

**FORTY-THIRD AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CIRCLE C RANCH SUBDIVISION**

THE STATE OF TEXAS
COUNTY OF TRAVIS

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This Forty-Third Amendment to Declaration of Covenants, Conditions and Restrictions is made to be effective the date set forth below by Eleven Castle Management Company, Inc., a Texas corporation.

RECITALS:

A. By Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision recorded in Volume 10585, Page 110, Real Property Records of Travis County, Texas (the "**Original Declaration**"), Circle C Development Corporation, a Texas corporation the "**Original Declarant**") imposed certain covenants, restrictions, charges and liens upon certain real property as therein described.

B. The Declaration of Covenants, Conditions and Restrictions for Circle C Ranch Subdivision was recorded on February 16, 1988, in Volume 10585, Page 110, Real Property Records of Travis County, Texas, and was amended by documents recorded in Volume 10627, Page 771; Volume 10778, Page 284; Volume 10961, Page 0851; Volume 11003, Page 1060; Volume 11134, Page 1045; Volume 11824, Page 0883; Volume 11924, Page 0139; Volume 11924, Page 0959; Volume 11925, Page 0009; Volume 11929, Page 0356; Volume 12081, Page 1479; Volume 12159, Page 3169; Volume 12159, Page 3177; Volume 12219, Page 0642; Volume 12231, Page 1241; Volume 12236, Page 2799; Volume 12265, Page 0471, as corrected in Volume 12403, Page 0495; Volume 12280, Page 0080; Volume 12377, Page 0508; Volume 12492, Page 0516; Volume 12618, Page 0678; Volume 12667, Page 0072; Volume 12671, Page 0169; Volume 12705, Page 0016; Volume 12721, Page 1542; Volume 12864, Page 1216; Volume 13114, Page 0757; Volume 13224, Page 0043; Document No. 1999160088; Document No. 2000011673; Document No. 2000093548; Document No. 2000114433, Document No. 2000197659, Document No. 2000163769, Document No. 2001089350, Document No. 2002058627, Document No. 2002058630, Document No. 2002058624, Document No. 2002019633, Document No. 2002058627, Document No. 2002058630, Document No. 2002058624, Document No. 2002167238 respectively, of the Real Property Records of Travis County, Texas, (which Original Declaration, as so amended, is herein referred to as the "**Declaration**").

C. Circle C Development Corporation assigned its rights and privileges as "Declarant" under the Declaration to Circle C Development Joint Venture; Circle C Development Venture subsequently assigned its rights and privileges as "Declarant" under the Declaration to Circle C Land Corp., a Texas corporation; and Circle C Land Corp. subsequently assigned its rights and privileges as "Declarant" under the Declaration to Eleven Castle Management Company, Inc., a Texas corporation (hereinafter referred to as the Declarant").

D. Article I, Section 3 of the Declaration provides that Declarant has the right at any time and from time to time to bring within the scheme of the Declaration additional properties, and further has the right to supplement or modify the Declaration as may be appropriate for such additional property.

E. Declarant desires to bring certain property within the scheme of the Declaration and to modify the Declaration as to said property as hereinafter set forth as the owner of the hereinafter described property desires to evidence its consent and approval of the addition of said property to the Declaration as hereinafter provided.

NOW, THEREFORE, Declarant hereby declare as follows:

1. Addition to Property Subject to Declaration. The following tract of land (the "**Additional Land**") is hereby added to the Properties subject to and covered by the Declaration:

74.973 acres of land, more or less, as more particularly described in Exhibit A, attached hereto and made a part hereof in Travis County, Texas.

2. Modification of the Declaration as to the Added Tract. The Additional Land shall be held, transferred, sold, conveyed, occupied and used subject to the covenants, restrictions, charges and liens as set forth in the Declaration, provided that as the same relate to the Additional Land only, the terms and provisions of the Declaration are modified as follows:

(a) Article III, Section 6 of the Declaration is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

Section 6. Commencement Date of Assessments. The first annual assessment provided for herein shall commence to accrue as to each Lot within the Additional Land on the date that a final plat is recorded in the Plat Records of Travis County, Texas.

The Declarant shall record in the Deed Records of Travis County, Texas a supplementary Declaration within 10 days of the Final Plat being recorded in the county deed records to provide notice to the Circle C Homeowners Association that a portion of the Additional Land should commence to pay annual assessments.

(b) Article IV, Section 10 of the Declaration is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

Section 10. Governmental Authorities. Declarant, its successors and assigns, and all future Owners and their successors and assigns by their acceptance of their respective deeds, and the Association shall be bound by and subject to all applicable laws, ordinances, rules or regulations, including without limitation obtaining all permits required for the construction, erection, placement, alteration or maintenance of improvements on the Properties. No improvements or addition or change or alteration thereof shall be constructed, erected, placed, altered or maintained on the Properties, including the Common Area, which is in violation of the applicable laws, ordinances, rules or regulations of any governmental entity or agency with jurisdiction over the portion of the Properties on which such improvements are so constructed, erected, placed, altered or maintained. Notwithstanding anything to the contrary herein contained, Declarant, the Association, the Committee, and their respective officers, directors, agents and employees shall have no obligation to enforce or report any violation of any such law, ordinance, rule or regulation. The approval of plans and specifications by the Committee shall not be deemed or construed to constitute a determination that such plans and specifications comply with any applicable law, ordinance, rule or regulation.

(c) Article V, Section 2 of the Declaration is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

Section 2. Minimum Square Footage Within Improvements. The living area (minimum and/or maximum square footage) of the main residential structure located on any Lot, exclusive of porches and parking facilities, shall be defined in a supplemental Declaration which is required in the modified Article III, Section 6 above for the Lots within the Additional Land. A registered Architect shall certify (signed and sealed) the square footage for each residential structure.

