

**ORDER CREATING AND ESTABLISHING AVERY CENTRE ROAD DISTRICT NO. 1
AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO THE
CREATION AND ESTABLISHMENT OF SUCH ROAD DISTRICT**

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

WHEREAS, on July 8, 2008, the Commissioners Court ordered a public hearing be held on July 29, 2008 regarding the creation and establishment of Avery Centre Road District No. 1 (the "District"); and

WHEREAS, notice of the public hearing was published in the *Williamson County Sun* on July 16, 2008 and was posted at the Courthouse door and three public places within the District on July 8, 2008; and

WHEREAS, it is hereby found and determined that all persons desiring to appear and be heard on the question of creating the District have been heard and their testimony duly considered; and

WHEREAS, pursuant to the authority conferred by Article III, Section 52 of the Constitution of Texas and Section 257.021 of Subchapter B of Chapter 257 of the Transportation Code, as amended, the Commissioners Court of a county is authorized and empowered to create and establish one or more road districts of the County after holding a public hearing, which district may include all or part of a municipality within the boundaries and limits of such district, by entering an order declaring such road district established and defining the boundaries thereof; and

WHEREAS, the Commissioners Court of Williamson County, Texas, hereby finds and determines that the creation and establishment of the District to include all territory within and having boundaries as described in Exhibit "A" attached hereto and incorporated by reference and made a part hereof for all purposes will serve the public good and enable the residents thereof to provide for the construction, acquisition by purchase, maintenance and operation of roads in such area, and that the description in Exhibit "A" forms a legal closure; and

WHEREAS, the Commissioners Court further finds and determines that [no fractional part of a previously created and existing road district is included within the limits of the District/ a fractional part of the previously created and existing Northeast Round Rock Road District No. 1 (the "Existing District") is included within the limits of the District and has pre-paid the outstanding assessments for the portion of land to be included within the District and inclusion of the portion of the Existing District is permitted under Sections 1471.086 and 1471.087 of the Texas Government Code];

NOW, THEREFORE, BE IT ORDERED, BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS:

Section 1. Under and pursuant to authority conferred by Article III, Section 52 of the Constitution of Texas and Subchapter B of Chapter 257 of the Transportation Code, as amended, there shall be and there is hereby created and established a road district in Williamson County, Texas, to be known as "**Avery Centre Road District No. 1**," (the "District") for the purposes as set forth in the Petition attached hereto as Exhibit "B" and the boundaries of the District shall be and are hereby defined and established to be as set forth and described in Exhibit "A".

Section 2. The District shall be and is hereby declared to be a body corporate having such authority and powers conferred by the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and Subchapter B of Chapter 257 of the Transportation Code, as amended, as now or hereinafter amended. Notice of the District shall be provided as set forth in Chapter 257 of the Transportation Code.

PASSED AND ADOPTED, this the 29th day of July, 2008.

(SEAL)



ATTEST:


County Judge
Williamson County, Texas

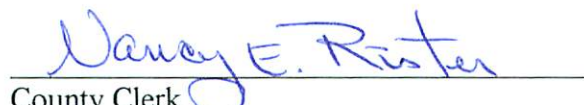

County Clerk
Williamson County, Texas

EXHIBIT "A"

DESCRIPTION

FOR A 549.997 ACRE TRACT OF LAND BEING A 600.081 ACRE TRACT SITUATED IN THE ABEL EAVES SURVEY, ABSTRACT 215, THOMAS TOBY SURVEY, ABSTRACT 624, THOMAS TOBY SURVEY, ABSTRACT 625, WILLIS DONAHOE SURVEY, ABSTRACT 173, THOMAS GLASCOCK SURVEY, ABSTRACT 255, AND JOHN L. JUSTICE SURVEY, ABSTRACT 356 IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF COUNTY ROAD 112 (120' RIGHT-OF-WAY WIDTH), IN DEED TO THE CITY OF ROUND ROCK AND RECORDED IN DOCUMENT NO. 2008026976, O.P.R.W.C., TX., A PORTION OF FARM TO MARKET ROAD 1460, (80' RIGHT-OF-WAY) AND A PORTION OF A REMNANT PORTION OF A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD, OF RECORD IN DOCUMENT NUMBER 2002071336, O.P.R.W.C., TX., SAVE AND EXCEPT A 50.084 ACRE TRACT DESCRIBED HEREIN, SAID 549.997 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with "Baker-Aicklen" cap found for the northwest corner of a Remnant Portion of said 1200.19 acre tract, same being the northeast corner of a 98.20 acre tract of land as described in that deed to The State of Texas and recorded in Document No. 2005098710 of the Deed Records of said County, same being a point on the south right-of-way line of University Boulevard, also known as C. R. 114, (right-of-way width varies), for the northwest corner and **POINT OF BEGINNING** hereof;

THENCE with the north line of a Remnant Portion of said 1200.19 acre tract, same being the south right-of-way line of said University Boulevard, and in part with the northern terminus of the right-of-way of said County Road 112, N 69°37'13" E for a distance of 1238.56 feet to a ½" iron rod with "Baker-Aicklen" cap found for the most northerly northeast corner hereof, same being the northwest corner of a called 101.376 acre tract of land in deed to Texas State University System as recorded in Document No. 2004014440 of the Official Public Records of said County;

THENCE with the west boundary line of said 101.376 acre tract, same being a east boundary line of the Remnant Portion of said 1200.19 acre tract the following eight (8) courses and distances:

- 1) S 20° 22' 47" E for a distance of 564.54 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,

- 2) S 17° 38' 39" W for a distance of 89.29 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 3) S 20° 22' 47" E for a distance of 70.25 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 4) S 58° 24' 13" E for a distance of 89.29 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 5) S 20° 22' 47" E for a distance of 444.54 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 6) S 30° 01' 22" E for a distance of 888.97 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 7) S 07° 12' 33" W for a distance of 131.28 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof, and
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- 8) S 44° 26' 28" W for a distance of 132.56 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point on the east right-of-way line of said County Road 112 hereof,

THENCE with the east right-of-way line of said County Road 112, same being the west boundary line of said 101.376 acre tract the following three (3) courses and distances:

- 1) S 45° 33' 32" E for a distance of 401.00 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,
- 2) with the arc of a curve to the right, having a radius of 2170.00 feet, an arc length of 711.61 feet, a central angle of 18° 47' 20", and a chord which bears S 36° 09' 52" E for a distance of 708.42 feet, to a ½" iron rod with "Baker-Aicklen" cap found for a point of tangency hereof, and
- 3) S 26° 46' 12" E for a distance of 34.88 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,

THENCE leaving the east right-of-way line of said county Road 112, with the south boundary line of said 101.376 acre tract, with a north boundary line of the Remnant Portion of said 1200.19 acre tract the following three (3) courses and distances:

- 1) N 58° 04' 46" E for a distance of 644.52 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 2) N 21° 08' 47" W for a distance of 58.77 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof, and
- 3) N 29° 59' 07" E for a distance of 999.48 feet to a ½" iron rod with "Baker-Aicklen" cap found for the southeast corner of said 101.376 acre tract, same being an angle point of the Remnant Portion of said 1200.19 acre tract for an angle point hereof,

THENCE through the interior of a Remnant Portion of said 1200.19 acre tract, N 68° 51' 04" E for a distance of 954.66 feet to a calculated point on the east right-of-way line of said F. M. 1460 for an angle point hereof;

THENCE with the east right-of-way line of said F. M. 1460, S 21° 09' 23" E for a distance of 1457.82 feet to a ½" iron rod with "Baker-Aicklen" cap found on the east right-of-way line of said F. M. 1460, said point being the southwest corner of a called 1629.95 acre tract described in deed to Nelson Homestead Family Partnership, Ltd., of record in Document No. 9824078 of the Official Public Records of said County, same being the northwest corner of a Remnant Portion of said 1200.19 acre tract, for an angle point hereof;

THENCE departing the east right-of-way line of said F. M. 1460, with the south boundary line of said 1629.95 acre tract, same being the north boundary line of a Remnant Portion of said 1200.19 acre tract, the following three (3) courses and distances:

- 1) N 71° 14' 10" E for a distance of 811.35 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 2) N 71° 54' 04" E for a distance of 1170.00 feet to an iron rod with an aluminum cap stamped Texas Department of Transportation found for an angle point hereof,
- 3) N 05° 53' 55" E for a distance of 16.98 feet to a calculated angle point hereof,

THENCE through the interior of a Remnant Portion of said 1200.19 acre tract, the following thirty-three (33) courses and distances:

- 1) S 78° 28' 00" E for a distance of 600.08 feet to a calculated point of curvature hereof,
- 2) with the arc of a curve to the left, having a radius of 1000.00 feet, an arc length of 556.10 feet, a central angle of 31° 51' 44" and a chord which bears S 04° 59' 27" E for a distance of 548.96 feet to a calculated point of tangency hereof.

