

AGENDA ITEM # 19

February 10, 1998

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Consider approving the subordination agreement for LCRA easement.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To approve the subordination agreement for LCRA easement.

Vote: Motion carried 3 - 0 With Commissioner Hays abstaining and Commissioner Mehevec absent from the dais.

< Clerk copy here >

SUBORDINATION AGREEMENT

STATE OF TEXAS

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COUNTY OF WILLIAMSON

DATE: _____, 1998.

PROPERTY OWNER: Texas Parks and Wildlife Department

PROPERTY: A tract of land consisting of 50.0 acres, more or less, out of the Samuel Damon Survey, Abstract No. 170, more particularly described in an instrument dated April 5, 1994, from the Texas Department of Transportation to Texas Parks and Wildlife Department, recorded in Vol. 2529, Page 613, Official Records of Williamson County, Texas.

HOLDER OF LIEN OR INTEREST: Williamson County, Texas

HOLDER'S MAILING ADDRESS: 710 Main Street
Georgetown, Texas 78626

LIEN OR INTEREST IS DESCRIBED IN THE FOLLOWING DOCUMENT(S):

An unrecorded Lease effective as of February 1, 1994, from Texas Parks and Wildlife Department to Williamson County, Texas.

Property Owner has conveyed to the Lower Colorado River Authority (LCRA) a permanent Electric Line Easement and Right-of-Way, a copy of which is attached hereto as Exhibit "A" (the "Easement") on and across the Property, which is subject to the Lien or Interest described above.

LCRA desires to have Holder's Lien or Interest subordinated to the rights of LCRA as owner of the Easement.

For a good and valuable consideration, the receipt and sufficiency of which are acknowledged, Holder agrees that the Lien or Interest and rights created under the Lien or Interest are by this instrument expressly subordinated and made secondary and inferior to the rights created by virtue of the instrument giving ownership of the Easement to LCRA.

This subordination shall be binding on Holder and Holder's heirs, legal representatives, successors, and assigns, including each and every subsequent owner and holder of the Lien or Interest. The terms of this subordination shall inure to the benefit of LCRA, its successors and assigns, including, without limitation, each and every subsequent owner of the Easement.

When the context requires, singular nouns and pronouns include the plural.

HOLDER:
WILLIAMSON COUNTY, TEXAS

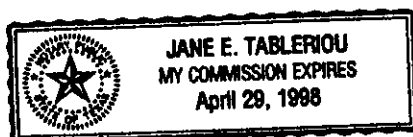
By: John C. Doerfler 2-10-98
Name: John C. Doerfler
Title: County Judge

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WILLIAMSON

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This instrument was acknowledged before me on the 10 day of Feb, 1998, by John C. Doerfler, County Judge of Williamson County, Texas.



Jane E. Tableriou
Notary Public, State of Texas
Jane E. Tableriou
(typed or printed name)
Notary commission expires:

4/29/98

ELECTRIC LINE EASEMENT AND RIGHT-OF-WAY

STATE OF TEXAS	§	Transmission Line No. _____
	§	Easement No. _____
COUNTY OF WILLIAMSON	§	

DATE: _____, 1998.

GRANTOR: STATE OF TEXAS, by and through the Texas Department of Transportation
and the Texas Parks and Wildlife Department

GRANTOR'S MAILING ADDRESS (including county):
c/o Commissioner, Texas General Land Office
1700 North Congress Avenue
Austin, Texas 78701-1495

GRANTEE: LOWER COLORADO RIVER AUTHORITY, a conservation and reclamation
district of the State of Texas

GRANTEE'S MAILING ADDRESS: P. O. Box 220
Austin, Texas 78767-0220
Travis County, Texas

CONSIDERATION: Ten and NO/100's Dollars (\$10.00) and other good and valuable
consideration, the receipt and sufficiency of which is hereby
acknowledged, for which no lien express or implied is retained or
shall exist.

EASEMENT PROPERTY: The real property more particularly described in the attached
Exhibit A field note description and plat, incorporated herein for all purposes.

PROJECT: Electric transmission line or lines and/or electric distribution line or lines, consisting
of a variable number and sizes of wires and circuits, and all necessary or desirable appurtenances
(including above ground supporting structures, and insulators made of wood, metal, or other
materials). The project may also include communication lines, waterlines, wastewater lines, and
facilities appurtenant to any of them.

1. GRANTOR, for the CONSIDERATION paid to GRANTOR, hereby grants to GRANTEE
an Easement and non-exclusive Right-of-Way in, upon, and across the EASEMENT PROPERTY.
The Easement, right-of-way, rights, and privileges herein granted shall be used for the purpose of
constructing, placing, operating, maintaining, reconstructing, replacing, rebuilding, upgrading,

*Electric Line Easement
and Right-of-Way*

removing, inspecting, patrolling, or repairing the PROJECT or any part of the PROJECT, and making connections therewith. GRANTEE shall have the right of ingress and egress at all times upon and across the EASEMENT PROPERTY for the above stated purpose. GRANTEE shall have the right to install and maintain appropriate gates along and in any fence, as necessary or appropriate for the exercise of GRANTEE'S right of ingress and egress, on the EASEMENT PROPERTY; provided, however, GRANTEE shall provide GRANTOR with a lock and key to each gate erected on the EASEMENT PROPERTY.

2. GRANTOR and GRANTEE acknowledge and agree that GRANTEE shall have the following rights in the property described on Exhibit B, exclusive of the EASEMENT PROPERTY and property used for highway right-of-way purposes ("Retained Property"):

a. In the event that immediate access to the EASEMENT PROPERTY is not reasonably available over the EASEMENT PROPERTY, and only in that event, then GRANTEE shall have the right of ingress and egress over existing roads across the Retained Property for the purpose of obtaining such access.

b. In the event that such access is not reasonably available over the EASEMENT PROPERTY and not available over existing roads, and only in that event, provided GRANTOR licenses alternate access in writing, GRANTEE shall have the right of reasonable ingress and egress over the Retained Property.

c. Notwithstanding the provisions of subsection 2.b., in the event that immediate access is not reasonably available to that portion of the EASEMENT PROPERTY contained in the area described on Exhibit C ("Creek Area") over existing roads, and only in that event, GRANTOR shall, upon request of GRANTEE, grant an irrevocable license for reasonable alternate access in writing across or through the Creek Area, until such time as GRANTEE obtains permanent roadway access to that portion of the EASEMENT PROPERTY contained in the Creek Area; provided, however, the conditional rights of GRANTEE pursuant to this subsection shall automatically terminate at 12:01 a.m. on July 18, 1998, if GRANTEE does not advise GRANTOR that such alternate access is needed and request GRANTOR to locate such alternate access at a permanent location within the Creek Area; provided further, GRANTEE agrees to execute and record a partial release of its conditional rights under this subsection upon the earlier to occur of (1) the date on which GRANTEE determines that such alternate access across or through the Creek Area is unnecessary, or (2) GRANTEE has not requested a permanent alternate access across the Creek Area on or before July 18, 1998. Notwithstanding the foregoing, if a permanent route for the transmission line has not been established in a final order by the Texas Public Utility Commission at least 60 days prior to July 18, 1998, then GRANTEE shall have until 60 days after such final order to advise GRANTOR that such alternate access is needed and request GRANTOR to locate such alternate access at a permanent location within the Creek Area.

3. GRANTEE shall have the right to place poles, towers, guys or other permanent ground-based support structures on the EASEMENT PROPERTY. GRANTEE shall have the right to place new or additional wire or wires within the EASEMENT PROPERTY and to change the sizes and transmission voltages thereof. GRANTEE shall have the right to locate, relocate, or reconstruct the PROJECT within the EASEMENT PROPERTY. GRANTEE shall have the right to conduct archeological, historical, environmental, or other studies on the EASEMENT PROPERTY. GRANTEE shall have the right to remove from the EASEMENT PROPERTY all trees, shrubs, and parts thereof, or any structure, building, or obstruction within the EASEMENT PROPERTY, which may endanger or may interfere with the safe, efficient, or convenient operation of the PROJECT or the rights of ingress and egress granted herein. In addition to other rights granted herein, GRANTOR agrees that no habitable structure shall be placed in or on the EASEMENT PROPERTY. GRANTOR shall not place or operate any temporary or permanent equipment or object within the EASEMENT PROPERTY without complying with the National Electrical Safety Code and any other applicable law or regulation. GRANTEE shall have the right to place temporary poles, guys, and supporting structures on the EASEMENT PROPERTY for use in erecting or repairing the PROJECT.

4. It is understood and agreed that GRANTEE shall not be liable for damages caused by keeping the EASEMENT PROPERTY clear of trees, undergrowth, brush, structures, and obstructions nor for construction, ordinary operation, and maintenance of the PROJECT.

5. GRANTEE HAS INSPECTED THE PHYSICAL AND TOPOGRAPHIC CONDITION OF THE EASEMENT PROPERTY AND ACCEPTS THE SAME "AS IS" IN ITS EXISTING PHYSICAL AND TOPOGRAPHIC CONDITION. GRANTEE ACKNOWLEDGES THAT IT IS NOT RELYING UPON ANY REPRESENTATION, WARRANTY, STATEMENT OR OTHER ASSERTION OF THE STATE OF TEXAS AS GRANTOR, INCLUDING THE TEXAS DEPARTMENT OF TRANSPORTATION, THE GENERAL LAND OFFICE, OR ANY OFFICIAL, AGENT, REPRESENTATIVE OR EMPLOYEE OF THE FOREGOING, WITH RESPECT TO THE PROPERTY CONDITION OR CONDITION OF TITLE, BUT IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE EASEMENT PROPERTY. THE STATE OF TEXAS, THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE GENERAL LAND OFFICE, DISCLAIM ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, AND SPECIFICALLY MAKE NO WARRANTIES OF HABITABILITY, MERCHANTABILITY, SUITABILITY, FITNESS FOR ANY PURPOSE, OR ANY OTHER WARRANTY WHATSOEVER NOT EXPRESSLY SET FORTH IN THIS INSTRUMENT. GRANTEE IS HEREBY PUT ON NOTICE THAT ANY PRIOR GRANT AND/OR ENCUMBRANCE MAY BE OF RECORD AND GRANTEE IS ADVISED TO EXAMINE ALL PUBLIC RECORDS AVAILABLE REGARDING THE EASEMENT PROPERTY.

6. Notwithstanding anything in this instrument to the contrary, the use of the term "grant" in this instrument in no way implies that this right-of-way and easement granted hereby is free of liens, encumbrances, and/or prior rights. This instrument of assignment by GRANTOR is made without any warranties or representations as to the condition or ownership of title in and to the Easement Property.

7. GRANTOR shall have the right to enter upon the EASEMENT PROPERTY at all reasonable times for the purpose of inspection and for any other reasonable purpose necessary to protect GRANTOR'S interest therein.

8. Except for an assignment to a municipality or public electric utility certificated by the Public Utility Commission to serve the Project, GRANTEE shall not assign or sublease the EASEMENT PROPERTY or the rights granted herein, in whole or part, to any third party for any purpose unless and until such assignee or sublessee agrees in writing to indemnify GRANTOR to the same extent as stated in the "Indemnity Provisions" in paragraph 10 below. Notwithstanding the foregoing to the contrary, in the event of a proposed assignment or sublease of EASEMENT PROPERTY within the Retained Property (but only for so long as the Retained Property is owned by the Texas Department of Transportation), GRANTEE shall not assign or sublease the EASEMENT PROPERTY without obtaining the prior written consent of the Texas Department of Transportation District Engineer, Austin District, which consent may not be unreasonably withheld. Each such request for consent shall be submitted to the District Engineer at the address for notice purposes below. The District Engineer shall have thirty (30) days following receipt of notice to grant or deny the request for consent to assignment or sublease prior to the expiration of such thirty (30) day period, then GRANTEE shall submit a second request for consent by providing ten (10) additional days notice as provided above, and failure of the District Engineer to grant or deny the requested consent by the expiration of such ten (10) day period shall be deemed a grant of consent.