(d) Article V, Section 3(b) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

b. Use. No manufacturing, trade, business, commerce, industry, profession, or other occupation whatsoever will be conducted or carried on in the Properties or any part thereof, or in any building or other structure erected thereon, save and except sales and construction management offices with the prior written approval of the Architectural Control Committee.

(e) Article V, Section 3(h) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

h. Carports, sports courts, swimming pools or storage sheds. No carports, sport courts of any kind, swimming-pools, storage sheds, or batting cages shall be constructed, erected or permitted to remain on any Lot without the express prior written approval of the Architectural Control Committee. Any outdoor lighting related to carports, sports courts, swimming pools, or storage sheds shall be subject to the requirements of Section 5 hereof.

(f) Article V, Section 4 is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

Section 4. Minimum Setback Lines. All setback lines shall be in accordance with the approved final plat(s) for the Additional Land. No structure may be placed within the setback lines; however, the following improvements are allowed within minimum setback areas:

- a. structures below and covered by the ground;
- b. steps, walks, driveways, and curbing;
- c. retaining or screening walls as approved by the Architectural Control Committee;
- d. landscaping;
- e. any other improvement approved in writing by the Architectural Control Committee, provided that roofed structures other than relatively minor encroachments shall in no event be so approved.

(g) The last paragraph of Article V, Section 6 is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

Notwithstanding anything herein contained to the contrary, (i) no paper or cardboard signs will be permitted on any Lot, and (ii) any and all signs, if allowed, shall comply with all applicable laws, ordinances, rules or regulations of any governmental entity or agency with jurisdiction over the portion of The Properties on which such signs are so constructed, erected, placed, or maintained.

(h) Article V, Section 7(e) (ii) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

- ii. Required Landscaping. All Owners shall be required to landscape front yards, back yards, side yards, and adjacent to building foundations. Trees, shrubs, ground covers, seasonal color and turf grass shall be used in these areas to achieve the landscape intent for land use according to the Design Guidelines.

Either permanent turf grass or Winter Rye shall be established in all turf areas shown on the approved landscape plan by the builder prior to the occupancy of any residence constructed on a Lot. Winter Rye shall be considered a temporary measure to reduce soil erosion through the winter season. It shall be completely replaced with turf grass according to the approved landscape plan by May 1 of the following year.

Trees, shrubs and turf areas (as provided above) shall be planted by the builder prior to the occupancy of any residence constructed on a Lot, the season notwithstanding.

Note: Refer to Screening Section 8 of Article V for required landscaping for screening situations.

(i) Article V, Section 7(e) (iv) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

- iv. Required Trees. The land use listed below shall be landscaped with the following numbers of shade trees. The shade trees shall be no smaller in size than 3" caliper. Trees must be Class I as per the City of Austin Environmental Criteria Manual.

<u>Land Use</u>	<u>Required Number of Trees</u>
Single Family	Two per front yard within 10' 0" of Right-of-Way (Four for corner lots, two on the front and two on the side)

- (j) Article V, Section 8 (e) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

e. Fences. The Owner of each Lot upon which a residential structure has been constructed (or is under construction) shall construct or cause to be constructed, at such Owner's expense, a six-foot privacy fence along the rear and side Lot lines, the materials and location of which shall be subject to approval by the Architectural Control Committee. Where fences are constructed adjacent to any school, open space, or common area, such fences shall be constructed with face toward the school, open space, or common area according to the Design Guidelines. Cost of construction and maintenance of fences along common Lot lines may be shared by the Owners of adjacent Lots; however, each such Owner shall be fully liable for the construction and maintenance of fences along the rear and side Lot lines of his respective Lot.

- (k) Article V, Section 9 (b) (iv) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

- iv. The minimum masonry requirements for exterior walls of all residential structures shall have 100% masonry coverage on all sides.

- (l) Article V, Section 9(b) (vi) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

- vi. No above level swimming pool shall be installed on any lot. Any swimming pool shall be designed, engineered, constructed and maintained in compliance with all applicable laws, ordinances, rules, regulations and permit requirements of any governmental entity or agency with jurisdiction over the portion of The Properties on which such pool is so constructed and maintained.

- (m) Article V, Section 9(c) (ii) is hereby deleted in its entirety, and the following is substituted in the place and stead thereof:

- ii. All telephone, electric, cable, or other service lines shall be installed underground and shall comply with all applicable laws, ordinances, rules, regulations and permit requirements of any governmental entity or agency with jurisdiction over the portion of The Properties on which such lines are so installed and maintained and the requirements of the entities providing such service. Control boxes, service boxes, transformers or other above-ground installations shall have landscaping around such installations.

- (n) Article V of the Declaration is hereby amended to add the following thereto:

Section 10. No Access from Greenbelt. Access to and from the Lots through, over or across the portion of the Additional Land designated as a "Drainage Easement, Greenbelt, Park, Common Area, Water Quality Easement or P.U.E." on the plat of the Additional Land is prohibited without the express prior written approval of the owner of such Drainage Easement, Greenbelt,

Common Area, Park or P.U.E. and the Architectural Control Committee, which approval may be subject to such terms, provisions and conditions as such owner and/or the Architectural Control Committee may determine.

- (o) Article VIII, Section 2 is hereby amended to add the following thereto:

Notwithstanding the foregoing, the terms, provisions, covenants, restrictions, conditions, charges and liens set forth herein (but not as to any other provision of the Declaration) may be amended, modified, or terminated, in whole or in part, and the Additional Land may be withdrawn entirely from the Declaration, at any time by the joint approval of Declarant, the owner(s) of any unplatted acreage within the Additional Land, if any, and the Owner(s) of at least ninety percent (90%) of the Lots within the Additional Land, if any. Any such amendment, modification, termination, or withdrawal shall become effective when an instrument executed by Declarant and such owner(s) of any such unplatted acreage and/or the requisite number of Owner(s) of any Lots within the Additional Land is filed for record in the Real Property Records of Travis County, Texas.

- (p) Article V, Section 10 is hereby added.