- 3) S 20° 55' 19" E for a distance of 317.13 feet to a calculated angle point hereof,
 - 4) N 69° 04' 41" E for a distance of 833.03 feet to a calculated angle point hereof,
 - 5) S 21° 57' 27" E for a distance of 1299.81 feet to a calculated angle point hereof,
 - 6) S 44° 44' 33" W for a distance of 279.50 feet to a calculated angle point hereof,
 - 7) N 52° 55' 49" W for a distance of 48.70 feet to a calculated angle point hereof,
 - 8) S 49° 44' 22" W for a distance of 1044.57 feet to a calculated angle point hereof,
 - 9) S 67° 31' 03" W for a distance of 160.63 feet to a calculated angle point hereof,
 - 10) S 22° 42' 29" E for a distance of 809.15 feet to a calculated angle point for the most southerly southeast corner hereof,
 - 11) S 68° 53' 47" W for a distance of 331.47 feet to a calculated angle point hereof,
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- 12) S 68° 50' 49" W for a distance of 630.00 feet to a calculated angle point hereof,
 - 13) S 68° 51' 52" W for a distance of 600.15 feet to a calculated angle point hereof,
 - 14) N 21° 41' 12" W for a distance of 29.80 feet to a calculated angle point hereof,
 - 15) S 68° 51' 29" W for a distance of 235.47 feet to a calculated angle point hereof,
 - 16) N 21° 44' 50" W for a distance of 239.47 feet to a calculated angle point hereof,
 - 17) S 68° 40' 10" W for a distance of 1750.88 feet to a calculated angle point hereof,
 - 18) S 72° 52' 01" W for a distance of 92.02 feet to a calculated angle point hereof,
 - 19) S 68° 23' 29" W for a distance of 1038.49 feet to a calculated angle point hereof,
 - 20) N 29° 16' 35" E for a distance of 590.44 feet to a calculated angle point hereof,
 - 21) N 02° 14' 16" E for a distance of 462.83 feet to a calculated angle point hereof,
 - 22) N 89° 53' 07" W for a distance of 879.31 feet to a calculated point of curvature hereof,
 - 23) with the arc of a curve to the left, having a radius of 940.00 feet, an arc length of 502.84 feet, a central angle of 30° 38' 57" and a chord which bears N 09° 26' 12" E for a distance of 496.86 feet to a calculated point of tangency hereof,

24) N 05° 53' 17" W for a distance of 378.29 feet to a calculated point of curvature hereof,

25) with the arc of a curve to the right, having a radius of 1060.00 feet, an arc length of 373.72 feet, a central angle of 20° 12' 01" and a chord which bears N 04° 12' 44" E for a distance of 371.78 feet to a calculated point of non-tangency hereof,

26) N 82° 44' 50" W for a distance of 410.03 feet to a calculated angle point hereof,

27) N 04° 32' 58" W for a distance of 377.14 feet to a calculated angle point hereof,

28) S 82° 45' 21" W for a distance of 172.19 feet to a calculated angle point hereof,

29) S 69° 04' 34" W for a distance of 434.40 feet to a calculated angle point hereof,

30) S 66° 05' 15" W for a distance of 682.77 feet to a calculated angle point hereof,

31) S 26° 46' 19" E for a distance of 347.20 feet to a calculated angle point hereof,

32) S 63° 13' 41" W for a distance of 157.12 feet to a calculated point of curvature hereof,
and

33) with the arc of a curve to the right, having a radius of 520.00 feet, an arc length of 51.71 feet, a central angle of 05° 41' 52" and a chord which bears S 66° 04' 37" W for a distance of 51.69 feet to a calculated point of non-tangency on the west boundary line of a Remnant Portion of said 1200.19 acre tract, same being the east boundary line of Lot 1, Lakeside Subdivision Section Three, a subdivision recorded in Cabinet V, Slides 22 – 24 of the Plat Records of said County, to a calculated point of non-tangency hereof,

THENCE with the west boundary line of a Remnant Portion of said 1200.19 acre tract, same being the east boundary line of said Lot 1, N 26° 03' 59" W for a distance of 795.21 feet to a ½" iron rod found for an angle point hereof;

THENCE N 27° 31' 10" W for a distance of 364.09 feet to a ½" iron rod found for an angle point hereof;

THENCE N 09° 46' 05" W for a distance of 276.20 feet to a railroad spike found for an angle point hereof;

THENCE with the west boundary line of a Remnant Portion of said 1200.19 acre tract, same being the east boundary line of said 98.20 acre tract, the following seven (7) courses and distances:

- 1) N 11° 27' 05" W for a distance of 360.26 feet to a ½" iron rod found for an angle point hereof,
 - 2) N 71° 51' 48" E for a distance of 93.72 feet to a 60d nail in fence post found for an angle point hereof,
 - 3) S 65° 47' 14" E for a distance of 128.41 feet to a ½" iron rod found for an angle point hereof,
 - 4) S 80° 01' 56" E for a distance of 84.67 feet to a PK nail found for an angle point hereof,
 - 5) N 63° 44' 01" E for a distance of 106.68 feet to a ½" iron rod found for an angle point hereof,
 - 6) N 44° 20' 38" E for a distance of 8.73 feet to a ½" iron rod found for an angle point hereof, and
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- 7) N 58° 59' 14" E for a distance of 125.12 feet to a ½" iron rod found for an angle point hereof,

THENCE with the northerly boundary line of a Remnant Portion of said 1200.19 acre tract the following three (3) courses and distances:

- 1) S 39° 52' 43" E for a distance of 223.95 feet to a ½" iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 2) N 58° 04' 46" E for a distance of 1219.77 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of curvature hereof, and
- 3) with the arc of a curve to the left, having a radius of 25.00 feet, an arc length of 37.02 feet, a central angle of 84° 50' 57", and a chord which bears N 15° 39' 17" E for a distance of 33.73 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of tangency hereof on the west right-of-way line of said County Road 112,

THENCE with the west right-of-way line of said County Road 112 the following four (4) courses and distances:

- 1) N 26° 46' 12" W for a distance of 22.85 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,

- 2) with the arc of a curve to the left, having a radius of 2050.00 feet, an arc length of 672.26 feet, a central angle of $18^{\circ} 47' 20''$, and a chord which bears $N 36^{\circ} 09' 52'' W$ for a distance of 669.25 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency hereof,
- 3) $N 45^{\circ} 33' 32'' W$ for a distance of 831.75 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature hereof, and
- 4) with the arc of a curve to the right, having a radius of 2150.00 feet, an arc length of 687.88 feet, a central angle of $18^{\circ} 19' 53''$, and a chord which bears $N 36^{\circ} 23' 35'' W$ for a distance of 684.95 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of reverse curvature hereof,

THENCE leaving the west right-of-way line of said County road 112 with the southerly boundary of a Remnant Portion of said 1200.19 acre tract the following two (2) courses and distances:

- 1) with the arc of a curve to the left having a radius of 25.00 feet, an arc length of 36.28 feet, a central angle of $83^{\circ} 09' 08''$, and a chord which bears $N 68^{\circ} 48' 13'' W$ for a distance of 33.18 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency hereof, and
- 2) $S 69^{\circ} 37' 13'' W$ for a distance of 770.73 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point on the east boundary line of said 98.20 acre tract, same being the west boundary line of a Remnant Portion of said 1200.19 acre tract,

THENCE with the west boundary line of a Remnant Portion of said 1200.19 acre tract, same being the east boundary line of said 98.20 acre tract, $N 17^{\circ} 11' 24'' W$ for a distance of 1251.94 feet to the **POINT OF BEGINNING** hereof and containing 600.081 acres of land.

SAVE AND EXCEPT

FOR A 50.084 ACRE TRACT OF LAND SITUATED IN THE THOMAS TOBY SURVEY, ABSTRACT 625 IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 35.085 ACRE TRACT TO THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM OF RECORD IN DOCUMENT NO. 2008042141 IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALL OF A CALLED 15.00 ACRE TRACT TO THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM OF RECORD IN DOCUMENT NO. 2008042140, IN

THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS,
SAID 50.084 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING
SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND
BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with TxDOT aluminum cap found on a point in the south right-of-way line of County Road 112 (120' right-of-way width), also being the north boundary line of said Remnant Portion, for the most northerly northeast corner and **POINT OF BEGINNING** hereof, from which a ½" iron rod with plastic cap stamped "Baker-Aicklen" found in the south right-of-way line of said County Road 112, for the most northerly northeast corner of said Remnant Portion, at the north transition point to the west right-of-way line of Farm-to-Market Road 1460 (80' right-of-way width) bears, N 85° 03' 43" E a distance of 228.96 feet;

THENCE departing the south right-of-way line of said County Road 112, crossing through the interior of said Remnant Portion, the following twenty-nine (29) courses and distances:

- 1) S 49° 24' 12" E for a distance of 77.75 feet to an iron rod with TxDOT aluminum cap found for a point of curvature hereof,