9. GRANTEE shall exercise reasonable care during construction of the Project so as to cause the least amount of disturbance to the existing native vegetation barrier between the EASEMENT PROPERTY and the following tracts: The adjacent Hidden Valley Estates subdivision, the property owned by the City of Cedar Park, and the 50-acre park currently owned by the State of Texas and Leased to Williamson County (collectively, "Adjacent Tracts"). In the event of any such disturbance, GRANTEE shall revegetate all disturbed areas and install erosion control structures to mitigate and repair surface damages resulting from activities authorized hereunder, so as to preserve the existing barrier between the EASEMENT PROPERTY and Adjacent Tracts.

10. GRANTEE shall indemnify GRANTOR for the following (the "Indemnity Provisions"):

- a. To the extent permitted by law, GRANTEE shall be fully liable and responsible for any damage, of any nature, arising or resulting from its own acts or omissions related to its exercise of the rights granted herein.

- b. To the extent permitted by law, GRANTEE agrees to and shall indemnify and hold GRANTOR, its officers, agents, employees and invitees, harmless for liability or damages of any kind, without limit and without regard to cause of the damages or the negligence of any party, except for the consequences of the negligent acts or willful misconduct of GRANTOR, its officers, agents, employees or invitees, arising directly or indirectly from GRANTEE'S use of the Property or from any breach by GRANTEE of the terms, covenants or conditions contained herein.

11. To the extent not previously conveyed, GRANTOR reserves all rights to all oil, gas and minerals, ores and metals of any kind and character found at the surface and in, on or under the EASEMENT PROPERTY and to all geothermal resources; however, GRANTOR shall not use or occupy the EASEMENT PROPERTY surface for the exploration of oil, gas, and minerals, ores, metals and geothermal resources.

12. The initial addresses for notice purposes are as follows:

GRANTOR

State of Texas
Texas Dept. of Transportation
P.O. Drawer 15426
Austin, Texas 78761
Attn: Austin District Engineer

GRANTEE:

Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767

Any notice which may or shall be given hereunder shall be in writing and shall be sent by U.S. Mail, postage prepaid, registered or certified, with return receipt requested, to the respective addresses stated above or as changed by a party from time to time by the giving of notice to the other.

No change of address of either party shall be binding on the other until notice of such change is given as provided herein. A post office receipt for such notice or a signed return receipt shall be conclusive that such notice was delivered in due course if mailed as provided above. Any notice mailed in the above manner shall be deemed completed upon the earlier to occur of (i) actual receipt, as indicated on a signed return receipt or (ii) three days after posting such notice as provided above.

13. This instrument, including exhibits, constitutes the entire agreement between GRANTOR and GRANTEE concerning the grant of the Easement, and no prior written or prior contemporaneous oral promises or representations shall be binding.
14. This instrument shall become effective only upon execution by all parties hereto and delivery of a fully executed counterpart to each party.
15. This instrument shall not be amended, changed, altered or extended except by written instrument signed by all parties hereto.
16. GRANTEE shall record this instrument in the Williamson County Real Property Records. Should GRANTEE fail to do so, GRANTOR may cause this instrument to be recorded, at GRANTEE'S expense, and to have the cost thereof reimbursed upon advising GRANTEE of such cost.
17. To the extent of any conflict between any statute and the terms of this instrument, the terms of this instrument shall control any such conflict.
18. Notwithstanding anything to the contrary contained herein, GRANTEE shall relocate any improvements constructed within the EASEMENT PROPERTY located on the Retained Property upon 180 days written notice from the Texas Department of Transportation that the construction of U.S. Highway 183-A requires relocation of improvements located upon such area. The determination of which improvements shall be relocated shall be made by the Texas Department of Transportation, in its sole and absolute discretion. The cost of relocation of improvements shall be at GRANTEE's expense. The Texas Department of Transportation shall provide any additional right-of-way, pursuant to the rights granted under this Easement, required for relocation on the Retained Property, at the expense of the Texas Department of Transportation.
19. This instrument, and the terms and conditions contained herein, shall inure to the benefit of and be binding upon GRANTEE and GRANTOR, and their respective heirs, personal representatives, and authorized successors, and assigns and shall apply to and run with the land.
20. When the context requires, singular nouns and pronouns include the plural. When appropriate, the term "GRANTEE" includes the employees and authorized agents of GRANTEE.
21. When the context requires, singular nouns and pronouns include the plural. When appropriate, the term "GRANTOR" includes the employees and authorized agents of GRANTOR.

GRANTOR:

State of Texas, by and through the
Texas Department of Transportation
and the Texas Parks and Wildlife Department

By: Garry Mauro

Title: Commissioner,
Texas General Land Office
and Chairman, Texas Parks and
Wildlife Board for Lease

Official Seal

GRANTEE:

Lower Colorado River Authority

By: Donna Brasher

Title: Manager, Land & Environmental
Services

WILLIAMSON COUNTY, TEXAS
 RACHAEL SAUL LEAGUE, A-551
 SAMUEL DAMON LEAGUE, A-170
 TxDOT TRACT ONE-0.953 ACRES
 TxDOT TRACT TWO-39.852 ACRES

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EXHIBIT "A"

FIELD NOTE DESCRIPTION OF A 0.953 ACRE TRACT OF LAND (HEREIN CALLED TRACT ONE) OUT OF THE SAMUEL DAMON SURVEY ABSTRACT NO. 170 AND A 39.852 ACRE TRACT OF LAND (HEREIN CALLED TRACT TWO) OUT OF THE SAMUEL DAMON SURVEY, ABSTRACT NO. 170, AND THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, BOTH TRACTS BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BOTH TRACTS BEING A PORTION OF THAT TRACT OF LAND CALLED 789.508 ACRES IN A DEED FROM THE STATE OF TEXAS, TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION, AND GARRY MAURO, COMMISSIONER OF THE GENERAL LAND OFFICE OF TEXAS TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, DATED AUGUST 31, 1988 AND RECORDED IN VOLUME 1723, PAGE 855 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT TRACT OF LAND CALLED 14.171 ACRES IN A DEED FROM THE LOWER COLORADO RIVER AUTHORITY TO TEXAS DEPARTMENT OF TRANSPORTATION, DATED FEBRUARY 5, 1997 (NOT OF RECORD), SAID 0.953 ACRE TRACT ONE AND SAID 39.852 ACRE TRACT TWO BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

TRACT ONE-0.953 ACRES

BEGINNING at a concrete monument found (N=10152526.2191, E=3091029.1486 NAD83/HARN Central Zone) on the west Right-of-Way line of U.S. Highway No. 183 at the northernmost northwest corner of the said 789.508 acre tract, being the southwest corner of Hidden Valley Estates, a subdivision of record in Cabinet B, Slide 84 of the Plat Records of Williamson County, Texas, for the northwesterly corner hereof;

THENCE, N81°58'47"E (called S83°17'55"W in 1723/855), leaving the said U.S. Highway 183, with the north line of the said 789.508 acre tract, being the south line of the said Hidden Valley Estates, a distance of 360.83 feet to a 1/2 inch iron rod with cap found for the northernmost northwesterly corner of a called 50.00 acre tract of land conveyed by Transfer of Jurisdiction Agreement from Texas Department of Transportation (TxDOT) to the Texas Parks and Wildlife Department (TPWD) dated April 5, 1994 of record in Volume 2529, Page 613 of said Official Records for the northeasterly corner hereof;

THENCE, S22°12'57"E, along the westerly line of said 50.00 acres a distance of 118.62 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for the southeasterly corner hereof;

THENCE, S81°58'47"W, over and across said 789.508 acres a distance of 360.81 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set in the westerly line of U.S. Highway 183 for the southwesterly corner hereof, from which a 1/2 inch iron rod found in the westerly line of U.S. Highway 183 bears S22°13'35"E, a distance of 524.78 feet;

THENCE, N22°13'35"W, along the easterly line of U.S. Highway 183 being the westerly line of said 789.508 acres a distance of 118.63 feet to the **POINT OF BEGINNING**, containing an area of 0.953 acres (41,495 sq. ft.) of land, more or less, within these metes and bounds.

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TRACT TWO-39.852 ACRES

COMMENCING at a concrete monument found on the west Right-of-Way line of U.S. Highway No. 183 at the northernmost northwest corner of the said 789.508 acre tract, being the southwest corner of Hidden Valley Estates, a subdivision of record in Cabinet B, Slide 84 of the Plat Records of Williamson County, Texas, for the northernmost northwest corner hereof;

THENCE, N81°58'47"E (called S83°17'55"W in 1723/855), leaving the said U.S. Highway 183, with the south line of said Hidden Valley Estates being the northerly line of said 789.508 acres, at a distance of 360.83 feet passing a 1/2 inch iron rod with cap found at the northernmost northwesterly corner of a called 50.00 acre tract of land conveyed from Texas Department of Transportation (TxDOT) to the Texas Parks and Wildlife Department (TPWD) by deed dated April 5, 1994 of record in Volume 2529, Page 613 of said Official Records continuing along the southerly line of said Hidden Valley Estates being the northerly line of said 50.00 acres, at a distance of 363.20 feet passing a 1/2 inch iron rod with cap found at the southwest corner of Lot 15 of said subdivision, at a distance of 544.10 feet passing a 3/4 inch iron pipe found at the southwest corner of Lot 18A, Re-subdivision of Hidden Valley Estates, a subdivision of record in Cabinet E, Slide 83 of said Plat Records, at a distance of 948.73 feet passing a 1/2 inch iron rod found 0.2 feet north of line at the southeast corner of the said Lot 18A, being on the southwest Right-of-Way line of South Kent Street (50' ROW), at a distance of 998.80 feet passing a 1/2 inch iron rod found 0.5 feet north of line on the northeast Right-of-Way line of the said South Kent Street, being the southwest corner of Lot 1 of the said Hidden Valley Estates, at a distance of 1271.33 feet passing a 2 inch iron pipe found 0.3 feet north of line, and continuing for a total distance of 1401.33 feet to a point in the center of Brushy Creek, being an internal corner of the said 789.508 acre tract, and being the northeast corner of the said 50.00 acres and the southeast corner of that tract of land called 6.25 acres in a deed from Ideal Basic Industries, Inc. to the City of Cedar Park, Texas, dated March 18, 1983 and recorded in Volume 914, Page 624 of said Official Records for the POINT OF BEGINNING hereof, (N=10152721.713, E=3092416.6021 NAD83/HARN Central Zone);

THENCE, over and across said 789.508 acres the following two (2) courses and distances:

- 1) N81°58'47"E, at a distance of 50.00 feet passing a 1/2 inch iron rod with yellow "LCRA" plastic cap set and continuing for a total distance of 414.31 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for an angle point;
- 2) S78°08'34"E, a distance of 606.05 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set on an easterly line of the said 789.508 acre tract, being the west line of that tract of land called Tract A (591.1465 acres) in a deed from the Estate of Helen Avery to Loye W. Young, dated December 15, 1995 and recorded in Document No. 9556281 of said Official Records, for the northernmost corner hereof;

THENCE, along the common line between the said 789.508 acre tract and the said Tract A, the following three (3) courses and distances hereof;

