

# TITLE SURVEY OF 2 TRACTS OF LAND BEING 5.908 ACRES OF LAND, OUT OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT 787, SITUATED IN TRAVIS COUNTY, TEXAS:

TRACT 1: 2.722 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN VAN WINKLE SURVEY NUMBER 70, ABSTRACT 787, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE SAME PROPERTY AS CONVEYED TO RGT/CHARLESTON PARTNERS, LTD IN A DEED DATED MAY 15, 2003, RECORDED IN DOCUMENT NUMBER 2010003839, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND DOCUMENT NUMBER 2003116960, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN TRAVIS COUNTY, TEXAS

TRACT 2: 3.186 ACRES OF LAND MORE OF LESS, OUT OF THE JOHN VAN WINKLE SURVEY NUMBER 70, ABSTRACT 787, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE SAME PROPERTY AS CONVEYED TO RGT/CHARLESTON PARTNERS, LTD IN A DEED DATED MAY 15, 2003, RECORDED IN DOCUMENT NUMBER 2003116960, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SITUATED IN TRAVIS COUNTY, TEXAS

#### FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT 787, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO RGT/CHARLESTON PARTNERS, LTD. IN DOCUMENT NO. 2003116960 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 2.722 ACRES OF LAND AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING,** at an iron rod found at the southeastern corner of Lot 55, Block O, Spring Trails, Phase One, a subdivision recorded in Document Number 200600202 of the Plat Records of Travis County, Texas, said iron rod found also being located on the western right-of-way line of Springbrook Road, a 70' wide public roadway dedicated in said Spring Trails Phase One plat, for the easternmost corner and **POINT OF BEGINNING** of the herein described tract,

THENCE, with said right-of-way line, S16°44'05"W, a distance of 36.93 feet to a ½" capped iron rod set for the northern corner that certain tract of land conveyed to KB Home Lone Star, LP, in Document No. 2007226228 of the Official Public Records of Travis County, Texas, and the southeast corner of the herein described tract,

**THENCE**, with the northern line of KB Home Lone Star , LP. tract the following thirteen (13) courses and distances, numbered 1 through 13;

1. N82°54'31"W, a distance of 100.41 feet to an iron rod found, 2. N88°47'55"W, a distance of 79.75 feet to an iron rod found.

3. S87°07'00"W, a distance of 665.86 feet to a ½" capped iron rod set,

4. S22°16'01"W, a distance of 151.84 feet to a ½" capped iron rod set, 5. N30°12'32"W, a distance of 40.78 feet to a ½" capped iron rod set, 6. N47°59'05"W, a distance of 167.79 feet to a ½" capped iron rod set,

7. N39°49'12"W, a distance of 307.26 feet to a ½" iron rod found, 8. S39°12'41"W, a distance of 162.80 feet to a ½" capped iron rod set, 9. N50°47'19"W, a distance of 227.83 feet to a ½" capped iron rod set,

10. N39°12'41"E, a distance of 25.01 feet to a ½" capped iron rod set, 11. N29°43'01"E, a distance of 108.11 feet to a ½" capped iron rod set, 12. N60°39'40"W, a distance of 295.19 feet to a ½" capped iron rod set, and

13. N60°38'16"W, a distance of 15.09 feet to a ½" capped iron rod set in the east right-of-way line of Schultz Lane, a 60' wide public roadway, for the southwestern corner of the herein described tract,

**THENCE**, with said eastern right-of-way line of Schultz Lane, N29°25'57"E, a distance of 50.00 feet to

an iron rod found for the southwestern corner of that certain tract of land conveyed to 42 Austin MF. LP. in Document No. 2013095539 of the Official Public Records of Travis County, Texas,

**THENCE**, leaving said Schultz Lane, and with the southern line of said 42 Austin MF, LP. tract, the following six (6) courses and distances, numbered 1 through 6,

1. S60°39'40"E, a distance of 534.79 feet to an iron rod found,

S39°47'46"E, a distance of 356.65 feet to an iron roo

3. N86°16'27"E, a distance of 784.66 feet to an iron rod found at a point of curvature to the

4. with said curve to the right, having a radius of 700.00 feet, an arc length of 136.54 feet, whose chord bears, S88°08'16"E, a distance of 136.32 feet to an iron rod found for the southeast corner of said 42 Austin MF tract,

