

Exhibit "A"

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

(1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities but excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.

(2) (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.

(b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.

(3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.

(4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

(1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.

(2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include actual construction costs and repair costs for all streets and public utilities affected by the *ESTIMATED* construction.

(3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City

before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.

(4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

(5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate. 13 (2)

(6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

(1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4) has been repaid. Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.

(2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.

EXHIBIT B

RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS
ADOPTING A POLICY
REGARDING EXTENSION OF UTILITY LINES

WHEREAS, the City of Pflugerville owns and operates a public water supply system, and a wastewater collection and treatment system; and

WHEREAS, it becomes necessary, on occasion, to extend water and/or sewer lines to provide service to new customers; and

WHEREAS, the City Council deems it necessary and appropriate to adopt a policy regarding the extension of such lines; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

That the policy statement, attached hereto as Exhibit A, is hereby approved and adopted as the City's policy regarding the extension of water and wastewater lines.

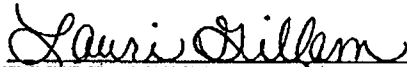
APPROVED this 14th day of March, 1995.

CITY OF PFLUGERVILLE, TEXAS

By: 

HAYWOOD WARE, Mayor

ATTEST:



LAURI GILLAM, City Secretary

ORDINANCE NO. 428-95-11-28

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING APPROXIMATELY 444 ACRES OF LAND IN TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE SUCH PROPERTY; BINDING SUCH PROPERTY TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex the land described in Exhibit "A", as Areas 2, 3 and 4 attached hereto and incorporated herein by reference (the "Land"); and

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. The Land described in the attached Exhibit "A" as Areas 2, 3 and 4 is hereby annexed to the City, and the boundaries of the City are extended to include such property within the corporate limits of the City. From and after the date of this ordinance, such property shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. Municipal services shall be extended to the annexed Areas in accordance with the service plan attached as Exhibit "B".

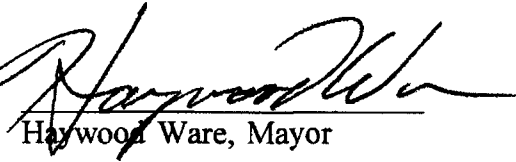
Section 3. The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

Section 4. This ordinance will take effect upon its passage by 3 affirmative votes of members of the City Council on first reading; provided that this ordinance is posted and adopted at a subsequent meeting of the City Council in accordance with the provisions of Section 3.15(d) of the City Charter, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

PASSED AND APPROVED this 28th day of November, 1995.

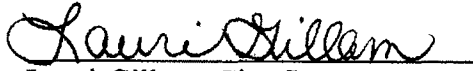
CITY OF PFLUGERVILLE, TEXAS

By:



Haywood Ware, Mayor

ATTEST:



Lauri Gillam, City Secretary

**DESCRIPTION OF AREA 2, BEING A TRACT OF LAND IN TRAVIS COUNTY, TEXAS
APPROXIMATELY 124 ACRES, TO BE ANNEXED BY
THE CITY OF PFLUGERVILLE**

ANNEXATION AREA 2 comprising approximately 124 acres in the extra territorial jurisdiction area of the city of Pflugerville, adjacent to and west of the present Pflugerville City limit line between Farm-to-Market (FM) 1825 (Pecan Street) and Pflugerville Loop, further described as follows:

BEGINNING at a point in the northeast right-of-way line of FM 1825 and the present City limits line which is also the south corner of a 50.85 acre tract belonging to William J. Kuempel.

THENCE, in a northwesterly direction, with the southwest line of the Kuempel tract, the Carl Neans 1 acre tract, the Colored Addition Subdivision, excluding lots 4-6 Block B which are presently in the City limits, and the Sociedad Funeria de Agricultores M. Escobedo cemetery to the southwest corner of said cemetery for a corner of this described tract;

THENCE, in a northeasterly direction with the northwest line of said cemetery continuing, with the northwest line of a tract belonging to Pflugerville Independent School District (PISD) to said tract's north corner, for a corner of this described tract.

THENCE, in a southeasterly direction along the northeast line of the Colored Addition Subdivision to the east corner for an interior corner of this described tract.

THENCE, in a northeasterly direction with the northwest line of previously referenced Kuempel tract to the most northern corner of said tract also being the southwest line of a 51.94 acre tract belonging to William J. Kuempel for an interior corner of this described tract.

THENCE, in a northwesterly direction with the southwest line of a 51.94 acre tract of land to it's west corner for a corner of this described tract.

THENCE, in a northeasterly direction with the northwest line of said William Kuempel tract, to its north corner on the south right-of-way line of Pflugerville Loop for a corner of said described tract.

THENCE, in a southeasterly direction with the northeast line of said William J. Kuempel tract also being the southwest right-of-way of Pflugerville Loop to its east corner for a corner of this described tract.

THENCE, in a southeasterly direction, leaving the Pflugerville Loop right-of-way, with the southeast line of the said Kuempel tract and with the southeast line of previously mentioned 50.00 acre William J. Kuempel tract which is also the City of Pflugerville City Limit line to the POINT OF BEGINNING, containing 124 acres, more or less.

Exhibit "A"

**DESCRIPTION OF AREA 3, BEING A TRACT OF LAND IN TRAVIS COUNTY, TEXAS
APPROXIMATELY 103 ACRES, TO BE ANNEXED BY
THE CITY OF PFLUGERVILLE**

ANNEXATION AREA 3 comprising approximately 103 acres in the extra territorial jurisdiction area of the City of Pflugerville, adjacent to and northeast of the present Pflugerville City limit line south of Pfenning Lane and west of FM 685, further described as follows:

BEGINNING at the west corner of the intersection of Pfenning Lane and FM 685.

THENCE, in a southwesterly direction along the northwest right-of-way of FM 685 to the north corner of the intersection of FM 685 and Split Oak Drive, being on the present Pflugerville City limits.

THENCE, in a northwesterly direction with said City limits to an interior corner of said city limits, also being the west corner of the Warner Heights Addition.

THENCE, in a northeasterly direction with said City limits, also being the northwest line of the Warner Height Addition, and also the southeast line of the Katymead Section 1 to its east corner.

THENCE, in a northwesterly direction with said city limits, also being the northeast line of said Katymead Section 1 and Section 4 to an interior corner of said city limits and Katymead Section 4.

THENCE, in a northeasterly direction with said City limits also being the southeast line of said Katymead Section 4 to it's east corner being in southwest right-of-way of Pfenning Lane.

THENCE, in a southeasterly direction with said right-of-way of Pfenning Lane to the PLACE OF BEGINNING, contain 103 acres more or less.

**DESCRIPTION OF AREA 4, BEING A TRACT OF LAND IN TRAVIS COUNTY, TEXAS
APPROXIMATELY 217 ACRES, TO BE ANNEXED BY
THE CITY OF PFLUGERVILLE**

ANNEXATION AREA 4 contains approximately 217 acres in the extra territorial jurisdiction area of the City of Pflugerville, and is located northeast of the present Pflugerville City limits east of Farm-to-Market (FM) 685, further described as follows:

BEGINNING at the south corner of the intersection of FM 685 and Kelly Lane.

THENCE, in a southeasterly direction with the northeast right-of-way of said Kelly Lane to the Julia Mullenbruch tract east corner.

THENCE, in a southwesterly direction 1,000 feet with said Mullenbruch tract southeast line to a point for this described tract.

THENCE, in a northwesterly direction being 1,000 feet parallel to Kelly Lane to a point that is 1,000 feet perpendicular to the southeast right-of-way of FM 685, for an interior hereof;

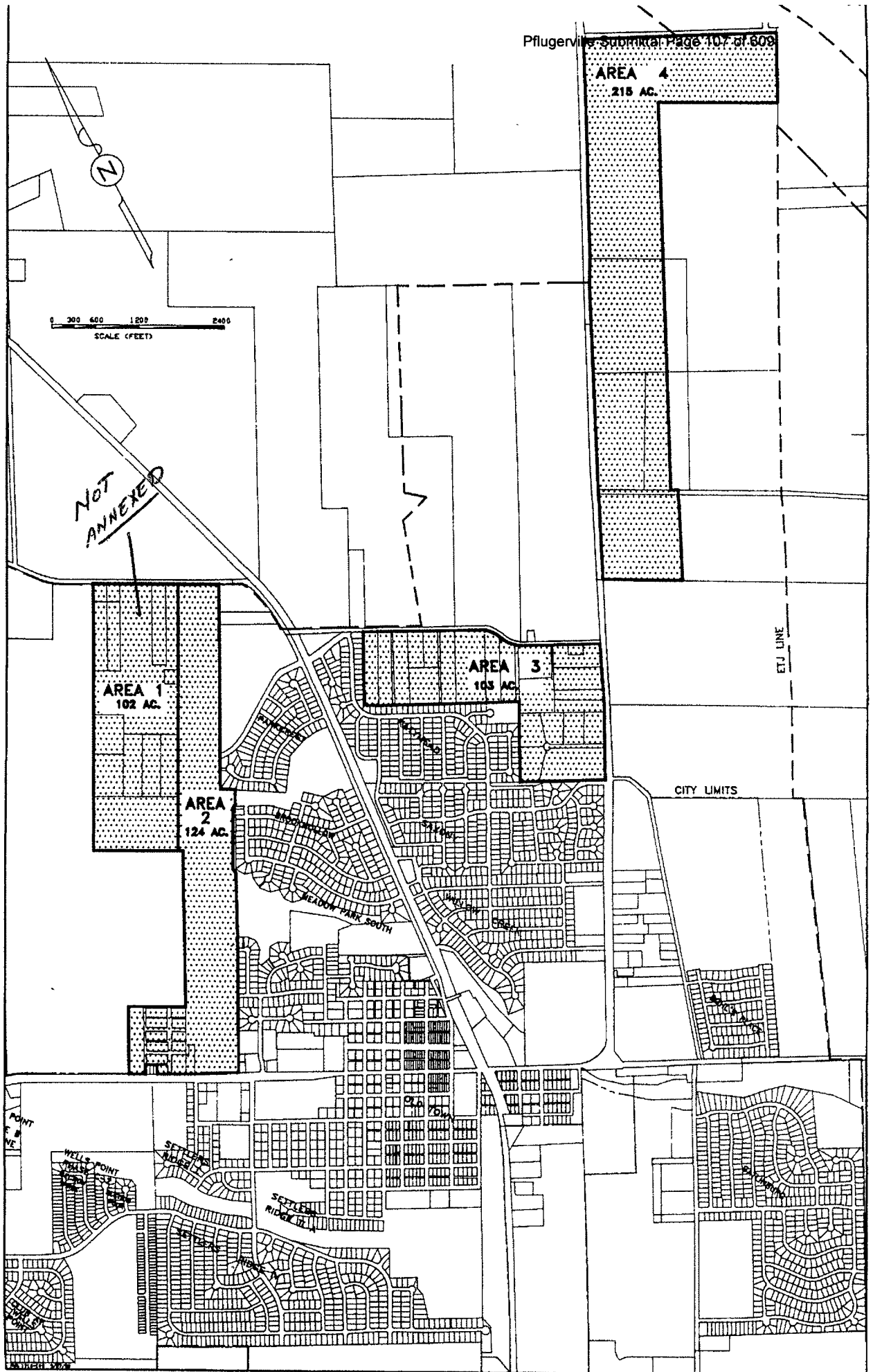
THENCE, in a southwesterly direction being 1,000 feet parallel to FM 685 to a point in the northeast right-of-way of Pfluger Lane, for an interior corner of this described tract;

THENCE, in a southeasterly direction 100 feet with said right-of-way to a point that is 1,100 feet from said FM 685 right-of-way to a point for corner of described tract;

THENCE, in a southwesterly direction being 1,100 feet parallel to FM 685 to a point in the southwest line of the Timmerman and Hagan tract, also being the northeast line of the Theo Timmerman tract, for corner hereof.

THENCE, in a northwesterly direction with said line to the Timmerman and Hagan's west corner in the southeast right-of-way of FM 685, for corner of this described tract.

THENCE, in a northeasterly direction with said right-of-way to the PLACE OF BEGINNING containing 217 acres, more or less.



SERVICE PLAN FOR PROPOSED ANNEXATION OF
APPROXIMATELY 444 ACRES OF LAND IN
TRAVIS COUNTY, TEXAS

This service plan establishes a program under which the City of Pflugerville, Texas, will provide full municipal services to the areas described on the attached Exhibit "A" (the "Annexed Areas"), as required by § 43.056 of the Texas Local Government Code.

I.

The City will provide the following municipal services to the Annexed Areas at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its city limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Areas at a level consistent with these service to other areas of the City with similar population density.
- B. Fire Protection.
 - (1) Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Areas. TCESD #2 will continue to provide fire protection service to the Annexed Areas after annexation.
 - (2) The City fire marshal enforces the City fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Areas after annexation.

II.

The City will provide the following municipal services to the Annexed Areas on the same basis as it provides such services to other similarly situated areas of the City:

- A. Solid waste collection. The City provides solid waste collection services within the City limits under a contract between the City and a private refuse collection company, and will provide these services to the Annexed Areas after annexation.
- B. Maintenance. Routine maintenance of the following City-owned facilities will be provided within the Annexed Areas within 60 days of the date of annexation:
 - (1) Water and wastewater facilities which are not within the service area of another water or wastewater utility;

Exhibit "B"

- (2) Streets, including street lighting;
- (3) Parks, playgrounds, and swimming pools; and
- (4) Other publicly-owned facilities or buildings.

III.

Capital Improvements. The City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Areas within 2 years after the date of the annexation. These capital improvements will be substantially complete within 4½ years. The acquisition or construction will occur in accordance within applicable ordinances and regulations of the City. Landowners within the Annexed Areas will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Areas.

Water and Wastewater Service. The City's water and wastewater utility will extend water and wastewater service to the Annexed Areas in accordance with the City's service extension policy attached as Exhibit "B", except for those areas described below. In addition, unless consistent with the City's existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Areas will not be required to fund the capital improvements necessary to provide water and wastewater service to the Annexed Areas. Annexed Area 3, described in Exhibit "A", sheet 2, provide water utility service to Annexed Area 3 after annexation. Annexed Area 4, described on Exhibit "A", sheet 3, is within the service area of Manville, and Manville will continue to provide water utility service to Annexed Area 4 after annexation.

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

(1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities but excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.

(2) (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.

(b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.

(3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.

(4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

(1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.

(2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.

(3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City

EXHIBIT

B

TABLES

before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.

(4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

(5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.

(6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

(1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4) has been repaid. Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.

(2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.

ORDINANCE NO. 451-96-12-17

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING APPROXIMATELY 135 ACRES OF LAND KNOWN AS HEATHERWILDE EAST IN TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; BINDING THE PROPERTY TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex the land described in Exhibit "A", attached hereto and incorporated herein by reference (the "Land"); and

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. The Land described in the attached Exhibit "A", is hereby annexed to the City, and the boundaries of the City are extended to include the property within the corporate limits of the City. From and after the date of this ordinance, the property shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. Municipal services shall be extended to the annexed Area in accordance with the service plan attached as Exhibit "B".

Section 3. The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

Section 4. This ordinance will take effect upon its passage by 3 affirmative votes of members of the City Council on first reading; provided that this ordinance is posted and adopted at a subsequent meeting of the City Council in accordance with the provisions of Section 3.15(d) of the City Charter, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

PASSED AND APPROVED this 17th day of December, 1996.

CITY OF PFLUGERVILLE, TEXAS

By: 

Haywood Ware, Mayor

ATTEST: .