- 2) with the arc of a curve to the right, with a radius of 4950.00 feet, a central angle of 10° 10' 56", an arc length of 879.68 feet, and a chord that bears S 01° 29' 42" W a distance of 878.53 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of compound curvature hereof,
- 3) with the arc of a curve to the right, with a radius of 4950.00 feet, a central angle of 7° 05' 29", an arc length of 612.66 feet, and a chord that bears S 10° 07' 55" W a distance of 612.27 feet to an iron rod with aluminum cap stamped "TXDOT" found for a point of tangency hereof,
- 4) S 13° 40' 43" W for a distance of 79.01 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of curvature, for the most easterly southeast corner hereof,
- 5) with the arc of a curve to the right, with a radius of 30.00 feet, a central angle of 89° 59' 36", an arc length of 47.12 feet, and a chord that bears S 58° 40' 31" W a distance of 42.42 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of tangency, for the most southerly southeast corner hereof,
- 6) N 76° 19' 41" W for a distance of 415.29 feet to a ½" iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,

- 7) with the arc of a curve to the left, with a radius of 895.00 feet, a central angle of $23^{\circ} 56' 11''$, an arc length of 373.90 feet, and a chord that bears $N 88^{\circ} 17' 46'' W$ a distance of 371.19 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency hereof,
 - 8) $S 79^{\circ} 44' 09'' W$ for a distance of 104.44 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 9) $N 31^{\circ} 09' 11'' E$ for a distance of 548.49 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 10) $N 02^{\circ} 59' 58'' E$ for a distance of 76.11 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 11) $S 88^{\circ} 21' 14'' W$ for a distance of 417.76 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 12) $S 13^{\circ} 22' 43'' W$ for a distance of 317.68 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
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- 13) $S 10^{\circ} 15' 51'' E$ for a distance of 256.98 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
 - 14) $S 79^{\circ} 44' 09'' W$ for a distance of 353.00 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,
 - 15) with the arc of a curve to the right, with a radius of 955.00 feet, a central angle of $04^{\circ} 22' 34''$, an arc length of 72.94 feet, and a chord that bears $S 81^{\circ} 55' 26'' W$ a distance of 72.93 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency hereof,
 - 16) $S 84^{\circ} 06' 43'' W$ for a distance of 167.29 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature, for the most southerly southwest corner hereof,
 - 17) with the arc of a curve to the right, with a radius of 30.00 feet, a central angle of $90^{\circ} 00' 00''$, an arc length of 47.12 feet, and a chord that bears $N 50^{\circ} 53' 17'' W$ a distance of 42.43 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency, for the most westerly southwest corner hereof,
 - 18) $N 05^{\circ} 53' 17'' W$ for a distance of 181.08 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,

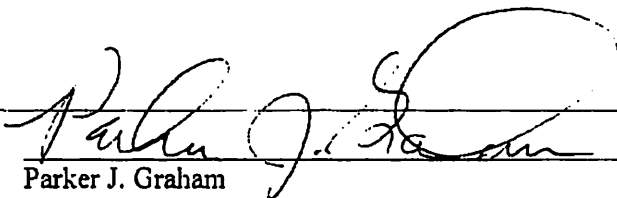
- 19) with the arc of a curve to the right, with a radius of 1000.00 feet, a central angle of $21^{\circ} 03' 08''$, an arc length of 367.43 feet, and a chord that bears $N 04^{\circ} 38' 17'' E$ a distance of 365.37 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency hereof,
- 20) $N 15^{\circ} 09' 51'' E$ for a distance of 115.10 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature hereof,
- 21) with the arc of a curve to the left, with a radius of 1000.00 feet, a central angle of $40^{\circ} 08' 10''$, an arc length of 700.51 feet, and a chord that bears $N 04^{\circ} 54' 14'' W$ a distance of 686.27 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of reverse curvature, for the most westerly northwest corner hereof,
- 22) with the arc of a curve to the right, with a radius of 30.00 feet, a central angle of $95^{\circ} 57' 56''$, an arc length of 50.25 feet, and a chord that bears $N 23^{\circ} 00' 38'' E$ a distance of 44.58 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of tangency, ~~for the most northerly northwest corner hereof,~~
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- 23) $N 70^{\circ} 59' 36'' E$ for a distance of 223.35 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for a point of curvature hereof, and
- 24) with the arc of a curve to the right, with a radius of 1440.00 feet, a central angle of $14^{\circ} 04' 07''$, an arc length of 353.58 feet, and a chord that bears $N 78^{\circ} 01' 39'' E$ a distance of 352.69 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found on a point in the south right-of-way line of said County Road 112, also being the north boundary line of said Remnant Portion, for a point of non-tangency hereof,
- 25) $S 05^{\circ} 13' 48'' E$ for a distance of 229.01 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 26) $S 17^{\circ} 11' 39'' E$ for a distance of 284.70 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 27) $N 88^{\circ} 21' 14'' E$ for a distance of 433.42 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof,
- 28) $N 09^{\circ} 02' 54'' E$ for a distance of 159.06 feet to a $\frac{1}{2}$ " iron rod with "Baker-Aicklen" cap found for an angle point hereof, and

29) N 20° 36' 21" E for a distance of 418.68 feet to a ½" iron rod with "Baker-Aicklen" cap found on a point in the south right-of-way line of said County Road 112 for an angle point hereof.

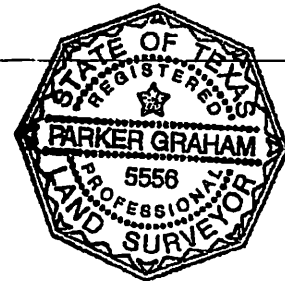
THENCE with the south right-of-way line of said County Road 112, being also the north boundary line of said Remnant Portion, N 85° 03' 43" E for a distance of 515.53 feet to the **POINT OF BEGINNING** hereof and containing 50.084 acres of land.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83.

Surveyed under the direct supervision of the undersigned during April and June, 2008:

 07/01/2008

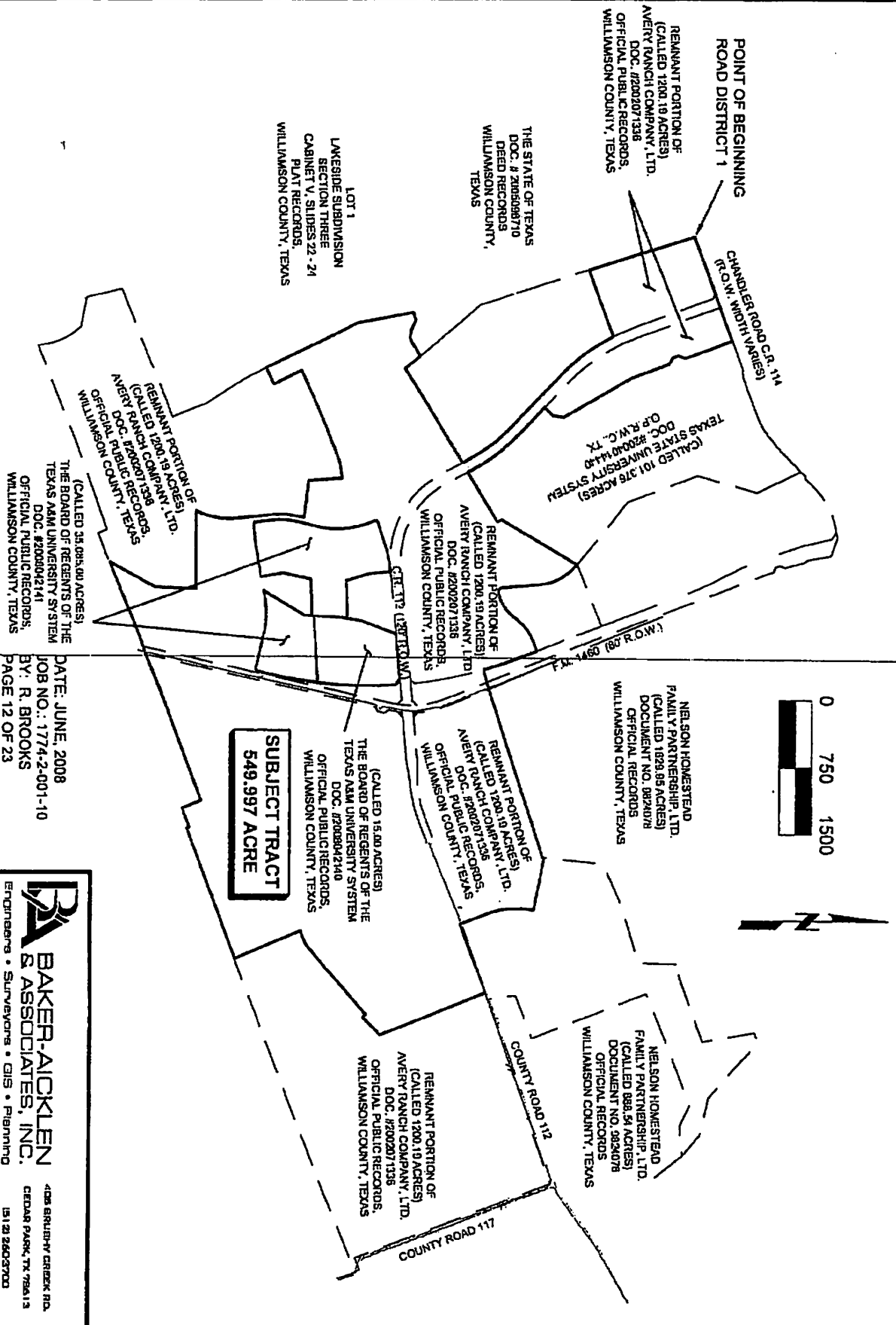
Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



Job No.: 1774-2-001-10

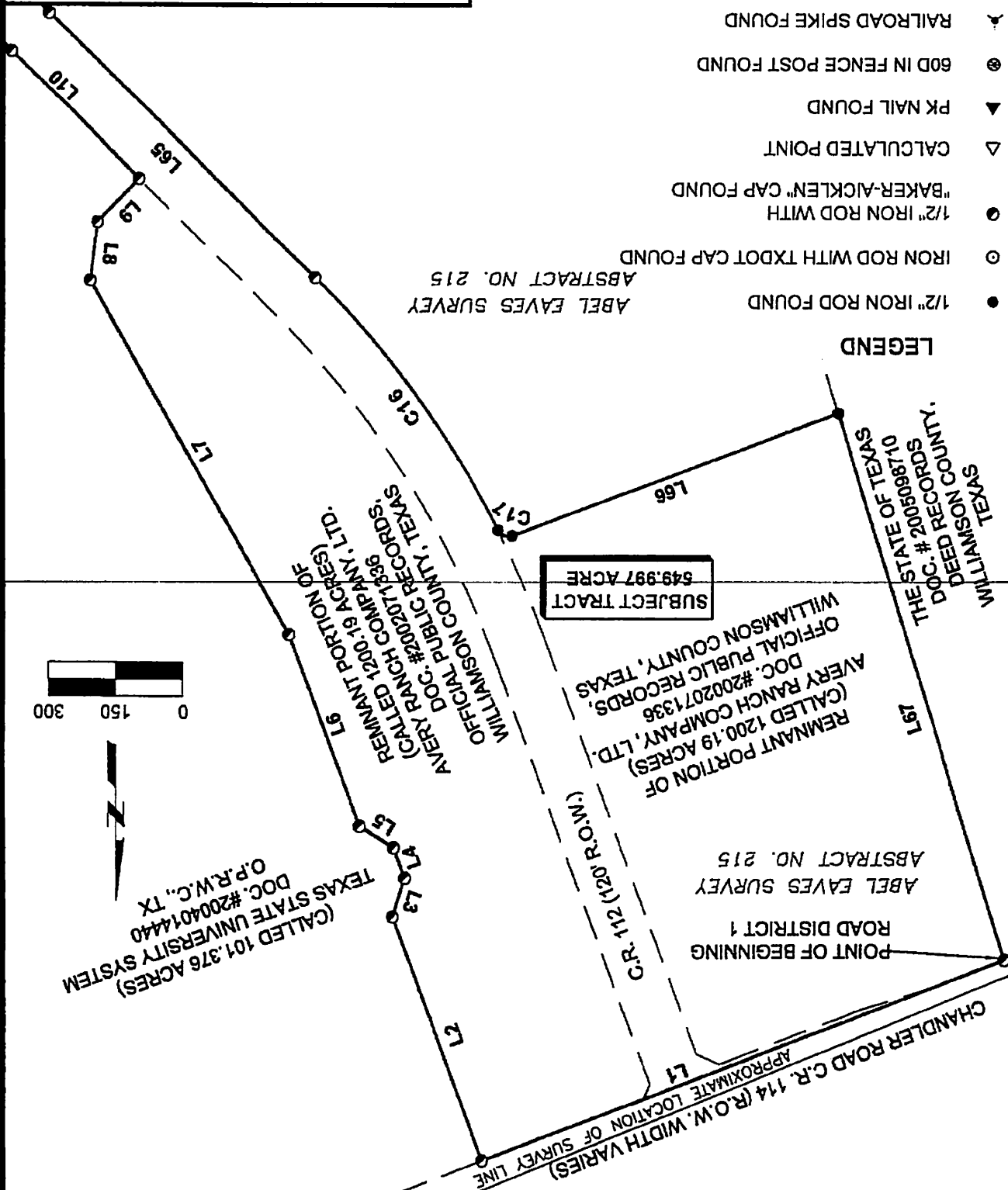
Filename: W:\PROJECTS\AVERY-ROAD DISTRICTS\METES AND BOUNDS\ROAD DISTRICT-1.DOC

SKETCH TO ACCOMPANY DESCRIPTION

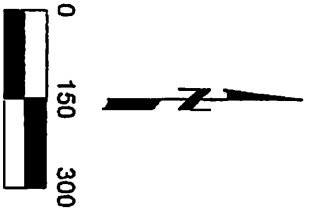


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CEDAR PARK, TX 78613
(512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION



SKETCH TO ACCOMPANY DESCRIPTION



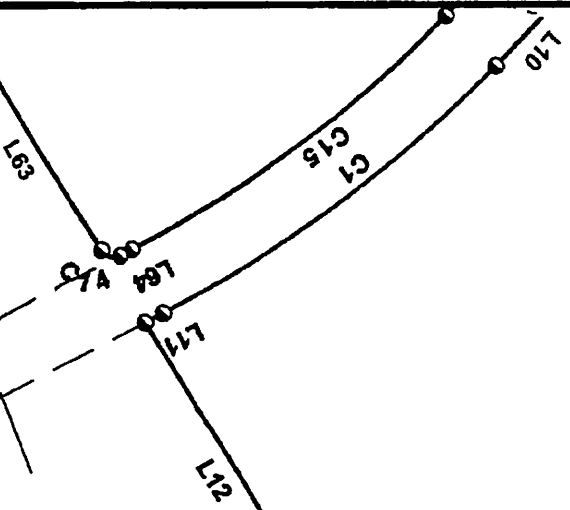
(CALLED 101.378 ACRES)
STATE UNIVERSITY SYSTEM
TEXAS DOC. #2004014440
O.P.R.M.C.

REMNANT PORTION OF
LTD. COMPANY, L.T.D.
(CALLED 11200.16 ACRES)
AVERY RANCH COMPANY, L.T.D.
DOC. #2002071336
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS

ABEL EAVES SURVEY
ABSTRACT NO. 215
SUBJECT TRACT
549.997 ACRE

THOMAS TOBY SURVEY
ABSTRACT NO. 625
APPROXIMATE LOCATION OF SURVEY LINE

NELSON HOMESTEAD
FAMILY PARTNERSHIP, LTD.
(CALLED 1629.95 ACRES)
DOCUMENT NO. 9824078
OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS
APPROXIMATE LOCATION OF SURVEY LINE L16



DATE: JUNE, 2008
JOB NO.: 1774-2-001-10
BY: R. BROOKS
PAGE 14 OF 23

BAKER-AICKLEN
S. ASSOCIATES, INC.
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CEDAR PARK, TX 78613
(512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION

NELSON HOMESTEAD
FAMILY PARTNERSHIP, LTD.
(CALLED 1629.95 ACRES)
DOCUMENT NO. 9824078
OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS

L21

L22

L23

L24

C2

L25

L26

THOMAS GLASSCOCK SURVEY
ABSTRACT NO. 255

SUBJECT TRACT
549.997 ACRE

REMNAANT PORTION OF
(CALLED 1200.19 ACRES)
AVERY RANCH COMPANY, LTD.
DOC. #2002071336
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS



THOMAS TOBY SURVEY
ABSTRACT NO. 625

APPROXIMATE LOCATION OF SURVEY LINE

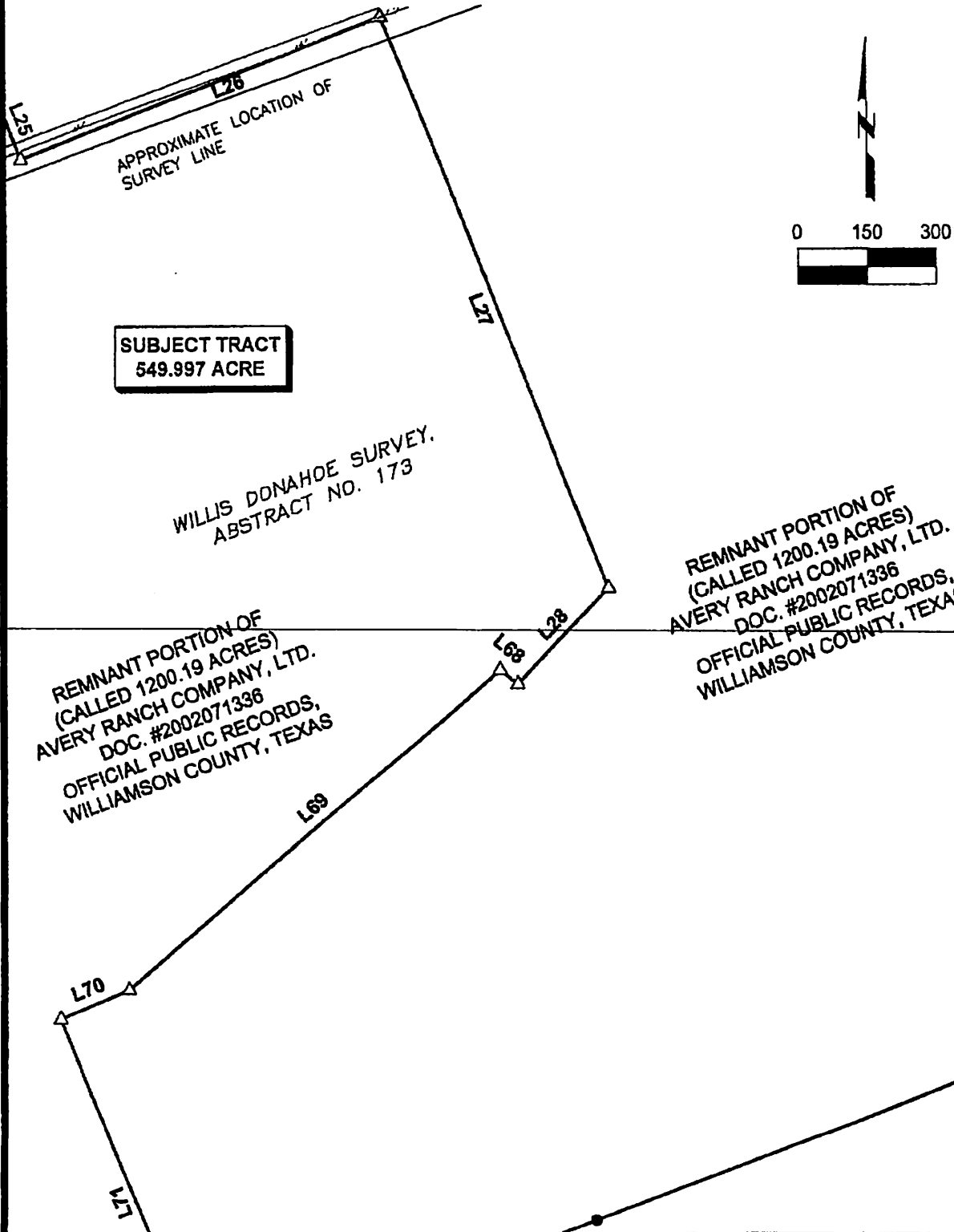
APPROXIMATE LOCATION OF SURVEY LINE

WILLIS DONAHOE SURVEY,
ABSTRACT NO. 173

DATE: JUNE, 2008
JOB NO.: 1774-2-001-10
BY: R. BROOKS
PAGE 15 OF 23

BAKER-AICKLEN & ASSOCIATES, INC.
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(512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION



DATE: JUNE, 2008
JOB NO.: 1774-2-001-10
BY: R. BROOKS
PAGE 16 OF 23

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CEDAR PARK, TX 78613
(512) 260-2700

SKETCH TO ACCOMPANY DESCRIPTION

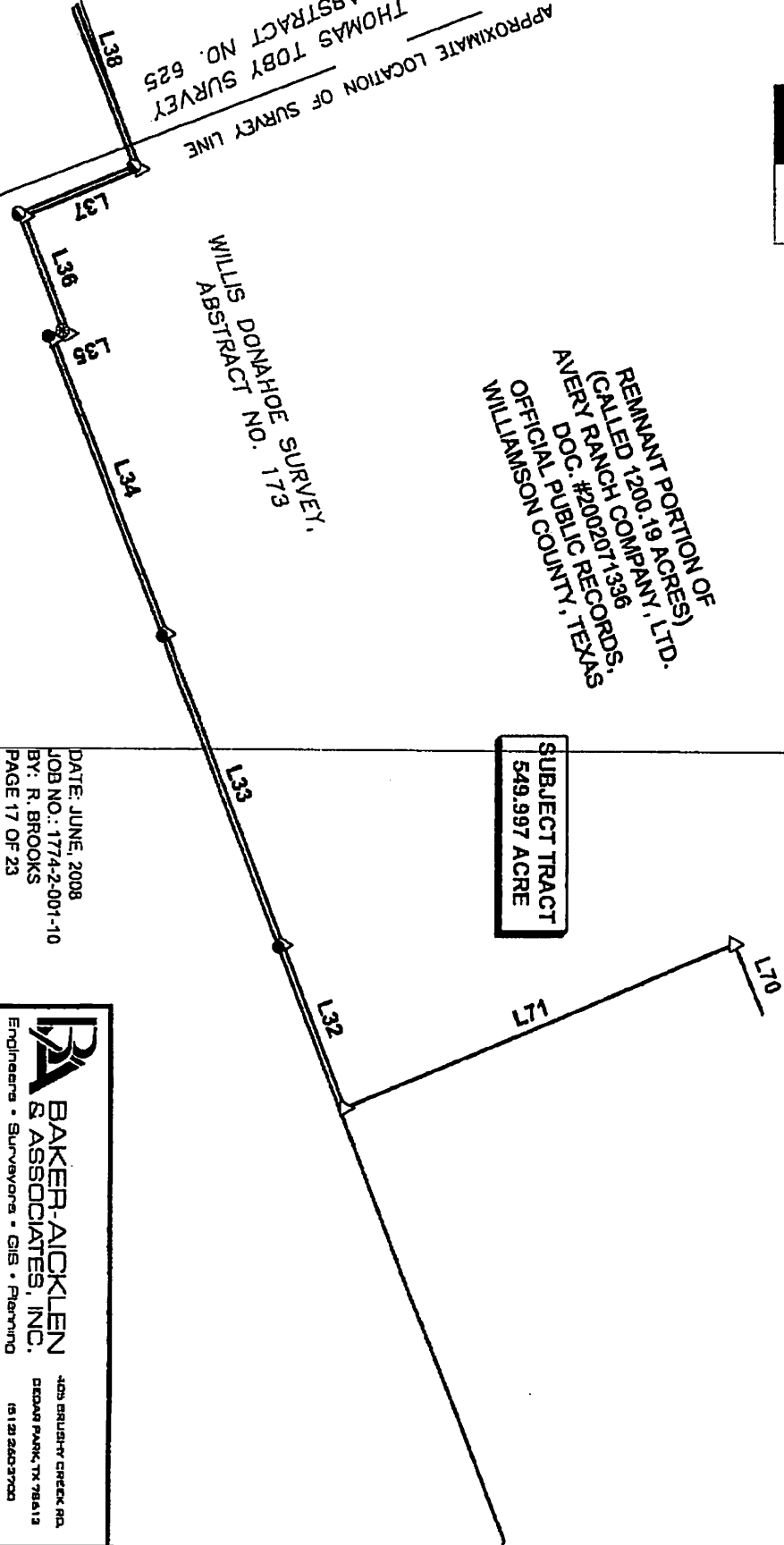


REMNANT PORTION OF
(CALLED 1200.19 ACRES)
AVERY RANCH COMPANY, L.L.D.
(CALLED RANCH COMPANY, L.L.D.)
DOC. #2002071336
OFFICIAL PUBLIC RECORDS,
WILLAMSON COUNTY, TEXAS

WILLIS DONAHOE SURVEY,
ABSTRACT NO. 173

APPROXIMATE LOCATION OF SURVEY LINE
THOMAS TOBY SURVEY
ABSTRACT NO. 625

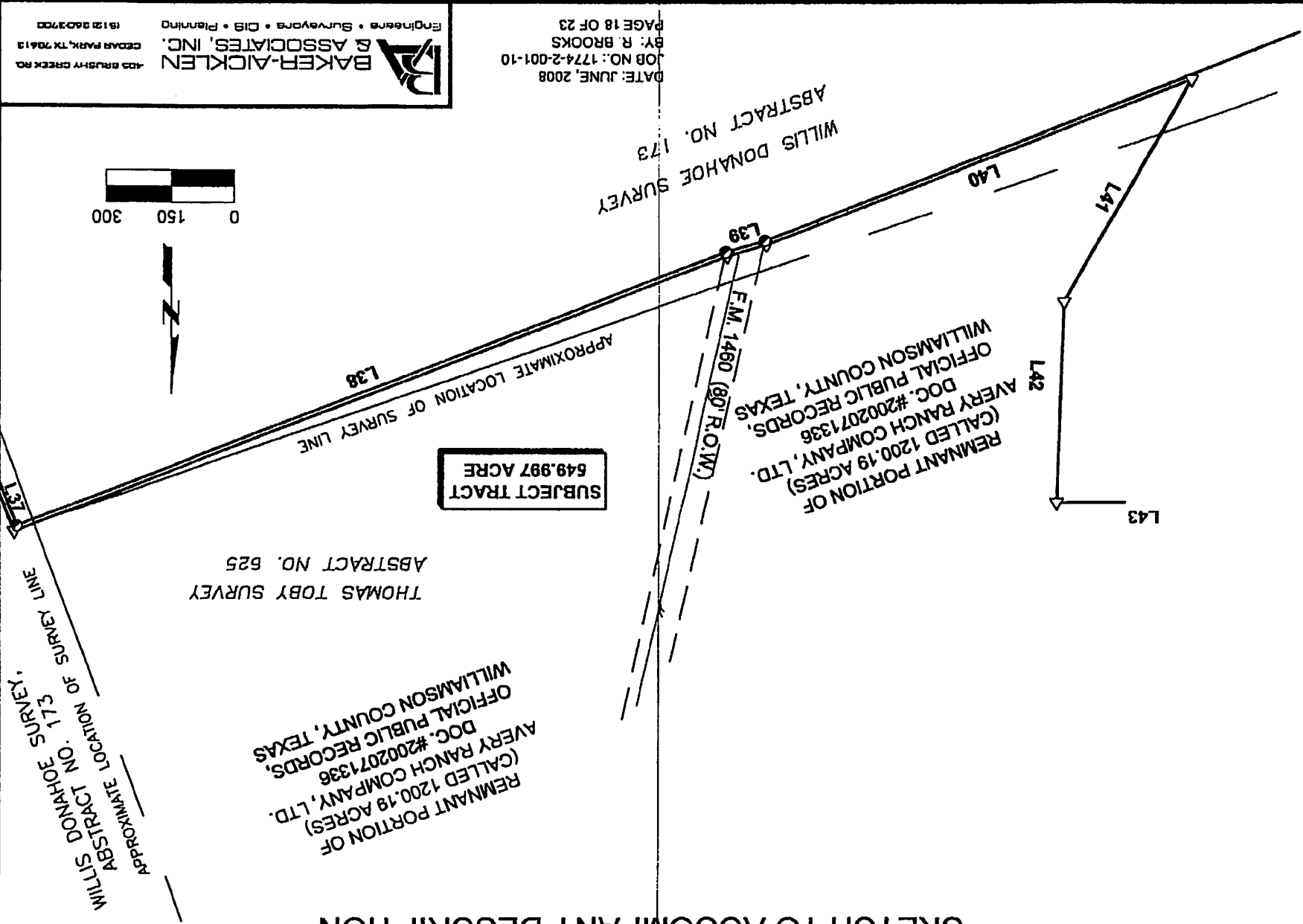
SUBJECT TRACT
549.997 ACRE



DATE: JUNE, 2008
JOB NO.: 1774-2-001-10
BY: R. BROOKS
PAGE 17 OF 23

BAKER-AICKLEN
Engineers • Surveyors • GIS • Planning
405 BRUSHY CREEK RD.
DICKINSON PARK, TX 75612
(512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION

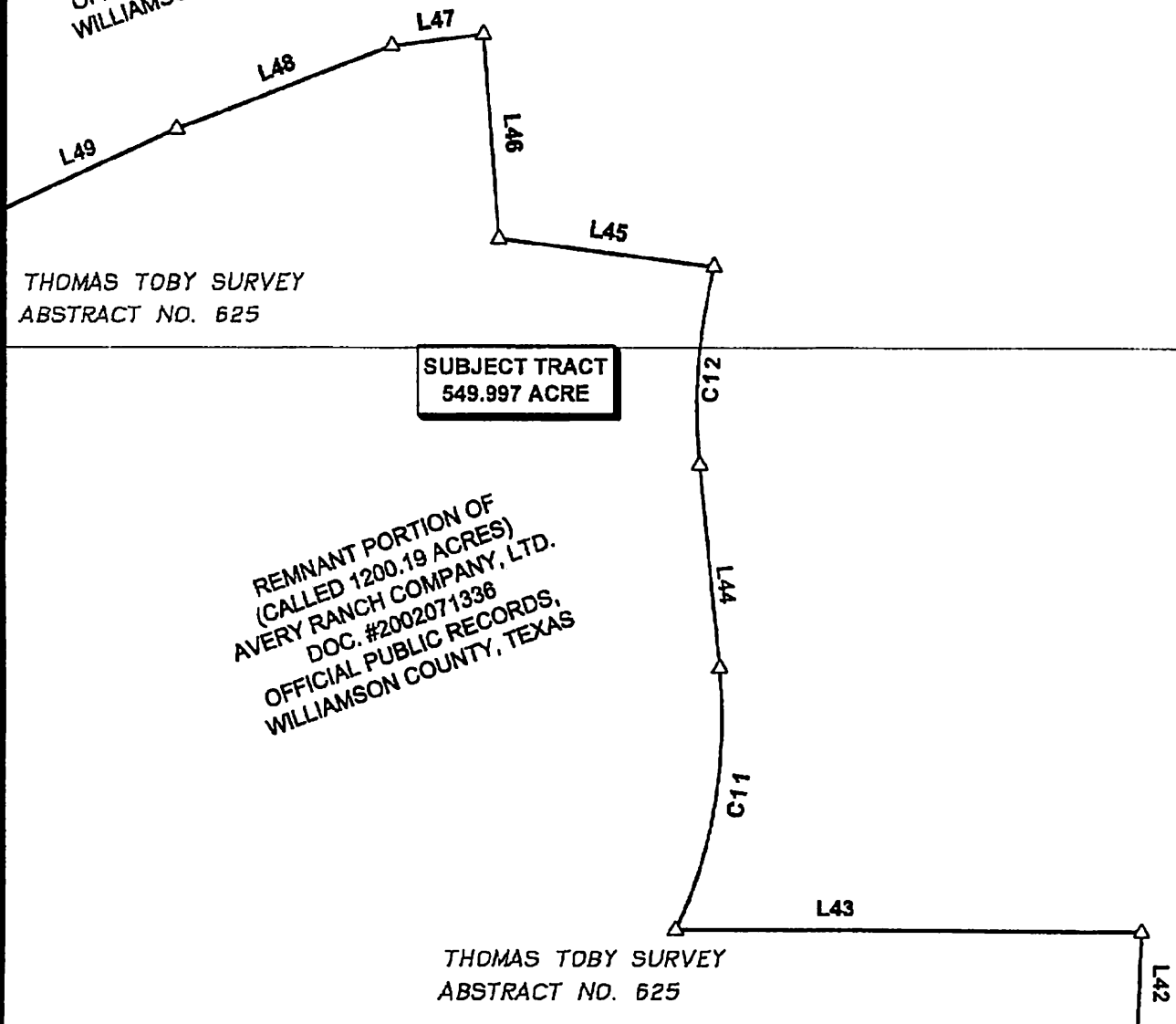
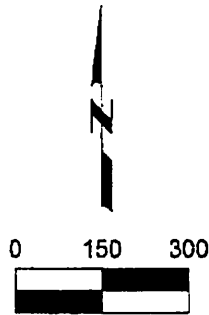


DATE: JUNE, 2008
 JOB NO.: 1774-2-001-10
 BY: R. BROOKS
 PAGE 18 OF 23

BAKER-AICKLEN & ASSOCIATES, INC.
 ENGINEERS • SURVEYORS • DIB • PLANNING
 405 BRUSHY CREEK ROAD
 CEDAR PARK, TX 78613
 (512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION

REMNANT PORTION OF
(CALLED 1200.19 ACRES)
AVERY RANCH COMPANY, LTD.
DOC. #2002071336
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS



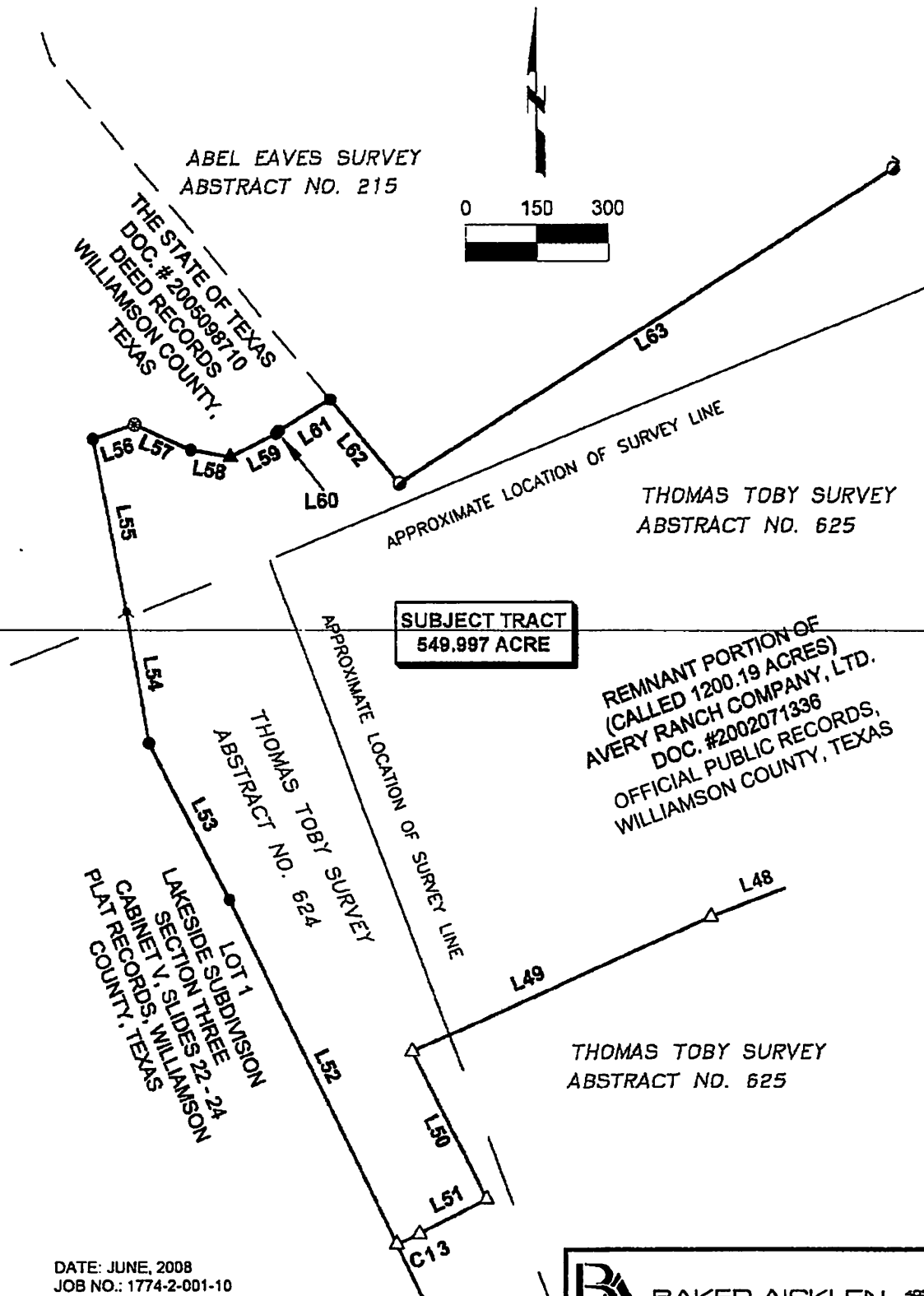
DATE: JUNE, 2008
JOB NO.: 1774-2-001-10
BY: R. BROOKS
PAGE 19 OF 23



BAKER-AICKLEN
& ASSOCIATES, INC.
Engineers • Surveyors • GIS • Planning

405 BRUSHY CREEK RD.
CEDAR PARK, TX 78613
(512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION



DATE: JUNE, 2008
 JOB NO.: 1774-2-001-10
 BY: R. BROOKS
 PAGE 20 OF 23

BAKER-AICKLEN & ASSOCIATES, INC.
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 CEDAR PARK, TX 78613
 (512) 260-3700

SKETCH TO ACCOMPANY DESCRIPTION SAVE AND EXCEPT 50.084 ACRE TRACT

THOMAS TOBY SURVEY
ABSTRACT NO. 625

N 85°03'43" E 228.96'
N 85°03'43" E 515.53'
POINT OF BEGINNING
S 49°24'12" E 77.75'
N 08°02'54" E 159.06'
(CALLED 15.00 ACRES)
THE BOARD OF REGENTS OF THE
TEXAS A&M UNIVERSITY SYSTEM
DOC. #2008042140
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS

N 20°36'21" E 418.68'
N 88°21'14" E 433.42'

(CALLED 35.085 ACRES)
THE BOARD OF REGENTS OF THE
TEXAS A&M UNIVERSITY SYSTEM
DOC. #2008042141
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS

N 02°59'58" E 76.11'
(CALLED 35.085 ACRES)
THE BOARD OF REGENTS OF THE
TEXAS A&M UNIVERSITY SYSTEM
DOC. #2008042141
OFFICIAL PUBLIC RECORDS,
WILLIAMSON COUNTY, TEXAS

S 13°40'43" W 79.01'
N 76°19'41" W 415.29'
S 79°44'09" W 104.44'
S 79°44'09" W 353.00'

THOMAS TOBY SURVEY
ABSTRACT NO. 625

SAVE & EXCEPT
50.084 ACRE

N 70°59'36" E 223.35'
S 05°13'48" E 229.01'
S 05°13'48" E 229.01'
N 05°53'17" W 181.08'
S 84°06'43" W 167.29'

C.R. 112 (120' R.O.W.)

F.M. 1460 (80' R.O.W.)

0 150 300



DATE: JUNE, 2008
BY: R. BROOKS
JOB NO.: 1774-2-001-10

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BAKER-AICKLEN & ASSOCIATES, INC.
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CEDAR PARK, TX 78613
(512) 260-3700

W:\PROJECTS\AVERY-ROAD DISTRICTS\DWG\AVERY ROAD DISTRICTS-1.dwg (PAGE 21) July 01, 2008 - 1:15pm

SKETCH TO ACCOMPANY DESCRIPTION

NUMBER	BEARING	DISTANCE
L1	N 69°37'13" E	1238.56'
L2	S 20°22'47" E	564.54'
L3	S 17°38'39" W	89.29'
L4	S 20°22'47" E	70.25'
L5	S 58°24'13" E	89.29'
L6	S 20°22'47" E	444.54'
L7	S 30°01'22" E	888.97'
L8	S 07°12'33" W	131.28'
L9	S 44°26'28" W	132.56'
L10	S 45°33'32" E	401.00'
L11	S 26°46'12" E	34.88'
L12	N 58°04'48" E	644.52'
L13	N 21°08'47" W	58.77'
L14	N 29°59'07" E	999.48'
L15	N 68°51'04" E	854.66'
L16	S 21°09'23" E	1457.82'
L21	N 71°14'10" E	811.35'
L22	N 71°54'04" E	1170.00'
L23	N 05°53'55" E	16.98'
L24	S 78°28'00" E	600.08'
L25	S 20°55'19" E	317.13'
L26	N 69°04'41" E	833.03'
L27	S 21°57'27" E	1299.81'
L28	S 44°44'33" W	279.50'
L32	S 68°53'47" W	331.47'
L33	S 68°50'49" W	630.00'
L34	S 68°51'52" W	600.15'
L35	N 21°41'12" W	29.80'
L36	S 68°51'29" W	235.47'
L37	N 21°44'50" W	239.47'
L38	S 68°40'10" W	1750.88'
L39	S 72°52'01" W	92.02'
L40	S 68°23'29" W	1038.49'

NUMBER	BEARING	DISTANCE
L41	N 29°16'35" E	590.44'
L42	N 02°14'16" E	462.83'
L43	N 89°53'07" W	879.31'
L44	N 05°53'17" W	378.29'
L45	N 82°44'50" W	410.03'
L46	N 04°32'58" W	377.14'
L47	S 82°45'21" W	172.19'
L48	S 69°04'34" W	434.40'
L49	S 66°05'15" W	682.77'
L50	S 26°46'19" E	347.20'
L51	S 63°13'41" W	157.12'
L52	N 26°03'59" W	795.21'
L53	N 27°31'10" W	364.09'
L54	N 09°46'05" W	276.20'
L55	N 11°27'05" W	360.26'
L56	N 71°51'48" E	93.72'
L57	S 65°47'14" E	128.41'
L58	S 80°01'58" E	84.67'
L59	N 63°44'01" E	106.68'
L60	N 44°20'38" E	8.73'
L61	N 58°59'14" E	125.12'
L62	S 39°52'43" E	223.95'
L63	N 58°04'46" E	1219.77'
L64	N 26°46'12" W	22.85'
L68	N 45°33'32" W	831.75'
L66	S 69°37'13" W	770.73'
L67	N 17°11'24" W	1251.94'
L68	N 52°55'49" W	48.70'
L69	S 49°44'22" W	1044.57'
L70	S 67°31'03" W	160.63'
L71	S 22°42'29" E	809.15'

DATE: JUNE, 2008
 JOB NO.: 1774-2-001-10
 BY: R. BROOKS
 PAGE 22 OF 23

SKETCH TO ACCOMPANY DESCRIPTION

NUMBER	RADIUS	ARC	CEN. ANGLE	CH. BRG.	CHORD
C1	2170.00'	711.61'	18°47'20"	S 36°09'52" E	708.42'
C2	1000.00'	556.10'	31°51'44"	S 04°59'27" E	548.96'
C11	940.00'	502.84'	30°38'57"	N 09°26'12" E	496.86'
C12	1060.00'	373.72'	20°12'01"	N 04°12'44" E	371.78'
C13	520.00'	51.71'	05°41'52"	S 66°04'37" W	51.69'
C14	25.00'	37.02'	84°50'57"	N 15°39'17" E	33.73'
C15	2050.37'	672.25'	18°47'08"	N 36°09'52" W	669.25'
C16	2150.00'	687.88'	18°19'53"	N 36°23'35" W	684.95'
C17	25.00'	36.28'	83°09'08"	N 68°48'13" W	33.18'

NUMBER	RADIUS	ARC	CEN. ANGLE	CH. BRG.	CHORD
SE1	4950.00'	879.68'	10°10'56"	S 01°29'42" W	878.53'
SE2	4950.00'	612.66'	07°05'29"	S 10°07'55" W	612.27'
SE3	30.00'	47.12'	89°59'36"	S 58°40'31" W	42.42'
SE4	895.00'	373.90'	23°56'11"	N 88°17'46" W	371.19'
SE5	955.00'	72.94'	04°22'34"	S 81°55'26" W	72.93'
SE6	30.00'	47.12'	90°00'00"	N 50°53'17" W	42.43'
SE7	1000.00'	367.43'	21°03'08"	N 04°38'17" E	365.37'
SE8	1000.00'	700.51'	40°08'10"	N 04°54'14" W	686.27'
SE9	30.00'	50.25'	95°57'56"	N 23°00'38" E	44.58'
SE10	1440.00'	353.58'	14°04'07"	N 78°01'39" E	352.69'

DATE: JUNE, 2008
 JOB NO.: 1774-2-001-10
 BY: R. BROOKS
 PAGE 23 OF 23

 **BAKER-AICKLEN
& ASSOCIATES, INC.**
 Engineers • Surveyors • GIS • Planning

405 BRUSHY CREEK RD.
 CEDAR PARK, TX 78613
 512 260-3700

EXHIBIT "B"

**PETITION FOR BOND ELECTION IN
AVERY CENTRE ROAD DISTRICT NO. 1**

**THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §**

**TO THE HONORABLE COMMISSIONERS COURT OF WILLIAMSON COUNTY,
TEXAS:**

THE UNDERSIGNED, the majority of registered voters within the proposed Avery Centre Road District No. 1 (the "District"), respectfully pray and petition the Court to order an election to be held in said District for the purpose of submitting the following proposition:

“Shall the bonds of the Avery Centre Road District No. 1 be issued in an amount not to exceed \$70,000,000, in conformity with the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and laws enacted pursuant thereto, for the purpose of constructing, improving, acquiring, or reimbursing for the costs of constructing, improving or acquiring, maintaining, financing and operating macadamized, graveled or paved roads and turnpikes and related bridges, trails, drainage works and other similar improvements and carrying out other improvements that are necessary, convenient, related or in aid thereto or that are otherwise permitted to be done under applicable laws at the time of issuance of such bonds, both within and outside the boundaries of said District, or in aid of those purposes, and to refund any bonds or other evidences of indebtedness issued for any of the foregoing purposes in an amount not to exceed one and one-half times the amount of bonds or other evidences of indebtedness issued, such bonds to be issued in one or more series or issues, to mature serially or otherwise not more than thirty (30) years from their date and to bear interest at such rate or rates (not to exceed the maximum rate permitted by law at the time of issuance of the bonds) as in its discretion the Commissioners Court of Williamson County, Texas shall determine and shall the Commissioners Court be authorized to levy and pledge and cause to be assessed and collected annual ad valorem taxes on all taxable property in the District sufficient to pay the annual interest on the bonds and to provide a sinking fund to pay the bonds at maturity or redemption all as now or hereafter authorized by the Constitution and laws of the State of Texas?”

WE FURTHER REPRESENT that the proposed improvements will be for the benefit of all taxable property situated in the District and that this petition is signed by a majority of the registered voters within the District.

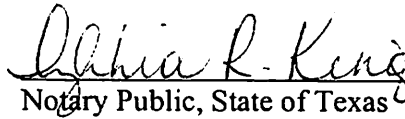
DATED this the 25 day of July, 2008.


Jimmy L. Sikes, Registered Voter of the District

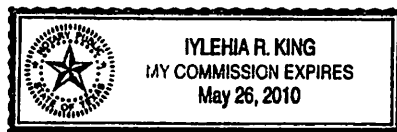
STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me on the 25th day of July, 2008, by
Jimmy Sikes.


Notary Public, State of Texas

(SEAL)



Helen D. Sikes
Helen D. Sikes, Registered Voter of the District

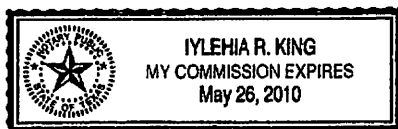
STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me on the 25th day of July, 2008, by
Helen D. Sikes.

Iylehia R. King
Notary Public, State of Texas

(SEAL)



**PETITION FOR BOND ELECTION IN
AVERY CENTRE ROAD DISTRICT NO. 1**

**THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §**

**TO THE HONORABLE COMMISSIONERS COURT OF WILLIAMSON COUNTY,
TEXAS:**

THE UNDERSIGNED, the duly authorized representatives of Avery Ranch Company, Ltd., and CHARLES N. AVERY, III, JOHN S. AVERY, A. NELSON AVERY, and LUCILLE CHRISTINA AVERY FELL, TRUSTEES of the Children of LUCILLE SHARP AVERY EXEMPT TRUSTS, as tenants in common, the sole landowners within the proposed Avery Centre Road District No. 1 (the "District"), respectfully pray and petition the Court to order an election to be held in said District for the purpose of submitting the following proposition:

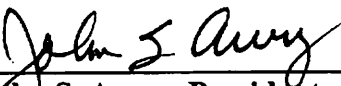
"Shall the bonds of the Avery Centre Road District No. 1 be issued in an amount not to exceed \$70,000,000, in conformity with the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and laws enacted pursuant thereto, for the purpose of constructing, improving, acquiring, or reimbursing for the costs of constructing, improving or acquiring, maintaining, financing and operating macadamized, graveled or paved roads and turnpikes and related bridges, trails, drainage works and other similar improvements and carrying out other improvements that are necessary, convenient, related or in aid thereto or that are otherwise permitted to be done under applicable laws at the time of issuance of such bonds, both within and outside the boundaries of said District, or in aid of those purposes, and to refund any bonds or other evidences of indebtedness issued for any of the foregoing purposes in an amount not to exceed one and one-half times the amount of bonds or other evidences of indebtedness issued, such bonds to be issued in one or more series or issues, to mature serially or otherwise not more than thirty (30) years from their date and to bear interest at such rate or rates (not to exceed the maximum rate permitted by law at the time of issuance of the bonds) as in its discretion the Commissioners Court of Williamson County, Texas shall determine and shall the Commissioners Court be authorized to levy and pledge and cause to be assessed and collected annual ad valorem taxes on all taxable property in the District sufficient to pay the annual interest on the bonds and to provide a sinking fund to pay the bonds at maturity or redemption all as now or hereafter authorized by the Constitution and laws of the State of Texas?"

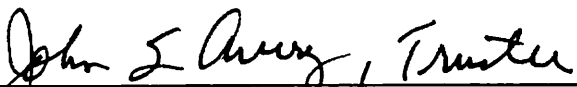
WE FURTHER REPRESENT that the proposed improvements will be for the benefit of all taxable property situated in the District and that this petition is signed by the sole landowner and a majority of the registered voters within the District.


DATED this the 29th day of July, 2008


AVERY RANCH COMPANY, LTD., a Texas limited partnership

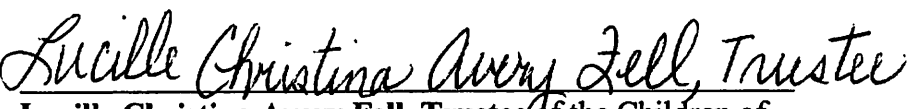
By: CJAC, Inc., a Texas corporation, its general partner

By: 
John S. Avery, President


John S. Avery, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust


Charles N. Avery, III, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust


A. Nelson Avery, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust


Lucille Christina Avery Fell, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust

State of Texas §
 §
County of Williamson §

This instrument was acknowledged before me on this 11th day of July, 2008, by John S. Avery, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of Avery Ranch Company, Ltd., a Texas limited partnership, as the President of CJAC, Inc., its General Partner, and for the purposes and consideration therein expressed and in the capacity therein stated, and that he was authorized to do so.

State of Texas

County of Williamson



Kathy Green
Notary Public – State of Texas

This instrument was acknowledged before me on this _____ day of _____, 2008, by **Charles N. Avery, III**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.

Notary Public – State of Texas

State of Texas §
 §
County of Williamson §

This instrument was acknowledged before me on this 11th day of July, 2008, by **John S. Avery**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.



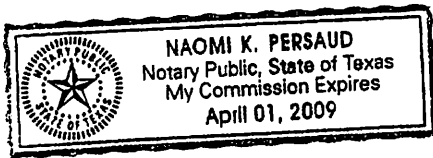
Kathy Green
Notary Public – State of Texas

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this 3rd. day of July, 2008, by **Charles N. Avery, III**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.




Notary Public, State of Texas

STATE OF TEXAS

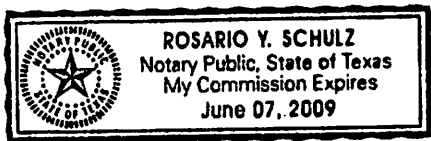
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this _____ day of _____, 2008, by **John S. Avery**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.

Notary Public, State of Texas

State of Texas §
County of Galveston §

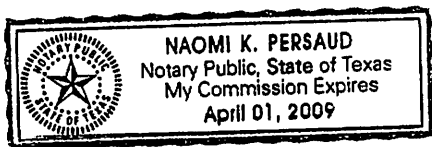
This instrument was acknowledged before me on this 1 day of July, 2008, by **A. Nelson Avery**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.



Rosario Y. Schulz
Notary Public - State of Texas

State of Texas §
County of Williamson §

This instrument was acknowledged before me on this 3rd day of July, 2008, by **Lucille Christina Avery Fell**, Trustee of the Children of Lucille Sharp Avery Trusts, the Charles N. Avery, III Exempt Trust, the John S. Avery Exempt Trust, the A. Nelson Avery Exempt Trust, and the Lucille Christina Avery Fell Exempt Trust.



Naomi K. Persaud
Notary Public - State of Texas