

POSSESSION AND USE AGREEMENT

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

WHEREAS, DONALD P. MCEVOY, TRUSTEE OF THE HELEN BROWN MCEVOY FAMILY TRUST, TODD BENNETTE BROWN, AND MARY LOU BROWN, hereinafter referred to as "GRANTOR", whether one or more, is the owner of those certain pieces, parcels or tracts of land in Williamson County, Texas, being more particularly described by metes and bounds in Exhibits "A-G" (Parcels 4 & 11, 4E, 4WE, 4TCE), which are attached hereto and made a part hereof; and

WHEREAS, THE STATE OF TEXAS, acting by and through WILLIAMSON COUNTY, TEXAS, plans to acquire a fee simple and/or easement interest in the tract(s) of land described in Exhibits "A-E", and CHISHOLM TRAIL SPECIAL UTILITY DISTRICT plans to acquire a waterline easement interest and temporary easement interest in, under and across the property described in Exhibits "F-G", "collectively known as GRANTEE", whether through contract and conveyance or through eminent domain proceedings; and

WHEREAS, the GRANTEE must have possession of said-described tract of land for the purposes described below,

Construction of the State Highway 195 roadway and related utility relocation improvements (Project).

NOW THEREFORE, BE IT KNOWN:

That in consideration of the sum of SEVEN HUNDRED EIGHTY THREE THOUSAND AND TWO HUNDRED NINETY TWO AND 20/100 DOLLARS (\$783,292.00) paid by the GRANTEE, which amount represents 90% of the GRANTEE'S estimated compensation for the acquisition of the Property to be acquired and any damages to the remaining property, the receipt and sufficiency of which are hereby expressly acknowledged, GRANTOR has GRANTED and CONVEYED and by these presents does GRANT and CONVEY unto the GRANTEE, its employees, agents and assigns an irrevocable right-of-entry, possession, and construction easement, with the right of exclusive possession over, upon, and across those tracts of land described in Exhibits "A-G".

GRANTOR warrants and represents by, through, and under the GRANTOR, but not otherwise, that the title to the Property is free and clear of all liens and encumbrances on the title to the Property, and that any necessary and proper releases will be executed for the Property prior to funds being disbursed under this agreement. The GRANTOR further warrants and represents that there are no debts, estate or inheritance taxes, or any Medicare recovery debts now due and owing in connection with the Estates of J.C. Brown, Helen Brown McEvoy, or Thomas Warren Brown. GRANTOR further agrees to indemnify the GRANTEE from all unreleased or undisclosed liens, claims or encumbrances affecting the Property.

It is expressly agreed, acknowledged, and understood that the consideration paid hereunder shall be credited against, applied towards, and offset from any consideration to be paid in satisfaction of an agreed purchase price under a contract and conveyance or in satisfaction of the award of the Special Commissioners or subsequent judgment in any condemnation proceeding for the acquisition of the property interests described in Exhibits "A-G", and any other property to be acquired from GRANTOR.

It is expressly agreed, acknowledged, and understood that the easements, rights, and privileges herein granted are assignable and shall be used by the GRANTEE, its employees, agents, and assigns, for the purposes of entering upon the above-described property, before the closing of the contemplated real estate transaction or the acquisition of title through condemnation, and proceeding with surveying, site review and analysis, utility relocation, actual construction on the Project, and all manner of preparation and work attendant thereto. Utility relocation, if any, shall include, but not be limited to, the relocation of water and wastewater lines, electrical lines, cable television lines, telephone lines, gas lines, and their attendant facilities from the existing roadway right-of-way on the property described in Exhibits "A-G".

The GRANTEE, its employees, agents, and assigns shall have the full and exclusive right to control and use the above-described tracts, including the right to erect and maintain fencing and traffic and pedestrian control and devices and signs, the right to clear trees and vegetation, and the right to excavate, trench, fill, and grade the real property itself.

At no time during the possession of the property by GRANTEE for the purposes described herein shall GRANTOR be denied reasonable access and/or ingress to or egress from the remaining property for the current uses of such property.

The easement, rights, and privileges herein granted shall automatically terminate upon the contemplated closing of the above-described real estate transaction or the rendition of a final judgment in condemnation proceedings. However, this grant shall survive the termination of any purchase contract agreement and shall also survive any institution of condemnation proceedings.

The parties further agree as follows:

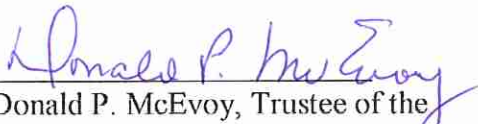
1. That by virtue of the granting of permission to the GRANTEE to take temporary possession of the Property in accordance with this Agreement, GRANTOR does not waive any legal rights or defenses under the Constitution of the United States, the Constitution and Statutes of the State of Texas or any other provisions of the law that GRANTOR may have in connection with the acquisition of any rights to the Property by the GRANTEE.
2. That this Right of Entry, Possession, and Construction Easement is irrevocable by GRANTOR but only valid until sixty (60) business days after the filing of a Special Commissioners' award in the Cause. Thereafter, continued possession, if at all, will be pursuant to a deposit of a Special Commissioners' award according to Texas law governing possession in a statutory eminent domain case.
3. The date of valuation for purposes of determining the value of the just compensation for the Property to be acquired shall be the date of final execution of this document by the parties.

5. This Agreement shall be binding upon the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties. Specifically, Grantee's heirs, devisees, executors, administrators, legal representatives, successors or assigns are bound by terms of this agreement which state that the consideration paid hereunder to Grantee shall be credited against, applied towards, and offset from any consideration to be paid in satisfaction of an agreed purchase price under a contract and conveyance or in satisfaction of the award of the Special Commissioners or subsequent judgment in any condemnation proceeding for the acquisition of the property described herein, whether said Grantee is or is not the owner of said property, now or in the future.
6. The easement, right, and privileges granted herein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by this grant. This grant shall be binding upon legal representatives, successors, and assigns of GRANTOR for the term of this grant.

TO HAVE AND TO HOLD the possession of the above-described tracts of land for the purposes and subject to the limitations described above, and GRANTOR warrants that he knows of no persons or business entity owns a present possessory interest in the fee title to the above-described premises other than GRANTOR, and that there are no parties in possession of any portion of the referenced real property as lessees.

Executed this the 14th day of DECEMBER, 2009.

GRANTOR:


Donald P. McEvoy, Trustee of the
Helen Brown McEvoy Family Trust

Todd Bennette Brown

Mary Lou Brown

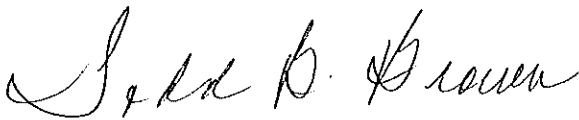
5. This Agreement shall be binding upon the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties. Specifically, Grantee's heirs, devisees, executors, administrators, legal representatives, successors or assigns are bound by terms of this agreement which state that the consideration paid hereunder to Grantee shall be credited against, applied towards, and offset from any consideration to be paid in satisfaction of an agreed purchase price under a contract and conveyance or in satisfaction of the award of the Special Commissioners or subsequent judgment in any condemnation proceeding for the acquisition of the property described herein, whether said Grantee is or is not the owner of said property, now or in the future.
6. The easement, right, and privileges granted herein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by this grant. This grant shall be binding upon legal representatives, successors, and assigns of GRANTOR for the term of this grant.

TO HAVE AND TO HOLD the possession of the above-described tracts of land for the purposes and subject to the limitations described above, and GRANTOR warrants that he knows of no persons or business entity owns a present possessory interest in the fee title to the above-described premises other than GRANTOR, and that there are no parties in possession of any portion of the referenced real property as lessees.

Executed this the 20th day of November, 2009.

GRANTOR:

Donald P. McEvoy, Trustee of the
Helen Brown McEvoy Family Trust



Todd Bennette Brown

Mary Lou Brown

5. This Agreement shall be binding upon the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties. Specifically, Grantee's heirs, devisees, executors, administrators, legal representatives, successors or assigns are bound by terms of this agreement which state that the consideration paid hereunder to Grantee shall be credited against, applied towards, and offset from any consideration to be paid in satisfaction of an agreed purchase price under a contract and conveyance or in satisfaction of the award of the Special Commissioners or subsequent judgment in any condemnation proceeding for the acquisition of the property described herein, whether said Grantee is or is not the owner of said property, now or in the future.
6. The easement, right, and privileges granted herein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by this grant. This grant shall be binding upon legal representatives, successors, and assigns of GRANTOR for the term of this grant.

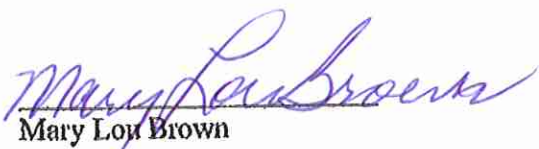
TO HAVE AND TO HOLD the possession of the above-described tracts of land for the purposes and subject to the limitations described above, and GRANTOR warrants that he knows of no persons or business entity owns a present possessory interest in the fee title to the above-described premises other than GRANTOR, and that there are no parties in possession of any portion of the referenced real property as lessees.

Executed this the ____ day of _____, 2009.

GRANTOR:

Donald P. McEvoy, Trustee of the
Helen Brown McEvoy Family Trust

Todd Bennette Brown


Mary Lou Brown

GRANTEE:
WILLIAMSON COUNTY, TEXAS

County Judge Dan A. Gattis
Williamson County, Texas

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WILLIAMSON *Dallas*

This instrument was acknowledged before me on this the *14th* day of *December*, ~~2008~~ *2009*
by Donald P. McEvoy, in the capacity and for the purposes and consideration recited herein.



Sonya C. Boone

Notary Public, State of Texas
Printed Name: *SONYA C. BOONE*
My Commission Expires: *6/6/2011*

STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this the ____ day of _____, 2008
by Todd Bennette Brown, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas
Printed Name: _____
My Commission Expires: _____

GRANTEE:
WILLIAMSON COUNTY, TEXAS

County Judge Dan A. Gattis
Williamson County, Texas

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this the ____ day of _____, 2008
by Donald P. McEvoy, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas
Printed Name: _____
My Commission Expires: _____

STATE OF ~~TEXAS~~ Pennsylvania
COUNTY OF ~~WILLIAMSON~~ Delaware

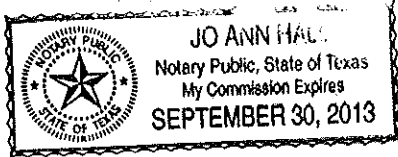
This instrument was acknowledged before me on this the 20th day of November, 2008-2009
by Todd Bennette Brown, in the capacity and for the purposes and consideration recited herein.

Rachel Erin Morris
Notary Public, State of ~~Texas~~ Pennsylvania
Printed Name: Rachel Erin Morris
My Commission Expires: 9/23/13

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Rachel Erin Morris, Notary Public
Media Boro, Delaware County
My Commission Expires Sept. 23, 2013
Member, Pennsylvania Association of Notaries

**STATE OF TEXAS
COUNTY OF WILLIAMSON**

This instrument was acknowledged before me on this the 23rd day of NOVEMBER, 2008 by Mary Lou Brown, in the capacity and for the purposes and consideration recited herein.



Jo Ann Hall
Notary Public, State of Texas
Printed Name: JO ANN HALL
My Commission Expires:

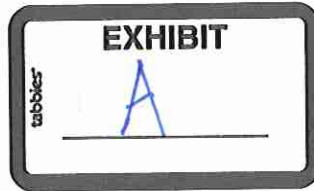
**STATE OF TEXAS
COUNTY OF WILLIAMSON**

This instrument was acknowledged before me on this the ____ day of _____, 2008 by Dan A. Gattis, Williamson County Judge, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas
Printed Name: _____
My Commission Expires:

After recording return to:

Don Childs
Sheets & Crossfield, P.C.
309 E. Main St.
Round Rock, Texas 78664



County: Williamson
Highway: SH 195
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South
ROW CSJ: 0836-01-013

Property Description
for Parcel 4

BEING a 52.631 acre parcel of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown and J. C. Brown, Jr. by deed dated May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records.