Lauri Gillam, City Secretary

**A DESCRIPTION OF AN AREA OF LAND IN TRAVIS COUNTY, TEXAS
APPROXIMATELY 125 ACRES IN AREA
ADJACENT TO AND EAST OF HEATHERWILDE BOULEVARD
AND SOUTH OF PFLUGERVILLE LOOP
TO BE ANNEKED INTO THE CITY OF PFLUGERVILLE**

BEGINNING at the intersection of the east right-of-way line of Heatherwilde Boulevard and the present City of Pflugerville City Limits which is also the southwest corner of the Heatherwilde Recreation Center tract;

THENCE, with the southeast right-of-way line of Heatherwilde Boulevard in a northeasterly direction with the northwestern boundary of Heatherwilde Subdivision, Section 3, pass the north boundary of said subdivision which is also the north right-of-way line of Black Locust Drive through the Barnstable Development Limited Partnership No. 1 125.493 acre tract to the south right-of-way line of Pflugerville Loop which is also the Northwest corner of a CHC Realty Trust, 28.854 acre tract of land to a point for the most northern corner of this described area;

THENCE, with the southwest right-of-way line of Pflugerville Loop, which is also the northeast boundary of said CHC Realty Trust tract in a southeast direction to the most easterly corner of said tract to a point for corner of this described area;

THENCE, with the southeast boundary of the CHC Realty Trust tract in a southwesterly direction, pass the most southerly corner of the said CHC Realty Trust tract and continuing with the southeast boundary of said Barnstable Development Limited Partnership No. 1 tract and with the southeast boundary of the Heatherwilde Subdivision, Section 3, pass this subdivision's southwestern boundary which is also the southern right-of-way line of Cactus Blossom Drive and continuing in a straight line across the Lillian Swenson e tal 102.744 acre tract to the northeast boundary of the Heatherwilde Group Ltd. 49.815 acre tract which is also the present City limit line of the City of Pflugerville; to a point which is the most southern corner of this described area;

THENCE, with said Heatherwilde Group tract northeast property line in a northwestern direction to a interior corner of this tract to a point of corner of this described area;

THENCE, with the property line of said Heatherwilde Group tract in a northeasterly direction to the common property line of said Heatherwilde Group tract and said Heatherwilde Recreation Center tract to a point for corner of this described area;

THENCE, with said common property line in a northwesterly direction to the southeast right-of-way line of Heatherwilde Boulevard, to the PLACE OF BEGINNING of this described area which contains approximately 135 acres.



**SERVICE PLAN FOR PROPOSED ANNEXATION OF
APPROXIMATELY 135 ACRES OF LAND KNOWN AS
HEATHERWILDE EAST IN TRAVIS COUNTY, TEXAS**

This service plan establishes a program under which the City of Pflugerville, Texas, will provide full municipal services to the area described on the attached Exhibit "A" (the "Annexed Area"), as required by § 43.056 of the Texas Local Government Code.

I.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its city limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density.
- B. Fire Protection.
 - (1) Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.
 - (2) The City fire marshall enforces the City fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

- A. Solid Waste Collection. The City provides solid waste collection services within the City limits under a contract between the City and a private refuse collection company, and will provide these services to the Annexed Area after annexation.
- B. Maintenance. Routine maintenance of the following City-owned facilities will be provided within the Annexed Area within 60 days of the date of annexation:
 - (1) Water and wastewater facilities that are not within the service area of another water or wastewater utility;

Exhibit "B"

- (2) Streets, including street lighting;
- (3) Parks, playgrounds, and swimming pools; and
- (4) Other publicly-owned facilities or buildings.

III.

Capital Improvements. The City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Areas within 2 years after the date of the annexation. These capital improvements will be substantially complete within 4½ years. The acquisition or construction will occur in accordance within applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area.

Water and Wastewater Service. For areas not within the certificated service area of another utility, the City's water and wastewater utility will extend water and wastewater service to the Annexed Area in accordance with the City's service extension policy attached as Exhibit "B" and at the appropriate levels considering the topography, land use and population density of the property requesting service, except for those areas described below. In addition, unless consistent with the City's existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service to the Annexed Area. The Annexed Area, described in Exhibit "A", is within the water and wastewater service area of Windermere Utility Co., Inc. and Windermere will continue to provide water and wastewater utility service to the Annexed Area after annexation.

**RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS
INITIATING ANNEXATION PROCEDURES**

WHEREAS, the City of Pflugerville has identified certain tracts of land as indicated on the attached Exhibit "A" (the "Land") which it deems desirable to annex into the corporate limits of the City; and

WHEREAS, the Land qualifies for annexation by the City of Pflugerville pursuant to the City's Charter and Chapter 43, Local Government Code; and

WHEREAS, the City Council finds that proceeding with annexation of the Land would, for multifarious reasons, promote the health, safety and welfare of the citizens of the City of Pflugerville; NOW THEREFORE,


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

That city staff is hereby directed to publish notice of two public hearings in accordance with Chapter 43, Texas Local Government Code, and prepare an annexation ordinance and a service plan for annexation of the areas indicated on the attached Exhibit "A"; and

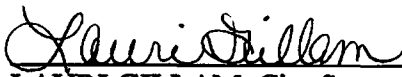
That the dates for said public hearings shall be November 19th and November 26th, 1996.

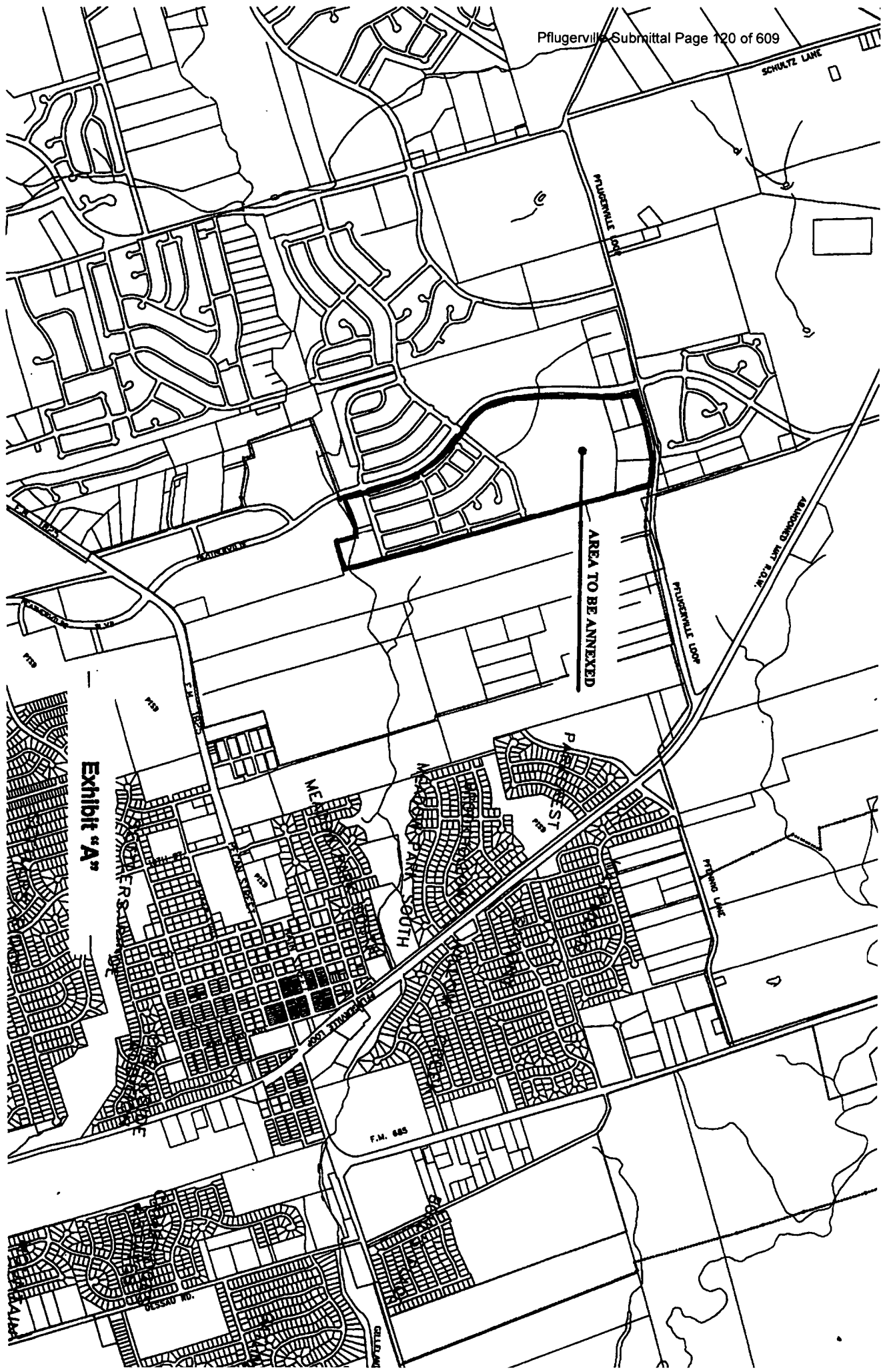
APPROVED this 5th day of November, 1996.

CITY OF PFLUGERVILLE, TEXAS

By: 
HAYWOOD WARE, Mayor

ATTEST:


LAURI GILLAM, City Secretary



ORDINANCE NO 549-99-06-08

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING APPROXIMATELY 376 ACRES OF LAND AND ADDITIONAL LAND IN RIGHTS-OF-WAY IN AN AREA LOCATED NORTH OF PECAN STREET, GENERALLY WEST OF THE PARKCREST SUBDIVISION, ALONG PFLUGERVILLE LOOP AND PFENNIG LANE, SOUTH OF PFLUGERVILLE LOOP, WEST OF WILKE LANE, SOUTH OF HEATHERWILDEBOULEVARD, EAST OF WORLEY DRIVE, ALONG PFLUGERVILLE LOOP AND GENERALLY EAST OF THE WINDERMERE SUBDIVISION IN TRAVIS COUNTY, TEXAS, EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY, BINDING THE PROPERTY TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY, AND PROVIDING AN EFFECTIVE DATE

2288

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex the land described as Tracts 2, 2A and 2B in Exhibit "A", attached hereto and incorporated herein by reference (the "Land"),

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements and has determined to institute proceedings to annex the Land, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS

Section 1 The Land described in the attached Exhibit "A", is hereby annexed to the City, and the boundaries of the City are extended to include the property within the corporate limits of the City From and after the date of this ordinance, the property shall be bound by the acts, ordinances, resolutions and regulations of the City

Section 2 Municipal services shall be extended to the Land in accordance with the service plan attached as Exhibit "B"

Section 3 The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City

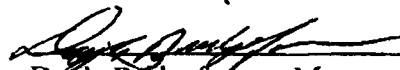
Section 4 This ordinance will take effect upon its adoption by the City Council at first reading, provided that this ordinance is posted and adopted at a subsequent meeting of the City Council in accordance with the provisions of Section 3 15(d) of the City Charter, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended

Section 5 The City Council intends to annex all of the property described in this Ordinance, but that if there is included within the description of the territory annexed by this Ordinance any lands or area that may not be annexed by the City for any reason ("Excluded Lands"), then the Excluded Lands should be excluded and excepted from the territory annexed by this Ordinance as fully as if the Excluded Lands were expressly described in this Ordinance, and the remainder of the territory were annexed to the City of Pflugerville

PASSED AND APPROVED this 8th day of June, 1999.

CITY OF PFLUGERVILLE, TEXAS

By


Doyle Bridgeman, Mayor

ATTEST


Lauri Gillam, City Secretary

"TRACT 2"

SCALE: 1"=1000'

OWNERSHIP INFORMATION

A DEBORAH GEBERT AND HUSBAND, THOMAS F GEBERT
(100 AC) - 5843/2090
(ALSO DESCRIBED IN TRANSFER OF LIEN 5843/2080)

B THOMAS GEBERT
(3.999 ACRES)
12282/989

C DONNA KUEMPEL LANE
(5 ACRES)
GIFT DEED 7947/731

D TERESA C KUEMPEL
(5 ACRES)
GIFT DEED 7947/743

E DAVID A DOLL ET UX
(5 ACRES)
6245/422

F CHRISTOPHER R TOTH ET UX
(100 ACRES)
9206/129

G CHRISTOPHER R TOTH ET UX
(400 ACRES)
9207/844

H PROTESTANT EPISCOPAL CHURCH COUNCIL
OF THE DIOCESE OF TEXAS
(100 ACRES) - 9916/324

I PROTESTANT EPISCOPAL CHURCH COUNCIL
OF THE DIOCESE OF TEXAS
(400 ACRES) - 9910/172

J NEANS MASONRY, INC
(500 ACRES)
11064/213

K JOHNNY C SWENSON ET UX
(1340 AC)
7846/378

L KB3 "LC"
(LOT 11)
12525/663

M CLAUDE E KUEMPEL
(500 AC)
12539/392

N SWENSON FARM LIMITED
(10 AC)
12912/2403

O DEBORAH G BILLINGTON
(500 AC)
13224/1361

P MASEDONIO G AGUILAR ET UX
(100 AC)
8139/230

Q CHARLES D BECKER TRUSTEE ET AL
(6173 AC)
13259/1998

R GALLAGHER EQUIPMENT CO
"TRACT 2" (3173 AC)
12307/1481

S WALLACE MC LEAN, ET UX
(299 AC)
7779/298

T CARL J KUEMPEL & EMMA J KUEMPEL
(500 AC)
8404/256

CONGRESS-WILKE
LANE, LTD
(10365 AC)
12089/1332

LOT 44

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May 13, 1999

"TRACT 2"

DESCRIPTION OF "TRACT 2", BEING A TRACT OF LAND OUT OF AND A PART OF THE JOHN VAN WINKLE SURVEYS NO. 70 AND NO. 14, THE T.G STEWART SURVEY NO. 6, THE E. BEBEE SURVEY NO 5, THE GARCIA, MONTEZ, AND DURAN SURVEY NO 94, AND THE H W. FARLEY SURVEY NO 4, IN TRAVIS COUNTY, TEXAS, BEING APPROXIMATELY 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R O W AND WILKE LANE R.O W TO BE ANNEXED BY THE CITY OF PFLUGERVILLE

"TRACT 2" CONSISTING OF A PORTION OF THAT CERTAIN (214 744 ACRE) TRACT DESCRIBED AS TRACT 1 IN PARTITION DEED TO LILLIAN SWENSON, MORRIS TRUMAN SWENSON AND DONALD LEROY SWENSON RECORDED IN VOLUME 12478 PAGE 572, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (38 550 ACRE) TRACT DESCRIBED AS TRACT 2 IN PARTITION DEED TO JOHNNY CARL SWENSON IN RECORDED IN VOLUME 12478 PAGE 572, REAL PROPERTY RECORDS OF TRAVIS COUNTY, ALL OF THAT CERTAIN (13 40 ACRE) TRACT OF LAND CONVEYED TO JOHNNY C SWENSON, ET UX, BY DEED RECORDED IN VOLUME 7846 PAGE 378, DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THOSE CERTAIN (20.00 ACRE) AND (1.00 ACRE) TRACTS OF LAND CONVEYED TO SWENSON FARM LIMITED BY DEED RECORDED IN VOLUME 12912 PAGE 2403, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (21 00 ACRE) TRACT OF LAND CONVEYED TO SWENSON FARM LIMITED BY DEED RECORDED IN VOLUME 12665 PAGE 107, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (21 00 ACRE) TRACT OF LAND CONVEYED TO SWENSON FARM LIMITED BY DEED RECORDED IN VOLUME 13172 PAGE 2461, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF LOT 1, HEATHERWILDE COMMERCIAL SEC 1, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 86, PAGES 123B, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO FIRST TEXAS BANK BY DEED RECORDED IN VOLUME 13185 PAGE 2461, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (100 ACRE) TRACT OF LAND, DESCRIBED AS THE "FIRST TRACT" AS CONVEYED TO CARL J KUEMPEL BY DEED RECORDED IN VOLUME 1419 PAGE 547, DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (1 00 ACRE) TRACT OF LAND CONVEYED TO DEBORAH GEBERT AND HUSBAND, THOMAS F GEBERT BY DEED RECORDED IN VOLUME 5843, PAGE 2090 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (3.999 ACRE) TRACT OF LAND CONVEYED TO THOMAS GEBERT BY DEED RECORDED IN VOLUME 12282 PAGE 989 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5 ACRES) CONVEYED TO DONNA KUEMPEL LANE BY GIFT DEED RECORDED IN VOLUME 7947 PAGE 731 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5 ACRES) CONVEYED TO TERESA C KUEMPEL BY GIFT DEED RECORDED IN VOLUME 7947 PAGE 743 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5 ACRES) CONVEYED TO DAVID A DOLL, ET UX, BY DEED RECORDED IN VOLUME 8245 PAGE 422 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (1 00 ACRE) TRACT OF LAND CONVEYED TO CHRISTOPHER R TOTH, ET UX, BY DEED RECORDED IN VOLUME 9206 PAGE 129 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (4 00 ACRE) TRACT OF LAND CONVEYED TO CHRISTOPHER R TOTH, ET UX, BY DEED RECORDED IN VOLUME 9207 PAGE 844 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, ALL OF THAT CERTAIN (1 00 ACRE) TRACT CONVEYED TO PROTESTANT EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF TEXAS BY DEED RECORDED IN VOLUME 9916 PAGE 324 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (4 00 ACRE) TRACT CONVEYED TO PROTESTANT

PFLUGERVILLE ANNEXATION

"TRACT 2"

APPROX 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R O W.
AND WILKE LANE R.O.W.

