEET 1 OF 3  
 JOB No.: 50875-00

**J. LEISSE SURVEY  
ABSTRACT NO.  
496**

**JESSE BOHLS ROAD  
(50' RIGHT-OF-WAY)**



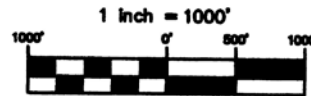
LINE TABLE		
LINE	BEARING	LENGTH
L1	S62°16'50"E	174.49'
L2	S27°45'19"W	14.34'
L3	S16°36'55"E	1731.52'
L4	S19°40'52"E	605.67'
L5	S62°27'52"E	595.82'
L6	S07°56'38"W	329.77'
L7	N62°45'50"W	1524.30'
L8	S27°14'10"W	161.08'
L9	S62°45'50"E	1326.26'
L10	S27°31'48"W	804.67'
L11	S61°46'00"E	592.54'
L12	S01°56'44"W	30.30'
L13	S61°32'27"E	842.79'
L14	S14°48'04"W	684.03'
L15	N62°54'30"W	1800.80'
L16	S26°59'02"W	4798.60'
L17	N25°59'36"E	56.03'
L18	N26°58'50"E	4465.93'
L19	N62°55'06"W	1573.77'
L20	S27°23'02"W	884.60'

LINE TABLE		
LINE	BEARING	LENGTH
L21	S27°22'26"W	48.74'
L22	S22°39'01"W	418.95'
L23	S26°43'14"W	346.00'
L24	S26°22'50"W	1615.52'
L25	S26°53'42"W	967.28'
L26	N65°30'00"W	60.00'
L27	N26°53'48"E	967.51'
L28	N26°22'56"E	1617.32'
L29	N26°42'03"E	344.23'
L30	N62°33'32"W	1418.56'
L31	S26°58'45"W	1088.82'
L32	S27°13'21"W	1842.71'
L33	N62°34'54"W	119.94'
L34	N27°13'49"E	1689.95'
L35	N62°15'52"W	2325.15'
L36	N26°42'22"E	1709.57'
L37	S62°26'30"E	1243.34'
L38	N27°32'01"E	2838.51'
L39	S62°29'37"E	2157.26'
L40	N27°30'34"E	1729.37'

**443.692 ACRES**

**W. CALDWELL  
SURVEY  
ABSTRACT NO.  
162**

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	262.41'	36°20'04"	N13°05'34"E	163.63'	166.41'
C2	404.11'	17°01'30"	N17°34'48"E	119.64'	120.08'