5. N16°46'44"E, a distance of 3.46 feet to an iron rod found for the southwestern corner of said Lot 55, Block O,

6. S73°16'17"E, a distance of 99.98 feet to the **POINT OF BEGINNING** and containing 3.240 acres of land.

### SAVE AND EXCEPT TRACT

**COMMENCING**, at an iron rod found in the eastern right-of-way line of said Schultz Lane, also being the southwestern corner of said 42 Austin MF,LP. tract,

THENCE, with the south line of said 42 Austin MF, LP. tract, S60°39'40"E, a distance of 330.24 feet to a

**THENCE**, leaving the south line of said 42 Austn MF, LP. tract, and crossing said RGT/Charleston tract, S29°20'20"W, a distance of 50.00 feet to an iron rod found for the northwestern corner of a 0.519 acre tract of land conveyed to Manville Water Supply Corp. in Volume 12330, Page 1448 of the Real Property Records of Travis County, Texas, and the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with the boundary line of said 0.519 acre tract, the following five (5) courses and distances, numbered 1 through 5;

1. S60°20'14"E, a distance of 55.29 feet to a ½" capped iron rod set for a point of curvature to

2. with said curve to the left having a radius of 884.90 feet, an arc length of 145.38 feet, and whose chord bears S65°02'38"E, a distance of 145.22 feet to a ½" capped iron rod set for the northeastern corner of said 0.519 acre tract.

3. S29°43'41"W, a distance of 122.14 feet to an iron rod found for the southeastern corner of said 0.519 acre tract,

4. N60°14'46"W, a distance of 199.98 feet to an iron rod found for the southwestern corner of said 0.519 acre tract, and

5. N29°43'01"E, a distance of 109.91 feet to the **POINT OF BEGINNING** and containing 0.518

3.240 ACRES -0.518 ACRE SAVE AND EXCEPT 2.722 ACRES

## TITLE COMMITMENT GF# PL13-13357,

#### EFFECTIVE DATE: 01 AUGUST 2013

THESE TRACTS ARE SUBJECT TO RESTRICTIVE COVENANTS AS THOSE RECORDED IN VOLUME 8908, PAGE 756, VOLUME 9356, PAGE 869, VOLUME 11939, PAGE 613, VOLUME 12317, PAGE 1432, AND VOLUME 12089, PAGE 1516, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, (TRACTS 1 AND 2)

VOLUME 8908, PAGE 973, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, (TRACT 2)

#### THESE TRACTS ARE SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

10. i) WATER LINE EASEMENT GRANTED TO DAG MANAGEMENT, INC., BY INSTRUMENT DATED DECEMBER 22, 1993, RECORDED IN VOLUME 12089, PAGE 1560 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (TRACT 1)

SANITARY CONTROL EASEMENT GRANTED TO MANVILLE WATER SUPPLY CORPORATION, BY INSTRUMENT DATED NOVEMBER 5, 1999, RECORDED UNDER DOCUMENT No. 2000004439 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (TRACT 1) — as shown on drawing

ELECTRIC AND COMMUNICATIONS EASEMENT GRANTED TO TXU

ELECTRIC DELIVERY COMPANY, BY INSTRUMENT DATED MARCH 26, 2007. RECORDED UNDER DOCUMENT No. 2007076147 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (TRACT 2) — as shown on drawing WASTEWATER EASEMENT GRANTED TO CITY OF PFLUGERVILLE, BY INSTRUMENT DATED JULY 26, 2013, RECORDED UNDER DOCUMENT No. 2013141703, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

(TRACT 1) – as shown on drawing WASTEWATER EASEMENT GRANTED TO CITY OF PFLUGERVILLE, BY INSTRUMENT DATED JULY 26, 2013, RECORDED UNDER DOCUMENT No. 2013141704, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (TRACT 2) - as shown on drawing