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EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF TEXAS BY DEED RECORDED IN VOLUME 9910 PAGE 172 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5.00 ACRE) TRACT OF LAND CONVEYED TO NEANS MASONRY, INC. BY DEED RECORDED IN VOLUME 11064, PAGE 213 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF LOT 1, KUEMPEL STORAGE TRACT, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 95, PAGES 54, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO KB3, "LC", BY DEED RECORDED IN VOLUME 12525 PAGE 663, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5.00 ACRE) TRACT OF LAND CONVEYED TO CLAUDE E. KUEMPEL BY DEED RECORDED IN VOLUME 12539 PAGE 392 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5.00 ACRE) TRACT OF LAND CONVEYED TO DEBORAH G. BILLINGTON BY DEED RECORDED IN VOLUME 13224 PAGE 1361 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (5.00 ACRE) TRACT OF LAND CONVEYED TO CARL J. KULMPLI AND EMMA J. KULMPLI BY DEED RECORDED IN VOLUME 8404 PAGE 256 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (1.00 ACRE) TRACT OF LAND CONVEYED TO MASEDONIO G. AGUILAR, ET UX BY DEED RECORDED IN VOLUME 8139 PAGE 250, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (6.173 ACRE) TRACT OF LAND CONVEYED TO CHARLES D. BECKER, TRUSTEE, ET AL BY DEED RECORDED IN VOLUME 13259 PAGE 1998, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN (3.173 ACRE) TRACT DESCRIBED AS "TRACT 2" AS CONVEYED TO GALLAGHER EQUIPMENT CO. BY DEED RECORDED IN VOLUME 12307 PAGE 1481 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF THAT CERTAIN (2.99 ACRE) TRACT OF LAND CONVEYED TO WALLACE MC LEAN, ET UX, BY DEED RECORDED IN VOLUME 7779 PAGE 298 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT CERTAIN PORTION OF WILKE LANE FROM ITS NORTHWEST R O W LINE TO ITS SOUTHEAST R O W. LINE AND EXTENDING FROM THE INTERSECTION OF WILKE LANE WITH THE EASTERLY PROJECTION OF THE NORTHEAST LINE OF SAID AGUILAR (1.00 ACRE) TRACT, SOUTHERLY TO ITS INTERSECTION WITH THE NORTHEAST R O W LINE OF PFLUGERVILLE LOOP, AND THAT CERTAIN PORTION OF PFLUGERVILLE LOOP, FROM ITS NORTHEAST R.O.W. LINE TO ITS SOUTHWEST R O W LINE AND EXTENDING FROM THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE SOUTHERLY PROJECTION OF THE NORTHWEST LINE OF SAID MC LEAN (2.99 ACRE) TRACT, EASTERLY TO THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID KUEMPEL STORAGE TRACT, AND BEING FURTHER DESCRIBED AS FOLLOWS

BEGINNING at a point in a northeast R O W line of Pecan Street, also known as FM 1825 West, at the most Westerly Southwest corner of Lot 1, Heatherwilde Commercial Sec 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 86 Page 123B of the Plat Records of Travis County, Texas, same being at the existing most southerly corner of that certain (49.815 Acre) tract of land conveyed Heatherwilde Group, Ltd by deed recorded in Volume 12579 Page 348 of the Real Property Records of Travis County, Texas, for the most Southwesterly corner of the herein described tract,

PFLUGERVILLE ANNEXATION

"TRACT 2"

APPROX 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R.O.W
AND WILKE LANL R.O W

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THENCE along the northwest and northeast lines of said Lot 1, in a Northeasterly, then southeasterly direction to the most Easterly corner of said Lot 1, same being in the Northwest line of that certain (214.744 Acre) tract described as "Tract 1" as conveyed to Lillian Swenson, Morris Truman Swenson and Donald Leroy Swenson by Partition Deed recorded in Volume 12478 Page 572 of the Real Property Records of Travis County, Texas, same being the northwest line of that certain (21 00 Acre) tract of land conveyed to Swenson Farm Limited by deed recorded in Volume 131/2 Page 1214 of the Real Property Records of Travis County, Texas, for an ELL corner of this tract,

THENCE along the northeast line of said (21 00 Acre) tract, same being the northeast line of said (214.744 Acre) tract, in a northeasterly direction, pass a point at an ELL corner of said (214.744 Acre) tract, same being an Easterly corner of said (49 815 Acre) tract, same being a Southerly corner of that certain tract described in Annexation Ordinance 451-96-12-17 dated 12/17/96, and continuing in northeasterly direction across said (214 744 Acre) tract, same being along the southeast line of said Ordinance 415-96-12-17 tract, pass a Re-Entrant corner of the said (214 744 Acre) tract, and continuing pass the most Easterly corner of Heatherwilde Section Three, a subdivision of record in Volume 87, Pages 57C-58A, same being the North corner of said (214 744 Acre) tract, same being the most Westerly corner of that certain (38 550 Acre) tract of land conveyed to Johnny Carl Swenson described as "Tract 2" in Partition Deed Recorded in said Volume 12478 Page 572, and continuing along the southeast line of said Annexation Ordinance, same being the northwest line of said (38 550 Acre) tract, pass the most Westerly North corner of said (38 550 Acre) tract, same being the most Westerly corner of that certain (13 40 acre) tract of land conveyed to Johnny C Swenson, et ux by deed recorded in Volume 7846 Page 3/8 of the Deed Records of Travis County, Texas, and continuing to the most Easterly corner of said Ordinance 451-96-12-17 tract, in the southwest R O W line of Pflugerville Loop, same being the northeast line of CHC Realty Trust (28 854 Acre) tract, for a corner of this tract,

THENCE along the northeast line of said Ordinance 451-96-12-17 tract, and the southwest R O W line of Pflugerville Loop, and the northeast line of said CHC Realty Trust tract, in a northwesterly direction, to a point at the intersection of said Southwest R O W line of Pflugerville Loop with the southerly projection of the northwest line of that certain (2 99 Acre) tract of land conveyed to Wallace McLean, et ux, by deed recorded in Volume 7779 Page 298 of the Deed Records of Travis County, Texas, same being the southerly projection of the southeast line of Lot 20, Block N, Springbrook Section One, a subdivision of record in Volume 81 Page 168B-C, Plat Records of Travis County, Texas, for a corner of this tract,

THENCE in a northeasterly direction, crossing Pflugerville Loop, pass the Southwest corner of said (2 99 Acre) tract, same being the southeast corner of that certain tract described as

PFLUGERVILLE ANNEXATION

"TRACT 2"

APPROX. 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R O W
AND WILKE LANE R O W

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"Tract 2" in Annexation Ordinance 478-97-12-23 dated 12/23/97, and continuing along the east line thereof to the most Northerly corner of said (2 99 Acre) tract, same being the most Westerly corner of that certain (6 173 Acre) tract conveyed to Charles D. Becker, Trustee, et al, by deed recorded in Volume 13259 Page 1998 of the Real Property Records of Travis County, Texas, for an angle point of this tract,

THENCE continuing along the southeast line of said Ordinance 478-97-12-23 Tract 2, and the northwest and northeast lines of said Becker (6 173 Acre) tract, in a Northeasterly then southeasterly direction, to a point in the west R O W line of Wilke Lane, at the most Easterly corner of said (6 173 Acre) tract, same being an ELL corner of said Ordinance 478-97-12-23 Tract 2, for an ELL corner of this tract,

THENCE along a southeast line of said Ordinance 478-97-12-23 Tract 2, in a northeasterly direction, to an ELL corner of said Ordinance Tract 2, same being at the most Southerly corner of that certain (1.00 Acre) tract of land conveyed to Masedonio G. Aguilar, et ux, by deed recorded in Volume 8139 Page 250 of the Deed Records of Travis County, Texas, for an ELL corner of this tract,

THENCE along the southwest and northwest lines of said Aguilar tract, same being northeast and southeast lines of said Ordinance Tract 2, in a Northwesterly then a Northeasterly direction, to the most Northerly corner of said Aguilar tract, in the south R O W line of Heatherwilde Boulevard, same being at a corner of said Ordinance Tract 2, same being in a southwest line of that certain tract described as Tract 1 of Annexation Ordinance 478-97-12-23, for the most Northerly corner of this tract,

THENCE along the northeast line of said Aguilar tract, and a Southwest line of said Ordinance Tract 1, in a southeasterly direction, pass the most Easterly corner of said Aguilar tract, in the northwest R O W line of Wilke Lane, and continuing on the southeasterly projection of said line to the southeast R O W line of Wilke Lane, same being in the northwest line of that certain (322 282 Acre) tract of land conveyed to the Homer & Janice K. Wieland Trust and The Kuhn family Ltd., by deed recorded in Volume 13353 Page 2731 of the Real Property Records of Travis County, Texas, at an ELL corner of said Ordinance Tract 1, for the most Northerly East corner of this tract,

THENCE along the southeast R O W line of Wilke Lane and a northwest line of said Ordinance Tract 1, in a southwesterly direction to the intersection of the southeast R O W line of Wilke Lane with the northeast R.O W line of Pflugerville Loop, at a corner of said Ordinance Tract 1, for a corner of this tract,

THENCE along the northeast R O W line of Pflugerville Loop, and

PFLUGERVILLE ANNEXATION

"TRACT 2"

APPROX. 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R O W
AND WILKE LANE R.O W

PAGE 5 OF 6

a southwest line of said Ordinance Tract 1, in a southeasterly direction, to the intersection of the northeast R.O.W. line of Pflugerville Loop with the northerly projection of the southeast line of Lot 1, Kuempel Storage Tract, a subdivision of record in Volume 95, Page 54 of the Plat Records of Travis County, Texas, for the most Easterly East corner of this tract,

THENCE crossing Pflugerville Loop, in a southwesterly direction, pass the most Easterly corner of said Kuempel Tract, and continuing along the southeast line thereof, same being the northwest line of that certain (102.79 Acre) tract of land conveyed to William J Kuempel Family Limited Partnership by deed recorded in Volume 12759 Page 114 of the Real Property Records of Travis County, Texas, same being the northwest line of that certain Annexation Ordinance 428-95-11-28 dated 11/28/95, to the most Southerly corner of that certain (100 Acre) tract of land described as "First Tract" as conveyed to Carl J Kuempel by deed recorded in Volume 1419 Page 547 of the Deed Records of Travis County, Texas, same being in the northeast line of the said Swenson (214.744 Acre) tract, same being in the approximate northeast line of the H W Farley Survey No. 4, at an ELL corner of the said Kuempel (102.79 Acre) tract, same being an ELL corner of the said Ordinance 428-95-11-28 tract, for an ELL corner of this tract,

THENCE along the northeast line of said (214.744 Acre) tract, and a line of said Kuempel (102.79 Acre) tract, in a southeasterly direction, to the most Easterly corner of the said (214.744 Acre) tract, same being at an ELL corner of the said Kuempel (102.79 Acre) tract, same being an ELL corner of the said Ordinance 428-95-11-28 tract, for an ELL corner of this tract,

THENCE along the southeast line of said (217.744 Acre) tract and a northwest line of the said Kuempel (102.79 Acre) tract, same being a northwest line of said Ordinance 428-95-11-28 tract, in a southwesterly direction, to the most Easterly South corner of the said (217.744 Acre) tract, same being the most Easterly South corner of that certain (21.00 Acre) tract of land conveyed to Swenson Farm Limited by deed recorded in Volume 12665 Page 107 of the Real Property Records of Travis County, Texas, same being at the Northeast corner of Colored Addition to the City of Pflugerville, a subdivision of record in Volume 2 Page 204 of the Plat Records of Travis County, Texas, same being at a RE-ENTRANT corner of said Ordinance 428-95-11-28 tract, for the most Easterly South corner of this tract,

THENCE along the northeast line of said Colored Addition, same being a northeast line of said Ordinance 428-95-11-28 tract, and a southwest line of said (214.744 Acre) tract and said (21.00 Acre) tract, in a northwesterly direction to the most Northerly corner of that certain (2.5 Acre) tract of land conveyed to Pflugerville Independent School District, by deed recorded in Volume 419 Page 484 of the Deed Records of Travis County, Texas,

PFLUGERVILLE ANNEXATION

"TRACT 2"

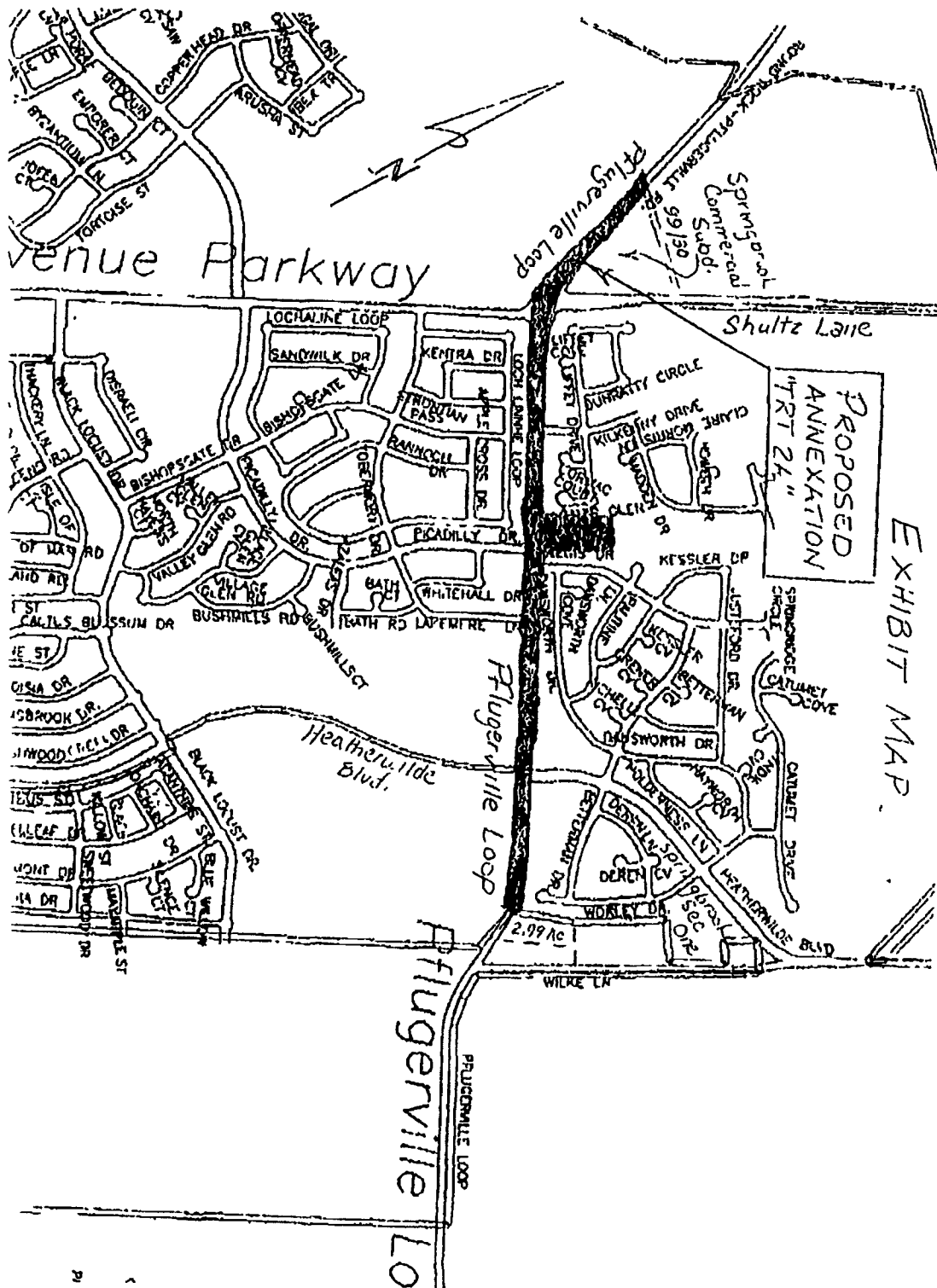
APPROX. 373 ACRES PLUS ACRES IN ADJACENT PFLUGERVILLE LOOP R O W
AND WILKE LANE R.O.W.