**PAPE-DAWSON  
ENGINEERS**

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SEAL BOARD OF PROFESSIONAL LAND SURVEYING, PLS. REGISTERED # 10000

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SEPTEMBER 28, 2015

SHEET 2 OF 3  
JOB No.: 50875-00

Date: Sep 30, 2015, 6:05am User ID: v2zraher  
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|--|---|
| <p>① OLIN MAHLOW &amp; JOYLENE MAHLOW BEHRENS<br/>CALLED 111.77 ACRES (FIRST TRACT)<br/>DOCUMENT NO. 2007104162<br/>O.P.R.</p> <p>② 130 CACTUS INVESTMENTS, LP<br/>CALLED 35.758 ACRES (TRACT 2A)<br/>DOCUMENT NO. 2009093048<br/>O.P.R.</p> <p>③ 130 CACTUS INVESTMENTS, LP<br/>CALLED 35.540 ACRES (TRACT 1)<br/>DOCUMENT NO. 2007104161<br/>O.P.R.</p> <p>④ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 16.747 ACRES (TRACT 1)<br/>DOCUMENT NO. 2007100730<br/>O.P.R.</p> <p>⑤ AUGUST KUHN ESTATE<br/>CALLED 16.925 ACRES (TRACT 2)<br/>DOCUMENT NO. 2012081067<br/>O.P.R.</p> <p>⑥ AUGUST KUHN ESTATE<br/>CALLED 15.967 ACRES (TRACT 2)<br/>DOCUMENT NO. 2012081067<br/>O.P.R.</p> <p>⑦ AUGUST KUHN ESTATE<br/>CALLED 15.623 ACRES (TRACT 3)<br/>DOCUMENT NO. 2012081067<br/>O.P.R.</p> <p>⑧ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 85 ACRES (TRACT 1)<br/>DOCUMENT NO. 2007114908<br/>O.P.R.</p> <p>⑨ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 85 ACRES (TRACT 1)<br/>DOCUMENT NO. 2007114908<br/>O.P.R.</p> <p>⑩ 130 CACTUS INVESTMENTS, LP<br/>CALLED 7.94 ACRES (TRACT 2B)<br/>DOCUMENT NO. 2009089987<br/>O.P.R.</p> <p>⑪ CALLED 161.3 ACRE TRACT (SECOND TRACT)<br/>ROSA PFLUGER ET AL<br/>VOL. 930, PG. 61 D.R.T.C.</p> <p>⑫ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 6.43 ACRES (ACCESS TRACT)<br/>DOCUMENT NO. 2007114908<br/>O.P.R.</p> <p>⑬ CALLED 125.15 ACRE TRACT (FIRST TRACT)<br/>WINNIE MAE MURCHISON ET AL<br/>VOL. 4796, PG. 1140 D.R.T.C.</p> <p>⑭ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 7.140 ACRES (TRACT 2)<br/>DOCUMENT NO. 20070059998<br/>O.P.R.</p> <p>⑮ CALLED 118.16 ACRE TRACT<br/>(FIRST TRACT)<br/>HENRY KUEMPEL<br/>VOL. 317, PG. 124 D.R.T.C.</p> <p>⑯ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 8.365 ACRES (TRACT 2)<br/>DOCUMENT NO. 2007065360<br/>O.P.R.</p> | <p>⑰ LANIER C. BOHLS AND WIFE, JANET R. BOHLS<br/>CALLED 104 ACRES SECOND TRACT<br/>SAVE AND EXCEPT 5.00 ACRES)<br/>VOLUME 12820, PAGE 18466<br/>R.P.R.T.C.</p> <p>⑱ CHARLES A. SCHNABEL AND WIFE,<br/>NADINE L. SCHNABEL<br/>CALLED 17.76 ACRE TRACT<br/>VOLUME 7087, PAGE 1478<br/>D.R.T.C.</p> <p>⑳ RONALD P. MCDAVID<br/>CALLED 5.149 ACRE TRACT (TRACT II)<br/>DOCUMENT NO. 2000102735<br/>R.P.R.T.C.</p> <p>㉑ RONALD P. MCDAVID<br/>A CALLED 3.750 ACRE TRACT (TRACT I)<br/>DOCUMENT NO. 2000102735<br/>R.P.R.T.C.</p> <p>㉒ VETERANS' LAND BOARD<br/>(10.40 ACRES)<br/>VOLUME 5329, PAGE 193<br/>D.R.T.C.</p> <p>㉓ C. J. KING AND WIFE, IRENE KING<br/>(5.00 ACRES)<br/>VOLUME 5426, PAGE 1856<br/>D.R.T.C.</p> <p>㉔ 130 CACTUS INVESTMENTS, LP<br/>CALLED 45.680 ACRES<br/>DOCUMENT NO. 2008059998<br/>O.P.R.</p> <p>㉕ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 46.615 ACRES (TRACT 1)<br/>DOCUMENT NO. 2007059997<br/>O.P.R.</p> <p>㉖ 130 CACTUS INVESTMENTS, LP<br/>CALLED 31.782 ACRES (TRACT 2A)<br/>DOCUMENT NO. 2008121344<br/>O.P.R.</p> <p>㉗ 130 CACTUS INVESTMENTS, LP<br/>CALLED 20.287 ACRES (TRACT 2B)<br/>DOCUMENT NO. 2008121344<br/>O.P.R.</p> <p>㉘ 130 CACTUS INVESTMENTS, LP<br/>CALLED 49.42 ACRES (TRACT 2A)<br/>DOCUMENT NO. 2009089987<br/>O.P.R.</p> <p>㉙ CALLED 89.65 ACRE TRACT<br/>(SECOND TRACT)<br/>HENRY KUEMPEL<br/>VOL. 317, PG. 124 D.R.T.C.</p> <p>㉚ ARP AUTUMN RIDGE PARTNERS, LP<br/>CALLED 62.00 ACRES (TRACT 1)<br/>DOCUMENT NO. 20070059998<br/>O.P.R.</p> <p>㉛ THEODORE TIMMERMAN<br/>CALLED 150.00 ACRE TRACT<br/>VOL. 4232, PG. 2153 R.P.R.</p> <p>㉜ 10.00 AC<br/>IRBY M. FORD<br/>VOL. 12317, PG. 572<br/>R.P.R.T.C.</p> <p>㉝ NORMAN WEISS. ET. UX.<br/>CALLED 86.5 ACRE TRACT<br/>VOL. 3431, PG. 2019 D.R.</p> |
|--|---|