COMMENCING at a found concrete monument, being 813.24 feet left of Proposed Baseline Station 1000+78.90, for the southwest corner of said 460 acre tract and the southeast corner of a tract of land described as 101.67 acres conveyed from E. L. Gaylean to The Thelma and E. L. Gaylean Family Trust by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;

THENCE North 19° 57' 49" West a distance of 2,285.87 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to the north line of said Williamson County Road No. 228 and a found 1/2 inch iron rod, being 9.21 feet right of Proposed Baseline Station 979+18.46, for the POINT OF BEGINNING and the southeast corner of a tract of land described as 13.00 acres conveyed from Veterans Land Board of Texas to Thomas Woodrow Elms by deed dated August 25, 1983 and recorded in Volume 936, Page 45 of the Williamson County Deed Records;

- (1) THENCE North 19° 46' 45" West a distance of 871.40 feet, along the west line of said 460 acre tract and the east line of said 13.00 acre tract, to a found 3/8 inch iron rod;
- (2) THENCE North 21° 04' 38" West a distance of 1,287.36 feet, along the west line of said 460 acre tract and the east line of a tract of land described as 11.96 acres conveyed from Carl Leroy Champlin and wife, Anita K. Champlin, to Leonard G. Hyden, by deed dated December 30, 1993 and recorded in Volume 2480, Page 183 of the Williamson County Deed Records, to a fence post;

- (3) THENCE South $82^{\circ} 23' 28''$ West a distance of 59.38 feet, along the north line of said 11.96 acre tract, to the existing east right-of-way line of State Highway 195, being on a curve to the left;
- (4) THENCE northwesterly a distance of 350.77 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, and the arc of said curve to the left, having a central angle of $24^{\circ} 33' 14''$, a radius of 818.51 feet, a chord bearing of North $05^{\circ} 37' 36''$ West, and a chord distance of 348.09 feet, to a found Texas Department of Transportation Type I concrete monument for the end of said curve to the left;
- (5) THENCE North $17^{\circ} 02' 23''$ West 115.86 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a found Texas Department of Transportation Type I concrete monument for the beginning of a curve to the left;
- (6) THENCE northwesterly 605.02 feet, along the existing east right-of-way of said State Highway 195, the west line of said 460 acre tract, and the arc of said curve to the left, having a central angle of $14^{\circ} 44' 23''$, a radius of: 2,351.83 feet, a chord bearing of North $13^{\circ} 25' 54''$ West, and a chord distance of 603.35 feet, to a found Texas Department of Transportation Type I concrete monument for the end of said curve to the left;
- (7) THENCE North $20^{\circ} 31' 22''$ West a distance of 181.50 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a found Texas Department of Transportation Type I concrete monument;
- (8) THENCE North $11^{\circ} 31' 13''$ West a distance of 240.44 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a found Texas Department of Transportation Type I concrete monument for the beginning of a curve to the left;
- (9) THENCE northwesterly a distance of 533.50 feet, along the existing east right-of-way line of said State Highway 195, the west line of said 460 acre tract, and the arc of said curve to the left, having a central angle of $20^{\circ} 45' 37''$, a radius of 1,472.39 feet, a chord bearing of North $21^{\circ} 58' 06''$ West, and a chord distance of 530.59 feet, to a found Texas Department of Transportation Type I concrete monument for the end of said curve to the left;
- (10) THENCE North $31^{\circ} 35' 58''$ West a distance of 146.72 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a point for corner;

- (11) THENCE North $20^{\circ} 46' 49''$ West a distance of 1,125.05 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a found Texas Department of Transportation Type I concrete monument for the beginning of a curve to the right;
- (12) THENCE northeasterly a distance of 1,271.65 feet, along the existing east right-of-way line of said State Highway 195, the west line of said 460 acre tract, and the arc of said curve to the right, having a central angle of $25^{\circ} 58' 37''$, a radius of 2,804.79 feet, a chord bearing of North $07^{\circ} 45' 07''$ West, and a chord distance of 1,260.78 feet, to a found Texas Department of Transportation Type I concrete monument for the end of said curve to the right;
- (13) THENCE North $05^{\circ} 13' 33''$ East a distance of 462.34 feet, along the existing east right-of-way line of said State Highway 195 and the west line of said 460 acre tract, to a found Texas Department of Transportation Type I concrete monument for the beginning of a curve to the left;
- (14) THENCE northeasterly a distance of 84.26 feet, along the existing east right-of-way line of said State Highway 195, the west line of said 460 acre tract, and the arc of said curve to the left, having a central angle of $05^{\circ} 03' 20''$, a radius of 954.93 feet, a chord bearing of North $27^{\circ} 49' 44''$ East, and a chord distance of 84.23 feet, to a set Texas Department of Transportation Type II concrete monument, being 150.00 feet left of Proposed Baseline Station 906+34.42;
- (15) THENCE South $05^{\circ} 13' 54''$ West a distance of 16.70 feet, along the proposed east right-of-way line of said State Highway 195 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 150.00 feet left of Proposed Baseline Station 906+51.12, for the beginning of a curve to the left;
- (16) THENCE southeasterly, passing at a distance of 719.47 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap stamped "COA", being 150.00 feet left of Proposed Baseline Station 914+00.00, for the beginning of a Control of Access line, and continuing a total distance of 1,391.98 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, and the arc of said curve to the left, having a central angle of $21^{\circ} 43' 59''$, radius 3,669.72', a chord bearing of South $05^{\circ} 38' 06''$ East, and a chord distance of 1,383.65 feet, to a set Texas Department of Transportation Type II concrete monument, being 150.00 feet left of Proposed Baseline Station 921+00.00, for the end of said curve to the left;

- (17) THENCE South $20^{\circ} 03' 50''$ East, passing at a distance of 168.09 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, passing at a distance of 248.09 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, passing at a distance of 309.61 feet a set Texas Department of Transportation Type II concrete monument and continuing a total distance of 587.11 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 150.00 feet left of Proposed Baseline Station 927+00.00, for the beginning of a curve to the left;
- (18) THENCE southeasterly a distance of 517.18 feet, crossing said 460 acre tract and along the proposed east right-of-way line of said State Highway 195, said Control of Access line, and the arc of said curve to the left, having a central angle of $10^{\circ} 33' 39''$, a radius of 2,805.81', a chord bearing of South $32^{\circ} 28' 56''$ East, and a chord distance of 516.45 feet to a set Texas Department of Transportation Type II concrete monument, being 249.80 feet left of Proposed Baseline Station 932+06.71;
- (19) THENCE South $37^{\circ} 39' 59''$ East a distance of 925.62 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 510.00 feet left of Proposed Baseline Station 940+95.00;
- (20) THENCE South $33^{\circ} 03' 09''$ East a distance of 418.72 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 595.00 feet left of Proposed Baseline Station 945+05.00;
- (21) THENCE South $09^{\circ} 32' 28''$ East a distance of 229.86 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 548.00 feet left of Proposed Baseline Station 947+30.00;
- (22) THENCE South $09^{\circ} 14' 13''$ West a distance of 93.71 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 500.33 feet left of Proposed Baseline Station 948+10.68;
- (23) THENCE South $08^{\circ} 39' 32''$ West a distance of 420.68 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 951+75.00;

- (24) THENCE South $21^{\circ} 20' 24''$ East a distance of 640.00 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 958+15.00;
- (25) THENCE South $16^{\circ} 20' 52''$ East, passing at a distance of 613.33 feet a set Texas Department of Transportation Type II concrete monument, passing at a distance of 779.16 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, and continuing a total distance of 1,023.34 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 215.00 feet left of Proposed Baseline Station 968+20.00;
- (26) THENCE South $04^{\circ} 22' 26''$ East a distance of 190.37 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 970+00.00, for the beginning of a curve to the right;
- (27) THENCE southeasterly a distance of 628.63 feet, crossing said 460 acre tract and along the proposed east right-of-way line of said State Highway 195, said Control of Access line, and the arc of said curve to the right, having a central angle of $06^{\circ} 06' 00''$, a radius of 5,904.58 feet, a chord bearing of South $12^{\circ} 33' 00''$ East, and a chord distance of 628.33 feet, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 976+10.00, for the end of said curve to the right;
- (28) THENCE South $05^{\circ} 18' 20''$ East a distance of 165.03 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.23 feet left of Proposed Baseline Station 977+70.00, for the end of said Control of Access line;
- (29) THENCE North $73^{\circ} 26' 27''$ East a distance of 434.14 feet, along the proposed north right-of-way line of Williamson County Road No. 228 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 594.76 feet left of Proposed Baseline Station 977+10.78;
- (30) THENCE South $67^{\circ} 52' 24''$ West a distance of 385.38 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract to a fence post;

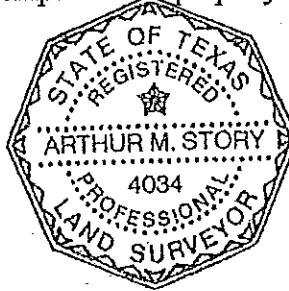
- (31) THENCE South 54° 58' 20" West a distance of 260.67 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract to the POINT OF BEGINNING and containing 52.631 acres of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388

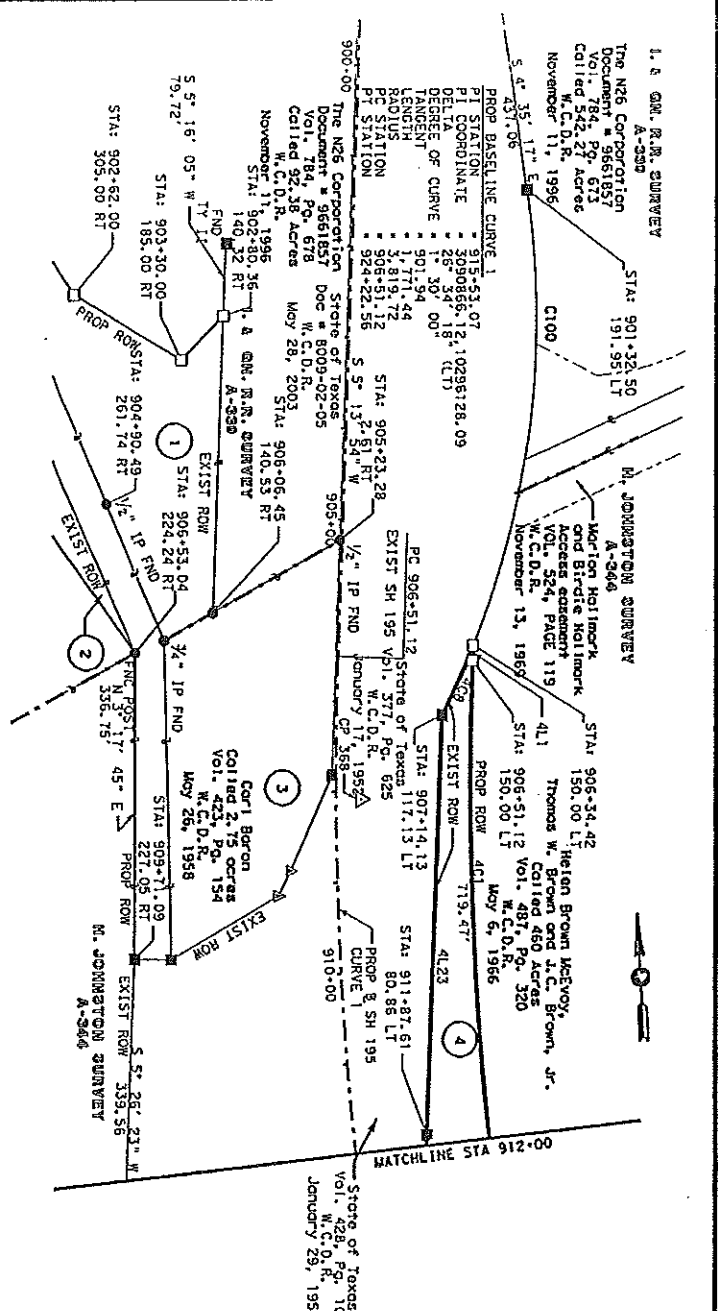


A handwritten signature in black ink, appearing to be "A. M. Story", written over a horizontal line.