PAGE 6 OF 6

same being at an ELL corner of said Ordinance 428-95-11-28
tract, and an ELL corner of said (214 744 Acre) tract, and said
(21 00 Acre) tract, for an ELL corner of this tract,

THENCE along a northwest line of said Ordinance 428-95-11-28 tract,
same being a southeast line of said (214 744 Acre) tract, same being
a southeast line of said (21 00 Acre) tract, in a southwesterly
direction, pass the most Southerly corner of said (21 00 Acre)
tract, and continuing to a point in the northeast R O.W line of
Pecan Street, also known as F.M 1825, at the most Southerly corner
of said (214 744 Acre) tract, same being the most Westerly corner of
a (1.0 Acre) tract described in Volume 360 Page 110 of the Deed
Records of Travis County, Texas, same being at the most Westerly
corner of Ordinance 428-95-11-28 tract, for the most Southerly
corner of this tract,

THENCE along the northeast R O W line of Pecan Street or F M 1825,
along the southwest line of said (214.744 Acre) tract, in a
northwesterly direction, pass the most Westerly corner of said
(214.744 Acre) tract, same being the most Southerly corner of said
Lot 1, Heatherwilde Commercial Sec 1, and continuing along the
southwest line of said Lot 1, to the PLACE OF BEGINNING containing
approximately 373 Acres of land plus acres contained within the
above described bounds of Pflugerville Loop and Wilke Lane



May 17, 1999

"TRACT 2A"

DESCRIPTION OF "TRACT 2A", BEING APPROXIMATELY 3.35 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 70 IN TRAVIS COUNTY, TEXAS, PLUS ACREAGE WITHIN THE RIGHT-OF-WAY KNOWN AS PFLUGERVILLE LOOP, FROM THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE WESTERLY PROJECTION OF THE NORTHEAST LINE OF SPRINGBROOK COMMERCIAL SUBDIVISION TO THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE SOUTHERLY PROJECTION OF THE SOUTHEAST LINE OF BLOCK N, SPRINGBROOK SECTION ONE, TO BE ANNEXED BY THE CITY OF PFLUGERVILLE

"TRACT 2A" CONSISTING OF ALL OF THAT CERTAIN (2.35 ACRE) TRACT OF LAND CONVEYED TO GLADYS E. PATTERSON BY DEED RECORDED IN VOLUME 5151 PAGE 193 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF THAT CERTAIN (1.00 ACRE) TRACT OF LAND CONVEYED TO GLADYS E. PATTERSON HILL BY DEED RECORDED IN VOLUME 10368 PAGE 356 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT CERTAIN PORTION OF PFLUGERVILLE LOOP, FROM ITS NORTHEAST R.O.W. LINE TO ITS SOUTHWEST R.O.W. LINE AND EXTENDING FROM THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE WESTERLY PROJECTION OF THE NORTHEAST LINE OF SPRINGBROOK COMMERCIAL SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 99 PAGE 30 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, TO THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE SOUTHERLY PROJECTION OF THE SOUTHEAST LINE OF BLOCK N, SPRINGBROOK SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 87 PAGE 166B-C OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING THE SOUTHERLY PROJECTION OF THE NORTHWEST LINE OF THAT CERTAIN (2.99 ACRE) TRACT OF LAND CONVEYED TO WALLACE MC LEAN, ET UX, BY DEED RECORDED IN VOLUME 7779, PAGE 298 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED AS FOLLOWS

BEGINNING at a point in the Northeast R.O.W. line of Pflugerville Loop, a right-of-way of varying width, at a southwesterly corner of that certain tract conveyed to Larry L. Read Electric, Inc., same being at the Northwest corner of Lot 1, Block A, Springbrook Commercial Subdivision, according to the map or plat thereof recorded in Volume 99, Page 30 of the Plat Records of Travis County, Texas, for the Northeast corner of the herein described tract.

THENCE in a southeasterly direction, along the northeast R.O.W. line of Pflugerville Loop, pass its intersection with Schulze Lane, and continuing along the northeast R.O.W. line of Pflugerville Loop, pass its intersection with Kilkenny Drive, and continuing with the northeast R.O.W. line of Pflugerville Loop, to a point at the most Westerly corner of that certain (2.35 Acre) tract of land conveyed to Gladys E. Patterson by deed recorded in Volume 5151 Page 193 of the Deed Records of Travis County, Texas, for a corner of this tract,

THENCE leaving the northeast R.O.W. line of Pflugerville Loop, in a northeasterly direction, along the Northwest line of the said Patterson tract, same being the southeast line of Springbrook Glen Section One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in

PFLUGERVILLE ANNEXATION

"TRACT 2A"

APPROX. 3.4 ACRES PLUS A PORTION OF PFLUGERVILLE LOOP R.O.W.

PAGE 2 OF 3

Volume 98, Page 3, Plat Records of Travis County, Texas, pass the most Northerly corner of said Patterson (2.35 Acre) tract, same being the most Westerly corner of that certain (1.00 Acre) tract of land conveyed to Gladys E. Patterson Hill by deed recorded in Volume 10368 Page 356 of the Real Property Records of Travis County, Texas, and continuing along the northwest line of said (1.00 Acre) to the most Northerly corner of said (1.00 Acre), for a Northerly corner of this tract,

THENCE in a southeasterly direction, along the northeast line of said (1.00 Acre) tract, to the most Easterly corner of said (1.00 Acre) tract, for an Easterly corner of this tract,

THENCE in a southwesterly direction, along the southeast line of said (1.00 Acre) tract, pass its most southerly corner, same being the most easterly corner of said Patterson (2.35 Acre) tract, and continuing along the southeast line of said (2.35 Acre) tract, to the most Southerly corner of said (2.35 Acre) tract, in the northeast R.O.W. line of Pflugerville Loop, for a RE-ENTRANT corner of this tract,

THENCE in a southeasterly direction, along the northeast R.O.W. line of Pflugerville Loop, pass its intersection with Regis Drive, and continuing along the northeast R.O.W. line of Pflugerville Loop, pass its intersection with Heatherwilde Boulevard, and continuing along the northeast R.O.W. line of Pflugerville Loop to its intersection with the northwest line of that certain (2.99 Acre) tract of land conveyed to Wallace McLean by deed recorded in Volume 7779, Page 298, Deed Records of Travis County, Texas, same being a southeast line of Springbrook Section One, according to the map or plat thereof recorded in Volume 87 Page 166B-C of the Plat Records of Travis County, Texas, for the most Easterly corner of this tract,

THENCE crossing Pflugerville Loop, in a southwesterly direction, along the southerly projection of the northwest line of said McLean tract, same being the southerly projection of a southeast line of Block N, Springbrook Section One, to the southwest R.O.W. line of Pflugerville Loop, same being in the northeast line of that certain tract of land conveyed to CMC Realty Trust, for the most Southerly corner of this tract,

THENCE in a northwesterly direction, along the southwest R.O.W. of Pflugerville Loop, pass its intersection with Heatherwilde Boulevard, and continuing along the southwest R.O.W. line of Pflugerville Loop, pass its intersection with Tobemory Drive, and continuing along the southwest R.O.W. of Pflugerville Loop, pass its intersection with Picadilly Drive, and continuing along the southwest R.O.W. line of Pflugerville Loop, pass its intersection with Grand Avenue Parkway, and continuing along the southwest R.O.W. line of Pflugerville Loop, same being a northeast line of that certain (20.48 Acre) tract conveyed to Americo Financial Holdings, L.C., to the intersection of the southwest R.O.W. line of Pflugerville Loop with the westerly projection of the Northeast line of Springbrook Commercial Subdivision, for a Westerly corner of this tract,

PFLUGERVILLE ANNEXATION

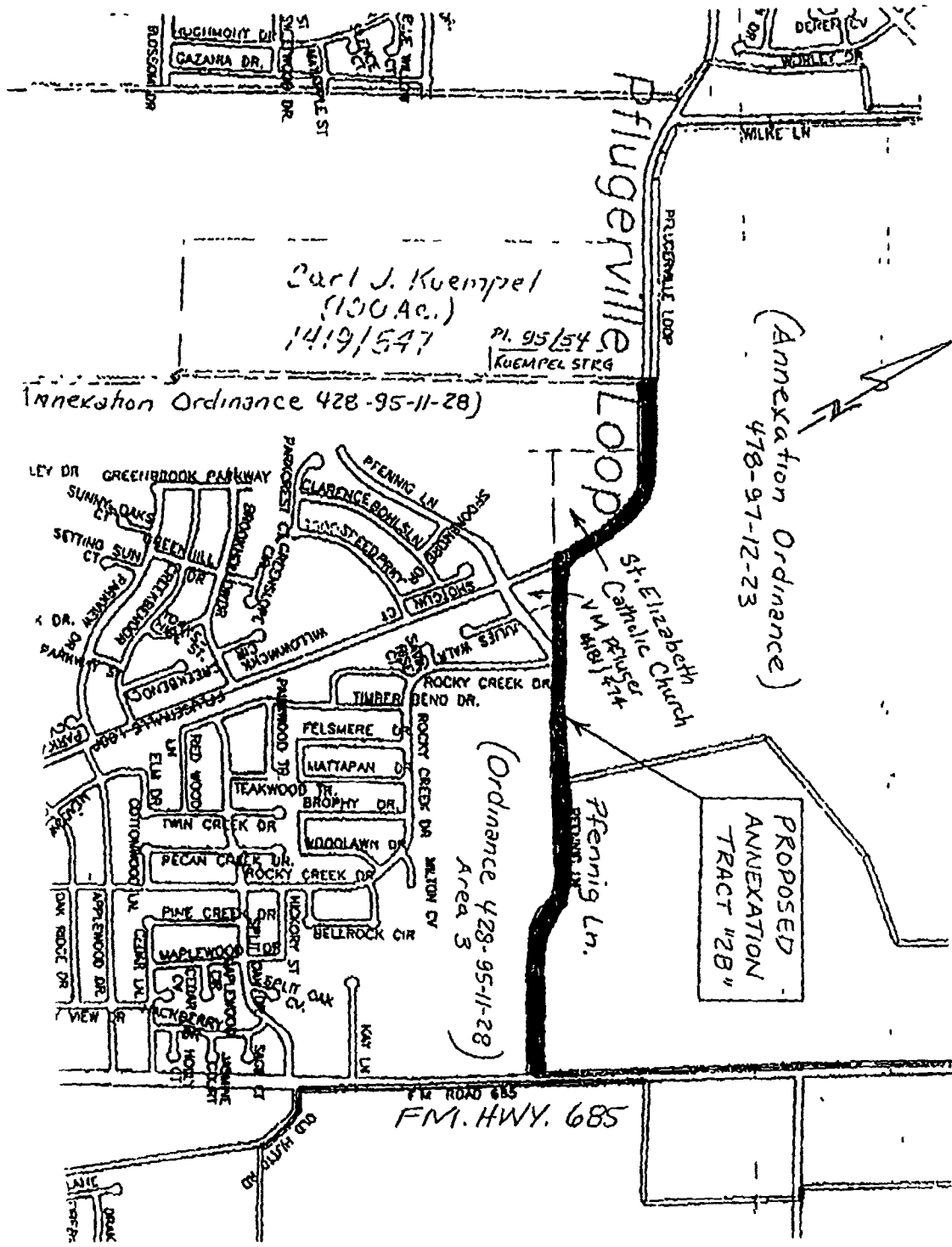
"TRACT 2A"

APPROX. 3.4 ACRES PLUS A PORTION OF PFLUGERVILLE LOOP R O W

PAGE 3 OF 3

THENCE crossing Pflugerville Loop, in an easterly direction, along the westerly projection of the Northeast line of Springbrook Commercial Subdivision to the PLACE OF BEGINNING

Pflgr2aw doc



May 17, 1999

"TRACT 2B"

DESCRIPTION OF "TRACT 2B", BEING A PORTION OF THE RIGHT-OF-WAY KNOWN AS PFLUGERVILLE LOOP, AND THE RIGHT-OF-WAY FORMERLY KNOWN AS PFENNIG LANE TO ITS INTERSECTION WITH THE EXISTING RIGHT-OF-WAY OF PFENNIG LANE, SITUATED IN TRAVIS COUNTY, TEXAS, FROM THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE NORTHERLY PROJECTION OF THE SOUTHEAST LINE OF KUEMPEL STORAGE TRACT, SAME BEING THE NORTHERLY PROJECTION OF THE SOUTHEAST LINE OF THAT CERTAIN (100 ACRE) TRACT DESCRIBED AS THE FIRST TRACT TO CARL J. KUEMPEL, TO THE INTERSECTION OF PFENNIG LANE WITH THE NORTHWEST R O W LINE OF F M HIGHWAY 685, TO BE ANNEXED BY THE CITY OF PFLUGERVILLE

"TRACT 2B" CONSISTING OF THAT CERTAIN PORTION OF PFLUGERVILLE LOOP, EXTENDING FROM THE INTERSECTION OF PFLUGERVILLE LOOP WITH THE NORTHERLY PROJECTION OF THE SOUTHEAST LINE OF KUEMPEL STORAGE TRACT, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 95 PAGE 54, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING THE NORTHERLY PROJECTION OF THE SOUTHEAST LINE OF THAT CERTAIN (100 ACRE) TRACT DESCRIBED AS THE FIRST TRACT TO CARL J. KUEMPEL BY DEED RECORDED IN VOLUME 1419 PAGE 547 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THROUGH THE INTERSECTION OF SAID PFLUGERVILLE LOOP WITH THE FORMER PFENNIG LANE, AND CONTINUING EASTERLY ALONG THE FORMER PFENNIG LANE RIGHT-OF-WAY, PASS ITS INTERSECTION WITH THE CURRENT PFENNIG LANE R O W TO THE INTERSECTION OF PFENNIG LANE WITH THE NORTHWEST R O W LINE OF F M HIGHWAY 685, AND BEING FURTHER DESCRIBED AS FOLLOWS