- 1) S21°31'12"E, a distance of 2475.46 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for an interior corner of the said 789.508 acre tract, from which a 80d nail found bears N02°15'54"W, a distance of 5.87 feet, and a 60d nail found near a fence corner post at the southwest corner of the said Tract A bears N11°02'09"W, a distance of 6.84 feet;

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- 2) N69°15'04"E, a distance of 938.97 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for an angle point hereof;
- 3) N69°01'31"E, at a distance of 1.55 feet passing a 60d nail found 0.1 feet north of line, near a fence corner post, and continuing on, a total distance of 3468.00 feet to a 1/2 inch iron rod with cap found on the west Right-of-Way line of the Southern Pacific Railroad at the northeast corner of the said 789.508 acre tract, being the southeast corner of the said Tract A, for the northernmost northeast corner hereof;

THENCE, along the common line between the said 789.508 acre tract, the said 14.171 acre tract and the said Southern Pacific Railroad, the following five (5) courses and distances:

- 1) S02°19'36"E, a distance of 215.00 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set at the beginning of a curve to the right;
- 2) Along the arc of said curve to the right, having a radius of 4574.76 feet, a delta angle of 11°11'35", an arc length of 893.70 feet, and a chord which bears S01°01'01"W, a distance of 892.27 feet to a 1 inch iron pipe found;
- 3) S04°33'50"W, a distance of 1523.93 feet to a 1 inch iron pipe found at the beginning of a curve to the left;
- 4) Along the arc of said curve to the left, having a radius of 2020.00 feet, a delta angle of 46°32'00", an arc length of 1640.56 feet, and a chord which bears S16°25'38"E, a distance of 1595.84 feet to a 1 inch iron pipe found at the point of compound curvature;
- 5) Continuing along the arc of said curve to the left, having a radius of 1987.89 feet, a delta angle of 44°03'23", an arc length of 1528.55 feet, and a chord which bears S61°44'02"E, a distance of 1491.17 feet to a 1 inch iron pipe found at the northeast corner of the said 14.171 acre tract, being on the west Right-of-Way line of County Road No. 183, for the easternmost northeast corner hereof;

THENCE, along the west line of the said County Road No. 183, being the east line of the said 14.171 acre tract, and east line of the said 789.508 acre tract, the following two (2) courses and distances:

- 1) S17°07'19"E, a distance of 62.21 feet to a 1 inch iron pipe found at the southeast corner of the said 14.171 acre tract;
- 2) S20°46'34"E, a distance of 80.81 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set, for the southeast corner hereof, from which a 1 inch iron pipe found at the intersection of the west line of the said County Road No. 183 with the north Right-of-Way line of R.M. 620, being the southeast corner of the said 789.508 acre tract, bears S20°46'34"E, a distance of 1904.75 feet;

THENCE, leaving the west line of the said County Road No. 183, over and across the said 789.508 acre tract and the said 14.171 acre tract, the following ten (10) courses and distances:

- 1) Along the arc of a curve to the right, having a radius of 2117.89 feet, a delta angle of 45°43'03", an arc length of 1689.91 feet, and a chord which bears N62°33'51"W, a distance of 1645.43 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for the point of compound curvature;

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- 2) Continuing along said curve to the right, having a radius of 2150.00 feet, a delta angle of $46^{\circ}27'49''$, an arc length of 1743.53 feet, and a chord which bears $N16^{\circ}27'44''W$, a distance of 1696.15 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 3) $N04^{\circ}33'50''E$, a distance of 1523.73 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set at the beginning of a curve to the left;
- 4) Along the arc of said curve to the left, having a radius of 4444.76 feet, a delta angle of $06^{\circ}20'56''$, an arc length of 492.53 feet, and a chord which bears $N03^{\circ}28'07''E$, a distance of 492.27 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 5) $N57^{\circ}11'02''W$, a distance of 507.84 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 6) $S69^{\circ}01'31''W$, a distance of 2852.76 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 7) $S69^{\circ}15'04''W$, a distance of 1052.66 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 8) $N21^{\circ}31'12''W$, a distance of 2526.98 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 9) $N78^{\circ}08'34''W$, a distance of 523.94 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set;
- 10) $S81^{\circ}58'47''W$, a distance of 214.08 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set in the common line of said 50.00 acres and said 789.508 acres;

THENCE, along the easterly line of said 50.00 acres the following two (2) courses and distances:

- 1) $N03^{\circ}21'55''E$, a distance of 64.70 feet to a 1/2 inch iron rod found;
- 2) $N83^{\circ}02'54''W$, a distance of 199.63 feet to the POINT OF BEGINNING, containing an area of 39.852 acres (1,735,963 sq. ft.) of land, more or less, within these metes and bounds.

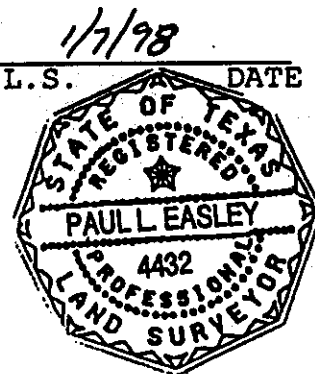
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WordPerfect:T362001A.002
ACAD: T362001A/006A-010A

I, PAUL L. EASLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

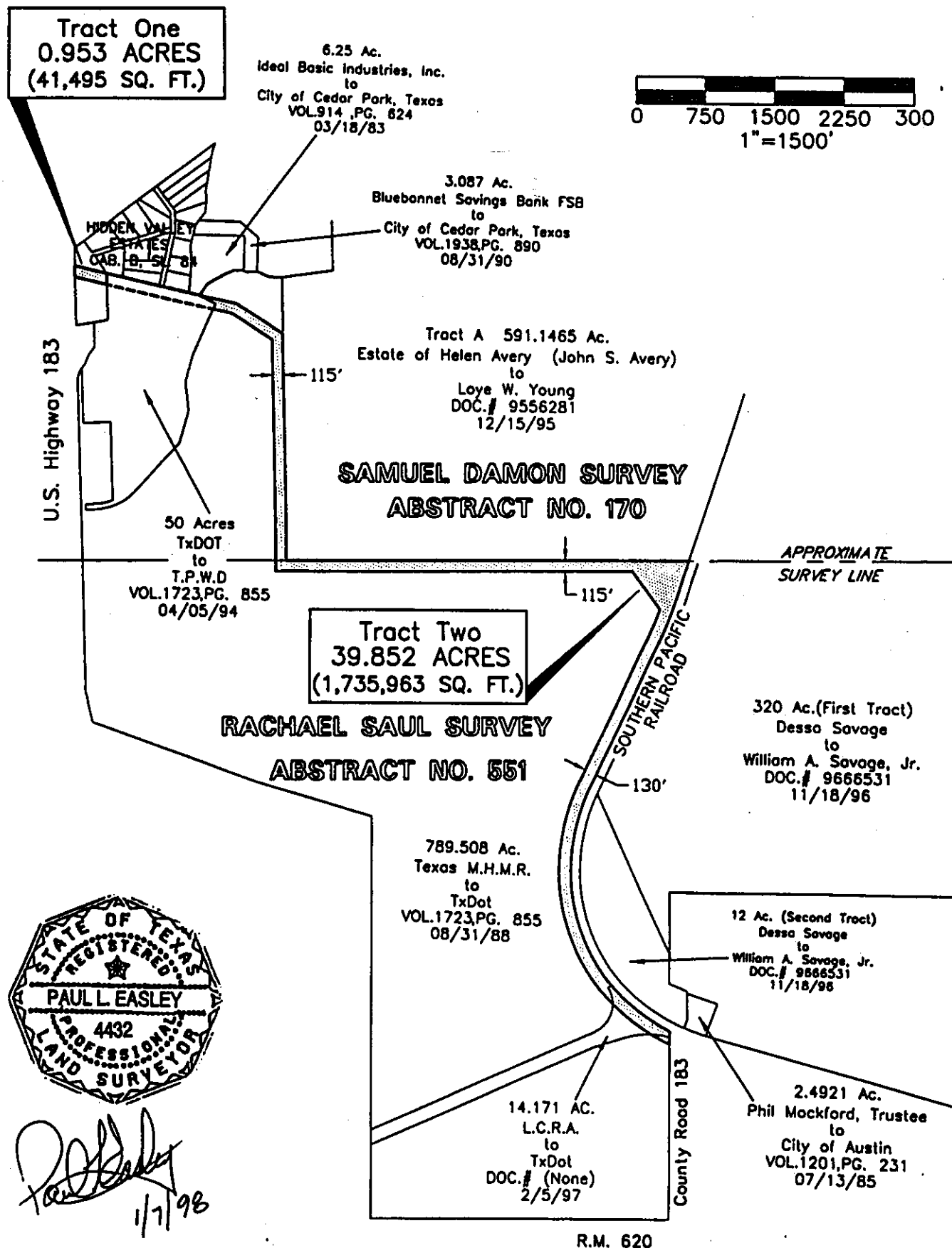
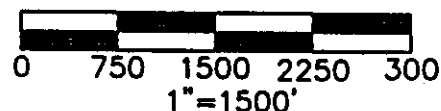
BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

Paul L. Easley

PAUL L. EASLEY, R.P.L.S.
NO. 4432
STATE OF TEXAS



VOL 0096 PAGE 221



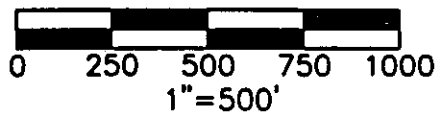
**NOTE: Distances shown are Surface.
To convert Surface Distance to Grid
Distance multiply by a Combined
Scale Factor (CSF) of 0.999878621**

FIELD BOOK: 897-03, 05, 06, 07 BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/HARN

LOWER COLORADO RIVER AUTHORITY		2					
T362 JOLLYVILLE TO BUTTERCUP		1					
TxDOT TRACT ONE 0.953 Acre Tract		NO.	DATE	REVISION	BY	CHKD	APPROVED
TXDOT TRACT TWO 39.852 Acre Tract		DRAWN M.J.J.		CHECKED P.L.E.	APPROVED P.L.E.		
		SCALE: 1"=1500'		1/05/98	T362001A\006A		