9/28/04

Arthur M. Story, Registered Professional Land Surveyor, No. 4034

Date



PARCEL	LINE NO.	BEARING	DISTANCE	EXISTING ACRES	TAKING ACRES	APPROX. REMAINDER	
						LEFT	RIGHT
4	4L1	S 05° 13' 54" W	16.70				
	4L2	S 20° 03' 50" E	587.11				
	4L3	S 37° 39' 59" E	925.62				
	4L4	S 33° 03' 09" E	418.72				
	4L5	S 09° 32' 28" E	229.86				
	4L6	S 09° 14' 13" W	93.71				
	4L7	S 08° 39' 32" W	420.68				
	4L8	S 21° 20' 24" E	640.00				
	4L9	S 16° 20' 52" E	1023.34				
	4L10	S 04° 22' 26" E	190.37				
	4L11	S 05° 18' 20" E	165.03				
	4L12	N 73° 26' 27" E	434.14				
	4L13	S 67° 52' 24" W	385.38				
	4L14	S 54° 58' 20" W	260.67				
	4L15	N 19° 46' 45" W	871.40				
	4L16	N 21° 04' 38" W	1287.35				
	4L17	S 82° 23' 28" W	59.38				
	4L18	N 17° 02' 23" W	115.86				
	4L19	N 20° 31' 22" W	181.50				
	4L20	N 11° 31' 13" W	240.44				
	4L21	N 31° 35' 58" W	146.72				
	4L22	N 20° 46' 49" W	1125.05				
	4L23	N 05° 13' 33" E	462.34				

PARCEL	CURVE	RADIUS	LENGTH	DELTA	CHORD BEG	CHORD
4	C100	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C101	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C102	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C103	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C104	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C105	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C106	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68
	C107	954.93	509.71	30° 34' 57"	S 10° 00' 35" W	503.68

STATE OF TEXAS
 REGISTERED
 4084
 ARTHUR M. STORY
 LAND SURVEYOR

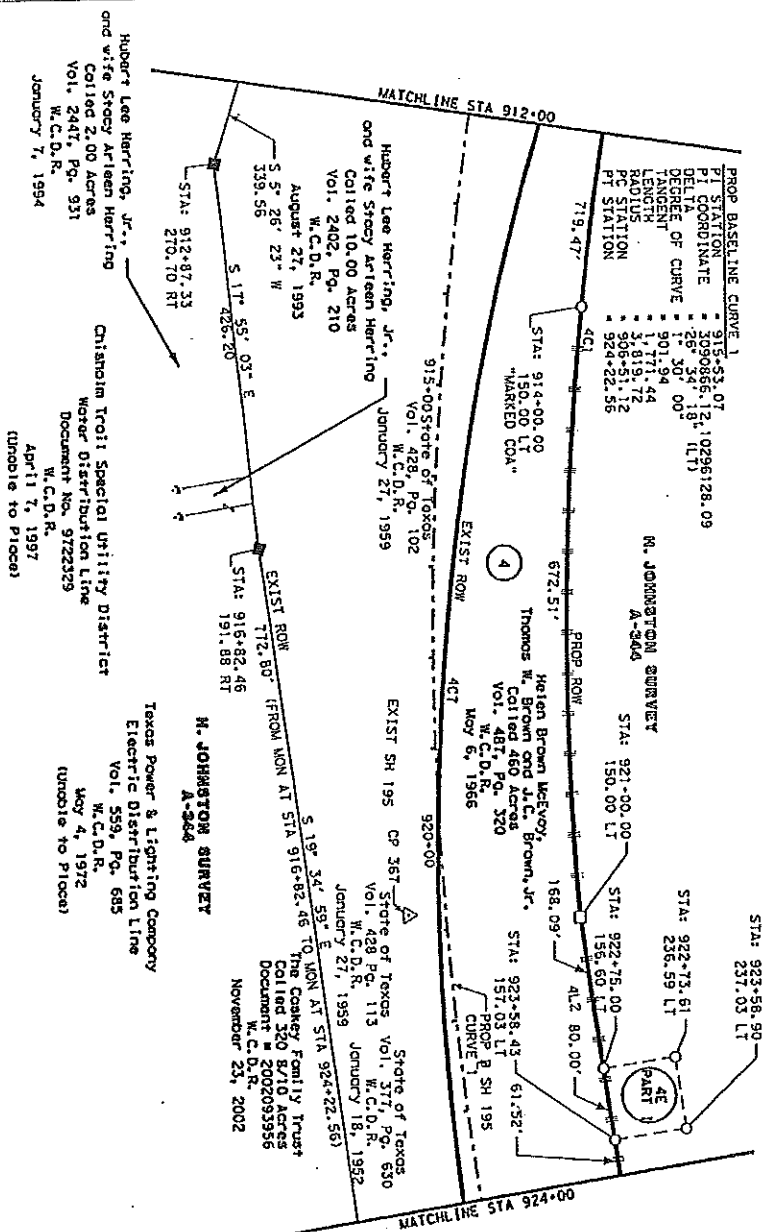
RIGHT OF WAY PLAT
 SHOWING PROPERTY OF
 PARCEL 4

STATE HIGHWAY 195
 RODS SURVEYING INC.
 6810 LEE ROAD SPRING, TX 77379
 (281) 379-6368
 September 28, 2004

LEGEND

- FOUND CORNER (AS DESCRIBED)
- 1/2" IRON ROD W/ ALUMINUM CAP SET
- CONCRETE MONUMENT SET (TYPE 1)
- CONCRETE MONUMENT SET (TYPE 2)
- △ CALCULATED POINT
- △ CONTROL POINT
- △ P.O.B. POINT OF BEGINNING
- △ P.O.E. POINT OF END
- BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- PROP ROW
- CONST EASEMENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- 1" LINE ON CURVE NUMBER
- 6" TRACT (EASEMENT OF TRACT 6)

SCALE IN FEET
 0 50 100 200 400



NOTE: ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF 1.000120.

1. FOUND CONCRETE (AS DESCRIBED)
2. 1/2" IRON ROD W/ ALUMINUM CAP SET
3. RODS SURVEYING
4. CONCRETE MONUMENT SET TYPE 11)
5. FOUND CONCRETE MONUMENT TYPE 1)
6. CALCULATED POINT
7. CONTROL POINT
8. P.O.B. POINT OF BEGINNING
9. P.O.C. POINT OF COMPLETION
10. BASE LINE / CENTER LINES
11. SURVEY LINE
12. PROPERTY LINE
13. EXIST. ROW
14. PROP. ROW
15. CONST. EASEMENT (TEMPORARY)
16. DRAINAGE EASEMENT (PERMANENT)
17. CONTROL OF ACCESS
18. 1/2" LINE OR CURVE NUMBER
19. 1/2" LINE (C-CURVE)
20. TRACT (C-E) EASEMENT OF TRACT 6



RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL A

SHEET 8 OF 12

ROW CSJ NO. 0836-01-013

STATE HIGHWAY 195
WILLIAMSON COUNTY

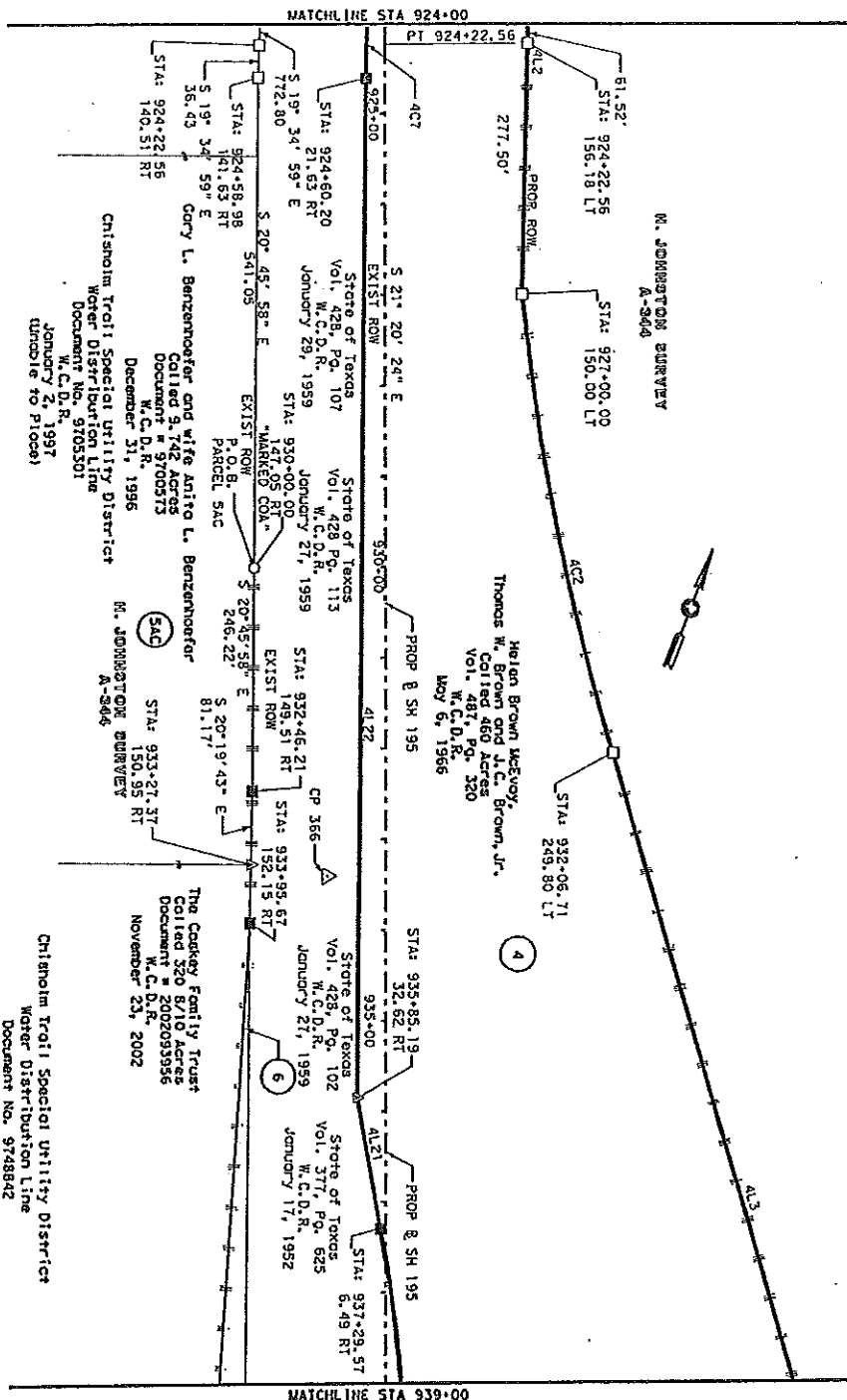
RODS SURVEYING, INC.

6810 LEE ROAD SPRING, TX 77379

SCALE: 1"=200' September 28, 2004

[illegible]

NOTE:
ALL BEARING AND COORDINATES ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83,
1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES
SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
1.000120.