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FIELD NOTES

FOR

A 443.692 ACRE TRACT OF LAND SITUATED IN THE J. LEISSE SURVEY, ABSTRACT NO. 496, SITUATED IN THE J. WIEHL SURVEY, ABSTRACT NO. 802, AND SITUATED IN THE W. CALDWELL SURVEY, ABSTRACT NO. 162 BEING A PORTION OF A CALLED 111.77 ACRE TRACT (FIRST TRACT) CONVEYED TO OLIN MAHLOW & JOYLENE MAHLOW BEHRENS RECORDED IN DOCUMENT NO. 20071041622 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 35.758 ACRE TRACT (TRACT 2A) CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2009093048 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 35.540 ACRE TRACT (TRACT 1) CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2007104161 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 16.747 ACRE TRACT (TRACT 1) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 2007100730 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 62.00 ACRE TRACT (TRACT 1) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 20070059998 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 7.94 ACRE TRACT CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2009089987 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 85 ACRE TRACT (TRACT 1) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 2007114908 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 6.43 ACRE TRACT (ACCESS TRACT) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 2007114908 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 7.140 ACRE TRACT (TRACT 2) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 20070059998 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 6.365 ACRE TRACT (TRACT 2) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 2007065360 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 45.680 ACRE TRACT CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2008059998 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 46.615 ACRE TRACT (TRACT 1) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 200759997 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 20.287 ACRE TRACT CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2008121344 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.507

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ACRE TRACT (TRACT 2) CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP RECORDED IN DOCUMENT NO. 2007059997 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 49.42 ACRE TRACT (TRACT 2A) CONVEYED TO 130 CACTUS INVESTMENTS, LP RECORDED IN DOCUMENT NO. 2009089987 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 31.782 ACRE TRACT (TRACT 2A) CONVEYED TO 130 CACTUS INVESTMENTS RECORDED IN DOCUMENT NO. 2008121344 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 443.692 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

**BEGINNING** at a found ½" iron rod being the northwest corner of said 111.77 acre tract, same being the northeast corner of a called 86.5 acre tract conveyed to Normoan Weiss. Et. Ux. recorded in Volume 3431, Page 2019 of the Deed Records of Travis County, Texas, also being a point in the south right of way line of Jesse Bohls Road, a 50' right of way;

**THENCE S 62°16'50" E**, with the north line of said 111.77 acre tract, same being the south right of way line of said Jesse Bohls Road, a distance of **174.49 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set;

**THENCE** departing the south right of way line of said Jesse Bohls Road, through the interior of said 111.77 acre tract (First Tract), said 35.758 acre tract (Tract 2A), said 35.540 acre tract (Tract 1) and said 16.747 acre tract (Tract 1) the following five (5) courses and distances:

1. **S 27°45'19" W**, a distance of **14.34 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
2. **S 16°36'55" E**, a distance of **1731.52 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
3. **S 19°40'52" E**, a distance of **605.67 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
4. **S 62°27'52" E**, a distance of **595.82 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set and,
5. **S 07°56'38" W**, a distance of **329.77 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set in the north line of a called 16.925 acre tract (Tract 2) conveyed to August Kuhn Estate recorded in Document No. 2012081067 of the Official Public Records of Travis County, Texas,

**THENCE N 62°45'50" W**, with the north line of said 16.925 acre tract (Tract 2), a distance of **1524.30 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set;

**THENCE S 27°14'10" W**, with the west line of said 16.925 acre tract (Tract 2), a distance of **161.08 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set;

**THENCE S 62°45'50" E**, with a south line of said 16.925 acre tract (Tract 2), a distance of **1326.26 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set;

**THENCE S 27°31'48" W**, in part with a west line of said 16.925 acre tract, the west line of a called 15.967 acre tract (Tract 2) and the west line of a called 15.623 acre tract (Tract 3) both conveyed to August Kuhn Estate in Document No. 2012081067 of the Official Public Records of Travis County, Texas, a distance of **804.67 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set being the southwest corner of said 15.623 acre tract (Tract 3) and a point in the north line of the aforementioned 85 acre tract (Tract 1)

**THENCE S 61°46'00" E**, with the south line of said 15.623 acre tract (Tract 3) and the north line of said 85 acre tract (Tract 1), a distance of **592.54 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set;

**THENCE** departing the south line of said 15.623 acre tract (Tract 3), through the interior of said 85 acre tract (Tract 1) the following three (3) courses and distances:

1. **S 01°56'44" W**, a distance of **30.30 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
2. **S 61°32'27" E**, a distance of **842.79 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set and,
3. **S 14°48'04" W**, a distance of **684.03 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set in the south line of said 85 acre tract (Tract 1), same being the north line of a called 161.3 acre tract (Tract 6) conveyed to Rosa Pfluger Et. Al in Volume 930, Page 61 of the Deed Records of Travis County, Texas,

**THENCE N 62°54'30" W**, with the south line of said 85 acre tract (Tract 1), same being the north line of said 161.3 acre tract, a distance of **1800.80 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set being the northwest corner of said 161.3 acre tract (Tract 6), same being the northeast corner of the aforementioned 6.43 acre tract (Access Tract), also being a point in the south line of said 85 acre tract (Tract 1);



**THENCE S 26°59'02" W**, with the east line of said 6.43 acre tract (Access Tract), same being the west line of said 161.3 acre tract, a distance of **4798.60 feet** to a, iron rod with cap marked "CS LTD" found for the southwest corner of said 161.3 acre tract (Tract 6), same being the southernmost corner of said 6.43 acre tract (Access Tract), also being a point in the north right of way line of Cameron Road, a 60' right of way and point of non-tangent curvature;

**THENCE** with the west line of said 6.43 acre tract (Access Tract), same being the east right of way line of said Cameron Road the following three (3) courses and distances:

1. along the arc of said curve to the right, having a **radius of 262.41 feet**, a **central angle of 36°20'04"**, a **chord bearing and distance of N 13°05'34" E, 163.63 feet**, an **arc length of 166.41 feet** to an iron rod with cap marked "CS LTD" found and point of tangency,
2. **N 25°59'36" E**, a distance of **56.03 feet** to a ½" iron rod with illegible cap found, a point of non-tangent curvature and,
3. along the arc of said curve to the left, having a **radius of 404.11 feet**, a **central angle of 17°01'30"**, a **chord bearing and distance of N 17°34'48" E, 119.64 feet**, an **arc length of 120.08 feet** to an iron rod with cap marked "CS LTD" found being a point in the west line of said 6.43 acre tract, same being a point in the north right of way line of said Cameron Road, also being the southeast corner of a called 125.15 acre tract (Tract 3) conveyed to Winnie Mae Murchison Et. Al. recorded in Volume 4796, Page 1140 of the Deed Records of Travis County, Texas,

**THENCE N 26°58'50" E**, with the west line of said 6.43 acre tract (Access Tract), same being the east line of said 125.15 acre tract (Tract 3), a **distance of 4465.93 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set being the northwest corner of said 6.43 acre tract (Access Tract), same being the northeast corner of said 125.15 acre tract (Tract 3), also being a point in the south line of said 85 acre tract (Tract 1);

**THENCE N 62°55'06" W**, with the north line of said 125.15 acre tract (Tract 3), same being the south line of said 85 acre tract, a distance of **1573.77 feet** to a iron rod with cap marked "Walker & Partners" found being the southwest corner of said 85 acre tract (Tract 1), same being the northwest corner of said 125.15 acre tract (Tract 3), also being a point in the east line of the aforementioned 7.140 acre tract (Tract 2);

**THENCE** with the west line of said 125.15 acre tract (Tract 3), same being the east line of said 7.140 acre tract (Tract 2) the following six (6) courses and distances:

1. **S 27°23'02" W**, a distance of **884.60 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,

2. **S 27°22'26" W**, a distance of **48.74 feet** to an iron rod with cap marked "CS LTD" found,
3. **S 22°39'01" W**, a distance of **418.95 feet** to an iron rod with cap marked "CS LTD" found,
4. **S 26°43'14" W**, a distance of **346.00 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
5. **S 26°22'50" W**, a distance of **1615.52 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set and,
6. **S 26°53'42" W**, a distance of **967.28 feet** to a ½" iron rod found being the southwest corner of said 125.151 acre tract (Tract 3), same being the southeast corner of said 7.140 acre tract (Tract 2), also being a point in the north right of way line of said Cameron Road;