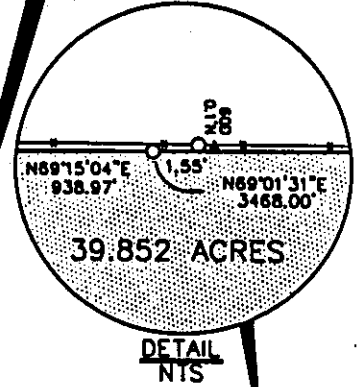
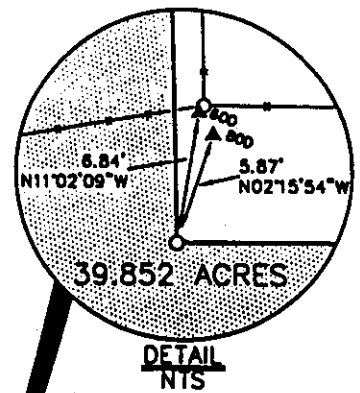
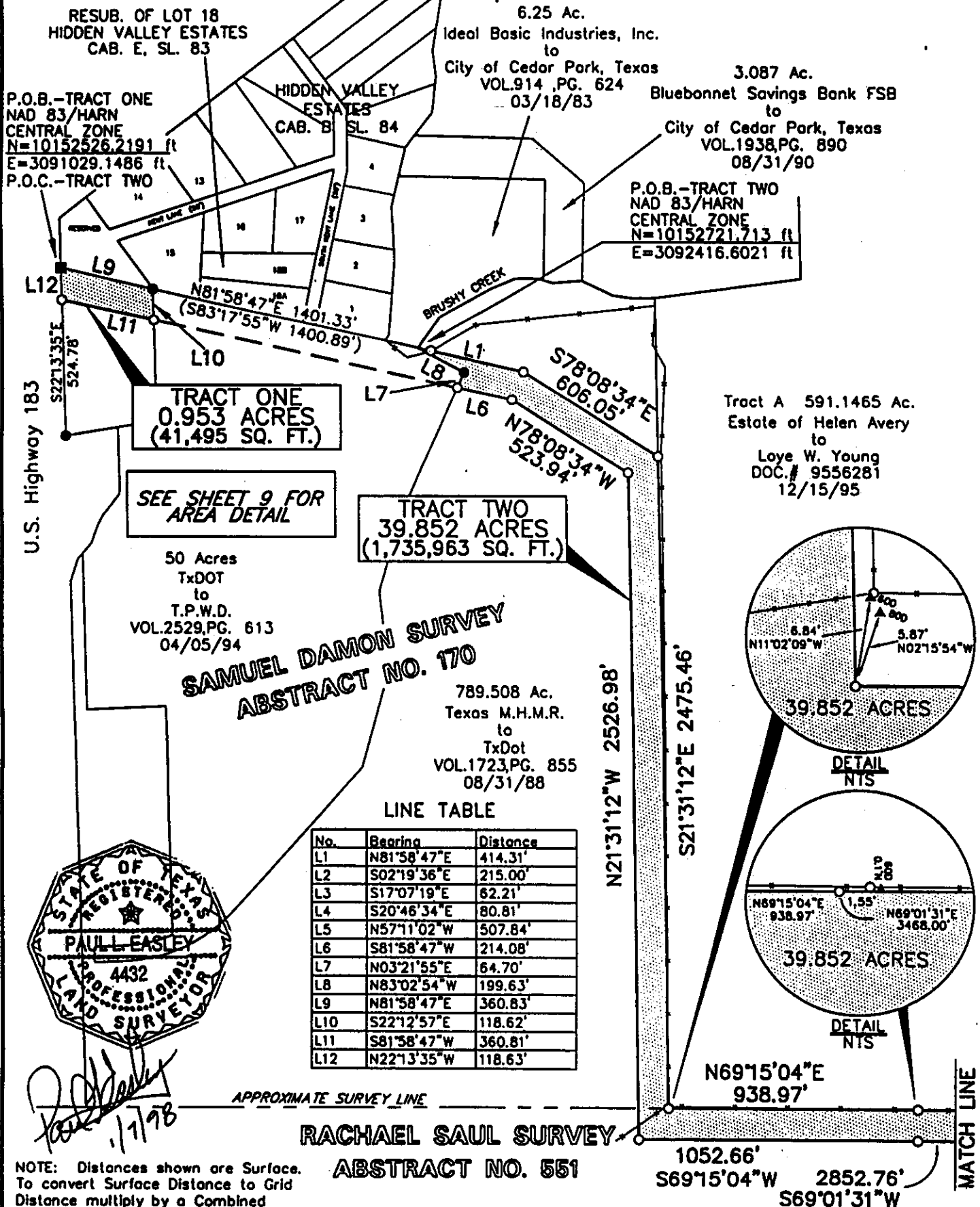
WP FILE: T362001A.002
VA NO: 100051

WILLIAMSON COUNTY, TEXAS
 RACHAEL SAUL LEAGUE A-551
 SAMUEL DAMON LEAGUE A-170



LEGEND

- MONUMENT FOUND
- 1/2" IRON ROD WITH YELLOW "LCRA" PLASTIC CAP SET
- P.O.B. POINT OF BEGINNING
- (XXX) RECORD INFORMATION

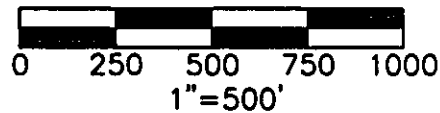


WILLIAMSON COUNTY, TEXAS
RACHAEL SAUL LEAGUE A-551
SAMUEL DAMON LEAGUE A-170

VOL 0096 PAGE 223

LEGEND

- MONUMENT FOUND
 - 1/2" IRON ROD FOUND
WITH CAP
 - ⊙ IRON PIPE FOUND
 - 1/2" IRON ROD WITH YELLOW
"LCRA" PLASTIC CAP SET
- P.O.B. POINT OF BEGINNING



**SAMUEL DAMON SURVEY
ABSTRACT NO. 170**

Tract A 591.1465 Ac.
Estate of Helen Avery (John S. Avery)
to
Loye W. Young
DOC.# 9556281
12/15/95

39.852 ACRES
(1,735,963 SQ. FT.)

789.508 Ac.
Texas M.H.M.R.
to
TxDot
VOL.1723,PG. 855
08/31/88

RACHAEL SAUL SURVEY
ABSTRACT NO. 551

LINE TABLE

No.	Bearing	Distance
L2	S02°19'36"E	215.00'
L5	N57°11'02"W	507.84'

320 Ac.(First Tract)
Dessa Savage
to
William A. Savage, Jr.
DOC.# 9666531
11/18/96

APPROXIMATE SURVEY LINE

N69°01'31"E 3468.00'

S69°01'31"W 2852.76'

N04°33'50"E 1523.73'

S04°33'50"W 1523.93'

SOUTHERN PACIFIC RAILROAD

MATCH LINE

LINE TABLE

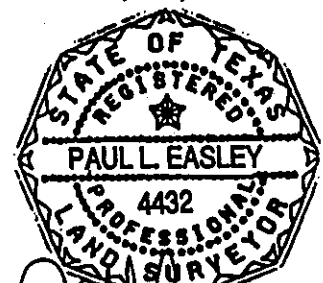
No.	Bearing	Distance
L2	S02°19'36"E	215.00'
L5	N57°11'02"W	507.84'

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	11°11'35"	4574.76	893.70	892.27	S01°01'01"W
C6	06°20'56"	4444.76	492.53	492.27	N03°28'07"E

**NOTE: Distances shown are Surface.
To convert Surface Distance to Grid
Distance multiply by a Combined
Scale Factor (CSF) of 0.99986128**

FIELD BOOK: B97-03, 05, 06, 07 BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/HARN



LOWER COLORADO RIVER AUTHORITY

T362 JOLLYVILLE TO BUTTERCUP
TxDOT Tract Two
39.852 Acre Tract

2					
1					
NO.	DATE	REVISION	BY	CHKD	APPROVED
DRAWN <u>M.J.J.</u> CHECKED <u>P.L.E.</u> APPROVED <u>P.L.E.</u>					
SCALE: 1"=500'		1/05/98		T362001A\008A	

LEGEND



- MONUMENT FOUND
- 1/2" IRON ROD FOUND WITH CAP
- ⊙ IRON PIPE FOUND
- 1/2" IRON ROD WITH YELLOW "LCRA" PLASTIC CAP SET

**RACHAEL SAUL SURVEY
ABSTRACT NO. 551**

789.508 Ac.
Texas M.H.M.R.
to
TxDot
VOL.1723,PG. 855
08/31/88

39.852 ACRES
(1,735,963 SQ. FT.)

14.171 AC.
L.C.R.A.
to
TxDot
DOC.# (Not Of Record)
February 5, 1997

NOTE: Distances shown are Surface.
To convert Surface Distance to Grid
Distance multiply by a Combined
Scale Factor (CSF) of 0.99986128

LINE TABLE

No.	Bearing	Distance
L3	S17°07'19"E	62.21'
L4	S20°46'34"E	80.81'

789.508 Ac.
Texas M.H.M.R.
to
TxDot
VOL.1723,PG. 855
08/31/88

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C2	46°32'00"	2020.00	1640.56	1595.84	S16°25'38"E
C3	44°03'23"	1987.89	1528.55	1491.17	S61°44'02"E
C4	45°43'03"	2117.89	1689.91	1645.43	N62°33'51"W
C5	46°27'49"	2150.00	1743.53	1696.15	N16°27'44"W

FIELD BOOK: B97-03, 05, 06, 07 BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/HARN

LOWER COLORADO RIVER AUTHORITY

T362 JOLLYVILLE TO BUTTERCUP
TxDOT Tract Two
39.852 Acre Tract

2					
1					
NO.	DATE	REVISION	BY	CHKD	APPROVED
DRAWN M.J.J.		CHECKED P.L.E.	APPROVED P.L.E.		
SCALE: 1"=500'		1/05/98	T362001A\009A		

WP FILE: T362001A.002
UA NO: 11815

120

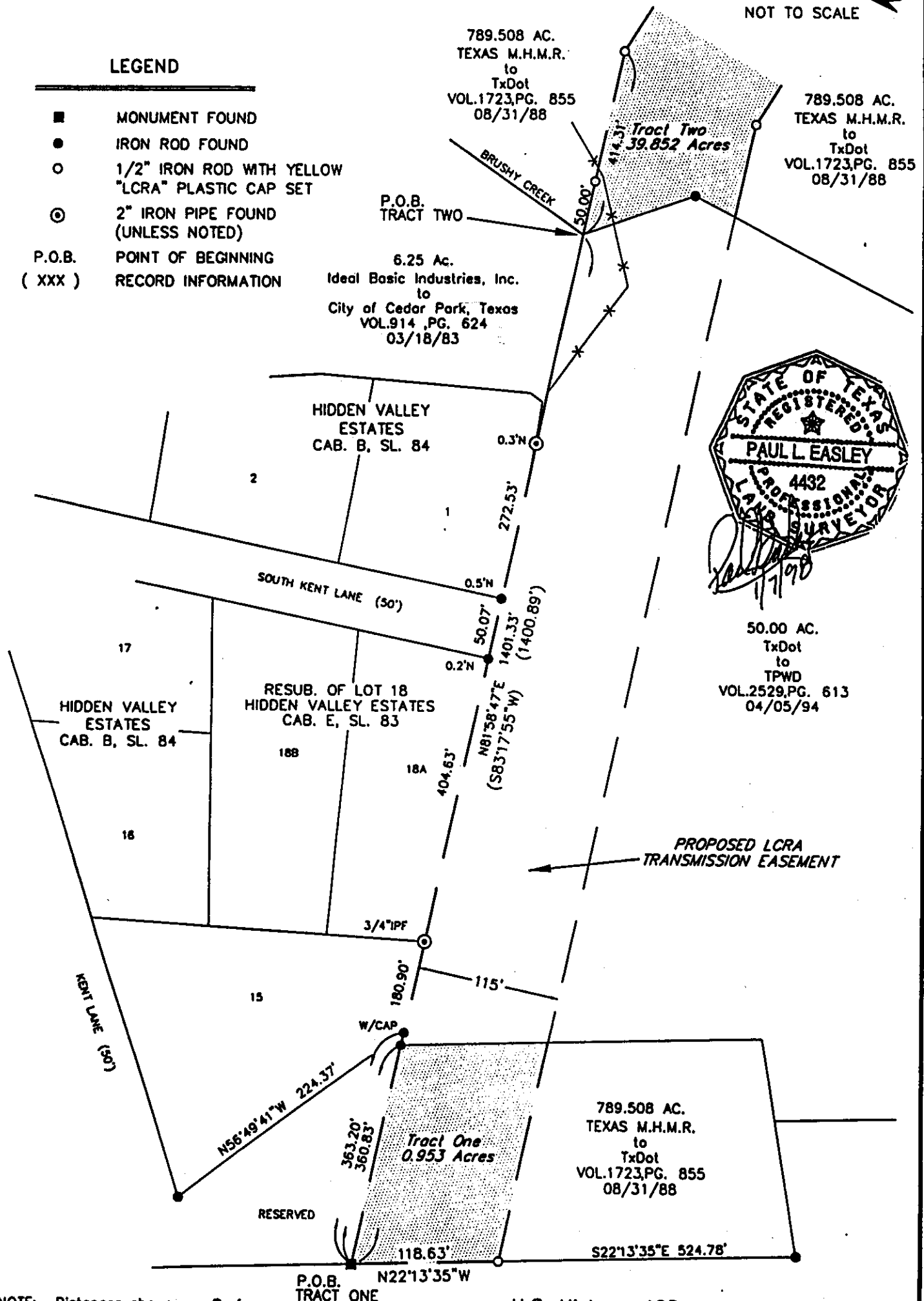
WILLIAMSON COUNTY, TEXAS
RACHAEL SAUL LEAGUE A-551
SAMUEL DAMON LEAGUE A-170

VOL 0096 PAGE 225

NOT TO SCALE

LEGEND

- MONUMENT FOUND
- IRON ROD FOUND
- 1/2" IRON ROD WITH YELLOW "LCRA" PLASTIC CAP SET
- ⊙ 2" IRON PIPE FOUND (UNLESS NOTED)
- P.O.B. POINT OF BEGINNING
- (XXX) RECORD INFORMATION