Section 10. Golf Course Lots. This section only applies to lots which have a common lot line or lot corner which is adjacent to the Circle C Golf Club, the proposed golf club or their successors or assigns. The following regulations supersede conflicts with all other regulations as set forth in the Original Declaration or this Amendment to the Declaration of Covenants, Conditions, and Restrictions.

- (a) The rear building setback line shall be (60) sixty feet.
- (b) No more than (12) twelve inches of vertical surface can be exposed. All foundations must be screened with landscaping visible from the street and golf course as described in Article V Section 8(b).
- (c) No radio or television aerial wires or antenna, or flagpole(s), shall be maintained on any portion of the Lot. Television satellite reception discs shall be screened by a fence or other similar facility, so as to conceal them from view of any street or golf course.
- (d) Outside storage of a truck, car, bus, boat, boat trailer, mobile house, camp mobile, camper, golf cart, motorcycle, recreational vehicle, jet boats, trailers or any other vehicle is prohibited on a temporary or permanent basis on any lot.
- (e) Trash or garbage containers shall only be permitted to be placed outside a maximum of two times each week for 12 hours. The Association shall have the right to contract for garbage collection and bill each Owner monthly for such service. Not Lot shall be used or maintained as a dumping ground for trash.
- (f) No storage sheds, portable building, temporary structures are allowed on any portion of the lot.
- (g) No sports courts, basketball courts, skateboard ramps, bicycle ramps, tennis courts, batting cages shall be permitted.
- (h) Exterior walls of all residential structures shall have a minimum of 100% masonry coverage on all sides (front, back, sides). The type and color of masonry shall be approved in writing by the Architectural Control Committee.
- (i) The owners of each lot upon which a residential structure has been constructed (or is under construction) shall construct or cause to be constructed at such Owner's expense, a six-foot wrought-iron privacy fence along the rear

lot line (only directly adjacent to the golf course). A six-foot privacy fence shall be required on the side lot lines, the materials may be wrought iron, masonry, or stucco. The materials, color and location of all fencing shall be subject to the written approval of the Architectural Control Committee.

Cost of construction and maintenance of fences along common lot lines may be shared by the Owners of adjacent lots. The cost of construction and maintenance of fences which are adjacent to the golf course are the responsibility of the residential Lot Owner. Each such Owner shall be fully liable for the construction and maintenance of fences along the rear and side lot lines of their respective lots. Owners shall not have gates which provide access to the golf course.

(j) Playscapes and or other items higher than (6) six feet shall be located at least (15) fifteen feet from the back property line and shall be approved in writing by the Architectural Control Committee.

(k) Decks and porches must be finished to the ground with approved fascia, trellis, or landscaping as approved in writing by the Architectural Control Committee.

(l) Dogs which are located in the back yards shall be prohibited from accessing the golf course property.

(m) All Lot Owners shall be required to landscape front, side, and rear yards and adjacent to building foundations. Trees, shrubs, ground covers, and seasonal color and turf grasses shall be used as approved by the Architectural Control Committee. Permanent turf grass shall be Bermuda or Buffalo 609 on the sides and rear of lots. In areas where Bermuda or Buffalo 609 can not flourish due to shade, Lot Owners may use Fescue or Rye Grass.

(n) No pool may be closer than (15) fifteen feet to the rear property line.

(o) The Owner of the Property hereby acknowledges and agrees that the existence of a golf course adjacent to the Property is subject to the risk of damage or injury due to errant golf balls.

Lot Owners hereby assumes the risk of damages and injury and hereby releases Declarant and the Circle C Homeowners Association from any and all liability of damages or injury caused by errant golf balls.

3. The Declarant for the Additional Land shall be required to record in the Deed Records of Travis County, Texas a supplemental Declaration at the time a Final Plat is recorded in the Deed Records of Travis County, Texas. This Supplemental Declaration shall further modify Article V, Section 2 and Article V, Section 9 (b) (iv) as substituted in this Forty-Second Amendment. The Declarant may modify other Articles in the Original Declaration for this Additional Land as long as the modifications are more restrictive (as approved by the Architectural Control Committee) than the current Architectural standards and/or any governmental standards.

4. In consideration of the benefits to the Additional Land and the subsequent owners thereof as a result of being brought within the scheme of the Declaration, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Phoenix Holdings, Ltd. has joined in this Forty-Third Amendment to confirm and declare that it has consented to and approved, and does hereby consent to and approve, the addition of the Additional Land to the Properties covered by the Declaration, on and subject to the terms and provisions of this Amendment; does further declare that the Additional Land shall be held, transferred, sold, conveyed, occupied and used subject to the covenants, restrictions, charges and liens as set forth in the Declaration, provided that as the same relate to the Additional Land, the terms and provisions of the Declaration are modified as set forth in this Amendment; and does further hereby in all respects adopt, confirm, ratify and approve this Amendment.

EXECUTED this the 26th day of September, 2002.

ELEVEN CASTLE MANAGEMENT, CO., a
Texas corporation

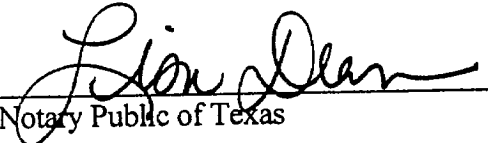
By: 
Steve Bartlett, Vice-President

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

Before me, the undersigned authority, on this day personally appeared Steve Bartlett, Vice-President of Eleven Castle Management Company, Inc. a Texas Corporation, and acknowledged to me on behalf of said Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of September, 2002




Notary Public of Texas

AFTER RECORDING, RETURN TO:

Steve Bartlett
Circle C Homeowners Association
1111 West 11th Street
Austin, Texas 78703

EXHIBIT A-1

137.731 acres of land, more or less, out of the Corbet Stevens Survey No. 63, Abstract No. 740, Thomas Bright Survey No. 65, Abstract 98, and J Burleson Survey No. 64, Abstract 113, Travis County, Texas, such 26.144 acres being the remainder of 137.731 acre tract of land more particularly described by metes and bounds on Schedule A-1(a) attached hereto and made a part hereof SAVE AND EXCEPT, a portion of a 251.365 acre tract of land more particularly described by metes and bounds on Schedule A-1(b) attached hereto and made a part hereof.