BEGINNING at a point at the intersection of the southwest R O W line of Pflugerville Loop with the southeast line of Kuempel Storage Tract, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 95, Page 54, Plat Records of Travis County, Texas, same being at the most Northerly corner of that certain tract described as "Area 2" in City of Pflugerville Annexation Ordinance 428-95-11-28 for the most Westerly corner of this tract,

THENCE crossing Pflugerville Loop, along the northerly projection of the west line of said "Area 2", same being the northerly projection of the southeast line of said Kuempel Storage Tract, to a point in the northeast R O W line of Pflugerville Loop, same being in the southeast line of that certain tract described as Tract 1 in Annexation Ordinance 478-97-12-23, for the most Northerly corner of this tract,

THENCE in a southeasterly direction, along the southwest line of said Ordinance 478-97-12-23 Tract 1, same being the northeast R O W line of Pflugerville Loop, pass its intersection with that certain tract conveyed to the State of Texas by M K & T Railroad Co by instrument of record in Volume 11339 Page 2005, Real Property Records of Travis County, Texas, and continuing along the northeast line of said State of Texas tract, same being the southwest line of said Ordinance Tract 1, to the northeast R O W line of Pfennig Lane, for an angle point of this tract,

THENCE in a southeasterly direction, along the northeast R O W line of Pfennig Lane, same being a southwest line of said Ordinance Tract 1, pass the most southerly corner of said

PFLUGERVILLE ANNEXATION
"TRACT 2B"
PAGE 2 OF 2

Ordinance Tract 1, and continuing along the northeast R.O.W line of Pfennig Lane to its intersection with the northwest R O.W. line of F.M. Highway 685, for the most Easterly corner of this tract;

THENCE in a southwesterly direction, crossing Pfennig Lane, to the intersection of the northwest R O W line of F M. Highway 685 with the southwest R O W line of Pfennig Lane, at the most Easterly corner of that certain tract described as "Area 3" of Annexation Ordinance 428-95-11-28, for the most Southerly corner of this tract.

THENCE in a northwesterly direction, along the southwest R O W line of Pfennig Lane and the northeast line of said "Area 3", pass the north corner of said "Area 3" and continuing along the southwest R O W. line of Pfennig Lane, pass its intersection with Rocky Creek Drive, and continuing pass the northeast corner of that certain tract conveyed to V M Pfluger by deed recorded in Volume 4181 Page 474, Deed Records of Travis County, Texas, and continuing pass the northwest corner of said V M. Pfluger tract, and the northeast line of said State of Texas tract, to the intersection of the projection of the former southwest R O W line of Pfennig Lane with the southwest R O W line of Pflugerville Loop, for an angle point of this tract;

THENCE in a northwesterly direction, along the southwest R O W line of Pflugerville Loop, pass the north corner of St Elizabeth Catholic Church tract, and continuing along the southwest R O W line of Pflugerville Loop to the PLACE OF BEGINNING

Pflgr2bw doc

SERVICE PLAN FOR PROPOSED ANNEXATION OF APPROXIMATELY
376 ACRES OF LAND AND ADDITIONAL LAND IN RIGHTS-OF-WAY IN AN
AREA LOCATED NORTH OF PECAN STREET, GENERALLY WEST OF THE
PARKCREST SUBDIVISION, ALONG PFLUGERVILLE LOOP AND PFENNIG LANE,
SOUTH OF PFLUGERVILLE LOOP, WEST OF WILKE LANE. SOUTH OF
HEATHERWILDE BOULEVARD, EAST OF WORLEY DRIVE, ALONG PFLUGERVILLE
LOOP AND GENERALLY EAST OF THE WINDERMERE SUBDIVISION IN
TRAVIS COUNTY, TEXAS

This service plan establishes a program under which the City of Pflugerville, Texas, will provide full municipal services to the area described as Tracts 2, 2A and 2B on the attached Exhibit "A" (the "Annexed Area"), as required by § 43.056 of the Texas Local Government Code.

I.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its city limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.
- B. Fire Protection.
- (1) Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.
 - (2) The City fire marshal enforces the City fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

- A. Solid Waste Collection. The City provides residential solid waste collection services within the City limits under a contract between the City and a private refuse collection company. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. The City does not provide commercial solid waste collection services.

B Maintenance. Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area within 60 days of the date of annexation:

- (1) Water and wastewater facilities that are not within the service area of another water or wastewater utility. These facilities will include all internal water and wastewater distribution and collection lines owned by the City that are within the Annexed Area. The City maintains distribution and collection lines and handles all customer billing, service calls and complaints.
- (2) Public streets and right-of-ways, including street lighting. The City provides street repairs, improvements and inspections. This City does not maintain private streets or right-of-ways.
- (3) Publicly owned parks, playgrounds, and swimming pools. The City is not aware of any such facilities within the Annexed Area at the time of annexation. Although, as development progresses over time, the City's subdivision ordinance may require dedication of parkland or equivalent payments to the City for the development of recreational facilities.
- (4) Other publicly-owned facilities or buildings, including drainage facilities, such as drainage channels, storm sewers and detention ponds. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed.

C. Development Regulation. The City will enforce zoning, subdivision development, site development and building code regulations within the Annexed Area after annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the Annexed Area will be reviewed for compliance with City standards

D. Other Services. City recreational facilities, including parks and library, will be available for use by residents of the Annexed Area on the same basis as those facilities are available to current City residents. City residents receive program preference for some City programs

III

Capital Improvements. As provided in the Local Government Code, the City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Area within two years after the date of annexation. These capital improvements will be substantially complete within four and one-half years. The acquisition or construction will occur in accordance with applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area except as provided below for water and wastewater service.

Water and Wastewater Service. For areas not within the certificated service area of another utility, the City's water and wastewater utility will extend water and wastewater service to the Annexed Area in accordance with the City's service extension policy attached as Exhibit "B" and at the appropriate

levels considering the topography, land use and population density of the property requesting service, except for those areas described below. In addition, unless consistent with the City's existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service to the Annexed Area.

Portions of the Annexed Area are currently within Manville Water Supply Corporation's certificated service area for water and Windermere Utility Company's certificated service area for water and sewer. Manville and Windermere will continue to provide utility service within those portions of the Annexed Area after annexation.

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

(1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities but excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.

(2) (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.

(b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.

(3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.

(4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This finding must be approved by the City Council.

B. PROCEDURE

(1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.

(2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.

EXHIBIT

(3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.

(4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

(5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.

(6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water main or sewer tap.

D SUBSEQUENT USER FEES

(1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4) has been repaid. Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial parties in the same proportion as their participation in the extension project.

(2) No refunds will be made after 5 years from the date of completion of the project, and no refunds of less than \$25 per participating customer will be made.

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

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

08-06-1999 04:01 PM 1999083184
STATEND \$51.00
Dana DeBeauvoir, COUNTY CLERK
TRAVIS COUNTY, TEXAS

ORDINANCE NO. 720-03-11-11

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING APPROXIMATELY 1,232.8 ACRES OF LAND IN AN AREA LOCATED GENERALLY NORTH OF PFLUGERVILLE LOOP, PFENNIG LANE AND PFLUGER LANE AND GENERALLY EAST OF GRAND AVENUE PARKWAY, IN TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex the land described in Exhibit "A", attached hereto and incorporated herein by reference (the "Land");

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. The Land described in the attached Exhibit "A", is hereby annexed to the City, and the boundaries of the City are extended to include the Land within the corporate limits of the City. From and after the date of this ordinance, the Land shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. Municipal services shall be extended to the Land in accordance with the service plan attached as Exhibit "B".

Section 3. The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

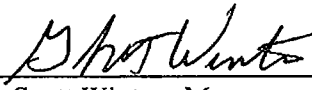
Section 4. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

Section 5. The City Council intends to annex the Land described in this Ordinance; but that if there is included within the description of the Land annexed by this Ordinance any lands or area that may not be annexed by the City for any reason ("Excluded Lands"), then the Excluded Lands should be excluded and excepted from the Land annexed by this Ordinance as fully as if the Excluded Lands were expressly described in this Ordinance, and the remainder of the Land were annexed to the City of Pflugerville.

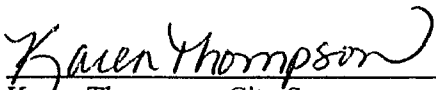
Section 6. This annexation causes an area to be entirely surrounded by the City limits, and the City Council finds that surrounding the area is in the public interest.

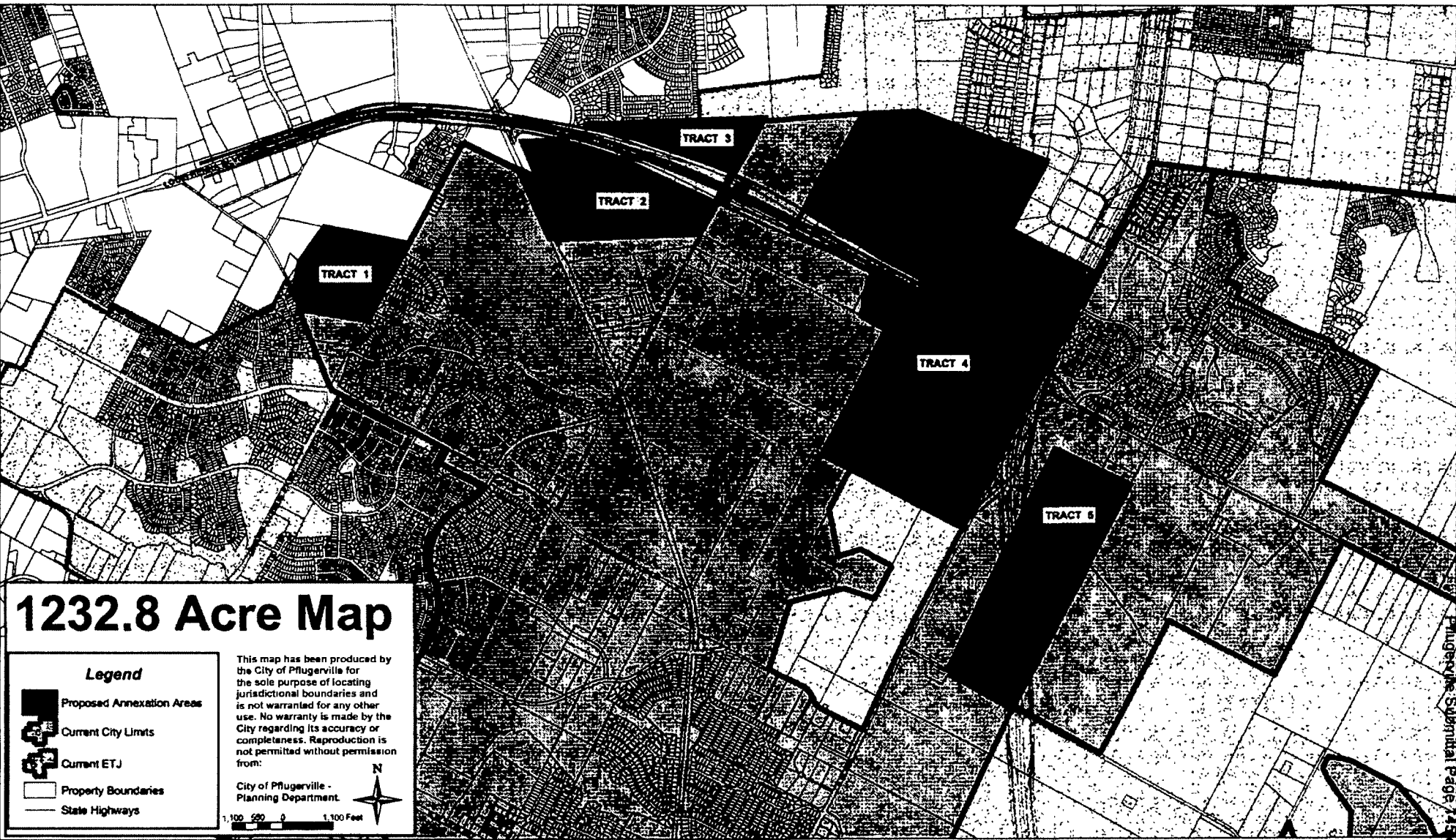
PASSED AND APPROVED this 11th day of November, 2003.

CITY OF PFLUGERVILLE, TEXAS

By: 
G. Scott Winton, Mayor

ATTEST:


Karen Thompson, City Secretary



1232.8 Acre Map

Legend

- Proposed Annexation Areas
- Current City Limits
- Current ETJ
- Property Boundaries
- State Highways

This map has been produced by the City of Pflugerville for the sole purpose of locating jurisdictional boundaries and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without permission from:

City of Pflugerville - Planning Department

1,100 550 0 1,100 Feet

**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT 1
80.2 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE WILLIAM BARKER SURVEY NO. 74 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

<u>OWNER</u>	<u>ACREAGE</u>	<u>INSTRUMENT NO.</u>
JUNE JOAN KUNKEL, ET AL	25.355	VOL. 7925, PG. 375
LARRY L. READ AND SHERYL L. READ	1.103	VOL. 13383, PG. 717
ELENA PERALES	1.002	DOC. NO. 2001036578
LAWRENCE C. AND DORIS J. REID	24.335	VOL. 8063, PG. 153
PFLUGERVILLE HEIGHTS, L.P.	25.530	DOC. NO. 200190494

TRACT AREAS CALLED FOR ARE PER TRAVIS OR WILLIAMSON COUNTY TAX APPRAISAL DISTRICT RECORDS. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.) OR THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF THE KUNKEL 25.355 ACRE TRACT AND LYING ON THE WEST LINE OF SCHULTZ LANE AND BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, SPRINGBROOK COMMERCIAL SUBDIVISION PER PLAT RECORDED IN VOLUME 99, PAGE 30, P.R.T.C.T.;

THENCE NORTH 80°32'17" WEST, WITH THE COMMON LINE BETWEEN THE SAID 25.355 ACRE TRACT AND THE SPRINGBROOK COMMERCIAL SUBDIVISION AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER CITY ANNEXATION ORDINANCE 478-97-12-23, TRACT 3, A DISTANCE OF 1199.44 FEET TO THE SOUTHWEST CORNER OF THE SAID 25.355 ACRE TRACT AND THE SOUTHEAST CORNER OF THE READ 1.103 ACRE TRACT;

THENCE NORTH 80°32'17" WEST, WITH THE COMMON LINE BETWEEN THE SAID 1.103 ACRE TRACT AND THE SPRINGBROOK COMMERCIAL SUBDIVISION AND CONTINUING WITH THE PFLUGERVILLE CITY LIMIT, A DISTANCE OF 211.12 FEET TO THE SOUTHWEST CORNER OF THE SAID 1.103 ACRE TRACT AND LYING ON THE NORTH LINE OF COUNTY ROAD 170, ALSO KNOWN AS PFLUGERVILLE-ROUND ROCK ROAD;

THENCE NORTH 80°32'17" WEST, CONTINUING ON A PROJECTION OF THE PREVIOUS COURSE ACROSS PFLUGERVILLE-ROUND ROCK ROAD A DISTANCE OF 69.87 FEET TO A POINT ON THE ORIGINAL WEST RIGHT OF WAY OF COUNTY ROAD 170, AND BEING A POINT ON THE EAST LINE OF THE PARENT TRACT FOR CAMBRIDGE HEIGHTS, PHASE A, PER PLAT RECORDED IN VOLUME 103, PAGE 44, P.R.T.C.T.;