NOTE: Distances shown are Surface.
 To convert Surface Distance to Grid
 Distance multiply by a Combined
 Scale Factor (CSF) of 0.99986128

FIELD BOOK: B97-03, 05, 06, 07 BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/HARN

LOWER COLORADO RIVER AUTHORITY					
T362 JOLLYVILLE TO BUTTERCUP					
TXDOT TRACT ONE					
TXDOT TRACT TWO					
NO.	DATE	REVISION	BY	CHKD	APPROVED
2					
1					
DRAWN M.J.J.		CHECKED P.L.E.		APPROVED P.L.E.	
SCALE: N.T.S.		01/05/98		T362001A\010A	

WP FILE: N/A
 V/A NO: 443251

WILLIAMSON COUNTY, TEXAS
 SAMUEL DAMON LEAGUE, A-170
 3.094 ACRES

FN. NO. 98-002 (MJJ)
 JANUARY 5, 1998
 PAGE 1 OF 4

EXHIBIT A-1

FIELD NOTE DESCRIPTION OF A 3.094 ACRE TRACT OF LAND OUT OF THE SAMUEL DAMON SURVEY ABSTRACT NO. 170, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 50.00 ACRE TRACT OF LAND CONVEYED BY TRANSFER OF JURISDICTION AGREEMENT FROM TEXAS DEPARTMENT OF TRANSPORTATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT DATED APRIL 5, 1994 AND RECORDED IN VOLUME 2529, PAGE 613 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 3.094 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a concrete monument found on the west Right-of-Way line of U.S. Highway No. 183 at the northernmost northwest corner of the said 789.508 acre tract, being the southwest corner of Hidden Valley Estates, a subdivision of record in Cabinet B, Slide 84 of the Plat Records of Williamson County, Texas;

THENCE, N81°58'47"E (called S83°17'55"W in 1723/855), leaving the said U.S. Highway 183, with the north line of the said 789.508 acre tract, being the south line of the said Hidden Valley Estates, a distance of 360.83 feet to a 1/2 inch iron rod with cap found for the **POINT OF BEGINNING**, (N=10152576.557, E=3091386.4098 NAD83/HARN, Central Zone) being the northernmost northwesterly corner of said 50.00 acres and the northwesterly corner hereof;

THENCE, N81°58'47"E, continuing with the south line of the said Hidden Valley Estates same being the northerly line of said 50.00 acres, at a distance of 2.37 feet passing a 1/2 inch iron rod with cap found at the southwest corner of Lot 15 of said subdivision, at a distance of 183.27 feet passing a 3/4 inch iron pipe found at the southwest corner of Lot 18A, Re-subdivision of Hidden Valley Estates, a subdivision of record in Cabinet E, Slide 83 of said Plat Records, at a distance of 587.90 feet passing a 1/2 inch iron rod found 0.2 feet north of line at the southeast corner of the said Lot 18A, being on the southwest Right-of-Way line of South Kent Street (50' ROW), at a distance of 637.97 feet passing a 1/2 inch iron rod found 0.5 feet north of line on the northeast Right-of-Way line of the said South Kent Street, being the southwest corner of Lot 1 of the said Hidden Valley Estates and continuing for a total distance of 1040.49 feet to a point in the center of Brushy Creek and being an internal corner of the said 789.508 acre tract, and being also the southeast corner of that tract of land called 6.25 acres in a deed from Ideal Basic Industries, Inc. to the City of Cedar Park, Texas, dated March 18, 1983 and recorded in Volume 914, Page 624 of said Official Records, for the northeasterly corner hereof and the northeasterly corner of said 50.00 acres, from which a 1/2 inch iron rod with yellow "LCRA" plastic cap set bears N81°58'47"E, a distance of 50.00 feet;

THENCE, along the easterly line of said 50.00 acres the following two (2) courses and distances:

- 1) S83°02'54"E, a distance of 199.63 feet to a 1/2 inch iron rod found for an angle point;
- 2) S03°21'55"W, a distance of 64.70 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set for the southeasterly corner hereof;

THENCE, S81°58'47"W, over and across said 50.00 acres a distance of 1191.49 feet to a 1/2 inch iron rod with yellow "LCRA" plastic cap set on the westerly line of said 50.00 acres for the southwesterly corner hereof;

FN NO. 98-002 (MJJ)
JANUARY 5, 1998
PAGE 2 OF 4


EXHIBIT A-1

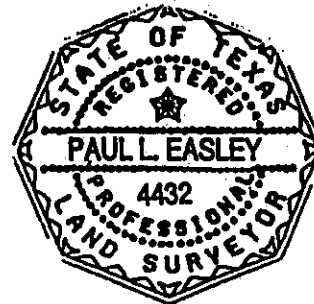
THENCE, N22°12'57"W, along the westerly line of said 50.00 acres a distance of 118.62 feet to the POINT OF BEGINNING, containing an area of 3.094 acres (134,784 sq. ft.) of land, more or less, within these metes and bounds.

Bearing Basis: Texas Central Zone NAD 83/HARN
WordPerfect:T362001A.003
ACAD: T362001A/011A-012A

I, PAUL L. EASLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

 1/7/98
PAUL L. EASLEY, R.P.L.S. DATE
NO. 4432
STATE OF TEXAS



WILLIAMSON COUNTY, TEXAS
SAMUEL DAMON LEAGUE A-170

VOL 0096 PAGE 229

NOT TO SCALE

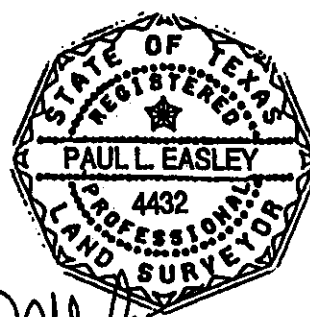
LEGEND

- MONUMENT FOUND
- IRON ROD FOUND
- 1/2" IRON ROD WITH YELLOW "LCRA" PLASTIC CAP SET
- ⊙ 2" IRON PIPE FOUND (UNLESS NOTED)
- P.O.B. POINT OF BEGINNING
- (XXX) RECORD INFORMATION

6.25 Ac.
Ideal Basic Industries, Inc.
to
City of Cedar Park, Texas
VOL.914 ,PG. 624
03/18/83

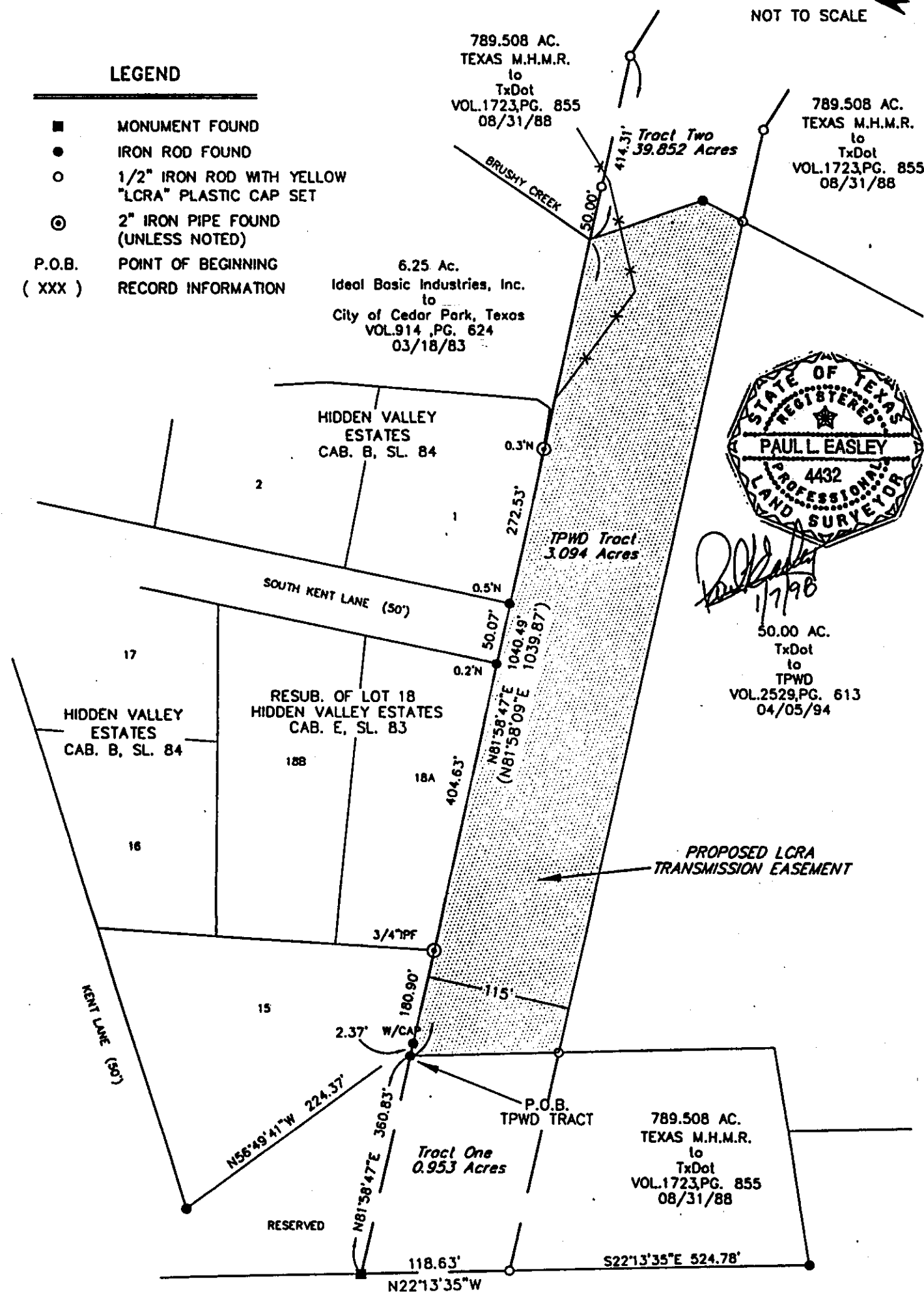
789.508 AC.
TEXAS M.H.M.R.
to
TxDot
VOL.1723,PG. 855
08/31/88

789.508 AC.
TEXAS M.H.M.R.
to
TxDot
VOL.1723,PG. 855
08/31/88



[Signature]
1/7/98

50.00 AC.
TxDot
to
TPWD
VOL.2529,PG. 613
04/05/94



NOTE: Distances shown are Surface.
To convert Surface Distance to Grid
Distance multiply by a Combined
Scale Factor (CSF) of 0.99986128

FIELD BOOK: B97-03, 05, 06, 07 BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/HARN

LOWER COLORADO RIVER AUTHORITY		2				
T362 JOLLYVILLE TO BUTTERCUP		1				
TPWD		NO. DATE	REVISION	BY	CHKD	APPROVED
3.094 ACRES		DRAWN M.J.J.		CHECKED P.L.E.		APPROVED P.L.E.
		SCALE: N.T.S.		01/05/98		T362001A\012A

WP FILE: T362001A.003
WA NN: A6R651

**EXHIBIT B
RETAINED PROPERTY**

TRACT ONE: 256.173 acres of land, more or less, located in the Rachael Saul League, Abstract No. 551, and the Samuel Damon League, Abstract No. 170, more particularly described on Exhibit "1," attached hereto and incorporated herein for all purposes.