A-1(a)

STATE OF TEXAS §
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COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 137.731 acre tract out of the Corbet Stevens Survey No. 63, the Thomas Brits Survey No. 65 and the J. Burleson Survey No. 64, Travis County, Texas, being a portion of that 529.7583 acre tract conveyed to Phoenix Holdings, Ltd., by deed recorded in Volume 12515, Page 140 of the Travis County, Texas Deed Records; the said 137.731 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found in an easterly line of the said 529.7583 acre tract, being the southwest corner of that 100.2215 acre tract, described as Parcel "A", conveyed to Ladon Corporation, Inc., by deed recorded in Volume 12219, Page 667 of the said deed records and the northwest corner of that 35.764 acre tract, described as Parcel "D", also conveyed to Ladon Corporation, Inc., in the aforesaid Volume 12219, Page 667 of the Travis County Deed Records;

THENCE, S28°57'23"W, leaving the southerly line of the said 100.2215 acre tract, with the easterly line of the said 529.7583 acre tract, same being the westerly line of the said 35.764 acre tract, a distance of 26.73 feet to a 1/2" iron rod found on a curve to the right for the most westerly corner of the 35.764 acre tract;

THENCE, with the common northeasterly line of said 529.7583 acre tract and southerly line of said 35.764 acre tract, the following twenty (20) courses:

- 1) Southeasterly, with the said curve to the right having a radius of 300.00 feet and a central angle of 43°07'20" (chord bears S47°07'55"E, 220.50 feet) for an arc distance of 225.79 feet to a 1/2" iron rod found for a point of tangency;
- 2) S25°34'15"E, a distance of 130.42 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 3) Southeasterly, with said curve to the right having a radius of 300.00 feet and a central angle of 38°45'48" (chord bears S06°11'20"E, 199.12 feet) for an arc distance of 202.97 feet to a 1/2" iron rod found for a point of tangency;
- 4) S13°11'34"W, a distance of 19.87 feet to a 1/2" iron rod found for the point of curvature of a curve to the left;
- 5) Southeasterly, with said curve to the left having a radius of 300.00 feet and a central angle of 31°14'09" (chord bears S02°40'30"E, 164.05 feet) for an arc distance of 166.17 feet to a 1/2" iron rod found for a point of tangency;
- 6) S18°32'35"E, a distance of 113.77 feet to a 1/2" iron rod found for a point of curvature of a curve to the left;
- 7) South easterly, with said curve to the left having a radius of 300.00 feet and a central angle of 33°28'48" (chord bears S35°16'59"E, 172.82 feet) for an arc distance of 175.30 feet to a 1/2" iron rod found for a point of tangency

- 8) S52°01'13"E, a distance of 111.14 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 9) Southeasterly, with said curve to the right having a radius of 300.00 feet and a central angle of 50°18'24" (chord bears S26°52'11"E, 255.03 feet) for an arc distance of 263.41 feet to a 1/2" iron rod found for a point of tangency;
- 10) S01°42'59"E, a distance of 156.86 feet to a 1/2" iron rod found for a point of curvature of a curve to the right;
- 11) Southeasterly, with said curve to the right having a radius of 300.00 feet and a central angle of 11°23'55" (chord bears S03°58'59"W, 59.59 feet) for an arc distance of 59.68 feet to a 1/2" iron rod found for an angle point;
- 12) S83°44'41"E, a distance of 121.68 feet to a 1/2" iron rod found for an angle point;
- 13) N76°26'12"E, a distance of 116.19 feet to a 1/2" iron rod found for an angle point;
- 14) N64°06'21"E, a distance of 327.72 feet to a 1/2" iron rod found for an angle point;
- 15) N64°08'06"E, a distance of 199.25 feet to a 1/2" iron rod found for an angle point;
- 16) S27°02'50"E, a distance of 104.84 feet to a 1/2" iron rod found for an angle point;
- 17) S29°56'22"E, a distance of 223.00 feet to a 1/2" iron rod found on a curve to the right;
- 18) Northeasterly, with said curve to the right having a radius of 730.00 feet and a central angle of 03°50'05" (chord bears N60°39'29"E, 48.85 feet) for an arc distance of 48.86 feet to a 1/2" iron rod found for a point of tangency;
- 19) N62°34'32"E, a distance of 221.55 feet to a 1/2" iron rod found for an angle point;
- 20) S27°25'28"E, a distance of 60.00 feet to a 1/2" iron rod found for the north-east corner of the herein described tract;

THENCE, leaving the common line between the said 35.764 acre tract and the 529.7583 acre tract, and crossing the said 529.7583 acre tract for the following ten (10) courses:

- 1) S62°34'32"W, 221.55 feet to a 1/2" iron rod set for the point of curvature of a curve to the left;
- 2) Southwesterly, with said curve to the left have a radius of 670.00 feet and a central angle of 05°02'37" (chord bears S60°03'13"W, 58.96 feet) for an arc distance of 59.98 feet to a 1/2" iron rod set for the point of tangency;