DRAINAGE EASEMENT GRANTED TO CITY OF PFLUGERVILLE. BY INSTRUMENT DATED JULY 26, 2013, RECORDED UNDER DOCUMENT No. 2013141705, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (TRACT 2) — as shown on drawing

UNABLE TO DETERMINE WHERE THESE TRACTS ARE OR ARE NOT SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

10. f) ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, BY INSTRUMENT DATED OCTOBER 8, 1936, RECORDED IN VOLUME 556, PAGE 120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (BOTH TRACTS) — unable to locate with the description provided

ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, BY INSTRUMENT DATED OCTOBER 6, 1936, RECORDED IN VOLUME 556, PAGE 156 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (BOTH TRACTS) - unable to locate with the description provided

ELECTRIC AND TELEPHONE LINE EASEMENT GRANTED TO TEXAS POWER AND LIGHT COMPANY AND THE SOUTHWESTERN BELL TELEPHONE COMPANY OF TEX., BY INSTRUMENT DATED MAY 21, 1974, RECORDED IN VOLUME 5063, PAGE 1604 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (BOTH TRACTS) - unable to locate with the description provided

TEMPORARY CONSTRUCTION AND DRAINAGE FACILITIES EASEMENT GRANTED TO SPRINGBROOK SUBDIVISION, LTD., BY INSTRUMENT DATED OCTOBER 28, 1997, RECORDED IN VOLUME 13051, PAGE 56 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (BOTH TRACTS) - unable to locate with the description provided

### GENERAL NOTES:

STATE OF TEXAS:

COUNTY OF TRAVIS:

I, the undersigned, being a duly licensed and qualified surveyor in and for the State of Texas, do hereby certify to RTG/CHARLESTON

1.) This plat of survey and the property description set forth hereon were prepared from an actual on—the—ground survey of the subject

2.) This Survey correctly shows the boundary lines, dimensions, and area of the subject property, and any platted lots contained therein.

5.) There are no boundary line discrepancies, conflicts or deficiencies in the quanity of the land described in the legal description of the

6.) As of the date of this Survey, all monuments shwon on the Survey and described actually exist, the location and type of material are

7.) The Survey correctly shows the location and dimensions of all fences, visible utility lines and equipment, party walls, cemeteries, setback

lines, easements and other matters affecting the subject property, whether benefitting or burdening the subject property and whether recorded

as shown in the Commitment for Title Insurance dated 01 August 2013, issued by Benchmark, LLC Title Insurance Comapny, GF# PL13-13357

8.) Except as shown, there are no protrusions onto adjoining properties, rights of way, set back lines, or easements by any improvements

9.) Except as shown, there are no visible streams, rivers, springs, ponds, lakes, drainage courses, water courses, ditches, or drains located

10.) Except as shown, there are no gaps, gores, or overlaps between parcels or roadways, streets, alleys and rights—of—way, and all parcels

11.) The subject property abuts and has apparent access to and from a dedicated public roadway, and all public roads, highways, streets, and

12.) None of the subject property lines within (i) a floodway, (ii) the 100 year floodplain, or (iii) a flood prone area, an area having special

flood hazards, or a flood hazard area in accordance with any maps published by the Federal Emergency Management Agency or the U.S.

Department of Housing and Urban Development. FLOOD HAZARD BOUNDARY MAP NUMBER 48453C0260H FOR TRAVIS COUNTY, TEXAS. DATED

14.) The Survey conforms with the Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

TITLE INSURANCE COMPANY THROUGH ITS AGENT, BENCHMARK TITLE, LLC as follows.

3.) All visible improvements, including location and dimensions of bulidings, are correctly depicted.

4.) This Survey correctly shows the location and dimensions of all alleys, streets, roadways, and rights—of—way.

correctly stated, and the Survey correctly identifies all record monuments found (whether relied on or not).

(with instrument book and page number indicated) or disclosed by physical inspection of the subject property.

13.) The subject property is zoned MF-U and SF-S, as established by the city of Pflugerville, Texas.

located on the subect property, or encroachments on to the subject property by improvements located on adjoining property.

property by me or under my supervision and direction.

on, bordering on, or running through the subject property

alleys running adjacent to or upon the subject property are shown.

that comprise the subject property are contiguous.