TRACT TWO: 6.180 acres of land, more or less, located in the Samuel Damon League, Abstract No. 170, situated in Williamson County, Texas, more particularly described on Exhibit "2," attached hereto and incorporated herein for all purposes.

TRACT THREE: 22.581 acres of land, more or less, out of the Rachael Saul League in Williamson County, Texas, more particularly described on Exhibit "3," attached hereto and incorporated herein for all purposes.

TRACT FOUR: 0.728 acres of land, more or less, located in the Samuel Damon League, Abstract No. 170, and more particularly described on Exhibit "4," attached hereto and incorporated herein for all purposes.

TRACT FIVE: 4.428 acres of land, more or less, located in the Rachael Saul League, Abstract No. 551, and the Samuel Damon League, Abstract No. 170, and more particularly described on Exhibit "5," attached hereto and incorporated herein for all purposes.

EXHIBIT 1

A DESCRIPTION OF 256.173 ACRES OF LAND, LOCATED IN THE RACHAEL SAUL LEAGUE, ABSTRACT NO. 551, AND THE SAMUEL DAMON LEAGUE, ABSTRACT NO. 170, AND BEING A PORTION OF A 789.508 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, DATED AUGUST 31, 1988, OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 256.173 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the centerline of Brushy Creek, being also the most northern northeast corner of the said 789.508 acre tract, and being at or near the northwest corner of a 150 acre tract described as First Tract, Tract 3 in Volume 305, Page 228 of the Deed Records of Williamson County, Texas (see Report of Survey), from which a $\frac{3}{4}$ " i.d. iron pipe found at the end of a fence bears North $18^{\circ}01'54''$ West, 11.79 feet;

1.THENCE South $21^{\circ}37'29''$ East, with the approximate deed line of the 789.508 acre tract, a distance of 1464.92 feet (record South $20^{\circ}12'04''$ East, 3083.72 feet total) to a post found at an angle point in an old wire fence;

2.THENCE South $21^{\circ}23'58''$ East, with the said fence, a distance of 1612.35 feet to a 60d nail found in a fence post at the southwest corner of the said 150 acre tract;

3.THENCE North $69^{\circ}39'53''$ East, a distance of 938.41 feet (record North $70^{\circ}34'12''$ East, 938.89 feet) to a 1" i.d. galvanized pipe found at the northwest corner of M.C. Hamilton's Subdivision of $\frac{1}{4}$ of the Rachael Saul Survey, as described in Volume 27, Page 224 of the Deed Records of Williamson County, Texas;

4.THENCE South $20^{\circ}42'07''$ East, crossing through the said 789.508 acre tract, a distance of 2764.32 feet to a $\frac{1}{2}$ " rebar with an aluminum cap set in concrete for the northeast corner of Parkline Section II;

5.THENCE South 80°23'03" West, with the north line of Parkline Section II, a distance of 377.99 feet (record South 80°16'04" West, 377.01 feet, Cabinet K, Slide 11) to a ½" rebar found;

6.THENCE South 82°18'36" West, with the north line of Parkline Section II, a distance of 16.34 feet (record South 85°21'33" West, 15.89 feet) to a ½" rebar found in the east right-of-way line of the termination of North Lake Creek Parkway;

7.THENCE South 85°04'05" West, with the north termination of North Lake Creek Parkway, a distance of 124.25 feet (record South 85°21'33" West, 125.06 feet) to a ½" rebar found at the northeast corner of Parkline Section I, a subdivision of record in Cabinet K, Slide 7 of the Plat Records of Williamson County, Texas;

8.THENCE South 85°44'02" West, with the north line of Parkline Section I, a distance of 83.93 feet (record South 85°21'33" West, 83.13 feet) to a 60d nail found in a live oak tree;

9.THENCE South 88°15'28" West, with the north line of Parkline Section I, a distance of 686.54 feet (record South 88°16'09" West, 686.48 feet) to a ½" rebar found in concrete at the northeast corner of a 21.81 acre tract described in Volume 2094, Page 5 of the Deed Records of Williamson County, Texas;

10.THENCE South 88°21'20" West, with the north line of the said 21.82 acre tract, a distance of 52.68 feet (record South 89°12'19" West, 52.74 feet) to a 4½" metal post found;

11.THENCE South 88°53'29" West, with the north line of the 21.81 acre tract, a distance of 1817.91 feet (record South 89°49'49" West, 1890.76 feet total) to a ½" rebar with an aluminum cap set;

12.THENCE North 35°27'09" West, 50 feet from and parallel to the east right-of-way of U.S. 183, a distance of 121.54 feet to a ½" rebar with an aluminum cap set at a point of curvature;

13.THENCE along a curve to the right, an arc length of 418.90 feet, with a radius of 1800.08 feet, and a chord which bears North 28°51'41" West, a distance of 417.95 feet to a ½" rebar with an aluminum cap set at a point of tangency;

14.THENCE North 22°12'31" West, 50 feet from and parallel to the east right-of-way of U.S. 183, a distance of 1793.95 feet to a ½" rebar with an aluminum SDHPT cap found;

.THENCE crossing the 789.508 acre tract, the following 8 courses numbered fifteen (15) through twenty-two (22):

(15.) North 67°06'51" East, a distance of 112.30 feet to a ½" rebar with an aluminum SDHPT

cap found;

- (16.) Along a curve to the left, an arc length of 483.28 feet, with a radius of 602.96 feet, and a chord which bears North 44°09'08" East, a distance of 470.45 feet to a ½" rebar with an aluminum SDHPT cap found;
- (17.) North 21°11'25" East, a distance of 729.00 feet to a ½" rebar with an aluminum SDHPT cap found;
- (18.) North 04°23'56" West, a distance of 368.12 feet to a ½" rebar with an aluminum SDHPT cap found;
- (19.) North 26°58'10" West, a distance of 310.81 feet to a ½" rebar with an aluminum SDHPT cap found;
- (20.) North 05°13'20" West, a distance of 292.76 feet to a ½" rebar with an aluminum SDHPT cap found;
- (21.) North 03°21'38" East, a distance of 617.23 feet to a ½" rebar with an aluminum SDHPT cap found;
- (22.) North 83°04'00" West, a distance of 200.29 feet to a point in the centerline of Brushy Creek;

THENCE with the centerline of Brushy Creek, the following 10 courses numbered twenty-three (23) through thirty-two (32):

- (23.) North 14°53'38" East, a distance of 142.97 feet (record North 15°47'42" East, 142.23 feet) to a calculated point;
- (24.) North 37°43'17" East, a distance of 47.51 feet (record North 39°02'00" East, 47.51 feet) to a calculated point;
- (25.) North 41°08'07" East, a distance of 177.67 feet (record North 42°26'50" East, 177.67 feet) to a calculated point;
- (26.) North 47°38'08" East, a distance of 102.92 feet (record North 48°56'51" East, 102.92 feet) to a calculated point;
- (27.) North 68°51'56" East, a distance of 86.66 feet (record North 70°10'39" East, 86.66 feet) to a calculated point;

- (28.) North 85°05'11" East, a distance of 58.74 feet (record North 86°25'54" East, 58.74 feet) to a calculated point;
- (29.) North 65°29'08" East, a distance of 113.17 feet (record North 66°47'51" East, 113.17 feet) to a calculated point;
- (30.) South 85°34'35" East, a distance of 127.05 feet (record North 84°15'52" East, 127.05 feet) to a calculated point;
- (31.) North 77°40'45" East, a distance of 75.52 feet (record North 78°59'28" East, 75.52 feet) to a calculated point;
- (32.) North 68°40'48" East, a distance of 86.02 feet (record North 69°59'31" East, 86.02 feet) to the POINT OF BEGINNING.

The above described tract contains 256.173 acres of land, more or less, out the Rachael Saul League, Abstract No. 551, and the Samuel Damon League, Abstract No. 170 in Williamson County, Texas.

Bearing basis is from Texas Department of Transportation Horizontal Control Maps of U.S. 183, C.S.J. No. 0151-05-038. Monuments used were at Station 811+33.50, point number 104, and Station 830+00, point number 106, as shown on sheet 2 of 5 of said Maps.

Attachments: Report of Survey and Survey Drawing N:\SDSK\SUR\TXDOT\69020101.DWG

Record information noted herein is from Volume 1723, Page 855 and from adjoining tracts.

I, Joseph Beavers, a Registered Professional Land Surveyor do hereby certify that the above description is true and correct to the best of my knowledge, and the property herein described was determined by a survey made on the ground during May, June, and July of 1994 under my direction and supervision.

 23 MAY 94
Joseph Beavers
Registered Professional Land Surveyor
State of Texas No. 4938



N:\WP\SUR\TXDOT\69020101.FN

EXHIBIT 2

A DESCRIPTION OF 6.180 ACRES OF LAND, LOCATED IN THE SAMUEL DAMON LEAGUE, ABSTRACT NO. 170, AND BEING A PORTION OF A 789.508 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, DATED AUGUST 31, 1988, OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 6.180 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a rebar with an aluminum SDHPT cap found, 50 feet from the east right-of-way line of U.S. 183 North (right-of-way varies), and from which a concrete highway monument found at the northwest corner of the said 789.508 acre tract, 60' right of and at right angles to Engineer's Centerline Station 267+53.20, bears South 67°47'29" West, a distance of 50.00 feet, and North 22°12'31" West, along the east right-of-way of U.S. Highway 183, 1693.53 feet;

THENCE crossing the 789.508 acre tract, the following courses numbered (1) through (4):

- (1) North 67°06'51" East, a distance of 300.20 feet to a rebar with an aluminum SDHPT cap found;
- (2) South 22°11'56" East, a distance of 870.31 feet to a rebar with an aluminum SDHPT cap found;
- (3) Along a curve to the right, an arc length of 192.90 feet, with a radius of 542.96 feet, and a chord which bears South 56°56'09" West, a distance of 191.89 feet to a rebar found with an aluminum SDHPT cap found;
- (4) South 67°06'43" West, a distance of 111.59 feet to a rebar found with an aluminum SDHPT cap found 50 feet from the east right-of-way line of U.S. Highway 183;
- (5) THENCE North 22°12'31" West, 50 feet from and parallel to the east right-of-way line of U.S. Highway 183, a distance of 904.22 feet to the POINT OF BEGINNING.

EXHIBIT 2

The above described tract contains 6.180 acres of land, more or less, out of the Samuel Damon League, Abstract No. 170 in Williamson County, Texas.