- 3) S37°31'55"W, 78.97 feet to a 1/2" iron rod set for an angle point;
- 4) S32°28'05"E, 133.00 feet to a 1/2" iron rod set for an angle point;
- 5) S59°01'21"W, 250.27 feet to a 1/2" iron rod set for an angle point;
- 6) S39°20'02"E, 124.95 feet to a 1/2" iron rod set for an angle point;
- 7) S09°49'58"E, 52.60 feet to a 1/2" iron rod set for an angle point;
- 8) S26°24'00"E, 146.00 feet to a 1/2" iron rod set for an angle point;
- 9) S43°46'08"W, 194.48 feet to a 1/2" iron rod set for an angle point;
- 10) S27°14'03"W, 280.62 feet to a 1/2" iron rod set in the southerly line of the said 529.7583 acre tract, being a point in the northerly right-of-way line of State Highway 45 (right-of-way varies) as conveyed to the State of Texas by deed recorded in Volume 11782, Page 447 of the said deed records; from said point, a concrete highway monument found 250.00 feet right of State Highway 45 centerline station 574+00.00 bears S66°20'34"E, 593.08 feet;

THENCE, along the common line between the said 529.7583 acre tract and the northerly right-of-way line of State Highway 45, for the following seven (7) courses:

- 1) N66°20'34"W, a distance of 223.71 feet to a 1/2" iron rod set from which a found highway right-of-way monument bears N68°38'58"E, 33.16 feet and a highway right-of-way monument found on the southerly right-of-way line of State Highway 45, bears S23°44'53"W, 429.98 feet;
- 2) N70°03'07"W, a distance of 407.33 feet to a 1/2" iron rod set, from which a found highway right-of-way monument bears N20°42'58"E, 14.78 feet;
- 3) N68°14'11"W, a distance of 700.40 feet to a highway right-of-way monument found;
- 4) N66°10'20"W, a distance of 392.80 feet to a highway right-of-way monument found;
- 5) N64°59'25"W, a distance of 345.03 feet to a highway right-of-way monument found;
- 6) N57°29'22"W, a distance of 527.70 feet to a highway right-of-way monument found;
- 7) N58°46'03"W, a distance of 206.55 feet to a 1/2" iron rod set from which a highway right-of-way monument found bears N58°46'03"W, 556.70 feet;

THENCE, leaving the northerly right-of-way line of State Highway 45, across the said 529.7583 acre tract for the following two (2) courses:

- 1) N02°07'47"W, 387.12 feet to a 1/2" iron rod set for an angle point,

- 2) N20°43'01"W, 183.58 feet to a 1/2" iron rod found on a curve to the left in the proposed future right-of-way line of Kendrick Lane (right-of-way varies);

THENCE, continuing across the said 529.7583 acre tract, along the proposed future right-of-way line of Kendrick Lane for the following six (6) courses:

- 1) Southwesterly, with said curve to the left having a radius of 150.00 feet and a central angle of 15°06'26" (chord bears S73°46'20"W, 39.44 feet) for an arc distance of 39.55 feet to a 1/2" iron rod found for the point of tangency;
- 2) S66°13'07"W, 57.76 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 3) Southwesterly, with said curve to the right having a radius of 395.00 feet, and a central angle of 14°54'55" (chord bears S73°40'25"W, 102.54 feet) for an arc distance of 102.83 feet to a 1/2" iron rod found for the point of tangency;
- 4) S81°07'52"W, 80.22 feet to a 1/2" iron rod found for the point of curvature of a curve to the left;
- 5) Southwesterly, with said curve to the left having a radius of 270.00 feet, and a central angle of 30°43'39" (chord bears S65°46'03"W, 143.07 feet) for an arc distance of 144.80 feet to a 1/2" iron rod found for the point of tangency;
- 6) S50°24'14"W, 30.58 feet to a 1/2" iron rod found in the northerly right-of-way line of said State Highway 45, being a point in the southerly line of the 529.758 acre tract, from which a concrete highway monument found bears S39°11'50"E, 30.48 feet;

THENCE, N39°11'50"W, along the common line between the said 529.7583 acre tract and the northerly right-of-way line of State Highway 45, 60.00 feet to a 1/2" iron rod found for the proposed southwest corner of future Kendrick Lane, from which a concrete highway monument found bears N39°11'50"W, 29.53 feet;

THENCE, leaving the said northerly right-of-way line of State Highway 45, across the said 529.7583 acre tract, along the proposed right-of-way line of Kendrick Lane for the following six (6) courses:

- 1) N50°24'14"E, 30.16 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 2) Northeasterly, with said curve to the right having a radius of 330.00 feet, and a central angle of 30°43'39" (chord bears N65°46'03"E, 174.86 feet) for an arc distance of 176.98 feet to a 1/2" iron rod found for the point of tangency;
- 3) N81°07'52"E, 80.22 feet to a 1/2" iron rod found for the point of curvature of a curve to the left;

- 4) Northeasterly, with said curve to the left having a radius of 335.00 feet, and a central angle of 22°55'33" (chord bears N69°40'06"E, 133.15 feet) for an arc distance of 134.04 feet to a 1/2" iron rod found for the point of tangency;
- 5) N58°12'32"E, 50.49 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 6) Northeasterly, with said curve to the right having a radius of 230.00 feet, and a central angle of 07°22'31" (chord bears N54°31'16"E, 29.59 feet) for an arc distance of 29.61 feet to a 1/2" iron rod found for an angle point;

THENCE, leaving the proposed future right-of-way line of Kendrick Lane and continuing across the said 529.7543 acre tract for the following eighteen (18) courses:

- 1) N12°35'09"W, 255.16 feet to a 1/2" iron rod found for an angle point;
- 2) N23°44'47"W, 167.72 feet to a 1/2" iron rod found for an angle point;
- 3) N02°43'34"W, 232.28 feet to a 1/2" iron rod found for an angle point;
- 4) N25°19'39"W, 226.08 feet to a 1/2" iron rod found for an angle point;
- 5) N24°54'41"W, 495.77 feet to a 1/2" iron rod found for an angle point;
- 6) N32°33'32"W, 144.33 feet to a 1/2" iron rod found for an angle point;
- 7) N60°40'21"E, 433.56 feet to a 1/2" iron rod found for an angle point;
- 8) N74°20'20"E, 277.98 feet to a 1/2" iron rod found on a curve to the left;
- 9) Southeasterly, with said curve to the left having a radius of 495.00 feet, and a central angle of 24°24'03" (chord bears S53°54'15"E, 209.22 feet) for an arc distance of 210.81 feet to a 1/2" iron rod found for the point of tangency;
- 10) S66°06'16"E, 497.73 feet to a 1/2" iron rod found for the point of curvature of a curve to the right;
- 11) Southeasterly, with said curve to the right having a radius of 375.00 feet, a central angle of 14°57'26" (chord bears S58°37'33"E, 97.62 feet) for an arc distance of 97.90 feet to a 1/2" iron rod set for an angle point;
- 12) N38°31'10"E, 70.00 feet to a 1/2" iron rod set for an angle point;
- 13) N54°24'37"E, 178.52 feet to a 1/2" iron rod set for an angle point;
- 14) N39°28'56"E, 241.36 feet to a 1/2" iron rod set for an angle point;
- 15) N45°50'31"W, 48.24 feet to a 1/2" iron rod set for an angle point;
- 16) N60°57'43"E, 256.37 feet to a 1/2" iron rod set for an angle point;
- 17) S88°06'27"E, 247.45 feet to a 1/2" iron rod set for an angle point;

- 18) S60°12'09"E, 274.52 feet to a 1/2" iron rod set in a easterly line of the aforesaid 529.7583 acre tract, being the westerly line of the said 100.2215 acre tract; from which a metal fence post found in the said common line between the 529.7583 acre tract and the 100.2215 acre tract bears N29°11'33"E, 1269.38 feet;

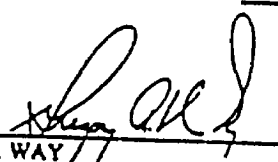
THENCE, along the said common line between the said 529.7583 acre tract and the 100.2215 acre tract for the following three (3) courses:

- 1) S29°11'33"W, 540.47 feet to a 1/2" iron pipe found for an angle point;
- 2) S23°54'19"W, 566.85 feet to a 1/2" iron pipe found for an angle point;
- 3) S28°58'04"W, 48.44 feet to the PLACE OF BEGINNING, CONTAINING within these metes and bounds 137.731 acres of land area.

That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of September, 1996.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas

A-1 (b)

Page.1
251.365 Acres

J. Burlson Survey No. 64
John M. Bright Survey No. 63
Thomas Brite Survey No. 65
Corbet Stevens Survey No. 63
October 12, 1999
Updated: February 01, 2000
Revised: March 13, 2000
99531.12

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 251.365 acre tract of land out of the J. Burlson Survey No. 64, the John M. Bright Survey No. 63, the Corbet Stevens Survey No. 63, and the Thomas Brite Survey No. 65 Travis County, Texas, being a portion of that 100.2215 acre tract described as Parcel 'A', that 100.2215 acre tract, described as Parcel 'B', that 100.2215 acre tract, described as Parcel 'C', and that 35.764 acre tract, described as Parcel 'D', all conveyed to Ladon Corporation, Inc. by deed recorded in Volume 12219, Page 667 of the Deed Records of Travis County, Texas, a portion of that 137.731 acre tract conveyed to Eleven Castle Management Company, Inc., by deed recorded in Volume 12794, Page 1202 of the said Deed Records, a portion of that 69.7943 acre tract conveyed to James D. Gressett by deed recorded in Volume 13087, Page 1542 of the said Deed Records, all of that 0.0003 acre tract conveyed to Ladon Corporation, Inc. in Document No. 2000022941 of the Official Public Records of Travis County and a portion of that 529.7583 acre tract, described as Tract 12, conveyed to Phoenix Holdings, Ltd., by deed recorded in Volume 12515, Page 140 of the said Deed Records; said 251.365 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2" iron rod found for the common rear corner of Lot 42 and Lot 43, Block 'H', The Hielscher, Section Two, a subdivision recorded in Book 99, Pages 348 through 350 of the Plat Records of Travis County, Texas, being the common rear corner of Lot 2 and Lot 3, Block 'H', The Hielscher, Section One, a subdivision recorded in Book 101, Pages 6 through 8 of the said Plat Records, and an angle point in the southerly line of the said 35.764 acre tract;

THENCE, leaving the southerly line of said The Hielscher, Section Two, with the common line between the said 35.764 acre tract and The Hielscher, Section One, for the following four (4) courses:

- 1) S61°02'25"W, 284.60 feet to a 1/2" iron rod found for corner;
- 2) S40°20'06"W, 151.04 feet to a 1/2" iron rod found for corner;
- 3) S62°35'09"W, 70.17 feet to a 1/2" iron rod found for corner;
- 4) N27°25'54"W, 180.99 feet to a 1/2" iron rod found for a northeast corner of the said 137.731 acre tract;

THENCE, leaving the southerly line of the said 35.764 acre tract, with the common line between the said 137.731 acre tract and The Hielscher, Section One, for the following ten (10) courses:

- 1) S62°28'58"W, 221.61 feet to a 1/2" iron rod found for the point of curvature of a non-tangent curve to the left;
- 2) With the said curve to the left having a central angle of 05°01'34", a radius of 670.00 feet, a chord distance of 58.75 feet (chord bears

S60°14'37"W), for an arc distance of 58.77 feet to a ½" iron rod found for the point of non-tangency;

- 3) S57°37'35"W, 79.08 Feet to a ½" iron rod found for corner;
- 4) S32°28'37"E, 133.01 feet to a ½" iron rod found for corner;
- 5) S59°00'47"W, 250.32 feet to a ½" iron rod found for corner;
- 6) S29°22'23"E, 124.77 feet to a ½" iron rod found corner;
- 7) S09°49'45"E, 52.66 feet to a ½" iron rod found for corner;
- 8) S26°24'59"E, 146.14 feet to a ½" iron rod found for corner;
- 9) S43°45'49"W, 194.50 feet to a ½" iron rod found for corner;
- 10) S27°11'55"W, at 280.36 feet pass a ½" iron rod found, for a total distance of 280.72 feet to a calculated point for the southwest corner of The Hielscher, Section One, being the southeast corner of the said 137.731 acre tract and a point on the north right-of-way line of State Highway 45 (right-of-way varies) as dedicated to the State of Texas by deed recorded in Volume 11782, Page 447 of the said Deed Records;