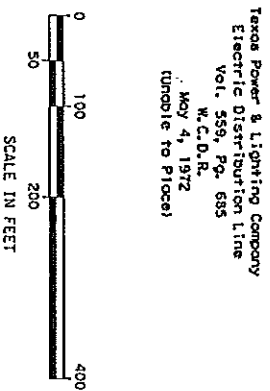
- LEGEND
- FOUND CORNER (AS DESCRIBED)
 - 3/4" IRON ROD w/ ALUMINUM CAP SET
 - 1/2" IRON ROD w/ PLASTIC CAP SET
 - "RODS SURVEYING"
 - CONCRETE MONUMENT SET (TYPE 111)
 - FOUND CONCRETE MONUMENT (TYPE 11)
 - △ CALCULATED POINT
 - △ CONTROL POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - BASE LINE / CENTERLINE
 - SURVEY LINE
 - PROPERTY LINE
 - EXIST ROW
 - PROP ROW
 - CONST EASEMENT (TEMPORARY)
 - DRAINAGE EASEMENT (PERMANENT)
 - CONTROL OF ACCESS
 - 1" LINE OR CURVE NUMBER
 - 1" LINE (G-CURVED)
 - 6" TRACT (G-CURVED) OF TRACT 63

RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL 4

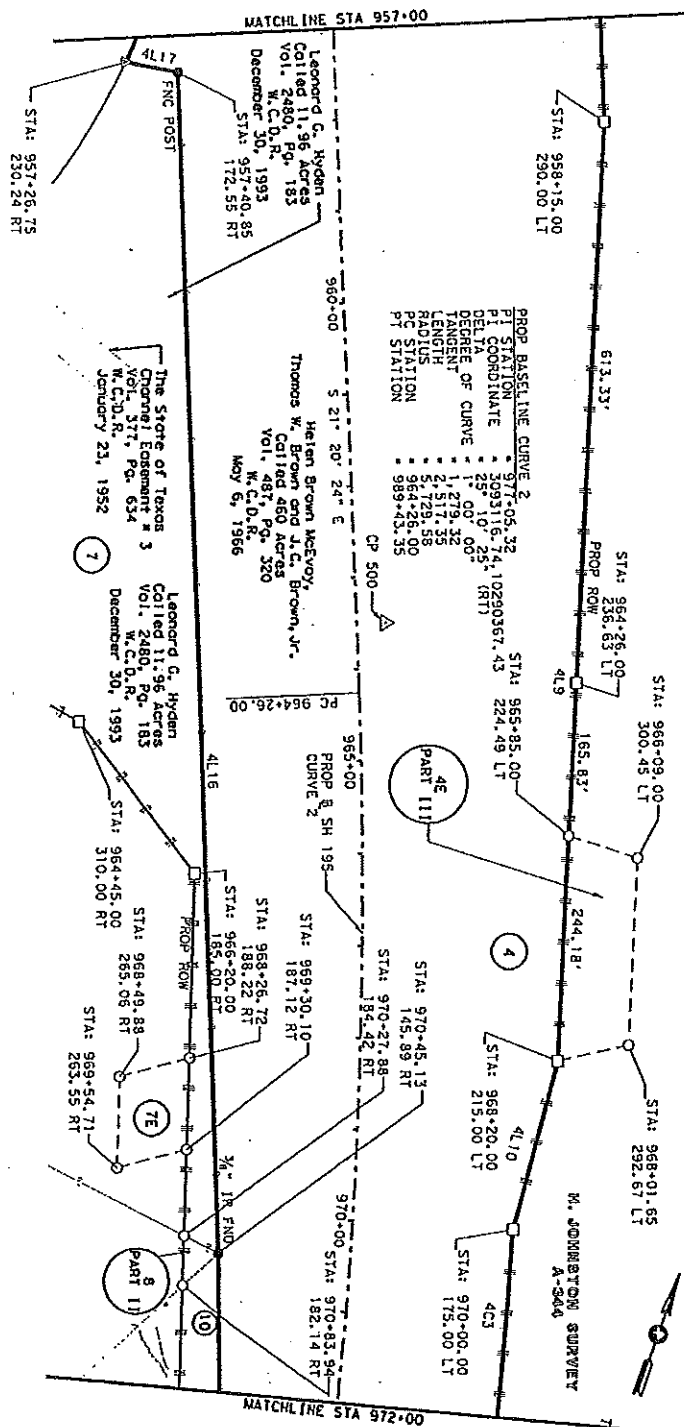
SHEET 9 OF 12

ROW CSJ NO. 0836-01-013
STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
September 28, 2004





RIGHT OF WAY PLAT
SHOWING PROPERTY OF
PARCEL 4
SHEET 10 OF 12
ROW CSJ NO. 0836-01-013
STATE HIGHWAY 195 WILLIAMSON COUNTY
RDDS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=120' September 26, 2004



- ① FOUND CONCRETE (AS DESCRIBED)
 ② 1/4" IRON ROD W/ ALUMINUM CAP SET
 ③ 3/4" IRON ROD W/ PLASTIC CAP SET
 ④ "ROSS SURVEYING"
 ⑤ CONCRETE MONUMENT SET (TYPE 11)
 ⑥ FOUND CONCRETE MONUMENT (TYPE 1)
 ▲ CALCULATED POINT,
 △ CONTROL POINT
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 BASE LINE / CONTROLLING LINES
 — SURVEY LINE
 — PROPERTY LINE
 — EXIST ROW
 — GROP ROW
 — CONST EASEMENT (TEMPORARY)
 — DRINKING EASEMENT (PERMANENT)
 — CONTROL OF ACCESS
 — L LINE
 — L LINE OR CURVE NUMBER
 — L LINE (T-CURVE)
 — 0-TRACT (EASEMENT OF TRACT 0.5)

0
50
100
200
400

SCALE IN FEET

RIGHT OF WAY PLATT
SHOWING PROPERTY OF

PARCEL 4

SHEET 11 OF 12

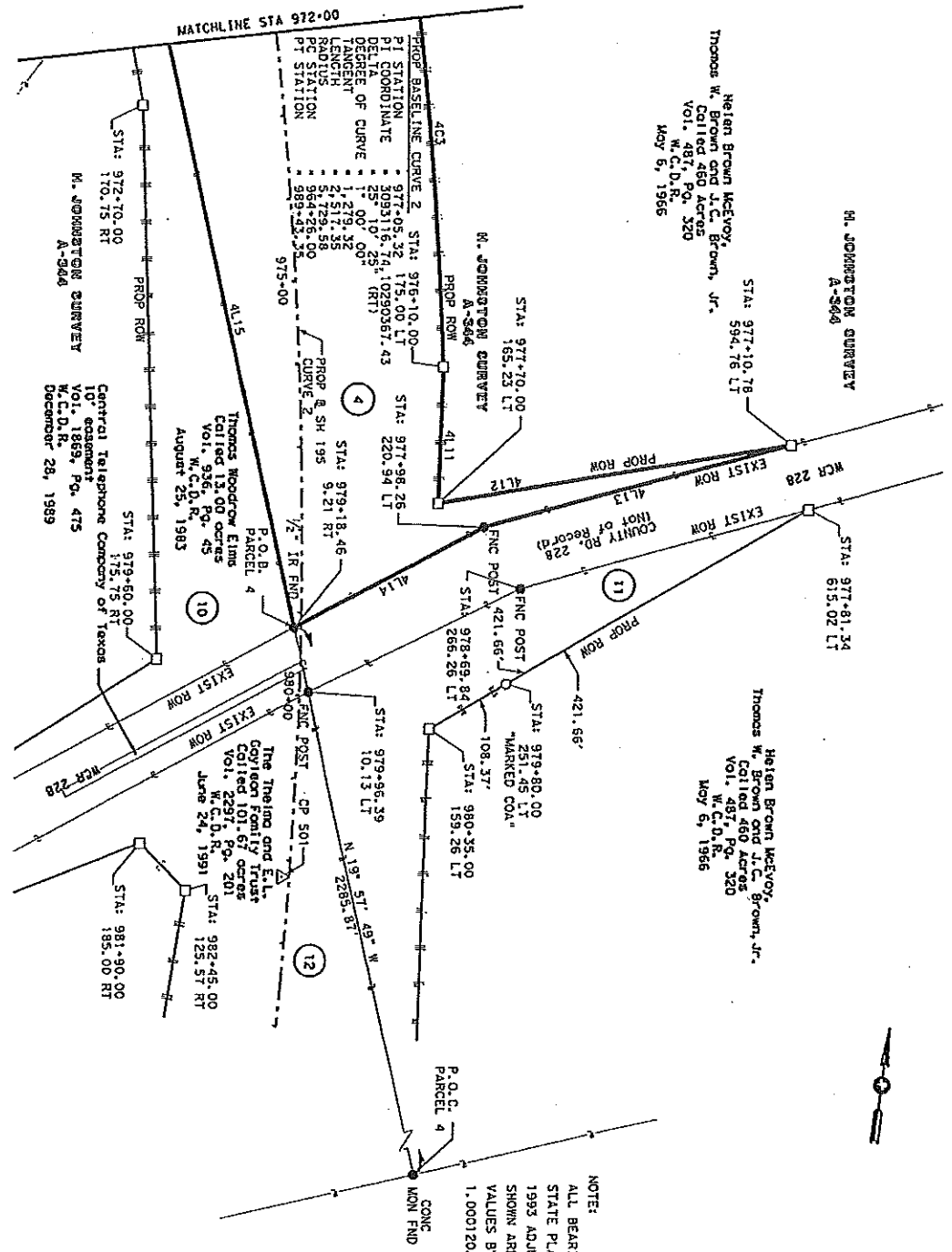
ROW CSJ NO. 0836-01-013

STATE HIGHWAY 195 WILLIAMSON COUNTY

RODS SURVEYING INC.

(281) 379-6388

SCALE: 1"=200' September 28, 2004



LEGEND

- FOUND CORNER (AS DESCRIBED)
- ½" IRON ROD W/ ALUMINUM CAP SET
- ⊗ "RODS SURVEYING"
- CONCRETE MONUMENT SET (TYPE 11)
- ▣ FOUND CONCRETE MONUMENT (TYPE 11)
- △ CALCULATED POINT

△ CONTROL POINT

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

--- BASE LINE / CENTERLINE

--- SURVEY LINE

--- PROPERTY LINE

--- EXIST. ROW

--- PROP. ROW

--- CONCT. EASEMENT (TEMPORARY)

--- DRAINAGE EASEMENT (PERMANENT)

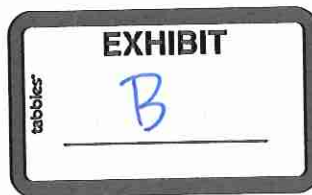
--- CONTROL OF ACCESS

1. LINE ON CURVE NUMBER

1. LINE (IC-CURVE)

6-TRACT (E.C.-TRACT OF TRACT 6)

NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83.
1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES
SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
1.000120.



County: Williamson
Highway: SH 195
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South
ROW CSJ: 0836-01-013

Property Description
for Easement 4E Part 1

BEING a 0.147 acre (6,400 square feet) parcel of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown and J. C. Brown, Jr. by deed dated May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records.