Bearing basis is from Texas Department of Transportation Horizontal Control Maps for U.S. 183; C.S.J. No. 0151-05-038. Monuments used were at Station 811+33.50, point number 104, and Station 830+00, point number 106, as shown on sheet 2 of 5 of said Maps.

Attachments: Survey Drawings.

I, Robert C. Watts, Jr., a Registered Professional Land Surveyor do hereby certify that the above description is true and correct to the best of my knowledge, and that the property herein described was determined by a survey made on the ground during May, June, and July of 1994 under my direction and supervision.

Robert C. Watts 7-17-94

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

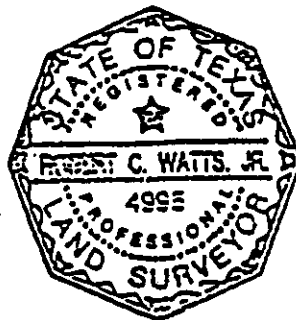


EXHIBIT 3

BEING 22.581 (983,647 SQUARE FEET) ACRES OF LAND OUT OF THE RACHAEL SAUL LEAGUE IN WILLIAMSON COUNTY, TEXAS, AND ALSO BEING OUT OF THAT CERTAIN 789 .508 ACRE TRACT OF LAND CONVEYED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, BY DEED DATED AUGUST 31, 1988, FROM THE TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALSO BEING A PORTION OF A 1.061 ACRE TRACT OF LAND CONVEYED TO MARION ROBERTS, ROBERT J. WILSON AND DONALD S. THOMAS FROM NOEL J. BAKER BY DEED DATED MARCH 4, 1983 OF RECORD IN VOLUME 909, PAGE 347 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING THAT SAME APPARENT 1.061 ACRE TRACT OF LAND DESCRIBED BY AFFIDAVIT OF ADVERSE POSSESSION DATED NOVEMBER 10, 1982, ASSERTED BY FLORENCE STULLKEN OF RECORD IN VOLUME 909, PAGE 361 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, A ONE THIRD INTEREST IN SAID 1.061 ACRE TRACT OF LAND BEING FURTHER CONVEYED TO DONALD S. THOMAS, TRUSTEE BY DEED DATED OCTOBER 8, 1986 OF RECORD IN VOLUME 1438, PAGE 643 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 22.581 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar set 50.00 feet left of and at right angles to Engineer's Centerline Station 129+23.89 of Ranch Road No. 620 and being the southeast corner of a 80.285 acre tract of land described in deed to Donald S. Thomas, Trustee dated October 8, 1986 of record in Volume 1438, Page 643 of the Deed Records of Williamson County, Texas, and further described by deed dated March 4, 1983 of record in Volume 909, Page 347 of the Deed Records of Williamson County, Texas, and also being the southwest corner of the said 1.061 acres, from which a ¾" i.d. pipe found in the east line of the said 80.285 acres bears North 20°41'06" West, a distance of 1688.06 feet (record - North 18°44'15" West, a distance of 1688.20 feet):

- (1) THENCE North 20°41'06" West, with the east line of the said 80.285 acres and west line of the said 1.061 acres, a distance of 300.00 feet to a ½" rebar set 350.00 feet left of and at right angles to Engineer's Centerline Station 129+24.89 of said highway for the northwest corner of this tract;

EXHIBIT 3

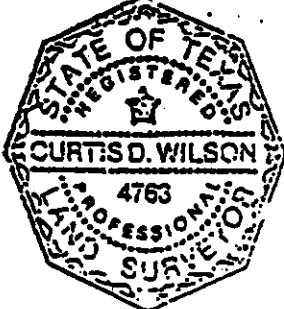
- (2) THENCE North 69°07'30" East, crossing the said 1.061 acres and the said 789.508 acres, passing the most southern west line of the said 789.508 acres at a distance of 7.27 feet, passing the east line of the said 1.061 acres at a distance of 17.17 feet, and passing the apparent east right-of-way line of North Lakecreek Parkway as found staked on the ground (no record) at a distance of 81.27 feet, in all a distance of 3278.61 feet to a ½" rebar set 350.00 feet left of and at right angles to Engineer's Centerline Station 162+03.49 of said 789.508 acres and also being in the west right-of-way line of Williamson County Road 183, for the northeast corner of this tract;
- (3) THENCE South 20°46'19" East, with the east line of the said 789.508 acres and west right-of-way line of said County Road, a distance of 300.00 feet to a point 50.00 feet left of and at right angles to Engineer's Centerline Station 162+02.95 of said highway and being located at the intersection of the west line of the said 789.508 acres and the north right-of-way line of said highway, from which a 1" i.d. pipe found bears North 18°14'50" West, a distance of 0.68 feet;
- (4) THENCE South 69°07'30" West, with the north right-of-way line of said highway, passing a concrete highway monument found at a distance of 2802.96 feet, passing a ½" rebar found for the apparent east right-of-way line of North Lakecreek Parkway as found staked on the ground (no record) at a distance of 3107.49 feet, and passing the southwesterly corner of the said 789.508 acres, and same being the southeast corner of the said 1.016 acres at a distance of 3271.49 feet, in all a distance of 3279.06 feet to the POINT OF BEGINNING.

The above described tract of land contains 22.581 acres of land, more or less, out of the Rachael Saul League, Williamson County, Texas.

Bearing basis is from TxDOT horizontal Control Map for U.S. 183, CSJ 0151-05-038. Monuments used were at Sta. 811+33.50 Pnt. No. 104, and Sta. 830+00, Pnt. No. 106 as shown on sheet 2 of 5. Bearing South 20°36'19" East.

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

Curtis D. Wilson 5-24-96
 Curtis D. Wilson Date
 Registered Professional Land Surveyor
 State of Texas No. 4763



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RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

EXHIBIT I
Page 10 of 1

SURVEY OF 22.581 ACRES OUT OF THE RACHAEL SAUL LEAGUE IN WILLIAMSON COUNTY, TEXAS, AND ALSO BEING OUT OF 789.508 ACRES CONVEYED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION BY DEED OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS

SHEET 10 ACCOMPANY FIELD NOTES

THE STATE OF TEXAS,
STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
789.508 ACRES
1723/855

Electric Line Easement and Right-of-Way

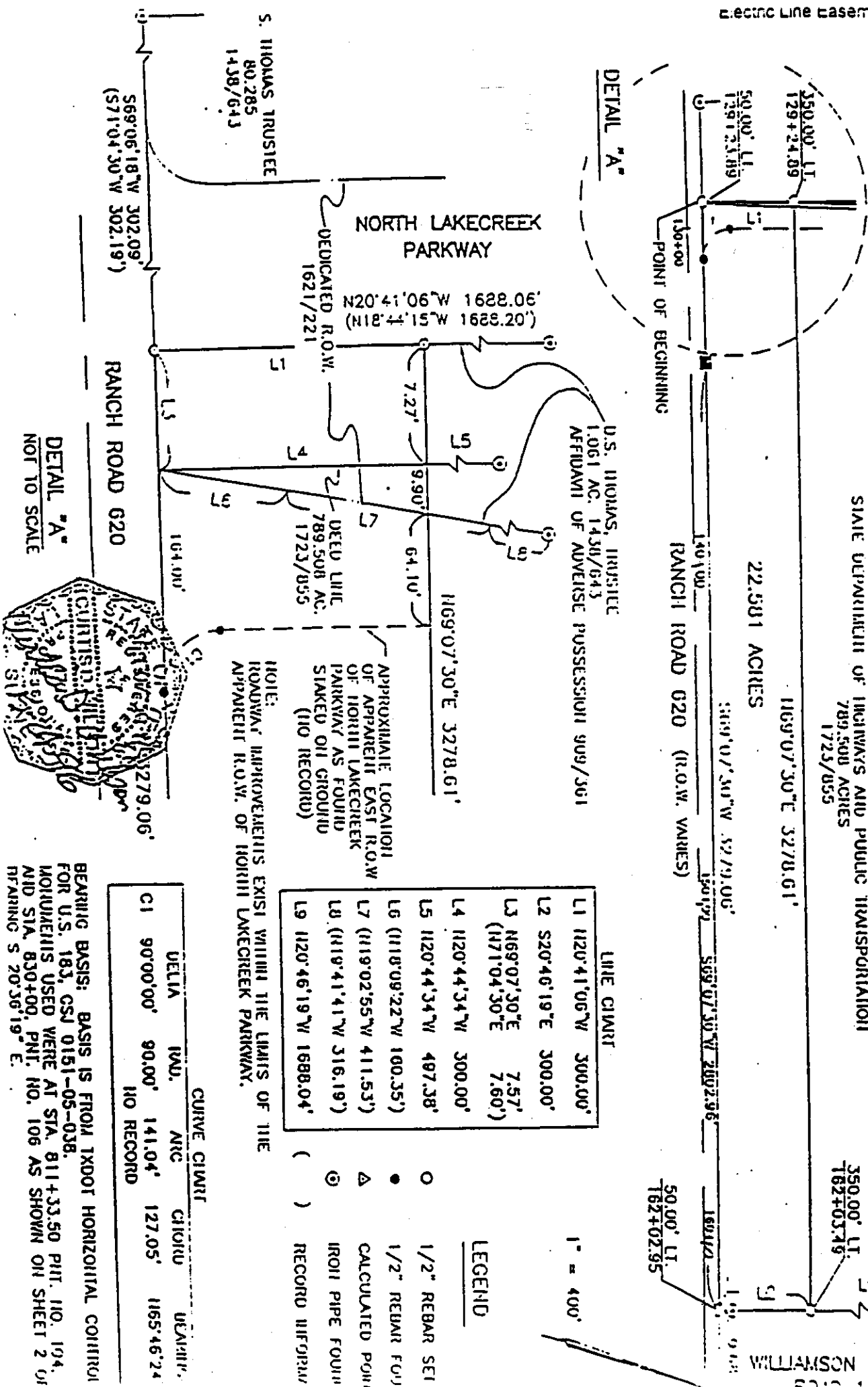


EXHIBIT 4

A DESCRIPTION OF 0.728 ACRES OF LAND, LOCATED IN THE SAMUEL DAMON LEAGUE, ABSTRACT NO. 170, AND BEING A PORTION OF A 789.508 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, DATED AUGUST 31, 1988, OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.728 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete highway monument found 60' right of and at right angles to Engineer's Centerline Station 267+53.20, being also the northwest corner of the said 789.508 acre tract;

- (1) THENCE North 81°58'50" East, with the north line of the said 789.508 acre tract, a distance of 51.56 feet (record North 83°17'55" East) to a rebar with an aluminum SDEPT cap found;
- (2) THENCE South 22°12'30" East, 50 feet from and parallel to the east right-of-way line of U.S. 183, a distance of 624.37 feet to a rebar with an aluminum SDEPT cap found in the north line of a 1.80 acre tract described in Volume 1499, Page 269 of the Deed Records of Williamson County, Texas;
- (3) THENCE South 60°02'52" West, with the north line of the 1.80 acre tract, a distance of 50.46 feet (record South 61°21'55" West) to a 1/2" rebar with an aluminum SDEPT cap found in the east right-of-way line of U.S. 183;
- (4) THENCE North 22°12'30" West, with the east right-of-way line of U.S. 183, a distance of 643.81 feet (record North 20°53'29" West, 643.81 feet) to the POINT OF BEGINNING.

EXHIBIT 4

The above described tract contains 0.728 acres of land, more or less, out of the Samuel Damon League, Abstract No. 170 in Williamson County, Texas.

Bearing basis is from Texas Department of Transportation Horizontal Control Maps for U.S. 183, C.S.J. No. 0151-05-038. Monuments used were at Station 811+33.50, point number 104, and Station 830+00, point number 106, as shown on sheet 2 of 5 of said Maps.