THENCE, leaving the westerly line of said The Hielscher, Section One, with the common line between the 137.731 acre tract and the north right-of-way of State Highway 45 for the following seven (7) courses:

- 1) N66°21'23"W, 223.71 feet to a TxDOT concrete monument found;
- 2) N70°03'23"W, 407.30 feet to a TxDOT concrete monument found;
- 3) N68°15'07"W, 700.37 feet to a TxDOT concrete monument found;
- 4) N67°10'29"W, 392.80 feet to a TxDOT concrete monument found;
- 5) N65°00'05"W, 342.87 feet to a TxDOT concrete monument found;
- 6) N57°31'28"W, 527.86 feet to a TxDOT concrete monument found;
- 7) N58°46'28"W, at 206.55 feet pass a southwest corner of the aforesaid 137.731 acre tract, being a point on the southerly line of the said 529.7583 acre tract, for a total distance of 464.93 feet to a ½" iron rod with plastic cap stamped "Capital Surveying Co. Inc." set for the southwest corner of the herein described tract, from which a TxDOT concrete monument found 266.87 feet right of State Highway centerline station 613+68.23, bears N58°46'28"W, 300.39 feet;

THENCE, leaving the northerly right-of-way line of State Highway 45, across the said 529.7583 acre tract and the 137.731 acre tract, for the following seventeen (17) courses:

- 1) N17°06'56"E, 509.77 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 2) N55°14'43"E, 261.15 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the left;
- 3) With the said curve to the left having a central angle of 54°07'48", a radius of 285.00 feet, a chord distance of 259.35 feet (chord bears N28°10'50"E), for an arc distance of 269.25 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of tangency;
- 4) N01°06'56"E, 184.20 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the right;
- 5) With the said curve to the right having a central angle of 11°20'16", a radius of 400.00 feet, a chord distance of 79.02 feet (chord bears N06°47'04"E), for an arc distance of 79.15 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of tangency;
- 6) N12°27'12"E, 429.59 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the left;
- 7) With the said curve to the left having a central angle of 13°14'28", a radius of 405.00 feet, a chord distance of 93.39 feet (chord bears N05°49'59"E), for an arc distance of 93.60 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of tangency;
- 8) N00°47'14"W, 244.27 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the right;
- 9) With the said curve to the right having a central angle of 23°08'27", a radius of 300.00 feet, a chord distance of 120.34 feet (chord bears N10°47'00"E), for an arc distance of 121.17 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 10) N23°42'40"E, 58.52 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 11) N23°54'42"E, 35.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 12) S66°05'59"E, 231.45 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the right;
- 13) With the said curve to the right having a central angle of 30°33'05", a radius of 445.00 feet, a chord distance of 234.48 feet (chord bears S50°49'26"E), for an arc distance of 237.29 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 14) N54°35'05"E, 141.12 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the left;

- 15) With the said curve to the left having a central angle of $15^{\circ}06'09''$, a radius of 225.00 feet, a chord distance of 59.14 feet (chord bears $N47^{\circ}02'01''E$), for an arc distance of 59.31 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for the point of tangency;
- 16) $N39^{\circ}28'56''E$, 196.00 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for the point of curvature of a curve to the right;
- 17) With the said curve to the right having a central angle of $05^{\circ}18'12''$, a radius of 305.00 feet, a chord distance of 28.22 feet (chord bears $N42^{\circ}08'02''E$), for an arc distance of 28.23 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;

THENCE, $N45^{\circ}53'44''W$, at a distance of 119.92 feet pass a point on a northerly line of the said 137.731 acre tract, for a total distance of 168.16 feet to a $\frac{1}{2}$ " iron rod found on a northerly line of the aforesaid 137.731 acre tract;

THENCE, with the northerly line of the said 137.731 acre tract, for the following three (3) courses:

- 1) $N60^{\circ}59'31''E$, 256.51 feet to a $\frac{1}{2}$ " iron rod found for corner;
- 2) $S88^{\circ}06'23''E$, 247.18 feet to a $\frac{1}{2}$ " iron rod found for corner;
- 3) $S60^{\circ}12'13''E$, 224.52 feet to a $\frac{1}{2}$ " iron rod found for a northeast corner of the said 137.731 acre tract, being on an easterly line of the aforesaid 529.7583 acre tract and a westerly line of the said 30.4272 acre tract;

THENCE, leaving the said 137.731 acre tract and the 529.7583 acre tract, across the said 100.2215 acre, Parcel "A", tract, the said 69.7943 acre tract, the 100.2215 acre, Parcel "B", tract and the 100.2215 acre, Parcel "C", tract for the following seven (7) courses:

- 1) $N83^{\circ}44'38''E$, 631.43 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 2) $S83^{\circ}42'34''E$, 446.01 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 3) $N78^{\circ}01'36''E$, 930.33 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 4) $N69^{\circ}33'31''E$, 882.03 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 5) $N52^{\circ}06'47''E$, 82.33 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 6) $N63^{\circ}19'16''E$, 505.90 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;
- 7) $N29^{\circ}27'45''E$, 100.00 feet to a $\frac{1}{2}$ " iron rod stamped "Capital Surveying Co. Inc." set for corner;

- 8) S60°32'15"E, 295.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for the northeast corner of the herein described tract, being the northwest corner of that 54.455 acre tract conveyed to Hielscher at Circle C, Ltd., by deed recorded in Document No. 1999164080 of the Official Public Records of Travis County;

THENCE, S29°27'45"W, continuing across the said 100.2215 acre, Parcel "C" tract, with the westerly line of the 54.455 acre tract, at 89.95 feet pass a point in the westerly line of the remainder of the said 49.609 acre tract, for a total distance of 100.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;