COMMENCING at a found concrete monument, being 813.24 feet left of Proposed Baseline Station 1000+78.90, for the southwest corner of said 460 acre tract and the southeast corner of a tract of land described as 101.67 acres conveyed from E. L. Gaylean to The Thelma and E. L. Gaylean Family Trust by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;

THENCE North 19° 57' 49" West a distance of 2,285.87 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to the north line of said Williamson County Road No. 228 and a found 1/2 inch iron rod for the southeast corner of a tract of land described as 13.00 acres conveyed from The Veterans Land Board of Texas to Thomas Woodrow Elms by deed dated August 25, 1983 and recorded in Volume 936, Page 45 of the Williamson County Deed Records;

THENCE North 54° 58' 20" East a distance of 260.67 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a fence post;

THENCE North 67° 52' 24" East a distance of 385.38 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract to a set Texas Department of Transportation Type II concrete monument, being 594.76 feet left of Proposed Baseline Station 977+10.78;

THENCE South 73° 26' 27" West a distance of 434.14 feet, along the proposed north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.23 feet left of Proposed Baseline Station 977+70.00;

THENCE North 05° 18' 20" West a distance of 165.03 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 976+10.00, for the beginning of a curve to the left;

THENCE northwesterly a distance of 628.63 feet, crossing said 460 acre tract and along the proposed east right-of-way line of said State Highway 195 and the arc of said curve to the left, having a central angle of 06° 06' 00", a radius of 5,904.58 feet, a chord bearing of North 12° 33' 00" West, and a chord distance of 628.33 feet, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 970+00.00, for the end of said curve to the left;

THENCE North 04° 22' 26" West a distance of 190.37 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 215.00 feet left of Proposed Baseline Station 968+20.00;

THENCE North 16° 20' 52" West, passing at a distance of 244.18 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, and continuing a total distance of 1,023.34 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 958+15.00;

THENCE North 21° 20' 24" West a distance of 640.00 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 951+75.00;

THENCE North 08° 39' 32" East a distance of 420.68 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 500.33 feet left of Proposed Baseline Station 948+10.68;

THENCE North 09° 14' 13" East a distance of 93.71 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 548.00 feet left of Proposed Baseline Station 947+30.00;

THENCE North 09° 32' 28" West a distance of 229.86 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 595.00 feet left of Proposed Baseline Station 945+05.00;

THENCE North $33^{\circ} 03' 09''$ West a distance of 418.72 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 510.00 feet left of Proposed Baseline Station 940+95.00;

THENCE South $37^{\circ} 39' 59''$ East a distance of 925.62 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 249.80 feet left of Proposed Baseline Station 932+06.71, for the beginning of a curve to the right;

THENCE northwesterly a distance of 517.18 feet, crossing said 460 acre tract, along the proposed east right-of-way line of said State Highway 195 and the arc of said curve to the right, having a central angle of $10^{\circ} 33' 39''$, a radius of 2,805.81', a chord bearing of North $32^{\circ} 28' 56''$ West, and a chord distance of 516.45 feet, to a set Texas Department of Transportation Type II concrete monument, being 150.00 feet left of Proposed Baseline Station 927+00.00, for the end of said curve to the right;

THENCE North $20^{\circ} 03' 50''$ West a distance of 339.02 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 157.03 feet left of Proposed Baseline Station 923+58.43, to the POINT OF BEGINNING;

- (1) THENCE North $20^{\circ} 03' 50''$ West a distance of 80.00 feet, along the west line of said proposed drainage easement, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 156.60 feet left of Proposed Baseline Station 922+75.00;
- (2) THENCE North $69^{\circ} 56' 22''$ East a distance of 80.00 feet, along the north line of a proposed drainage easement and crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 236.59 feet left of Proposed Baseline Station 922+73.61;
- (3) THENCE South $20^{\circ} 03' 50''$ East a distance of 80.00 feet, along the east line of said proposed drainage easement, crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 237.03 feet left of Proposed Baseline Station 923+58.90;

- (4) THENCE South $69^{\circ} 56' 22''$ West a distance of 80.00 feet, along the south line of said proposed drainage easement and crossing said 460 acre tract, to the POINT OF BEGINNING and containing 0.147 acres (6,400 square feet) of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

A plat of even survey date herewith accompanies this property description.

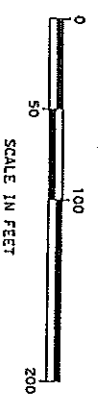
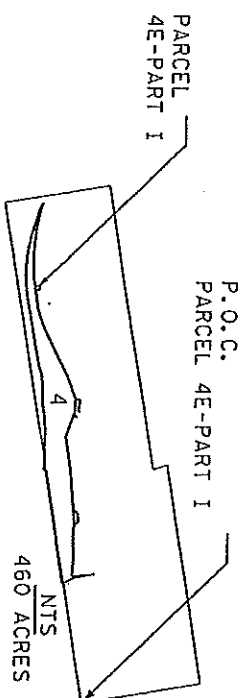
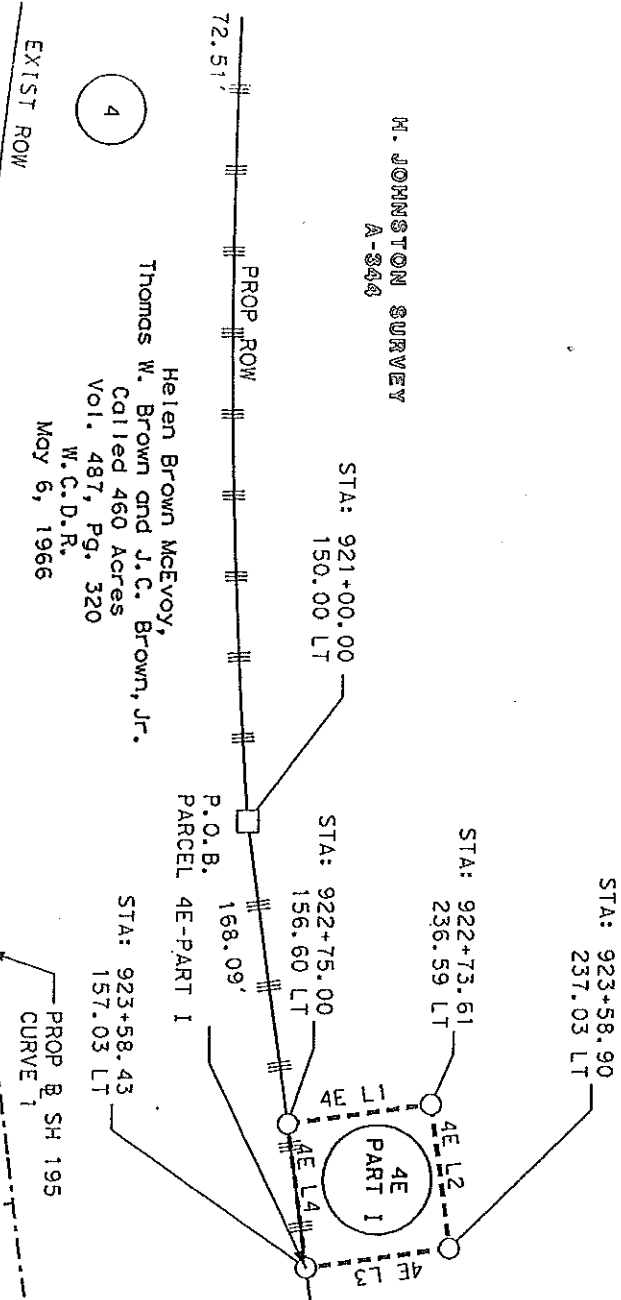
Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388




Arthur M. Story, Registered Professional Land Surveyor, No. 4034

9/28/04
Date

PARCEL	LINE NO.	BEARING	DISTANCE
4E-PART I	4E L1	N 69° 56' 22" E	80.00
	4E L2	S 20° 03' 50" E	80.00
	4E L3	S 69° 56' 22" W	80.00
	4E L4	N 20° 03' 50" W	80.00
EXISTING ACREAGE	TAKING ACRES		
APPROX. 321	0.147	LEFT	RIGHT
APPROX. REMAINDER ACREAGE			
6,400 sq ft			

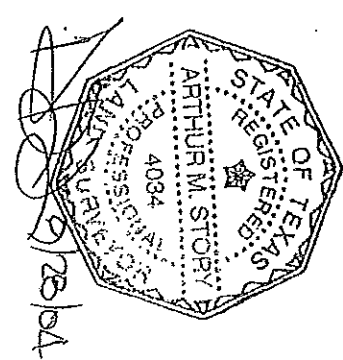


LEGEND:

- FOUND CORNER (AS DESCRIBED)
- 3/4" IRON ROD W/ ALUMINUM CAP SET
- ⊙ 3/4" IRON ROD W/ PLASTIC CAP SET
- ⊠ RODS SURVEYING
- ⊞ CONCRETE MONUMENT SET (TYPE 11)
- ⊞ FOUND CONCRETE MONUMENT (TYPE 1)
- ▲ CALCULATED POINT
- △ CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- EXIST ROW
- PROP ROW
- CONVEY EXISTENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- L-LINE OR CURVE NUMBER
- L-LINE (C-CURVE)
- TRACT REC-EASEMENT OF TRACT 63

NOTE:

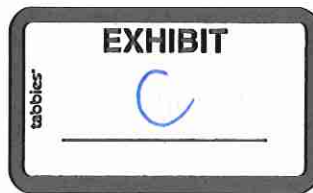
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RIGHT OF WAY PLAT
 SHOWING PROPERTY OF
 PARCEL 4E PART I

SHEET 5 OF 5

ROW CSJ NO. 0836-01-013
 STATE HIGHWAY 195 WILLAMSON COUNTY
 RODS SURVEYING INC.
 6810 LEE ROAD SPRING, TX 77379
 (281) 379-6388
 SCALE: 1"=100' September 28, 2004



County: Williamson
Highway: SH 195
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South
ROW CSJ: 0836-01-013

Property Description
for Easement 4E Part 2

BEING a 0.508 acre (22,133 square feet) parcel of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown and J. C. Brown, Jr. by deed dated May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records.

COMMENCING at a found concrete monument, being 813.24 feet left of Proposed Baseline Station 1000+78.90, for the southwest corner of said 460 acre tract and the southeast corner of a tract of land described as 101.67 acres conveyed from E. L. Gaylean to The Thelma and E. L. Gaylean Family Trust by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;

THENCE North 19° 57' 49" West a distance of 2,285.87 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to the north line of said Williamson County Road No. 228 and a found 1/2 inch iron rod for the southeast corner of a tract of land described as 13.00 acres conveyed from The Veterans Land Board of Texas to Thomas Woodrow Elms by deed dated August 25, 1983 and recorded in Volume 936, Page 45 of the Williamson County Deed Records;

THENCE North 54° 58' 20" East a distance of 260.67 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a fence post;

THENCE North 67° 52' 24" East a distance of 385.38 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract to a set Texas Department of Transportation Type II concrete monument, being 594.76 feet left of Proposed Baseline Station 977+10.78;

THENCE South $73^{\circ} 26' 27''$ West a distance of 434.14 feet, along the proposed north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.23 feet left of Proposed Baseline Station 977+70.00;

THENCE North $05^{\circ} 18' 20''$ West a distance of 165.03 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 976+10.00, for the beginning of a curve to the left;

THENCE northwesterly a distance of 628.63 feet, crossing said 460 acre tract and along the proposed east right-of-way line of said State Highway 195 and the arc of said curve to the left, having a central angle of $06^{\circ} 06' 00''$, a radius of 5,904.58 feet, a chord bearing of North $12^{\circ} 33' 00''$ West, and a chord distance of 628.33 feet, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 970+00.00, for the end of said curve to the left;

THENCE North $04^{\circ} 22' 26''$ West a distance of 190.37 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 215.00 feet left of Proposed Baseline Station 968+20.00;

THENCE North $16^{\circ} 20' 52''$ West, passing at a distance of 244.18 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, and continuing a total distance of 1,023.34 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 958+15.00;

THENCE North $21^{\circ} 20' 24''$ West a distance of 640.00 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 290.00 feet left of Proposed Baseline Station 951+75.00;

THENCE North $08^{\circ} 39' 32''$ East a distance of 420.68 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 500.33 feet left of Proposed Baseline Station 948+10.68, for the POINT OF BEGINNING;

- (1) THENCE North $09^{\circ} 14' 13''$ East a distance of 93.71 feet, along the west line of said proposed drainage easement, the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 548.00 feet left of Proposed Baseline Station 947+30.00;


- (2) THENCE North 09° 32' 28" West a distance of 229.86 feet, along the west line of said proposed drainage easement, the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 595.00 feet left of Proposed Baseline Station 945+05.00;
- (3) THENCE North 85° 52' 11" East a distance of 80.00 feet, along the north line of a proposed drainage easement and crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 671.42 feet left of Proposed Baseline Station 945+28.67;
- (4) THENCE South 04° 07' 54" East a distance of 320.00 feet, along the east line of said proposed drainage easement and crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 576.75 feet left of Proposed Baseline Station 948+34.35;
- (5) THENCE South 85° 52' 11" West a distance of 80.00 feet, along the south line of said proposed drainage easement and crossing said 460 acre tract, to the POINT OF BEGINNING and containing 0.508 acres (22,133 square feet) of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388