Attachments: Survey Drawings.

Record information noted herein is from Volume 1723, Page 855 of the Deed Records of Williamson County, Texas.

I, Robert C. Watts, Jr., a Registered Professional Land Surveyor do hereby certify that the above description is true and correct to the best of my knowledge, and that the property herein described was determined by a survey made on the ground during May, June, and July of 1994 under my direction and supervision.

Robert C. Watts Jr. 7-19-94

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

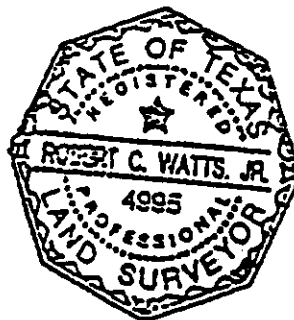


EXHIBIT 5

A DESCRIPTION OF 4.428 ACRES OF LAND, LOCATED IN THE RACHAEL SAUL LEAGUE, ABSTRACT NO. 551, AND THE SAMUEL DAMON LEAGUE, ABSTRACT NO. 170, AND BEING A PORTION OF A 789.508 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, DATED AUGUST 31, 1988, OF RECORD IN VOLUME 1723, PAGE 855 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 4.428 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete highway monument found in the east right-of-way line of U.S. Highway 183, 60' right of and at right angles to Engineer's Centerline Station 218+57.03, being also in the west line of the said 789.508 acre tract;

THENCE with the east right-of-way line of U.S. 183 and the west line of the 789.508 acre tract, the following courses numbered (1) through (6):

- (1) Along a curve to the right, an arc length of 235.32 feet, with a radius of 1850.08 feet, and a chord which bears North 31°53'01" West, a distance of 235.16 feet (record North 30°33'54" West, 235.20 feet) to a 1/2" rebar found;
- (2) South 61°45'36" West, a distance of 10.00 feet (record South 63°04'23" West, 10.00 feet) to a 1/2" rebar with an aluminum cap set;
- (3) Along a curve to the right, an arc length of 82.78 feet, with a radius of 1860.08 feet, and a chord which bears North 26°57'54" West, a distance of 82.77 feet (record North 25°39'12" West, 82.83 feet) to a 1/2" rebar with an aluminum cap set;
- (4) North 64°18'35" East, a distance of 10.00 feet (record North 65°37'13" East, 10.00 feet) to a 1/2" rebar found;
- (5) Along a curve to the right, an arc length of 112.87 feet, with a radius of 1850.08 feet, and a chord which bears North 23°56'33" West, a distance of 112.85 feet (record North 22°38'07" West, 112.82 feet) to a 1/2" rebar found;

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EXHIBIT 5

- (6) North 22°12'31" West, a distance of 3248.06 feet (record North 20°53'29" West, 3247.34 feet) to a calculated point in the center of a creek, being also the southeast line of a 1.80 acre tract described in Volume 1499, Page 269 of the Deed Records of Williamson County, Texas, from which a rebar with an aluminum SDHPT cap found bears North 22°12'31" West, 559.82 feet;
- (7) THENCE North 02°53'57" West, with the centerline of a creek, a distance of 89.71 feet (record North 01°34'55" West, 89.71 feet) to a calculated point;
- (8) THENCE North 20°23'44" East, with the centerline of a creek, a distance of 30.04 feet (record North 21°36'47" East) to a calculated point 50 feet from and parallel to the east right-of-way line of U.S. 183;
- (9) THENCE South 22°12'31" East, 50 feet from and parallel to the east right-of-way line of U.S. 183, a distance of 3354.85 feet to a 1/2" rebar with an aluminum cap set at a point of curvature;
- (10) THENCE along a curve to the left, an arc length of 418.90 feet, with a radius of 1800.08 feet, and a chord which bears South 28°51'41" East, a distance of 417.95 feet to a 1/2" rebar with an aluminum cap set;
- (11) South 35°27'09" East, a distance of 121.54 feet to a 1/2" rebar with an aluminum cap set in the southwest line of the 789.508 acre tract, being also in the north line of a 21.81 acre tract described in Volume 2094, Page 5 of the Deed Records of Williamson County, Texas;
- (12) THENCE South 88°53'29" West, with the southwest line of the 789.508 acre tract and the north line of the said 21.81 acre tract, a distance of 60.56 feet to a concrete highway monument found in the East right-of-way line of U.S. 183;
- (13) THENCE North 35°27'10" West, with the east right-of-way line of U.S. Highway 183, a distance of 87.33 feet (record North 34°12'10" West, 87.20 feet) to the POINT OF BEGINNING.

EXHIBIT 5

The above described tract contains 4.428 acres of land, more or less, out of the Rachael Saul League, Abstract No. 551, and the Samuel Damon League, Abstract No. 170 in Williamson County, Texas.

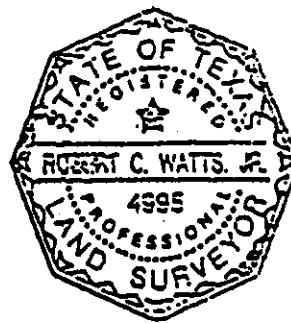
Bearing basis is from Texas Department of Transportation Horizontal Control Maps for U.S. 183, C.S.J. No. 0151-05-038. Monuments used were at Station 811+33.50, point number 104, and Station 830+00, point number 106, as shown on sheet 2 of 5 of said Maps.

Attachments: Survey Drawings.

Record information noted herein is from Volume 1723, Page 855 of the Deed Records of Williamson County, Texas.

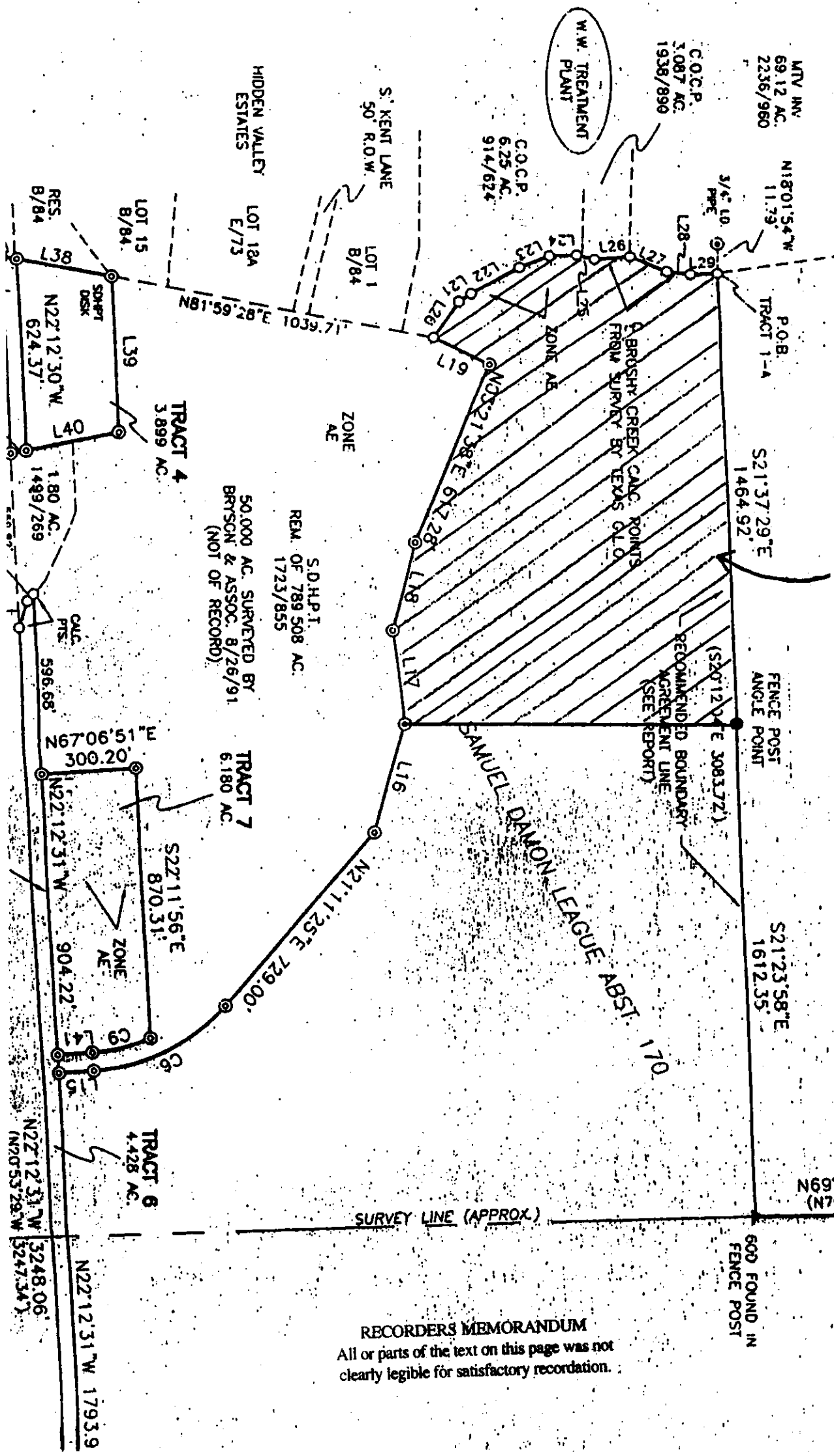
I, Robert C. Watts, Jr., a Registered Professional Land Surveyor do hereby certify that the above description is true and correct to the best of my knowledge, and that the property herein described was determined by a survey made on the ground during May, June, and July of 1994 under my direction and supervision.

Robert Watts 7-19-94
Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



PARKWAY (NOT OF RECORD) TAKEN FROM AS-BUILT PLANS BY MURPHY ENGINEERING.
TRACT 9 - 0.013 ACRES. AREA IN CONFLICT WITH 1.061 ACRES. SOUTH OF LCRA
TRACT AND EAST OF APPARENT R.O.W. TRACT 8.
TRACT 10 - 0.579 ACRES. AREA IN CONFLICT WITH 1.061 ACRES. NORTH OF LCRA.

EXHIBIT "C"
CREEK AREA



RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

RECOMMENDED BOUNDARY
AGREEMENT LINE
(SEE REPORT)

AGENDA ITEM # 20February 10, 1998*

Discuss and take appropriate action on joining with other counties to review claim against tobacco companies regarding The State of Texas vs. American Tobacco Company, et al.

No action taken on agenda item at this time.

AGENDA ITEM # 21February 10, 1998*

Discuss and take appropriate action on awarding remount on 3rd ambulances to second lowest bidder.

Moved: Commissioner Heiligenstein

Seconded: Judge Doerfler

Motion: To approve awarding remount on 3rd ambulance to second lowest bidder being San Antonio Ambulance Sales.

Vote: Motion carried 4 - 0 With Commissioner Mehevec absent from the dais.

AGENDA ITEM # 22February 10, 1998*

Discuss and take appropriate action regarding lease agreement with Cedar Park Chamber of Commerce in new annex.

No action taken on agenda item at this time.

AGENDA ITEM # 23February 10, 1998*

Consider appointing someone to represent Williamson County in the matter pertaining to the application by Kelly Lane Utility Co. and Windemere Utility Co. for C.C.N. # 20542, 20678, 20720 and 3178-C.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To appoint Commissioner Jerry Mehevec to represent Williamson County in the matter pertaining to the application by Kelly Lane Utility Co. and Windemere Utility co. for C.C.N. # 20542, 20678, 20720 and 3178-C.

Vote: Motion carried 5 - 0

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