THENCE, S52°06'41"W, continuing across the said 100.2215 acre, Parcel "C" tract, with the westerly line of the said 54.455 acre tract, at 7.06 feet pass a point in the westerly line of the aforesaid 49.609 acre tract, for a total distance of 1105.03 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;

THENCE, continuing across the said 100.2215 acre, Parcel "C" tract and the 100.2215 acre, Parcel "B" tract, with the westerly line of the said 54.455 acre tract for the following ten (10) courses:

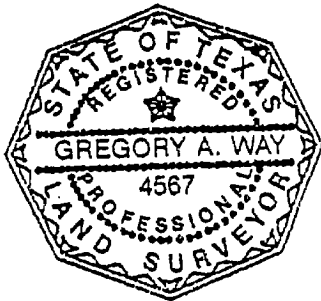
- 1) S70°02'57"W, 790.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 2) S06°58'05"W, 71.74 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 3) S51°42'23"E, 107.65 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 4) N81°45'27"E, 62.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 5) S79°56'58"E, 112.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 6) S39°36'27"E, 112.00 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 7) S00°23'38"E, 113.86 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 8) S14°27'57"W, 38.72 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 9) S24°01'04"W, 837.09 feet to a ½" iron rod stamped "Capital Surveying Co. Inc." found for corner;
- 10) S25°47'28"W, 256.01 feet to a ½" iron rod found for the southwest corner of the said 54.455 acre tract, being on the northerly line of The Hielscher, Section Two;

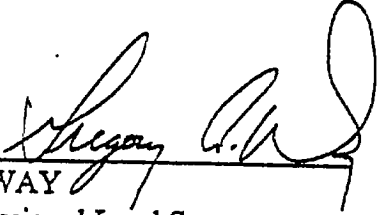
THENCE, leaving the southerly line of the said 54.455 acre tract, with the westerly and southerly lines of The Hielscher, Section Two, for the following eight (8) courses:

- 1) S77°51'51"W, 234.51 feet to a ½" iron rod found for corner;
- 2) S03°57'38"W, 28.09 feet to a ½" iron rod found for corner;
- 3) S13°47'08"W, 86.34 feet to a ½" iron rod found for corner;
- 4) S23°36'42"W, 86.22 feet to a ½" iron rod found for corner;
- 5) S47°17'33"E, 374.44 feet to a ½" iron rod found for corner;
- 6) S36°18'02"E, 60.86 feet to a cotton gin spindle found for corner;
- 7) S42°44'46"E, 83.00 feet to a cotton gin spindle found for corner;
- 8) S20°22'01"E, 75.08 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 251.365 acres of land area.

That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 29TH day of MARCH, 2000.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 48.829 acre tract out of the Corbet Stevens Survey No. 63, Travis County, Texas, being a portion of that 529.7583 acre tract, conveyed to Phoenix Holdings, Ltd., by deed recorded in Volume 12515, Page 140 of the Travis County Deed Records; the said 48.829 acre tract, being more particularly described by metes and bounds as follows:

BEGINNING, at concrete highway right-of-way monument found for a southwest corner of the said 529.7583 acre tract, being a point in the northerly right-of-way line of that 114.043 acre tract conveyed to the State of Texas for right-of-way of State Highway No. 45 and a southeast corner of a remainder of that 2807.1345 acre tract conveyed to Circle C Land Corp., by deed recorded in Volume 11620, Page 1126 of the said deed records; said monument being 225.00 feet right of State Highway centerline station 644+00.00;

THENCE, N16°40'13"E, leaving the northerly right-of-way line of State Highway No. 45, along the common line between the said 529.7583 acre tract, and the said remainder of the 2807.1345 acre tract, 612.26 feet to a 1/2" iron rod found for corner;

THENCE, leaving the said remainder of the 2807.1345 acre tract, across the said 529.7583 acre tract, for the following seven (7) courses:

- 1) S79°24'54"E, 234.20 feet to a 1/2" iron rod set for corner;
- 2) N88°37'03"E, 707.10 feet to a 1/2" iron rod set for corner;
- 3) N74°41'06"E, 347.00 feet to a 1/2" iron rod set for corner;
- 4) S23°30'28"E, 1135.13 feet to a 1/2" iron rod set for corner;
- 5) S18°57'56"E, 537.87 feet to a 1/2" iron rod set for corner;
- 6) S24°59'06"E, 195.39 feet to a 1/2" iron rod set for corner;
- 7) S37°38'29"E, 470.70 feet to a concrete highway right-of-way monument found in the aforesaid northerly right-of-way line of State Highway No. 45, being a point in the southerly line of the said 529.7583 acre tract and the most easterly corner of the herein described tract;

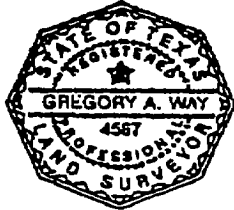
THENCE, along the southerly line of the said 529.7583 acre tract, being the northerly right-of-way line of State Highway No. 45 for the following four (4) courses:


- 1) S84°30'13"W, a distance of 85.43 feet to a highway right-of-way monument found at State Highway Department engineer's centerline station 616+27.57, 250.00 feet right;
- 2) N57°49'29"W, a distance of 307.61 feet to a highway right-of-way monument found, from which a highway right-of-way monument found on the southerly right-of-way line of State Highway No. 45, bears S32°08'58"W, 500.16 feet;

- 3) N60°35'49"W, a distance of 515.66 feet to a highway right-of-way monument found;
- 4) N57°49'14"W, a distance of 1449.86 feet to the PLACE OF BEGINNING, CONTAINING within these metes and bounds 48.829 acres of land area

That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.


WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 10th day of January, 1996.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.


09-30-2002 12:58 PM 2002182178
ZAVALAR \$51.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS