

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

**THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §**

CESM INVESTMENTS, LLC, a Texas limited liability company, ("Grantor"), in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid by the **CITY OF PFLUGERVILLE, TEXAS**, a home-rule municipality located in Travis County, Texas ("Grantee"), whose mailing address is P.O. Box 589, Pflugerville, Travis County, Texas 78691, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, (the real property in Travis County, Texas which is more particularly described on Exhibit A attached hereto (the "Property").

This conveyance is made by Grantor and accepted by Grantee (i) subject to ad valorem taxes on the Property for the current year, zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, affecting the Property; and (ii) all matters described in Exhibit B attached hereto and made a part hereof (the "Permitted Exceptions").

All ad valorem taxes and assessments for the Property for the current calendar year have been prorated by the parties as of the date of this deed as required under Section 26.11 of the Texas Tax Code and by acceptance hereof.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns FOREVER, subject to the Permitted Exceptions, and, subject to the Permitted Exceptions, Grantor does bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[Signatures On Following Page]

Executed effective as of the ____ day of _____, 2018.

GRANTOR:

CEMS INVESTMENTS, LLC,
a Texas limited liability company

By: _____
Taylor N. Stone, Sole Member

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

SUBSCRIBED AND SWORN TO before me on _____, 2018 by Taylor N. Stone, the Sole Member of CEMS INVESTMENTS, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

AGREED AND ACCEPTED:

CITY OF PFLUGERVILLE, TEXAS,
a Texas home-rule municipality

By: _____
Name: _____
Title: City Manager

ATTEST:

_____, City Secretary

After recordation please return to: City of Pflugerville
 Attn: Sereniah Breland, City Manager
 P.O. Box 589,
 Pflugerville, Texas 78691

EXHIBIT A
PROPERTY

2.722 ACRE
JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT 787
TRAVIS COUNTY, TEXAS
TRACT I

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,
2. S39°47'46"E, a distance of 356.65 feet to an iron rod,
3. N86°16'27"E, a distance of 784.66 feet to an iron rod found at a point of curvature to the right,
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 point,

THENCE, leaving the south line of said 42 Austin 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 the left,
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 acre of land.

3.240 ACRES
-0.518 ACRE SAVE AND EXCEPT
2.722 ACRES

Surveyed by:  7-16-13
ROBERT J. GERTSON, R.P.L.S. NO. 6367
Carlson, Brigrance and Doering, Inc.
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160 Fax: 512-280-5165
rgertson@cbdeng.com



BEARING BASIS IS FROM RECORDED PLAT OF SPRING TRAILS PHASE ONE, DOC. NO. 200600202

EXHIBIT B
PERMITTED EXCEPTIONS

1. The following restrictive covenants of record:

Volume 8908, Page 756, Volume 9356, Page 869, Volume 11939, Page 613, Volume 12089, Page 1516 and Volume 12317, Page 1432, Real Property Records, Travis County, Texas

2. Standby fees, taxes and assessments by any taxing authority for the year 2015, and subsequent years.
3. Rights of tenants in possession, as tenants only, under unrecorded lease agreements.
4. Easement described in instrument executed by Mrs. Wm. Fuchs to Texas Power & Light Company, dated October 8, 1936, filed January 8, 1937, recorded in Volume 556, Page 120, Deed Records, Travis County, Texas, and noted on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
5. Easement described in instrument executed by C. R. Luedtke and wife, Anna R. Luedtke, to Texas Power & Light Company, dated October 6, 1936, filed January 13, 1937, recorded in Volume 556, Page 156, Deed Records, Travis County, Texas, and noted on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
6. Easement described in instrument executed by C. R. Luedtke to Texas Power & Light Company and Southwestern Bell Telephone Company of Tex., dated May 21, 1974, filed December 2, 1974, recorded in Volume 5063, Page 1604, Deed Records, Travis County, Texas, and noted on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
7. Easement described in instrument executed by Congress-Wilke Lane, Ltd., a Texas limited partnership, to DAG Management, Inc., a Colorado corporation, dated December 22, 1993, filed December 23, 1993, recorded in Volume 12089, Page 1560, Real Property Records, Travis County, Texas, and shown on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
8. Easement described in instrument executed by Byron-Hill Springbrook, Inc., a Texas corporation, to Springbrook Subdivision, Ltd., dated October 28, 1997, filed October 29, 1997, recorded in Volume 13051, Page 56, Real Property Records, Travis County, Texas, and noted on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
9. Easement described in instrument executed by Sailford Land Company, LLC, a Texas limited liability company, to Manville Water Supply Corporation, dated November 5, 1999, filed January 11, 2000, recorded under Clerk's File No. 2000004439, Official Public Records, Travis County, Texas, and shown on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
10. Easement described in instrument executed by RGT/Charleston Partners, Ltd., to the City of Pflugerville, dated July 26, 2013, filed July 30, 2013, recorded under Clerk's File No. 2013141703, Official Public Records, Travis County, Texas, and shown on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367.
11. The following items are shown on survey dated July 16, 2013, last revised August 27, 2013, prepared by Robert J. Gertson, Registered Professional Land Surveyor No. 6367:

Encroachment/protrusion of gravel roads in the Northwest portion of the property;
Power poles and overhead utility lines across the Northwest portion of the property.