THENCE WITH THE ORIGINAL WEST LINE OF COUNTY ROAD 170, NORTH 21°37'13" WEST A DISTANCE OF 346.51 FEET TO A POINT CALCULATED TO INTERSECT THE TRAVIS-WILLIAMSON COUNTY LINE,

THENCE CROSSING THROUGH THE COUNTY ROAD 170 RIGHT OF WAY WITH THE SAID TRAVIS-WILLIAMSON COUNTY LINE THE FOLLOWING COURSES:

1. NORTH 62°33'53" EAST, 10.69 FEET;
2. NORTH 5°33'53" EAST, 117.15 FEET TO FOUND 2" PIPE LYING NEAR THE NORTH LINE OF COUNTY ROAD 170;

THENCE NORTH 5°33'53" EAST, CONTINUING ALONG THE SAID TRAVIS-WILLIAMSON COUNTY LINE THROUGH THE SAID REID 24.335 ACRE TRACT, A DISTANCE OF 252.78 FEET TO A POINT FOR A CORNER ON THE COMMON LINE BETWEEN THE REID 24.335 ACRE TRACT AND LOT 1, PUDDIN' HILL, A SINGLE LOT SUBDIVISION RECORDED VOLUME 91, PAGE 271, P.R.T.C.T.;

THENCE ALONG THE COMMON LINE BETWEEN THE REID 24.335 ACRE TRACT AND SAID PUDDIN' HILL THE FOLLOWING COURSES:

1. NORTH 36°40'49" EAST, 314.30 FEET;
2. NORTH 45°04'16" WEST, 112.77 FEET TO THE NORTHWEST CORNER OF PUDDIN' HILL;

THENCE NORTH 35°07'18" EAST, WITH THE COMMON LINE BETWEEN THE SAID REID 24.335 ACRE TRACT AND A 18.198 ACRE TRACT CONVEYED TO NORTH SHOAL CREEK COMMERCIAL LTD. IN DOCUMENT NUMBER 9847640, D.R.T.C.T., A DISTANCE OF 958.87 FEET TO A POINT FOR A CORNER ON THE SOUTH LINE OF A CALLED 99.83 ACRE TRACT CONVEYED TO EDGAR S. DAUGHERTY IN VOLUME 431, PAGE 508, D.R.T.C.T.;

THENCE SOUTH 78°30'02" EAST, WITH THE COMMON LINE BETWEEN THE REID 24.335 ACRE TRACT AND THE SAID 99.83 ACRE TRACT, 600.33 FEET TO THE NORTHEAST CORNER OF THE REID TRACT AND BEING THE NORTHWEST CORNER OF THE SAID PFLUGERVILLE HEIGHTS, L.P. 25.530 ACRE TRACT;

THENCE SOUTH 78°12'19" EAST, WITH THE COMMON LINE BETWEEN THE PFLUGERVILLE HEIGHTS, L.P. TRACT AND THE SAID 99.83 ACRE TRACT, 1199.09 FEET TO THE NORTHEAST CORNER OF THE PFLUGERVILLE HEIGHTS, L.P. TRACT AND LYING THE ON THE WEST LINE OF SCHULTZ LANE;

THENCE, SOUTH 78°12'19" EAST, CONTINUING ON A PROJECTION OF THE PREVIOUS COURSE ACROSS SCHULTZ LANE, 62.32 FEET TO A POINT CALCULATED TO LAY ON THE ORIGINAL EAST LINE OF SCHULTZ LANE, A 60 FOOT WIDE PUBLIC RIGHT OF WAY AND ON THE ORIGINAL WEST LINE OF THE PARENT TRACT TO SPRINGBROOK ENCLAVE PER PLAT RECORDED IN DOCUMENT NO. 200000385, P.R.T.C.T. AND LYING ON THE CURRENT PFLUGERVILLE CITY LIMIT PER CITY OF PFLUGERVILLE ANNEXATION ORDINANCE 478-97-12-23, TRACT 1;

THENCE SOUTH 27°28'57" WEST, WITH THE ORIGINAL EAST LINE OF SCHULTZ LANE AND THE WEST LINE OF THE SPRINGBROOK ENCLAVE PARENT TRACT AND WITH THE

SAID CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 1902.11 FEET TO A POINT FOR A CORNER;

THENCE NORTH 80°32'17" WEST, CROSSING SCHULTZ LANE ON A PROJECTION OF THE NORTH LINE OF THE SAID SPRINGBROOK COMMERCIAL SUBDIVISION, A DISTANCE OF 63.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 80.2 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER GPS SURVEY PERFORMED DURING JULY, 2003.

BAKER-AICKLEN & ASSOCIATES, INC.

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**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 2
141.2 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71-ABSTRACT NO. 200, THE JOHN VAN WINKLE SURVEY NO. 70-ABSTRACT NO. 787 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

<u>OWNER</u>	<u>ACREAGE</u>	<u>INSTRUMENT NO.</u>
STATE OF TEXAS, (CALLED PART 5 OF FORMER M.K.T. RAILROAD R.O.W.)	38.882	VOL. 11339, PG. 2005
RICHARD Z. RADY AND AGATHA O. RADY		
CO-TRUSTEES OF THE RADY FAMILY TRUST	1.999	VOL. 12784, PG. 1019
CO-TRUSTEES OF THE RADY FAMILY TRUST	61.086	VOL. 12784, PG. 1019
CO-TRUSTEES OF THE RADY FAMILY TRUST	8.00	VOL. 7788, PG. 396
AUSTIN-MOKAN ASSOCIATES	21.541	VOL. 9091, PG. 574
AUSTIN-MOKAN ASSOCIATES	2.00	VOL. 9091, PG. 579
JOHN S. LLOYD, TRUSTEE	REM. OF 132.6766	VOL. 13102, PG. 3327
MICHAEL J. HARKINS	3.00	DOC. NO. 2002114867

TRACT AREAS CALLED FOR ARE PER TRAVIS OR WILLIAMSON COUNTY TAX APPRAISAL DISTRICT RECORDS. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.) OR THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), TRACT 2 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND IRON ROD WITH AN ALUMINUM CAP STAMPED TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF HEATHERWILDE BOULEVARD (FORMERLY WILKE LANE) WITH A NORTHERLY LINE OF MEISTER LANE BEING THE SOUTHEAST CORNER OF THE REMAINDER OF A CALLED 132.6766 ACRE TRACT CONVEYED TO JOHN S. LLOYD IN VOLUME 13102, PAGE 3327, D.R.T.C.T.;

THENCE SOUTH 41°08'48" WEST, A DISTANCE OF 81.83 FEET TO A FOUND BENT 1" IRON ROD BEING THE INTERSECTION OF THE SOUTH LINE OF MEISTER LANE WITH THE NORTHWESTERLY LINE OF HEATHERWILDE BOULEVARD AND BEING THE NORTHEAST CORNER OF A 26.99 ACRE TRACT OF LAND CONVEYED TO WILLIAM J. ANDERSON AND WILLIAM J. ANDERSON, JR. IN A DEED RECORDED IN VOLUME 8194, PAGE 508, D.R.T.C.T., FROM WHICH A FOUND ½ IRON ROD LYING IN THE SOUTHEASTERLY LINE OF HEATHERWILDE BOULEVARD BEARS NORTH 89°29'55" EAST, 88.70 FEET;

THENCE SOUTH 87°43'37" WEST WITH THE NORTH LINE OF THE ANDERSON TRACT AND WITH THE SOUTH LINE OF MEISTER ROAD AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE 548-99-06-08, A DISTANCE OF 3219.59 FEET

PASSING THE EASTERLY NORTHWEST CORNER OF THE ANDERSON TRACT TO AN INTERSECTION WITH THE WESTERLY LINE OF A 38.882 ACRE TRACT OF LAND CONVEYED TO THE STATE OF TEXAS AS PARCEL 2, OF PART 5 IN A DEED RECORDED IN VOLUME 11339, PAGE 2005, D.R.T.C.T. AND FORMERLY BEING THE MISSOURI-KANSAS RAILROAD RIGHT OF WAY, SAID POINT LYING ON THE EASTERLY LINE OF THE CITY LIMIT OF PFLUGERVILLE PER ANNEXATION ORDINANCE 478-97-12-23, SAID POINT ALSO BEING ON THE NORTHEASTERLY LINE OF A CALLED 232.4633 ACRE TRACT OF LAND CONVEYED TO SAILFORD INVESTMENTS, LTD. IN A DEED RECORDED IN INSTRUMENT NUMBER 2000021048, D.R.T.C.T.;

THENCE NORTH 23°48'33" WEST WITH THE COMMON LINE BETWEEN THE STATE OF TEXAS TRACT AND THE SAILFORD TRACT AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 1678.77 FEET TO A FOUND ONE INCH IRON ROD BEING THE INTERSECTION WITH A SOUTHERLY LINE OF MEISTER LANE;

THENCE SOUTH 62°37'47" EAST, CROSSING THE STATE OF TEXAS TRACT, A DISTANCE OF 155.53 FEET TO A THE NORTHWEST CORNER OF THE 2.0 ACRE REMAINDER OF A CALLED 3.999 ACRE TRACT CONVEYED TO AUSTIN-MOKAN ASSOCIATES IN VOLUME 9091, PAGE 579, D.R.T.C.T. AND LYING ON A SOUTHERLY LINE OF MEISTER LANE;

THENCE SOUTH 62°37'47" EAST WITH THE SOUTH LINE OF MEISTER LANE AND THE NORTHERLY LINE OF THE AUSTIN-MOKAN 2.0 ACRE TRACT, A DISTANCE OF 199.80 FEET TO A CORNER;

THENCE SOUTH 62°37'47" EAST, CONTINUING ALONG A PROJECTION OF THE PREVIOUS COURSE ACROSS THE MEISTER LANE RIGHT OF WAY, A DISTANCE OF 115.46 FEET TO A POINT ON AN EASTERLY LINE OF MEISTER LANE AND LYING ON THE WEST LINE OF THE SAID 21.541 ACRE TRACT CONVEYED TO AUSTIN-MOKAN ASSOCIATES;

THENCE ALONG THE WEST LINE OF THE SAID 21.541 ACRE TRACT AND AN EAST LINE OF MEISTER LANE THE FOLLOWING COURSES:

1. NORTH 21°37'21" WEST, 97.91 FEET TO A FOUND ½ INCH IRON ROD;
2. NORTH 62°51'43" WEST, 27.20 FEET TO A FOUND ½ INCH IRON ROD;

THENCE NORTH 20°58'57" WEST, ALONG THE WEST LINE OF THE SAID 21.541 ACRE TRACT AND ALONG AN EASTERLY LINE OF A CALLED 11.34 ACRE REMAINDER OF A CALLED 30.15 ACRE TRACT CONVEYED TO JAMES R. CRUISE IN VOLUME 2481, PAGE 446, D.R.T.C.T., PASSING THE TRAVIS-WILLIAMSON COUNTY LINE AT 365.88 FEET, IN ALL A TOTAL DISTANCE OF 779.76 FEET TO THE NORTHWEST CORNER OF THE SAID 21.541 ACRE TRACT;

THENCE NORTH 87°46'01" EAST, CONTINUING WITH THE COMMON LINE BETWEEN THE SAID 21.541 AND 11.34 ACRE TRACTS, A DISTANCE OF 743.79 FEET TO A FOUND ONE INCH IRON ROD FOR A CORNER;

THENCE NORTH 02°02'31" WEST, CONTINUING THE COMMON LINE BETWEEN THE SAID 24.541 AND 11.34 ACRE TRACTS, 0.23 FEET TO POINT FOR A CORNER ON THE CURVED SOUTH LINE OF THE PROPOSED RIGHT OF WAY FOR STATE HIGHWAY 45 AS SHOWN ON

THE TEXAS TURNPIKE AUTHORITY'S PRELIMINARY PLANS FOR PROPOSED RIGHT OF WAY PREPARED IN SEPTEMBER, 2002;

THENCE ALONG THE PROPOSED SOUTH RIGHT OF WAY OF STATE HIGHWAY 45 AND THROUGH THE AUSTIN-MOKAN 21.541 ACRE TRACT AND THROUGH A 61.086 ACRE TRACT OF LAND CONVEYED TO RICHARD Z. RADY AND AGATHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST PER DEED RECORDED IN VOLUME 12784, PAGE 1019, D.R.T.C.T. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 17,052.41 FEET, A CENTRAL ANGLE OF 01°20'10", A CHORD BEARING AND DISTANCE OF SOUTH 76°32'44" EAST, 397.67 FEET, PASSING THE TRAVIS-WILLIAMSON COUNTY LINE AT 34.53 FEET, IN ALL A TOTAL ARC LENGTH OF 397.68 FEET TO A FOUND TXDOT ALUMINUM CAPPED MONUMENT BEING A NON-TANGENTIAL POINT OF COMPOUND CURVITURE;

THENCE CONTINUING ALONG THE PROPOSED SOUTH LINE OF STATE HIGHWAY 45, THROUGH THE RADY TRACT AND THROUGH A 2.683 ACRE TRACT OF LAND CONVEYED TO JOHN S. LLOYD AND FIRST UNITED CORPORATION IN A DEED RECORDED IN DOC. NO. 2001040830, D.R.T.C.T., ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7,628.38 FEET, A CENTRAL ANGLE OF 11°07'31", A CHORD BEARING AND DISTANCE OF SOUTH 70°18'10" EAST, 1478.90 FEET AND AN ARC LENGTH OF 1481.23 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 64°43'32" EAST, CONTINUING THROUGH THE SAID 2.683 ACRE TRACT, PASSING A FOUND TXDOT ALUMINUM CAPPED MONUMENT AT 1718.40, AND PASSING AT 1823.22 FEET, A CALCULATED POINT ON THE CURRENT WEST RIGHT OF WAY LINE OF HEATHERWILDE BOULEVARD PER DEED TO TRAVIS COUNTY RECORDED IN DOCUMENT NUMBER 2002012422, D.R.T.C.T., IN ALL A TOTAL DISTANCE OF 1855.00 FEET TO A POINT ON THE ORIGINAL EAST LINE OF THE SAID 2.683 ACRE TRACT AND ALSO LYING ON THE WEST LINE OF HEATHERWILDE BOULEVARD (FORMERLY WILKE LANE) AND LYING ON THE WEST LINE OF THE CURRENT CITY OF PFLUGERVILLE CITY LIMITS PER ANNEXATION ORDINANCE 548-99-06-08;

THENCE SOUTH 28°27'52" WEST WITH THE ORIGINAL WEST LINE OF HEATHERWILDE BOULEVARD, A DISTANCE OF 33.43 FEET TO A FOUND IRON ROD WITH A CAP STAMPED P.B.S. & J BEING THE SOUTHEAST CORNER OF THE SAID 2.683 ACRE TRACT;

THENCE SOUTH 28°28'48" WEST, WITH THE ORIGINAL WEST LINE OF WILKE LANE, PASSING A TXDOT ALUMINUM CAPPED MONUMENT AT A DISTANCE OF 536.74 FEET, IN ALL, A TOTAL DISTANCE OF 658.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 141.2 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER GPS SURVEY PERFORMED DURING JULY, 2003.

BAKER-AICKLEN & ASSOCIATES, INC.

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**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT 3
48.2 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71 – ABSTRACT NO. 200, THE PETER MAXEY SURVEY NO. 2-ABSTRACT NO. 2381 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

<u>OWNER</u>	<u>ACREAGE</u>	<u>INSTRUMENT NO.</u>
RICHARD Z. RADY AND AGATHA O. RADY CO-TRUSTEES OF THE RADY FAMILY TRUST	61.086	VOL. 12784, PG. 1019
JOHN S. LLOYD, TRUSTEE	REM. OF 132.6766	VOL. 13102, PG. 3327

TRACT AREAS CALLED FOR ARE PER TRAVIS OR WILLIAMSON COUNTY TAX APPRAISAL DISTRICT RECORDS. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.) OR THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), TRACT 3 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½ INCH IRON ROD BEING THE NORTHWEST CORNER OF THE SAID JOHN S. LLOYD TRACT AND NORTHEAST CORNER OF THE SAID RADY TRACT;

THENCE NORTH 87°59'07" EAST, ALONG THE NORTH LINE OF THE LLOYD TRACT, A DISTANCE OF 3,288.05 FEET TO A CALCULATED POINT BEING THE ORIGINAL NORTHEAST CORNER OF THE SAID LLOYD TRACT, NOW BEING NEAR THE CENTERLINE OF HEATHERWILDE BOULEVARD;

THENCE SOUTH 28°38'42" WEST, CONTINUING THROUGH THE SAID HEATHERWILDE RIGHT OF WAY, ALONG THE ORIGINAL EAST LINE OF THE LLOYD TRACT AND WITH THE ORIGINAL WEST LINE OF THE REMAINDER OF A CALLED 95.863 ACRE TRACT OF LAND CONVEYED TO TIM'S ACRES, LTD. IN A DEED RECORDED IN VOLUME 12831, PAGE 761, D.R.T.C.T. AND WITH THE CITY OF PFLUGERVILLE CITY LIMITS PER CITY OF PFLUGERVILLE ANNEXATION ORDINANCE 621-01-01-23 A DISTANCE OF 1304.77 FEET TO A CALCULATED POINT BEING THE INTERSECTION OF AN EXTENSION OF A NORTH LINE OF THE PROPOSED RIGHT OF WAY FOR STATE HIGHWAY 45 AS SHOWN ON THE TEXAS TURNPIKE AUTHORITY'S PRELIMINARY PLANS FOR PROPOSED RIGHT OF WAY PREPARED IN SEPTEMBER, 2002 AND BEING THE SOUTHEAST CORNER OF THIS ANNEXATION TRACT;

THENCE NORTH 72°53'15" WEST, THROUGH THE SAID HEATHERWILDE BOULEVARD RIGHT OF WAY ALONG THE SAID EXTENSION OF THE NORTH LINE OF STATE HIGHWAY 45, 138.19 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT SET ON LLOYDS CURRENT EAST RIGHT OF WAY LINE;

THENCE NORTH 72°53'15" WEST, THROUGH THE LLOYD TRACT ALONG THE SAID NORTH LINE OF STATE HIGHWAY 45, 311.10 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT BEING A POINT OF CURVITURE IN THE STATE HIGHWAY 45 RIGHT OF WAY;

THENCE ALONG THIS CURVE TO THE RIGHT HAVING A RADIUS OF 11480.66 FEET, A CENTRAL ANGLE OF 3°03'18", A CHORD BEARING AND DISTANCE OF NORTH 69°53'05" WEST, 612.08 FEET, AN ARC DISTANCE OF 612.15 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT;

THENCE NORTH 71°24'42" WEST, CONTINUING ALONG THE NORTH LINE OF THE PROPOSED STATE HIGHWAY 45 RIGHT OF WAY THROUGH THE LLOYD TRACT, A DISTANCE OF 896.83 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT BEING A POINT OF CURVITURE;

THENCE CONTINUING ALONG THE NORTH LINE OF THE PROPOSED STATE HIGHWAY 45 RIGHT OF WAY THROUGH THE LLOYD TRACT AND THROUGH THE REMAINDER OF A CALLED 61.086 ACRE TRACT OF LAND CONVEYED TO RICHARD Z. RADY AND AGATHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST PER DEED RECORDED IN VOLUME 12784, PAGE 1019, D.R.T.C.T. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,659.67 FEET, A CENTRAL ANGLE OF 8°37'53", A CHORD BEARING AND DISTANCE OF NORTH 75°43'50" WEST, 1,152.80 FEET, AN ARC DISTANCE OF 1,153.89 FEET TO A POINT OF TANGENCY;

THENCE NORTH 80°02'45" WEST, CONTINUING ALONG THE NORTH LINE OF THE PROPOSED STATE HIGHWAY 45 RIGHT OF WAY THROUGH THE RADY TRACT, A DISTANCE OF 279.64 FEET TO A CALCULATED POINT LYING ON THE WEST LINE OF THE RADY TRACT AND EAST LINE OF A CALLED 1.421 ACRE TRACT OF LAND CONVEYED TO MITCHEL WONG, M.D. AND ROSE T. WONG IN A DEED RECORDED IN DOCUMENT NUMBER 20010333655, D.R.T.C.T.;

THENCE NORTH 01°37'11" WEST, ALONG THE COMMON LINE BETWEEN RADY AND WONG, A DISTANCE OF 49.37 FEET TO THE NORTHWEST CORNER OF THE RADY TRACT;

THENCE NORTH 88°08'30" EAST, ALONG THE NORTH LINE OF THE RADY TRACT, A DISTANCE OF 588.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 48.2 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER GPS SURVEY PERFORMED DURING JULY, 2003.

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**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT 4
755.4 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE THOMAS G. STEWART SURVEY NO. 6-ABSTRACT NO. 669, THE JOHN VAN WINKLE SURVEY NO. 70-ABSTRACT NO. 787, THE JOHN W. MAXEY SURVEY NO. 2-ABSTRACT NO. 2381, THE PETER CONRAD SURVEY NO. 71, AND THE H. BLESSING SURVEY NO. 3-ABSTRACT NO. 99 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

<u>OWNER</u>	<u>ACREAGE</u>	<u>INSTRUMENT NO.</u>
KANG LEE	96.563	VOL. 13170, PG. 0197
MORRIS SHAPIRO, ET AL	221.8	VOL. 11600, PG. 151
JOHN S. LLOYD & GEORGE W. MURFEE	0.266	VOL. 9743, PG. 904
JOHN C. AND ALICE L. BURNS	23.558	VOL. 12783, PG. 1753
PRESTON WAYNE HARVEY	42.35	VOL. 7721, PG. 203
DUDLEY HARVEY AND SHARON HARVEY	10.57	VOL. 7756, PG. 926
DUDLEY HARVEY AND SHARON HARVEY	23.54	VOL. 7721, PG. 196
DOROTHY PLATTOW, RICKY ALAN STEWART AND BRENDA JOYCE HAGN	15.999	VOL. 7505, PG. 366
DOROTHY PLATTOW	0.86	VOL. 9558, PG. 857
DOROTHY PLATTOW	1.00	VOL. 7788, PG. 396
M.W. WEGNER AND MILAGROS WEGNER	7.49	VOL. 11588, PG. 273
JAY OTTO	7.91	VOL. 12543, PG. 1572
MICHAEL W. AYER	89.061	VOL. 12007, PG. 1614
TIMMERMAN AND HAGN, LTD	53.92	VOL. 11562, PG. 582
THEODOR R. TIMMERMAN.	83.00	VOL. 12343, PG. 1014
GERALD WILKE, INDEPENDENT EXECUTOR	73.914	VOL. 11649, PG. 563
KENNETH J. AND HAZEL J. DECK	20.035	VOL. 13242, PG. 2895
C. HARDIN CAMP, II	5.121	VOL. 13074, PG. 1067
RICHARD L. YATES, ET UX	5.00	VOL. 7232, PG. 1314

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY TAX APPRAISAL DISTRICT RECORDS. ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), TRACT 4 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½ INCH IRON ROD AT THE NORTHEAST CORNER OF THE SAID KANG 96.563 ACRE TRACT, LYING ON THE ORIGINAL WEST LINE OF F.M. 685;

THENCE, SOUTH 27°23'02" WEST, WITH THE ORIGINAL WEST LINE OF F.M. 685 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT AS ESTABLISHED BY CITY OF PFLUGERVILLE ANNEXATION ORDINANCE 452-97-02-04 AND WITH KANG'S ORIGINAL EAST LINE, A DISTANCE OF 2182.98 FEET TO THE INTERSECTION OF THE ORIGINAL WEST LINE OF 685 WITH THE NORTH LINE OF WILKE LANE;

THENCE, SOUTH 27°23'58" WEST, CONTINUING ALONG THE ORIGINAL WEST LINE OF F.M. 685 ACROSS WILKE LANE, A DISTANCE OF 57.73 FEET TO THE SOUTH LINE OF WILKE LANE;

THENCE NORTH 63°03'32" WEST, WITH THE SOUTH LINE OF WILKE, A DISTANCE OF 30.00 FEET TO AN ANGLE POINT IN THE WEST LINE OF F.M. 685 AND BEING THE NORTHEAST CORNER OF THE SAID 221.8 ACRE TRACT CONVEYED TO MORRIS SHAPIRO'S ET AL;

THENCE, CONTINUING WITH THE ORIGINAL WEST LINE OF F.M. 685 WITH SHAPIRO'S ORIGINAL EAST LINE, THE FOLLOWING COURSES:

1. SOUTH 27°11'05" WEST 186.11 FEET;
2. SOUTH 16°17'23" WEST 153.57 FEET;
3. SOUTH 27°23'13" WEST 1999.28 FEET;
4. SOUTH 27°25'46" WEST 1404.20 FEET
5. SOUTH 27°30'52" WEST 312.71 FEET TO A FOUND ½ IRON ROD MARKING SHAPIRO'S SOUTHEAST CORNER AND THE NORTHEAST CORNER OF AN ESTIMATED 113.76 ACRE REMAINDER OF AN ORIGINAL CALLED 166.19 ACRE TRACT CONVEYED TO TERREL TIMMERMAN;

THENCE, NORTH 62°20'40" WEST, DEPARTING THE F.M. 685 RIGHT-OF-WAY WITH THE COMMON LINE BETWEEN THE SHAPIRO TRACT AND THE SAID TIMMERMAN TRACT, 970.99 FEET TO A CALCULATED POINT BEING THE NORTHWEST CORNER OF THE TIMMERMAN 113.76 ACRE TRACT AND THE NORTHEAST CORNER OF A CALLED 136.45 ACRE TRACT CONVEYED TO TERRELL TIMMERMAN IN A DEED RECORDED IN DOCUMENT NUMBER 1999104396, D.R.T.C.T.;

THENCE NORTH 61°55'27" WEST, WITH THE COMMON LINE BETWEEN THE SHAPIRO TRACT AND THE SAID TIMMERMAN 136.45 ACRE TRACT, 1778.60 FEET TO A FOUND 5/8" IRON ROD BEING THE NORTHWEST CORNER OF THE TIMMERMAN 136.45 ACRE TRACT AND THE NORTHEAST CORNER OF A CALLED 129.137 ACRE TRACT CONVEYED TO TERRELL TIMMERMAN IN A DEED RECORDED IN DOCUMENT NUMBER 1999104396, D.R.T.C.T., SAID POINT LYING ON THE EAST LINE OF THE CURRENT PFLUGERVILLE CITY LIMIT AS ESTABLISHED BY CITY OF PFLUGERVILLE ANNEXATION ORDINANCES 478-97-12-23;

THENCE NORTH 61°58'45" WEST, ALONG THE COMMON LINE BETWEEN THE SHAPIRO AND TIMMERMAN 129.137 ACRE TRACTS AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 691.30 FEET TO A FOUND ½ INCH IRON ROD MARKNG SHAPIRO'S SOUTHWEST CORNER;

THENCE, ALONG THE COMMON LINE BETWEEN THE SHAPIRO TRACT AND A 210.049 ACRE TRACT CONVEYED TO HPN DEVELOPMENT, INC. IN DOCUMENT NUMBER 2001136994, D.R.T.C.T. AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING COURSES:

1. NORTH 27°15'54" EAST, 755.68 FEET TO A FOUND 1" PIPE;
2. NORTH 27°02'26" EAST 814.00 FEET TO A FOUND 1" PIPE BEING THE SOUTHWEST CORNER OF THE DUDLEY AND SHARON HARVEY 10.57 ACRE TRACT;

THENCE ALONG THE COMMON LINE BETWEEN THE SAID 210.049 ACRE TRACT AND THE HARVEY 10.57 AND 23.54 ACRE TRACTS AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING COURSES:

1. NORTH 26°49'03" EAST, 767.52 FEET;
2. NORTH 26°50'51" EAST, 759.59 FEET TO A CAPPED IRON ROD STAMPED "CHAPARREL" BEING THE NORTHEAST CORNER OF THE SAID HPN DEVELOPMENT 210.049 ACRE TRACT AND THE SOUTHEAST CORNER OF DOROTHY PLATTOW, RICKY ALAN STEWART AND BRENDA JOYCE HAGN'S 15.999 ACRE REMAINDER OF A CALLED 98.03 ACRE TRACT;

THENCE A NORTH 62°24'26" WEST ALONG THE COMMON LINE BETWEEN THE SAID 210.049 ACRE TRACT AND THE SAID 15.999 ACRE TRACT AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 614.52 FEET;

THENCE NORTH 10°23'27" EAST, THROUGH THE SAID 15.999 ACRE TRACT AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 744.56 FEET TO A FOUND 3/8 INCH IRON ROD BEING THE WESTERLY, NORTHWEST CORNER OF THE SAID 15.999 ACRE TRACT AT THE SOUTHWEST CORNER OF DOROTHY PLATTOW'S 1.00 ACRE TRACT AND LYING ON THE EAST LINE OF A 80.277 ACRE TRACT CONVEYED TO HPN DEVELOPMENT, INC. IN DOCUMENT NUMBER 2001136994, D.R.T.C.T.;

THENCE NORTH 27°45'19" EAST, ALONG THE COMMON LINE BETWEEN THE SAID 80.277 ACRE AND 1.00 ACRE TRACT AND CONTINUING WITH THE SAID CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 241.21 FEET TO A FOUND ½ INCH IRON ROD BEING THE NORTHWEST CORNER OF THE 1.00 ACRE TRACT AND THE NORTHEAST CORNER OF THE 80.277 ACRE TRACT AND LYING ON THE CURRENT SOUTH RIGHT OF WAY LINE OF WILKE LANE AND ALSO LYING ON THE SOUTH LINE OF THE PROPOSED RIGHT OF WAY FOR STATE HIGHWAY 45 AS SHOWN ON THE TEXAS TURNPIKE AUTHORITY'S PRELIMINARY PLANS FOR PROPOSED RIGHT OF WAY PREPARED IN SEPTEMBER, 2002;

THENCE WITH THE CURRENT SOUTH LINE OF WILKE LANE, ALSO BEING THE PROPOSED SOUTH LINE OF PROPOSED STATE HIGHWAY 45, ALONG THE NORTH LINE OF THE SAID 1.0 ACRE, 15.999 ACRE AND A 0.88 ACRE TRACT CONVEYED TO DOROTHY PLATTOW, ET AL, THE FOLLOWING COURSES:

1. SOUTH 62°05'27" EAST, 435.14 FEET TO A FOUND ½ INCH IRON ROD;
2. SOUTH 62°20'58" EAST, 30.03 FEET TO A FOUND ½ INCH IRON ROD;
3. SOUTH 62°22'28" EAST, 356.29 FEET TO A FOUND ½ INCH IRON ROD BEING THE NORTHEAST CORNER OF THE SAID 15.999 ACRE TRACT AND NORTHWEST CORNER OF THE SAID HARVEY 23.54 ACRE TRACT;