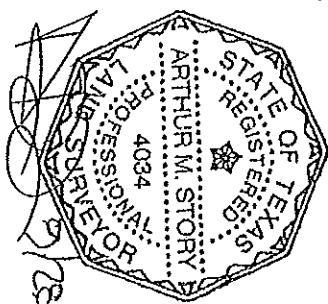
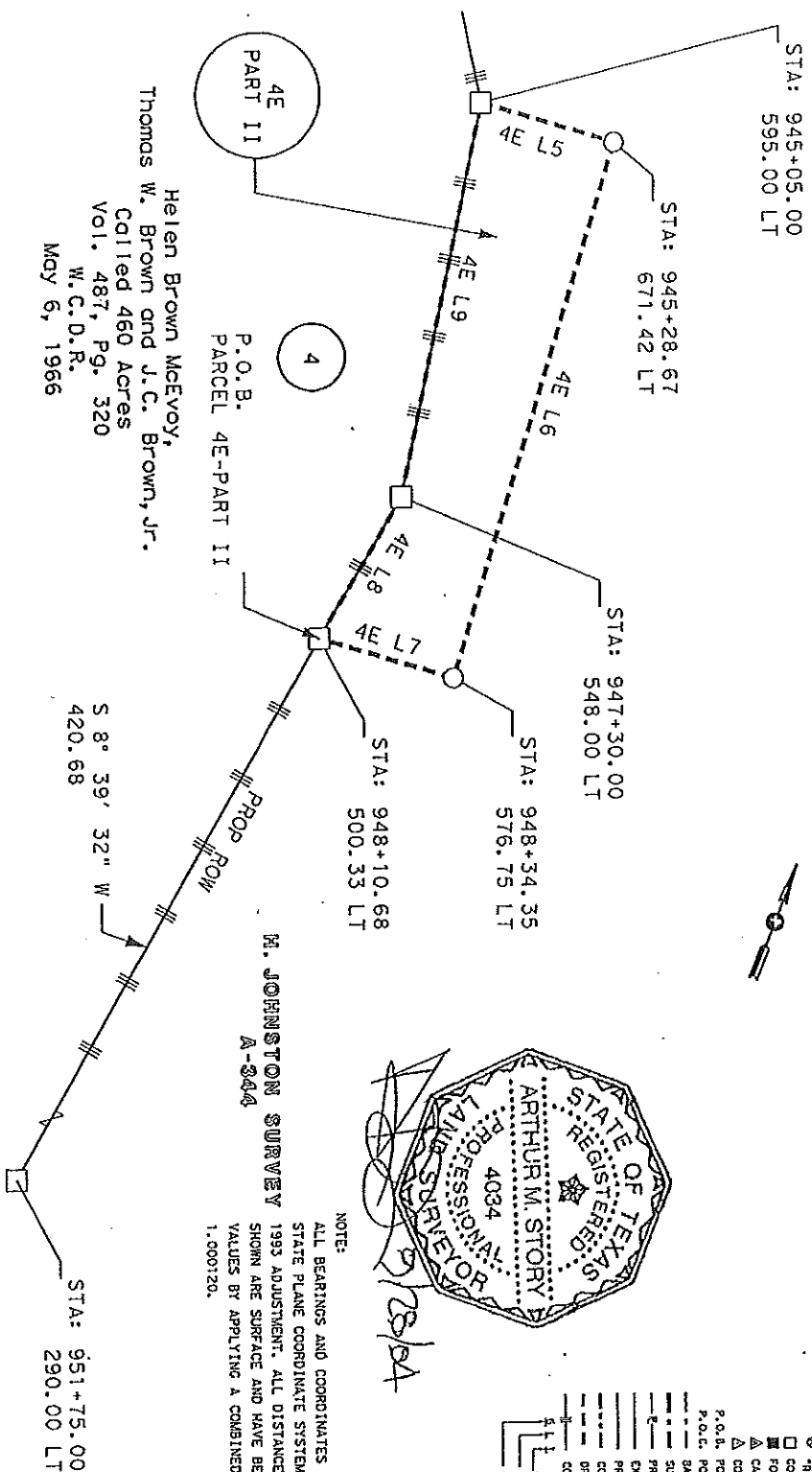

Arthur M. Story, Registered Professional Land Surveyor, No. 4034


Date

PARCEL	LINE NO.	BEARING	DISTANCE
4E-PART II	4E L5	N 85° 52' 11" E	80.00
	4E L6	S 4° 07' 54" E	320.00
	4E L7	S 85° 52' 11" W	80.00
	4E L8	N 9° 14' 13" E	93.71
4E-PART II	4E L9	N 9° 32' 28" W	229.85
	4E L10	N 85° 52' 11" E	80.00

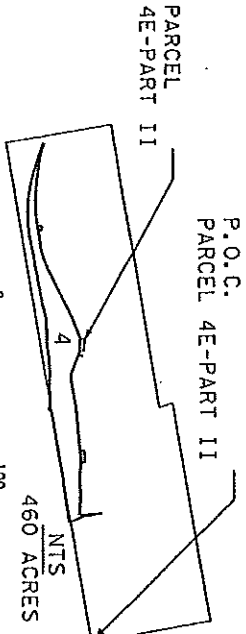
EXISTING TAKING ACRES	APPROX. REMAINDER ACRES
0.508	LEFT RIGHT
22.133 sq ft	

Helen Brown McEvoy,
 Thomas W. Brown and J.C. Brown, Jr.
 Coiled 460 Acres
 Vol. 487, Pg. 320
 W.C.D.R.
 May 6, 1966

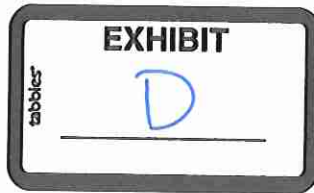


NOTE:
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 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES
 SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
 VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
 1.000120.

- LEGEND
- FOUND CORNER (AS DESCRIBED)
 - 1/2" IRON ROD W/ ALUMINUM CAP SET
 - ⊙ 3/4" IRON ROD W/ PLASTIC CAP SET
 - CONCRETE MONUMENT SET (TYPE 11)
 - FOUND CONCRETE MONUMENT (TYPE 12)
 - △ CALCULATED POINT
 - △ CONTROL POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - BASE LINE / CENTERLINE
 - SURVEY LINE
 - PROPERTY LINE
 - EXIST ROW
 - PROP ROW
 - CONST EASEMENT (TEMPORARY)
 - DRAINAGE EASEMENT (PERMANENT)
 - CONTROL OF ACCESS
 - 1-LINE OR CURVE NUMBER
 - 1-LINE (CURVED)
 - 6-TRACT (EASEMENT OF TRACT 6)



RIGHT OF WAY PLAT
 SHOWING PROPERTY OF
 PARCEL 4E PART II
 SHEET 4 OF 4
 ROW CSJ NO. 0836-01-013
 STATE HIGHWAY 195 WILLIAMSON COUNTY
 RODS SURVEYING INC.
 6810 LEE ROAD SPRING, TX 77379
 (281) 379-6388
 SCALES: 1"=100' September 28, 2004



County: Williamson
Highway: SH 195
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South
ROW CSJ: 0836-01-013

Property Description
for Easement 4E Part 3

BEING a 0.396 acre (17,268 square feet) parcel of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown and J. C. Brown, Jr. by deed dated May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records.

COMMENCING at a found concrete monument, being 813.24 feet left of Proposed Baseline Station 1000+78.90, for the southwest corner of said 460 acre tract and the southeast corner of a tract of land described as 101.67 acres conveyed from E. L. Gaylean to The Thelma and E. L. Gaylean Family Trust by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;

THENCE North 19° 57' 49" West a distance of 2,285.87 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to the north line of said Williamson County Road No. 228 and a found 1/2 inch iron rod for the southeast corner of a tract of land described as 13.00 acres conveyed from The Veterans Land Board of Texas to Thomas Woodrow Elms by deed dated August 25, 1983 and recorded in Volume 936, Page 45 of the Williamson County Deed Records;

THENCE North 54° 58' 20" East a distance of 260.67 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a fence post;

THENCE North 67° 52' 24" East a distance of 385.38 feet, along the existing north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract to a set Texas Department of Transportation Type II concrete monument, being 594.76 feet left of Proposed Baseline Station 977+10.78;

THENCE South 73° 26' 27" West a distance of 434.14 feet, along the proposed north right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.23 feet left of Proposed Baseline Station 977+70.00;

THENCE North 05° 18' 20" West a distance of 165.03 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 976+10.00, for the beginning of a curve to the left;

THENCE northwesterly a distance of 628.63 feet, crossing said 460 acre tract and along the proposed east right-of-way line of said State Highway 195, and the arc of said curve to the left, having a central angle of 06° 06' 00", a radius of 5,904.58 feet, a chord bearing of North 12° 33' 00" West, and a chord distance of 628.33 feet, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet left of Proposed Baseline Station 970+00.00, for the end of said curve to the left;

THENCE North 04° 22' 26" West a distance of 190.37 feet, along the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 215.00 feet left of Proposed Baseline Station 968+20.00, for the POINT OF BEGINNING;

- (1) THENCE North 16° 20' 52" West a distance of 244.18 feet, along the west line of said proposed drainage easement, the proposed east right-of-way line of said State Highway 195, crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 224.49 feet left of Proposed Baseline Station 965+85.00;
- (2) THENCE North 88° 39' 12" East a distance of 80.00 feet, along the north line of a proposed drainage easement and crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 300.45 feet left of Proposed Baseline Station 966+09.00;
- (3) THENCE South 16° 20' 52" East a distance of 202.76 feet, along the east line of said proposed drainage easement and crossing said 460 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 292.67 feet left of Proposed Baseline Station 968+01.65;

- (4) THENCE South $58^{\circ} 38' 54''$ West a distance of 80.00 feet, along the south line of said proposed drainage easement and crossing said 460 acre tract, to the POINT OF BEGINNING and containing 0.396 acres (17,268 square feet) of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388

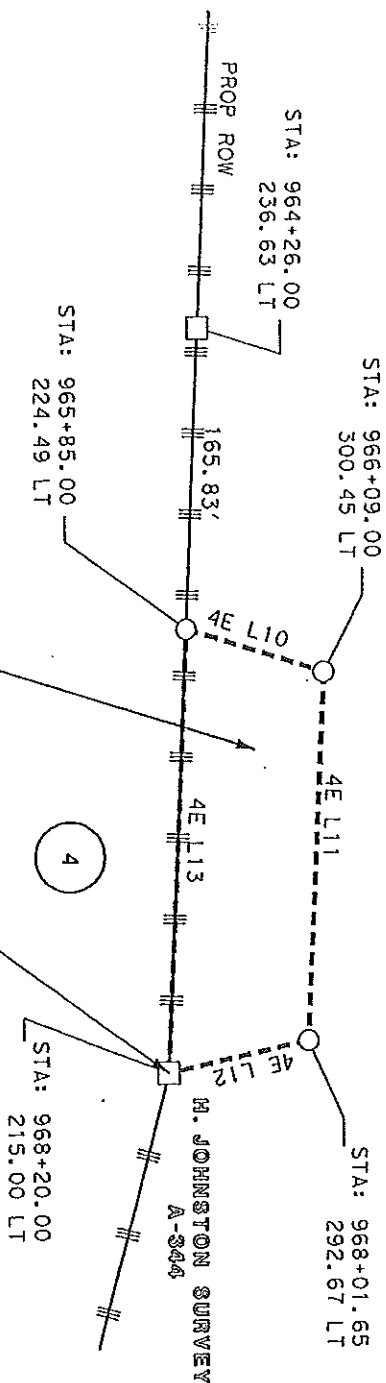


A handwritten signature in black ink, appearing to be "A. Story", written over a horizontal line.

Arthur M. Story, Registered Professional Land Surveyor, No. 4034

9/28/04
Date

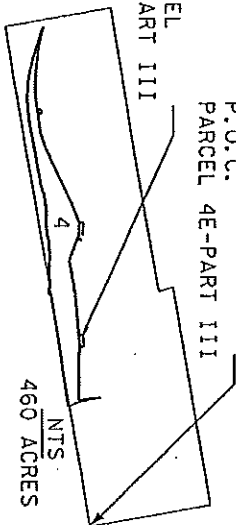
NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83,
1983 ADJUSTMENT. ALL DISTANCES AND COORDINATES
SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
1.000120.



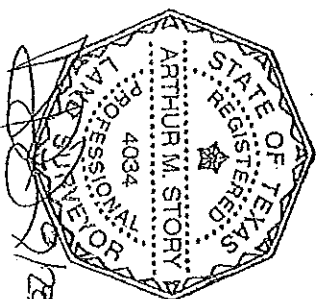
4E
PART III

P.O.B.
PARCEL 4E-PART III
Helen Brown McEvoy,
Thomas W. Brown and J.C. Brown, Jr.
Coiled 460 Acres
Vol. 487, Pg. 320
W.C.D.R.
May 6, 1966

P.O.C.
PARCEL 4E-PART III



- LEGEND
- FOUND CORNER (AS DESCRIBED)
 - 1/4" IRON ROD W/ ALUMINUM CAP SET
 - ⊗ 3/8" IRON ROD W/ PLASTIC CAP SET
 - CONCRETE MONUMENT SET (TYPE 1)
 - FOUND CONCRETE MONUMENT (TYPE 1)
 - ▲ CALCULATED POINT
 - △ CONTROL POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - BASE LINE / CENTERLINE
 - SURVEY LINE
 - PROPERTY LINE
 - EXIST ROW
 - PROP ROW
 - COAST ESTATEMENT (TEMPORARY)
 - DRAINAGE ESTATEMENT (PERMANENT)
 - CONTROL OF ACCESS
 - L-LINE OR CURVE NUMBER
 - L-LINE RECORDED
 - E-TRACT (RE-EXAMINATION OF TRACT 6)



RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL 4E PART III

SHEET 4 OF 4

ROW CSJ NO. 0836-01-013

STATE HIGHWAY 195 WILLIAMSON COUNTY

ROADS SURVEYING INC.

6810 LEE ROAD SPRING, TX 77379

(281) 379-6368

SCALE: 1"=100' September 28, 2004

LINE TABLE

PARCEL	LINE NO.	BEARING	DISTANCE
4E-PART III	4E L10	N 88° 39' 12" E	80.00
	4E L11	S 16° 20' 52" E	202.76
	4E L12	S 58° 38' 54" W	80.00
4E L13	N 16° 20' 52" W	244.18	

EXISTING
ACREAGE

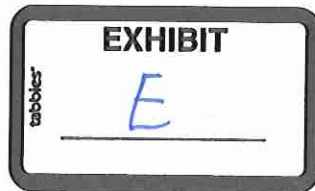
TAKING ACRES

APPROX. REMAINDER
ACREAGE

APPROX. 321

0.396

17,268 sq ft



County: Williamson
Highway: SH 195
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South
ROW CSJ: 0836-01-013

Property Description
for Parcel 11

BEING a 1.807 acre tract of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown and J. C. Brown, Jr. by deed dated May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records.

COMMENCING at a found concrete monument, being 813.24 feet left of Proposed Baseline Station 1000+78.90, for the southwest corner of said 460 acre tract and the southeast corner of a tract of land described as 101.67 acres conveyed from E. L. Gaylean to The Thelma and E. L. Gaylean Family Trust by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;

THENCE North $19^{\circ} 57' 49''$ West a distance of 1,616.28 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 183.59 feet left of Proposed Baseline Station 985+50.49, for the POINT OF BEGINNING;

- (1) THENCE North $19^{\circ} 57' 49''$ West a distance of 589.29 feet, along the west line of said 460 acre tract and the east line of said 101.67 acre tract, to the existing south right-of-way line of Williamson County Road No. 228 and the northeast corner of said 101.67 acre tract;
- (2) THENCE North $56^{\circ} 53' 26''$ East a distance of 287.04 feet, along the existing south right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a fence post;
- (3) THENCE North $67^{\circ} 22' 16''$ East a distance of 361.54 feet, along the existing south right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract; to a set Texas Department of Transportation Type II concrete monument, being 615.02 feet left of Proposed Baseline Station 977+81.34;

- (4) THENCE South $52^{\circ} 45' 35''$ West, passing at a distance of 421.66 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap stamped "COA", being 251.45 feet left of Proposed Baseline Station 979+80.00, for the beginning of a Control of Access line, and continuing for a total distance 530.03 feet, along the proposed south right-of-way line of said Williamson County Road No. 228 and crossing said 460 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 159.26 feet left of Proposed Baseline Station 980+35.00;
- (5) THENCE South $05^{\circ} 17' 39''$ East a distance of 531.29 feet, along the proposed east right-of-way line of State Highway 195 and said Control of Access line, crossing said 460 acre tract, to the POINT OF BEGINNING and containing 1.807 acres of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388

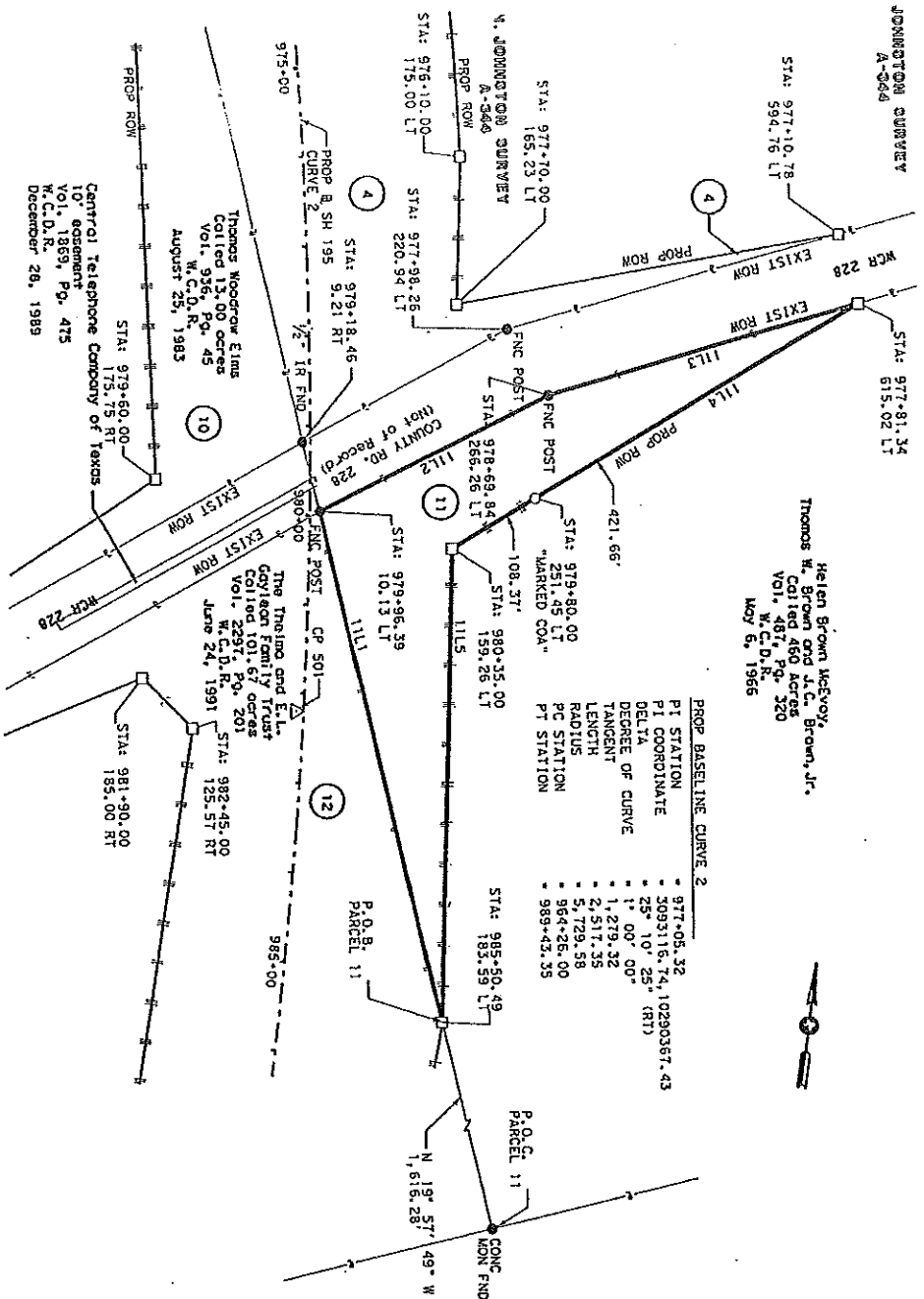


A handwritten signature in black ink, appearing to be "A. M. Story", written over a horizontal line.

9/28/04

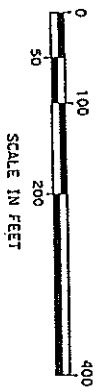
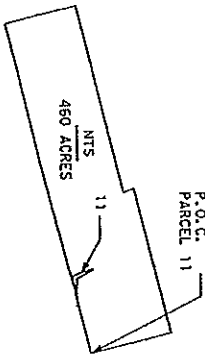
Arthur M. Story, Registered Professional Land Surveyor, No. 4034

Date



EXISTING ACREAGE	TAKING ACRES	APPROX. RETAIL UNDER ACREAGE	
		LEFT	RIGHT
APPROX. 126	1.807	124.2	

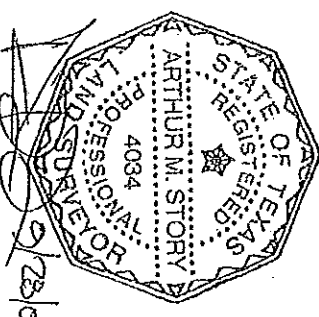
PARCEL	LINE TABLE			DISTANCE
	LINE NO.	BEARING		
1:	11L1	N 19° 31' 48" W	359.29	
	11L2	N 36° 53' 26" E	287.04	
	11L3	N 61° 22' 16" E	361.54	
	11L4	S 52° 45' 35" W	350.03	
	11L5	S 5° 17' 39" E	531.29	



NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83,
1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES
SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
1.000120.

● FOUND CORKER (AS DESCRIBED)
 ○ 1/4" IRON ROD W/ ALUMINUM CAP SET
 ○ 1/2" IRON ROD W/ PLASTIC CAP SET
 ○ ROADS SURVEYING
 □ CONCRETE MONUMENT SET (TYPE 1)
 □ FOUND CONCRETE MONUMENT (TYPE 2)
 ▲ CALCULATED POINT
 ▲ CONTROL POINT
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 BASE LINE / CONTROLS
 --- SURVEY LINE
 --- PROPERTY LINE
 --- EXIST ROW
 --- PROP ROW
 --- CONST EASEMENT (TEMPORARY)
 --- DRAINAGE EASEMENT (PERMANENT)
 --- CONTROL OF ACCESS

1 LINE ON CURVE NUMBER
 2 TRACT 10-CORNER
 3 TRACT 10-EASEMENT OF TRACT 6,



RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL 11

SHEET 3 OF 3

ROW CSJ NO. 0836-01-013

STATE HIGHWAY 195 WILLIAMSON COUNTY

ODS SURVEYING INC.

6810 LEE ROAD SPRING, TX 77379
(281) 379-6388

SCALE: 1"=200' September 28, 2004

4



11/10/20

STATE OF TEXAS
COUNTY OF WILLIAMSON

WATERLINE
EASEMENT

0.202 ACRE SITUATED IN
HARRISON JOHNSTON SURVEY
ABSTRACT No. 344
WILLIAMSON COUNTY, TEXAS

LEGAL DESCRIPTION

DESCRIPTION OF A 0.202 ACRE (8,806 SQUARE FEET) TRACT SITUATED IN THE HARRISON JOHNSTON SURVEY, ABSTRACT 344, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 460 ACRES TRACT DESCRIBED IN A DOCUMENT TO HELEN BROWN McEVOY, THOMAS W. BROWN & J.C. BROWN AND RECORDED IN VOLUME 487, PAGE 320 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8 inch iron rod found at the intersection of the west line of said 460 acres tract and the existing north right-of-way line of County Road 228, a varying width right-of-way, not of record, same being the southeast corner of a called 13.00 acres tract as described in a document to Thomas Woodrow Elms and recorded in Volume 936, Page 45 of the Deed Records of Williamson County, Texas;

THENCE leaving said west line of the 460 acres tract, with said existing north right-of-way line of County Road 228 the following two (2) courses and distances:

1. N54°58'20"E a distance of 260.67 feet to a fence corner post found for an angle point in said existing north right-of-way line of County Road 228, and
2. N67°52'24"E a distance of 385.38 feet to a Texas Department of Transportation (TxDOT) Type II Concrete Monument found at the intersection of the existing and proposed north right-of-way lines of County Road 228 for the **POINT OF BEGINNING** of the tract described herein;

THENCE leaving said existing north right-of-way with said proposed north right-of-way line of County Road 228, S73°26'27"W a distance of 434.14 feet to a TxDOT Type II Concrete Monument found at the northeast intersection of said proposed north right-of-way line of County Road 228 and the proposed east right-of-way line of State Highway 195, a varying width right-of-way;

THENCE leaving said proposed north right-of-way line of County Road 228, with said proposed east right-of-way line of State Highway 195, N05°18'20"W a distance of 20.39 feet;

THENCE leaving said proposed east right-of-way line of State Highway 195, with a line being 20.00 feet north of and parallel to said proposed north right-of-way line of County Road 228, N73°26'27"E a distance of 429.09 feet to an angle point;

THENCE continuing across the said 460 acres tract, S61°33'33"E a distance of 25.91 feet to a point in the said existing north right-of-way line of County Road 228;

THENCE with the said existing north right-of-way line of County Road 228, S67°52'24"W a distance of 17.33 feet to said **POINT OF BEGINNING** and containing 0.202 acre.

THE STATE OF TEXAS

COUNTY OF TRAVIS

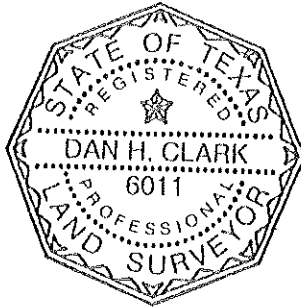
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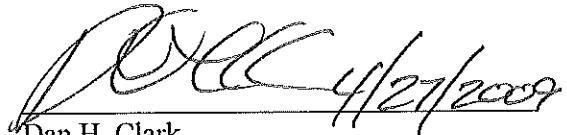
KNOW ALL MEN BY THESE PRESENTS:

That I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of January 2009.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27th day of April 2009, A.D.

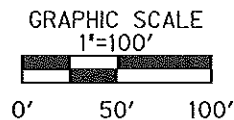
Halff Associates, Inc.
4030 West Braker Lane
Suite 450
Austin, Texas 78759



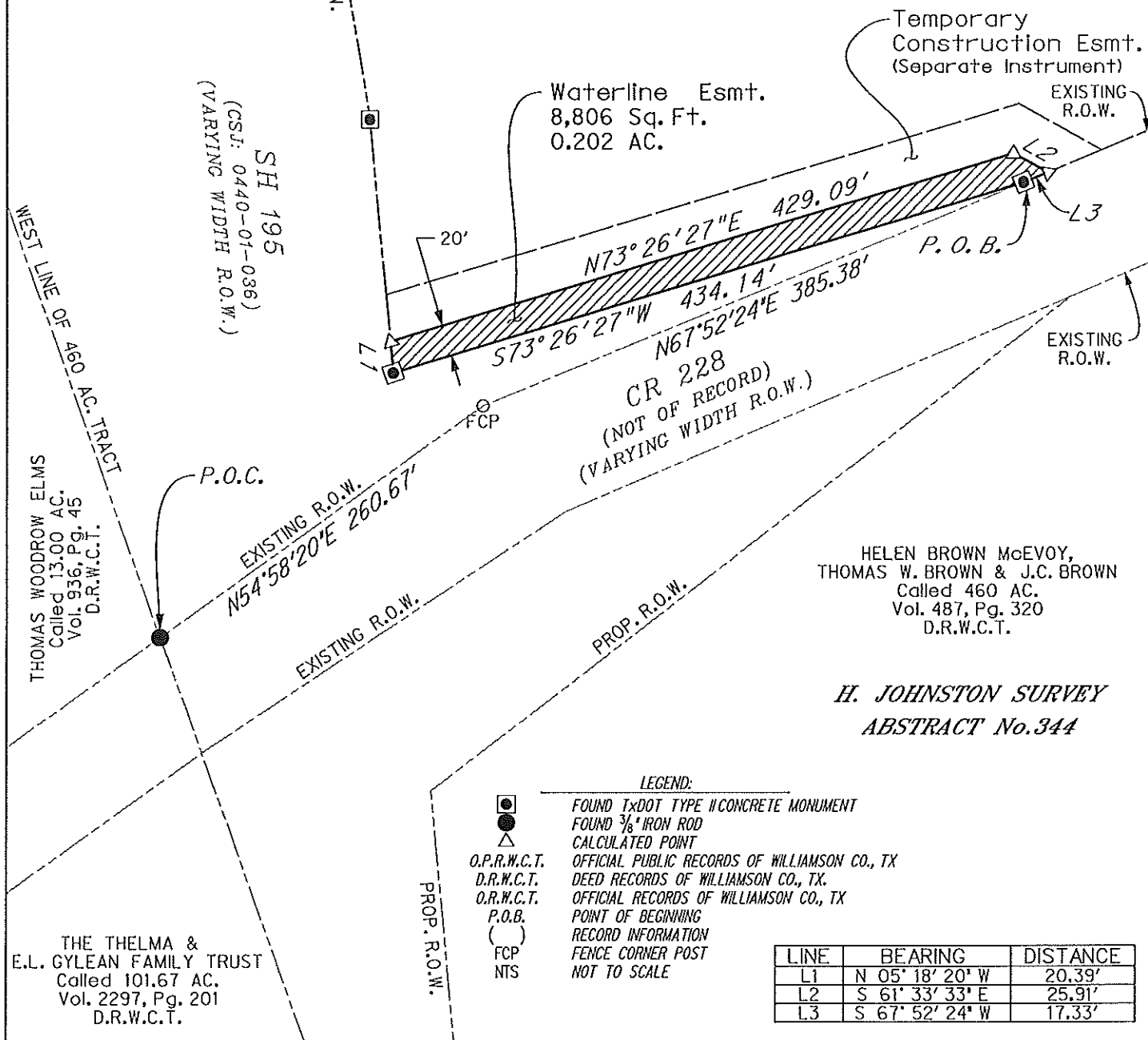

Dan H. Clark
Registered Professional Land Surveyor
No. 6011 – State of Texas

ADDITIONAL NOTES:

1. Bearings shown hereon are based on the Texas State Plane Coordinates System, NAD 83, Central Zone, using a combined surface adjustment factor of 1.000120. Distances shown hereon are surface distances.
2. This description has been prepared as a result of a survey completed in January of 2009 and is submitted in connection with a survey drawing prepared by Halff Associates, Inc. titled S301-IS(PARCEL 4)-25221.dgn, dated April 27, 2009, AVO No. 25221.
3. See Texas Department of Transportation Right-of-Way map CSJ 0440-01-036 for detailed information regarding State Highway 195.



PARCEL 4
HELEN BROWN McEVOY,
THOMAS W. BROWN & J.C. BROWN
Called 460 AC.
Vol. 487, Pg. 320
D.R.W.C.T.



HALFF

4630 WEST BRAKER LANE, SUITE 450
AUSTIN, TEXAS 78759-5356
TEL (512) 252-8184
FAX (512) 252-8141

SH 195 UTILITY
WATERLINE EASEMENT FOR
PARCEL 4
FLORENCE, TX

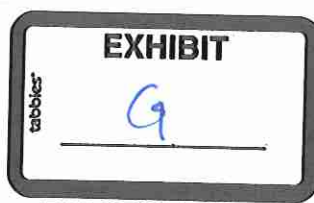
Project No.: 25221

Issued: 4/27/2009

Accompanying file Name:
SV-LD-PARCEL 4-25221.doc

3 of 3

9
STATE OF TEXAS
COUNTY OF WILLIAMSON



TEMPORARY
CONSTRUCTION
EASEMENT

0.328 ACRE SITUATED IN
HARRISON JOHNSTON SURVEY
ABSTRACT No. 344
WILLIAMSON COUNTY, TEXAS

LEGAL DESCRIPTION

DESCRIPTION OF A 0.328 ACRE (14,303 SQUARE FEET) TRACT SITUATED IN THE HARRISON JOHNSTON SURVEY, ABSTRACT 344, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 460 ACRES TRACT DESCRIBED IN A DOCUMENT TO HELEN BROWN McEVOY, THOMAS W. BROWN & J.C. BROWN AND RECORDED IN VOLUME 487, PAGE 320 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8 inch iron rod found at the intersection of the west line of said 460 acres tract and the existing north right-of-way line of County Road 228, a varying width right-of-way, not of record, same being the southwest corner of a called 13.00 acres tract as described in a document to Thomas Woodrow Elms and recorded in Volume 936, Page 45 of the Deed Records of Williamson County, Texas;

THENCE leaving said west line of the 460 acres tract, with said existing north right-of-way line of County Road 228 the following three (3) courses and distances:

1. N54°58'20"E a distance of 260.67 feet to a fence corner post found for an angle point in said existing north right-of-way line of County Road 228,
2. N67°52'24"E a distance of 385.38 feet to a Texas Department of Transportation (TxDOT) Type II Concrete Monument found at the intersection of the existing and proposed north right-of-way lines of County Road 228, and
3. N67°52'24"E with the said existing north right-of-way line of County Road 228 a distance of 17.33 feet for the **POINT OF BEGINNING** of the tract described herein;

THENCE leaving said existing north right-of-way line of County Road 228, crossing said 460 acres tract N61°33'33"W a distance of 25.91 feet to an angle point;

THENCE crossing said 460 acres tract with a line 20.00 feet north of and parallel to said proposed north right-of-way line of County Road 228, S73°26'27"W a distance of 429.09 feet to point in the proposed east right-of-way line of State Highway 195, a varying width right-of-way, and from which a TxDOT Type II Concrete Monument found at the northeast intersection of said proposed north right-of-way line of County Road 228 and said proposed east right-of-way line of State Highway 195 bears S05°18'20"E a distance of 20.39 feet;

THENCE with the proposed east right-of-way line of State Highway 195, N05°18'20"W a distance of 30.59 feet;

THENCE leaving the said proposed east right-of-way line of State Highway 195 and continuing across said 460 acres tract, with a line 50.00 feet north of and parallel to said proposed north right-of-way line of County Road 228, N73°26'27"E a distance of 435.55 feet to an angle point;

THENCE continuing across the said 460 acres tract, S61°33'33"E a distance of 63.00 feet to a point in said existing north right-of-way line of County Road 228;

THENCE with said existing north right-of-way line of County Road 228, S67°52'24"W a distance of 38.84 feet to said **POINT OF BEGINNING** and containing 0.328 acre.

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

§

COUNTY OF TRAVIS

§

That I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of January 2009.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27th day of April 2009, A.D.

Halff Associates, Inc.
4030 West Braker Lane
Suite 450
Austin, Texas 78759




Dan H. Clark
Registered Professional Land Surveyor
No. 6011 – State of Texas

ADDITIONAL NOTES:

1. Bearings shown hereon are based on the Texas State Plane Coordinates System, NAD 83, Central Zone, using a combined surface adjustment factor of 1.000120. Distances shown hereon are surface distances.
2. This description has been prepared as a result of a survey completed in January of 2009 and is submitted in connection with a survey drawing prepared by Halff Associates, Inc. titled S301-IS(PARCEL 4-TCE)-25221.dgn, dated April 27, 2009, AVO No. 25221.
3. See Texas Department of Transportation Right-of-Way map CSJ 0440-01-036 for detailed information regarding State Highway 195.

3 of 3