Dated, this the 16th day of JULY, 2013.

ROBERT J. GERTSON, R.P.L.S. NO. 6367

CARLSON, BRIGANCE AND DOERING, INC.

PH: 512-280-5160 FAX: 512-280-5165

5501 WEST WILLIAM CANNON

AUSTIN, TX 78749

rgertson@cbdeng.com

SEPTEMBER 26, 2008.]

PARTNERS, LTD., A TEXAS LIMITED PARNTERSHIP, CESM INVESTMENTS, LLC AND ITS ASSIGNS, THE LSR FAMILY TRUST AND OLD REPUBLIC NATIONAL

1.) TRACTS 1 AND 2 ABUT AND HAVE DIRECT VEHICULAR ACCESS TO SPRINGBROOK ROAD, A PUBLICLY DEDICATED RIGHT-OF-WAY. TRACT 1 ALSO ABUTS AND HAS DIRECT VEHICULAR ACCESS TO SCHULTZ LANE, A PUBLICLY DEDICATED RIGHT-OF-WAY. 2.) THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY IS MF-U AND SF-S.

3.) NO PORTION OF THE LEGALLY DESCRIBED PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP NUMBER 48453C0260H FOR TRAVES CBOUNTY, TEXAM, DATED SSEPTEMBER 26, 2008. 4.) THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON.

5.) EVIDENCE OF ABOVE AND/OR UNDERGROUND UTILITIES IS SHOWN

#### FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT 787, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO RGT/CHARLESTON PARTNERS. LTD. IN DOCUMENT NO. 2003116960 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 3.186 ACRES OF LAND AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING.** at an iron rod found at the southwest corner of that certain tract of land conveyed to 42 Austin MF, LP. in Document No. 2013095539 of the Official Public Records of Travis County, Texas, said iron rod found also being located on the eastern right-of-way line of Springbrook Road, a 70' wide public roadway dedicated in Spring Trails Phase One a subdivision recorded in Document Number 200600202 of the Official Public Records of Travis County, Texas, and also being a northern corner of said acre RGT/Charleston Partners, LTD. tract for the northernmost corner and POINT OF BEGINNING of the herein described tract,

**THENCE**, leaving said right-of-way line and with the southern boundary line of said 42 Austin MF tract, the following fourteen (14) courses and distances, numbered 1 through 14;

1. S70°40'29"E, a distance of 30.77 feet to an iron rod found, 2. S58°11'29"E, a distance of 58.15 feet to an iron rod found, 3. S48°27'27"E, a distance of 104.95 feet to an iron rod found 4. S40°17'01"E, a distance of 226.12 feet to an iron rod found, 5. S64°20'33"E, a distance of 63.66 feet to an iron rod found, 6. S55°42'23"E, a distance of 91.13 feet to an iron rod found, 7. S47°04'12"E, a distance of 91.13 feet to an iron rod found, 8. S38°26'02"E, a distance of 91.13 feet to an iron rod found, 9. S29°47'51"E, a distance of 91.13 feet to an iron rod found, 10. S21°09'41"E, a distance of 89.46 feet to an iron rod found, 11. S16°20'02"E, a distance of 133.98 feet to an iron rod found, 12. S67°00'28"E, a distance of 43.99 feet to an iron rod found at a point of curvature to the

13. with said curve to the right having a radius of 700.00 feet, an arc length of 323.26 feet, and whose chord bears N56°21'52"E, a distance of 320.39 feet to an iron rod found, and 14. N69°35'38"E, a distance of 355.48 feet to an iron rod found at the southeast corner of said 42 Austin MF tract, and the west line of that certain tract of land conveyed to the State of Texas in Volume 11339, Page 2005 of real Property Records of Travis County, Texas, also being the northeastern corner of the herein described tract,

THENCE, with said west line of said State of Texas tract, and being the eastern line of said RGT/Charleston tract, S21°25'07"E, a distance of 49.99 feet to an iron rod found at the northeast corner of Lot 81, Block M, Spring Trails Phase 1-B, a subdivision recorded in Document Number 200700171 of the Official Public Records of Travis County, Texas,

**THENCE**, with the northern boundary line of said Spring Trails Phase 1-B, the following two (2) courses and distances, numbered 1 and 2,

1. S69°35'38"W, a distance of 356.37 feet to an iron rod found at a point of curvature to the left, and being in the north line of Lot 22, Block M of said Spring Trails Phase 1-B, and

2. with said curve to the left having a radius of 655.00 feet, an arc length of 432.50 feet, and whose chord bears S50°40'01"W, a distance of 424.68 feet to a ½" capped iron rod set for the northwest corner of Lot 17, Block M, of said Spring Trails Phase 1-B, and being in the northeast line of Spring Trails Phase 9, a subdivision recorded in Document Number 201300048 of the Official Public Records of Travis County, Texas,

THENCE, with the northwest line of said Spring Trails Phase 9, the following twelve (12) courses and distances, numbered 1 through 12;

1. N34°42'32"W, a distance of 8.09 feet to an iron rod found in the east line of Lot 14,

Block M, of said Spring Trails Phase 9, 2. N16°20'02"W, a distance of 272.59 feet to an iron rod found in the east line of Lot 10, Block M, of said Spring Trails Phase 9,

3. N21°09'41"W, a distance of 83.58 feet to an iron rod found in the east line of Lot 9, Block M, of said Spring Trails Phase 9,

4. N29°47'51"W. a distance of 83.58 feet to an iron rod found in Lot 8. Block M, of said Spring Trail Phase 9, 5. N38°26'02"W, a distance of 83.58 feet to an iron rod found in the northeast line of Lot 7,

Block M, of said Spring Trails Phase 9, 6. N47°04'12"W, a distance of 83.58 feet to an iron rod found in the northeast line of Lot 7,

Block M, of said Spring Trails Phase 9, 7. N55°42'23"W, a distance of 83.58 feet to an iron rod found in the northeast line of Lot 6, Block M, of said Spring Trails Phase 9,

8. N64°20'33"W, a distance of 83.58 feet to an iron rod found in the northeast line of Lot 5, Block M, of said Spring Trails Phase 9, 9. N72°58'44"W, a distance of 83.58 feet to an iron rod found in the northeast line of Lot 4,

Block M, of said Spring Trails Phase 9, 10. N81°36'54"W, a distance of 83.58 feet to an iron rod found in the north line of Lot 3, Block M, of said Spring Trails Phase 9,

11. S89°44'55"W, a distance of 83.58 feet to an iron rod found in the north line of Lot 2, Block M, of said Spring Trails Phase 9, and

12. S85°25'51"W, a distance of 78.70 feet to an iron rod found at a point of curvature to the right in the east right of-way line of said Springbrook Road, and the northwestern corner of Lot 1, Block M, of said Spring Trails Phase 9, and for the southwestern corner of the herein described tract,

**THENCE**, with the east right-of-way line of said Springbrook Road, and the west line of the herein described tract, the following two (2) courses and distances, numbered 1 through 2;

- 1. with said curve to the right having a radius of 865.00 feet, an arc length of 191.68 feet,
- and whose chord bears N10°23'12"E, a distance of 191.29 feet to an iron rod found, and 2. N16°44'05"E, a distance of 103.97 feet to the **POINT OF BEGINNING** and containing 3.186 acres of land.

27 AUGUST 2013 - UPDATED NAMES IN CERTIFICATION AND UPDATED SURVEY BASED ON NEW TITLE COMMITMENT EFFECTIVE DATE: 01 AUGUST

REVISIONS

23 JULY 2013 - ADDED BENCHMARK TITLE, LLC TO

08 AUGUST 2013 - UPDATED SURVEY BASED ON

14 AUGUST 2013 - UPDATED SURVEY BASED ON

14 AUGUST 2013 - UPDATED ITEMS P AND Q

NEW TITLE COMMITMENT EFFECTIVE DATE: 01

NEW TITLE COMMITMENT EFFECTIVE DATE: 17 JULY

SHEET 2 OF 2