**THENCE N 65°30'00" W**, with the south line of said 7.140 acre tract (Tract 2), also being the north right of way line of said Cameron Road, a distance of **60.00 feet** to a iron rod with cap marked "Sam Inc." found being the southwest corner of said 7.140 acre tract (Tract 2), same being a point in the north right of way line of said Cameron Road, also being the southeast corner of a called 118.16 acre tract (Tract 2) conveyed to Henry Kuempel recorded in Volume 317, Page 124 of the Deed Records of Travis County, Texas;

**THENCE** departing the north right of way line of said Cameron Road, with the west line of said 7.140 acre tract (Tract 2), same being the east line of said 118.16 acre tract (Tract 2) the following three (3) courses and distances:

1. **N 26°53'48" E**, a distance of **967.51 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set,
2. **N 26°22'56" E**, a distance of **1617.33 feet** to a iron rod with destroyed cap found and,
3. **N 26°42'03" E**, a distance of **344.23 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set being the northeast corner of said 118.16 acre tract (Tract 2), same being a point in the west line of said 7.140 acre tract (Tract 2), also being the southeast corner of the aforementioned 20.287 acre tract (Tract 2B);

**THENCE N 62°33'32" W**, with the south line of said 20.287 acre tract (Tract 2B), same being the north line of said 118.16 acre tract (Tract 2), a distance of **1418.56 feet** to an iron rod with cap marked "Sam Inc." found for the southwest corner of said 20.287 acre tract (Tract 2B), same being the northwest corner of said 118.16 acre tract (Tract 2), also being a point in the east line of the aforementioned 6.365 acre tract (Tract 2);

**THENCE** with the west line of said 118.16 acre tract (Tract 2), same being the east line of said 6.365 acre tract the following two (2) courses and distances:

1. **S 26°58'45" W**, a distance of **1088.82 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set and,
2. **S 27°13'21" W**, a distance of **1842.71 feet** to a ½" iron rod found being the southwest corner of said 118.16 acre tract (Tract 2), same being the southeast corner of said 6.365 acre tract (Tract 2), also being a point in the north right of way line of said Cameron Road;

**THENCE N 62°34'54" W**, with the south line of said 6.365 acre tract (Tract 2), same being the north right of way line of said Cameron Road, a distance of **119.94 feet** to a ½" iron rod found being the southwest corner of said 6.365 acre tract (Tract 2), same being a point in the north line of said Cameron Road, also being the southeast corner of a called 104 acre tract (Tract 1) conveyed to Lanier C. Hohls and Wife, Janet R. Bohls recorded in Volume 12820, Page 18466 of the Real Property Records of Travis County, Texas;

**THENCE N 27°13'49" E**, with the west line of said 6.365 acre tract (Tract 2), same being the east line of said 104 acre tract (Tract 1), a distance of **1689.95 feet** to an iron rod with cap marked "TLS Inc." found for the northeast corner of said 104 acre tract (Tract 1), same being a point in the west line of said 6.365 acre tract (Tract 2), also being the southeast corner of the aforementioned 45.680 acre tract;

**THENCE N 62°15'52" W**, with the north line of said 104 acre tract (Tract 1), same being the south line of said 45.680 acre tract, a distance of **2325.15 feet** to an iron rod with cap marked "TLS Inc." found for the northwest corner of said 104 acre tract (Tract 1), same being the southwest corner of said 45.680 acre tract, also being a point in the east line of a called 17.78 acre tract conveyed to Charles A. Schnabel and wife Nadine L. Schnabel recorded in Volume 7087, Page 1478 of the Deed Records of Travis County, Texas;

**THENCE N 26°42'22" E**, with the west line of said 45.680 acre tract and the aforementioned 46.815 acre tract (Tract 1), same being the east line of said 17.78 acre tract, a called 5.149 acre tract conveyed to Ronald P. McDavid recorded in Document No. 2000102735 of the Real Property Records of Travis County, Texas, a called 3.750 acre tract conveyed to Ronald P. McDavid recorded in Document No. 2000102735 of the Real Property Records of Travis County, Texas, and a called 5.00 acre tract conveyed to C.J. King and wife Irene King recorded in Volume 5426, Page 1856 of the Deed Records of Travis County, Texas, a distance of **1709.57 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set being the northwest corner of said 46.615 acre tract (Tract 1), same being the northeast corner of said 5.00 acre tract, also being a point in the south line of a called 150.00 acre tract conveyed to Theodor Timmerman in Volume 4232, Page 2153 of the Deed Records of Travis County, Texas;

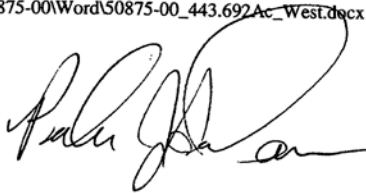
**THENCE S 62°26'30" E**, with the north line of said 46.615 acre tract (Tract 1), same being the south line of said 150.00 acre tract, a distance of **1243.34 feet** to a 1" iron pipe found for the southeast corner of said 150.00 acre tract, same being a point in the north line of said 46.615 acre tract (Tract 1), also being the southwest corner of the aforementioned 31.782 acre tract (Tract 2A);

**THENCE N 27°32'01" E**, with the east line of said 150.00 acre tract, same being the west line of said 31.782 acre tract (Tract 2A) and the aforementioned 89.65 acre tract (Tract 2), a distance of **2838.51 feet** to a 1" iron pipe found for the northwest corner of said 89.65 acre tract (Tract 2), same being the northeast corner of said 150.00 acre tract, also being the southwest corner of the aforementioned 86.5 acre tract;

**THENCE S 62°29'37" E**, with the south line of said 89.65 acre tract and in part the north line of the aforementioned 62.00 acre tract (Tract 1) and the south line of said 86.5 acre tract, a distance of **2157.26 feet** to an iron rod with cap marked "Sam Inc." found

**THENCE N 27°30'34" E**, with the east line of said 89.65 acre tract and the west line of the aforementioned 35.540 acre tract (Tract 1), the west line of the aforementioned 35.758 acre tract (Tract 2A), and the west line of the aforementioned 111.77 acre tract (First Tract), a distance of **1729.37 feet** to the **POINT OF BEGINNING** and containing 443.692 acres in Travis County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 50875-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: September 28, 2015  
Job No.: 50790-00  
DOC. ID. H:\survey\CIVIL\50875-00\Word\50875-00\_443.692Ac\_West.docx  
TBPE Firm Registration #470  
TBPLS Firm Registration #100288-01



## EXHIBIT “B”

### SERVICE PLAN

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

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” of the Service Plan (the “Annexed Area”), as required by § 43.065 of the Texas Local Government Code.

#### I.

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 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 City 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 City provides residential solid waste collection services within the City limits for a fee under a contract between the City and a private refuse collection company. The residential solid waste collection services include garbage collection, recycling, and bulky item collection. 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 to any resident who continues to use the services of a private provider during the first two years following annexation. If a resident continues to use the services of a private provider during the two years following annexation, the City is not required to provide solid waste collection services to that resident.

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.

Pursuant to a development agreement, the developer of the annexation tract will construct all internal waterlines required to serve this development. Developer will design and construct the extension of the 24-inch City Weiss Lane water line extension. Developer will also design and construct a minimum 12-inch waterline as is necessary to serve development from the Weiss Lane 24-inch south extension water line.

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 or private right-of-ways.
3. **Publicly owned parks, playgrounds, and swimming pools.** The City will maintain and operate publicly owned land and facilities within the annexation area.
4. **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 and perform maintenance within improved channels and drainage facilities as required which includes but is not limited to mowing and the removal of debris. 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.

C. Development Regulation. The City will enforce zoning, subdivision development, site development and building code regulations within the Annexed Area after annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the Annexed Area will be reviewed for compliance with City standards and regulations outlined in the Carmel Development Agreement.

- D. Other Services. City recreational facilities, including parks and library, will be available for use by residents of the Annexed Area on the same basis as those facilities are available to current City residents. City residents receive program preference for some City programs.

### 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 not already contemplated within the Carmel Development Agreement, see Exhibit C. The acquisition or construction will occur in accordance with applicable ordinances and regulations of the City.
- B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City or another utility or covered by the Carmel Development Agreement (Exhibit C), the City will extend water and wastewater service to such areas in accordance with the City's service extension policy as stated below, 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 or and existing development agreement or consent conditions for a Municipal Utility District, 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 until such time as an anticipated amendment to bring the Annexed Area into the City's CCN is complete.

**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.

**EXHIBIT "C"**  
**CARMEL DEVELOPMENT AGREEMENT**