THENCE SOUTH 62°19'39" EAST, CONTINUING WITH THE CURRENT SOUTH LINE OF WILKE LANE, ALSO BEING THE PROPOSED SOUTH LINE OF PROPOSED STATE HIGHWAY 45, ALONG THE NORTH LINE OF THE SAID 23.54 ACRE TRACT, A DISTANCE OF 301.15 FEET TO A POINT FOR A CORNER AT THE INTERSECTION OF THE SOUTH LINE OF WILKE WITH AN EXTENSION OF THE COMMON PROPERTY LINE BETWEEN THE SAID MICHAEL AYER 89.061 ACRE TRACT AND THE TIMMERMAN HAGN, LTD., 53.92 ACRE REMAINDER OF A CALLED 136.8692 ACRE TRACT;

THENCE NORTH 26°49'56" EAST, CROSSING THE WILKE LANE RIGHT OF WAY, AND ALONG THE COMMON LINE BETWEEN THE SAID 89.061 AND 53.92 ACRE TRACTS, PASSING A FOUND ½ INCH IRON ROD AT 57.89 FEET, BEING THE SOUTHEAST CORNER OF THE 53.92 ACRE TRACT, A TOTAL DISTANCE OF 400.75 FEET TO A FOUND TXDOT ALUMINUM CAPPED MONUMENT ON THE NORTH LINE OF THE PROPOSED STATE HIGHWAY 45 RIGHT OF WAY;

THENCE ALONG THE NORTH LINE OF THE PROPOSED STATE HIGHWAY 45 RIGHT OF WAY AND PASSING THROUGH SAID TIMMERMAN HAGN, LTD. 53.92 ACRE REMAINDER TRACT, THEODORE TIMMERMAN'S 83.00 ACRE TRACT, GERALD WILKE'S 73.914 ACRE TRACT, C. HARDIN CAMP'S 5.121 ACRE TRACT, KENNETH J. DECK AND WIFE HAZEL J. DECK'S 20.0354 ACRE TRACT, AND RICHARD L. YATES AND KAREN L. YATES' 5.00 ACRE TRACT, THE FOLLOWING COURSES:

1. NORTH 62°08'29" WEST, 889.23 FEET TO THE BEGINNING OF A CURVE;
2. ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 5,708.08 FEET, A CENTRAL ANGLE OF 4°44'42", A CHORD BEARING AND DISTANCE OF NORTH 59°46'07" WEST, 472.58 FEET, AN ARC LENGTH OF 472.71 FEET TO A POINT OF TANGENCY
3. THENCE NORTH 57°23'41" WEST, 1717.83 FEET TO THE BEGINNING OF A CURVE;
4. ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 11,472.01 FEET, A CENTRAL ANGLE OF 00°04'51", A CHORD BEARING AND DISTANCE OF NORTH 57°27'31" WEST, 16.19 FEET, AN ARC LENGTH OF 16.19 FEET TO A POINT IN THE EAST LINE OF TIM'S ACRES, LTD., REMAINDER OF A CALLED 95.863 ACRE TRACT;

THENCE, ALONG THE COMMON LINE BETWEEN THE SAID TIM'S ACRES, LTD. AND THE SAID YATES 5.0 ACRE TRACT, WITH THE WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER CITY OF PFLUGERVILLE ANNEXATION ORDINANCE 621-01-01-23 THE FOLLOWING COURSES:

1. NORTH 28°13'56" EAST, 1,198.73 FEET;
2. SOUTH 61°41'27" EAST, 121.64 FEET TO A POINT ON THE WEST LINE OF THE SAID DECK'S 20.0354 ACRE TRACT;

THENCE NORTH 28°08'40" EAST, ALONG THE COMMON LINE BETWEEN THE SAID TIM'S ACRES, LTD. AND THE SAID DECK'S 20.0354 ACRE TRACT AND WITH, CONTINUING WITH THE CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 122.73 FEET;

THENCE NORTH 28°08'40" EAST, ALONG THE COMMON LINE BETWEEN THE SAID TIM'S ACRES, LTD. AND THE SAID GERALD WILKE 73.914 ACRE TRACT, CONTINUING WITH THE CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 1086.32 FEET BEING THE NORTHWEST CORNER OF THE WILKE TRACT;

THENCE, WITH THE NORTH LINE OF THE WILKE TRACT THE FOLLOWING COURSES:

1. NORTH 86°35'28" EAST, 256.31 FEET;
2. NORTH 86°43'06" EAST, 971.77 FEET;

3. SOUTH 68°15'47" EAST, 245.84 FEET TO THE NORTHEAST CORNER OF THE WILKE TRACT, BEING THE NORTHWEST CORNER OF THE SAID THEODORE TIMMERMAN 83.00 ACRE TRACT;

THENCE SOUTH 68°57'01" EAST, WITH THE NORTH LINE OF THE SAID 83.00 ACRE TRACT AND THE NORTH LINE OF THE TIMMERMAN HAGN, LTD. 53.92 ACRE REMAINDER OF A CALLED 136.8692 ACRE TRACT A DISTANCE OF 1608.76 FEET TO THE NORTHEAST CORNER OF THE SAID 53.92 ACRE TRACT AND THE NORTHWEST CORNER OF THE SAID AYER 89.061 ACRE TRACT;

THENCE WITH THE NORTH AND EAST LINES OF THE SAID 89.061 ACRE TRACT THE FOLLOWING COURSES:

1. SOUTH 68°59'58" EAST, A DISTANCE OF 1107.36 FEET TO THE NORTHEAST CORNER OF THE 89.061 ACRES;
2. SOUTH 26°45'43" WEST, A DISTANCE OF 1723.44 FEET TO THE NORTHWEST CORNER OF THE SAID KANG LEE, 96.563 ACRE TRACT;

THENCE SOUTH 62°23'33" EAST, WITH THE NORTH LINE OF THE SAID 96.563 ACRE TRACT, A DISTANCE OF 2089.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 755.4 ACRES OF LAND MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER GPS SURVEY PERFORMED DURING JULY, 2003.

BAKER-AICKLEN & ASSOCIATES, INC.
203 E. MAIN STREET, SUITE 201
ROUND ROCK, TEXAS 78664
(512) 244-9620

0479-2-005-10
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**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT 5
207.8 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE JOHN DAVIS SURVEY NO. 13 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER	ACREAGE	INSTRUMENT NO.
KENNETH BOHLS	49.47	VOL. 899, PG. 425
KENNETH BOHLS	49.47	VOL. 3106, PG. 2379
HENRY J. BOHLS	49.37	VOL. 306, PG. 559
HENRY J. BOHLS	24.78	VOL. 899, PG. 21
JULIA MULENBRUCH, ET ALL	116.043	VOL. 4192, PG. 1942
CITY OF PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT	66.12	DOC. NO. 1999049719

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY TAX APPRAISAL DISTRICT RECORDS. ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), TRACT 5 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND CAPPED IRON ROD STAMPED CHAPARREL AT THE SOUTHEAST CORNER OF THE KENNETH BOHLS SOUTHERLY 49.47 ACRE TRACT, SAID POINT BEING THE SOUTHWEST CORNER OF 190.785 ACRE TRACT CONVEYED TO TERRABROOK FALCON RIDGE, L.P. IN DOCUMENT NUMBER 2000105424, D.R.T.C.T., AND LYING ON THE NORTH LINE PFLUGERVILLE ROAD;

THENCE NORTH 60°32'47" WEST, WITH BOHLS SOUTH LINE AND THE NORTH LINE OF PFLUGER ROAD A DISTANCE OF 1355.00 FEET TO BOHLS 49.47 ACRE SOUTHWEST CORNER, BEING THE SOUTHEAST CORNER OF HENRY J. BOHLS 24.78 ACRE TRACT;

THENCE NORTH 60°32'47" WEST, CONTINUING THE NORTH LINE OF PFLUGER ROAD WITH THE SAID HENRY J. BOHLS SOUTH LINE, 315.36 FEET TO A POINT THAT LIES APPROXIMATELY 1000 FEET EAST OF THE ORIGINAL EAST LINE OF F.M. 685;

THENCE NORTH 27°21'35" EAST, THROUGH HENRY J. BOHLS 24.78 AND 49.37 ACRE TRACTS AND THROUGH THE SAID MULENBRUCH TRACT, ON A LINE APPROXIMATELY PARALLEL TO AND 1000 FEET EAST OF THE ORIGINAL EAST LINE OF F.M. 685 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER CITY ORDINANCE NUMBER 428-95-11-28, A DISTANCE OF 5362.64 FEET TO A POINT ON THE A CORNER IN THE CURRENT CITY LIMIT LINE, SAID POINT LYING APPROXIMATELY 1000 FEET SOUTH OF THE ORIGINAL SOUTH LINE OF KELLY LANE;

THENCE SOUTH 62°11'37" EAST, CONTINUING THROUGH THE SAID MULENBRUCH TRACT AND THROUGH THE SAID PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT

66.12 ACRE TRACT WITH THE CURRENT PFLUGERVILLE CITY LIMIT ON A LINE PARALLEL TO AND APPROXIMATELY 1000 FEET SOUTH OF THE ORIGINAL SOUTH LINE OF KELLY LANE, A DISTANCE OF 1691.86 FEET TO A POINT ON THE EAST LINE OF SAID SCHOOL TRACT AND BEING ON THE WEST LINE OF 22.478 ACRE TRACT CONVEYED TO THE CITY OF PFLUGERVILLE, INDEPENDENT SCHOOL DISTRICT PER DOCUMENT NUMBER 2001171111, D.R.T.C.T. AND LYING ON THE CURRENT PFLUGERVILLE CITY LIMIT PER CITY ORDINANCE NUMBER 587-00-06-13;

THENCE SOUTH 27°36'11" WEST, WITH THE COMMON LINE BETWEEN THE TWO SCHOOL TRACTS AND WITH THE WEST LINE OF THE CURRENT CITY LIMIT, PASSING AT A DISTANCE OF 1899.48 FEET, THE SOUTHWEST CORNER OF THE SAID CITY OF PFLUGERVILLE ANNEXATION TRACT DESCRIBED IN ORDINANCE 587-00-13-06 AND BEING THE NORTHWEST CORNER OF A CITY OF PFLUGERVILLE ANNEXATION TRACT DESCRIBED IN ORDINANCE 607-00-11-28, IN ALL A TOTAL DISTANCE OF 2183.33 FEET TO FOUND CAPPED IRON ROD STAMPED "C/L ENGR" BEING THE SOUTHEAST CORNER OF THE SCHOOL'S 66.12 ACRE TRACT AND LYING ON THE WEST LINE OF THE SAID TERRABROOK FALCON RIDGE, L.P. 190.785 ACRE TRACT;

THENCE SOUTH 27°35'45" WEST, CONTINUING ALONG THE EAST LINE OF THE KENNETH BOHL'S 49.47 AND 49.18 ACRE TRACTS WITH THE WEST LINE OF THE SAID 190.785 ACRE TRACT AND ALONG THE CURRENT PFLUGERVILLE CITY LIMIT, A DISTANCE OF 3227.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 207.8 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER GPS SURVEY PERFORMED DURING JULY, 2003.

BAKER-AICKLEN & ASSOCIATES, INC.
203 E. MAIN STREET, SUITE 201
ROUND ROCK, TEXAS 78664
(512) 244-9620

0479-2-005-10

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SKETCH TO ACCOMPANY DESCRIPTION

WILLIAM BARKER SURVEY
NO. 74

WILLIAMSON COUNTY
TRAVIS COUNTY

ANNEXATION
TRACT 1
80.2 ACRES

NORTH SHOAL CREEK
COMMERCIAL, LTD.
18.20 ACRES
CC NO. 9847640
D.R.W.C.T.

ERNEST PRIEM
CALLED TO OWNER
OF 2.06 AC. IN
VOL. 2937, PG. 467
D.R.T.C.T.

LOT 1
PUDDIN' HILL
VOL. 91, PG. 271
P.R.T.C.T.

LAWRENCE C. REID, ET UX
REM. OF 24.335 ACRES
VOL. 8063, PG. 153
D.R.T.C.T.

PFLUGERVILLE HEIGHTS, L.P.
25.37 ACRES
DOC. NO. 200190494 D.R.T.C.T.

JUNE JOAN KUNKEL, ET AL.
25.355 ACRES
VOL. 7925, PG. 375
D.R.T.C.T.

SCHULTZ LANE
ORIGINAL 80 FT.
PUBLIC R.O.W.

SPRINGBROOK ENCLAVE
SUBDIVISION

SPRINGBROOK GLEN
SECTION 3
SUBDIVISION

POINT OF
BEGINNING

LOT 1, BLK. A
SPRINGBROOK COMMERCIAL
SUBDIVISION

ANNEX. 478-97-12-23

ANNEX. 478-97-12-23

ANNEX. 549-99-06-08
C.R. 170 R.O.W.

TR.	OWNERS	ACREAGE	RECORD DOCUMENT
A	LARRY L. READ & SHERYL L. READ	1.103	VOL. 13383, PG. 717
B	ELENA PERALES	1.002	DOC. NO. 2001036578

DATE: JULY, 2003
JOB NO.: 0479-2-005-10
BY: W. FORSHEY
PAGE 4 OF 4

CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 1
80.2 ACRES



BAKER-AICKLEN
& ASSOCIATES, INC.
ENGINEERS/SURVEYORS

SCALE: 1" = 600'



SKETCH TO ACCOMPANY DESCRIPTION

ANNEXATION TRACT 3

JOHN S. LLOYD, TRUSTEE
REM. OF A CALLED
132.6766 ACRES
VOL. 13102, PG. 3327
D.R.T.C.T.

PROPOSED RIGHT OF WAY FOR
STATE HIGHWAY 45
AS SHOWN ON
PLANS OF PROPOSED RIGHT OF WAY
S.H. 45, WILLIAMSON COUNTY
PREPARED SEPTEMBER, 2002

JOHN S. LLOYD AND
FIRST UNITED CORPORATION
2.683 ACRES
DOC. NO. 2001040830
D.R.T.C.T.

JOHN S. LLOYD, TRUSTEE
REM. OF A CALLED
132.6766 ACRES
VOL. 13102 PG. 3327
D.R.T.C.T.

MICHAEL J.
HARKINS
CALLED
3.0 ACRES
DOC. NO.
2002114867
D.R.T.C.T.

WILLIAM A. LORD
CALLED 8.000 ACRES
VOL. 7788 PG. 396
D.R.T.C.T.

WILLIAM J. ANDERSON AND
WILLIAM J. ANDERSON, JR.
CALLED 26.99 ACRES
VOLUME 8194, PAGE 508
D.R.T.C.T.

POINT OF
BEGINNING
TRACT 2

ANNEXATION TRACT 2 141.2 ACRES

AUSTIN-MOKAN ASSOCIATES
21.541 AC. REMAINDER OF
A CALLED 90.8270 ACRES
VOL. 9091 PG. 574
D.R.T.C.T.

RICHARD Z. RADY AND
AGATHA O. RADY
CO-TRUSTEES OF THE
RADY FAMILY TRUST
61.086 AC. REMAINDER OF
A CALLED 69.086 ACRES
VOL. 12784 PG. 1019
D.R.T.C.T.

AUSTIN-MOKAN ASSOCIATES
2.0 AC. REMAINDER OF
A CALLED 3.9990 ACRES
VOL. 9091, PG. 579
D.R.T.C.T.

STATE OF TEXAS
(FORMER M.K.T. R/R R.O.W.)
CALLED 38.882 ACRES
PARCEL NO. 2, PART 5
VOL. 11339, PG. 2005

RICHARD Z. RADY AND
AGATHA O. RADY
CO-TRUSTEES OF THE
RADY FAMILY TRUST
1.998 ACRES
VOL. 12784 PG. 1019
D.R.T.C.T.

SAILFORD INVESTMENTS, LTD.
232.4633 ACRES
DOC. NO. 2000021048
D.R.T.C.T.

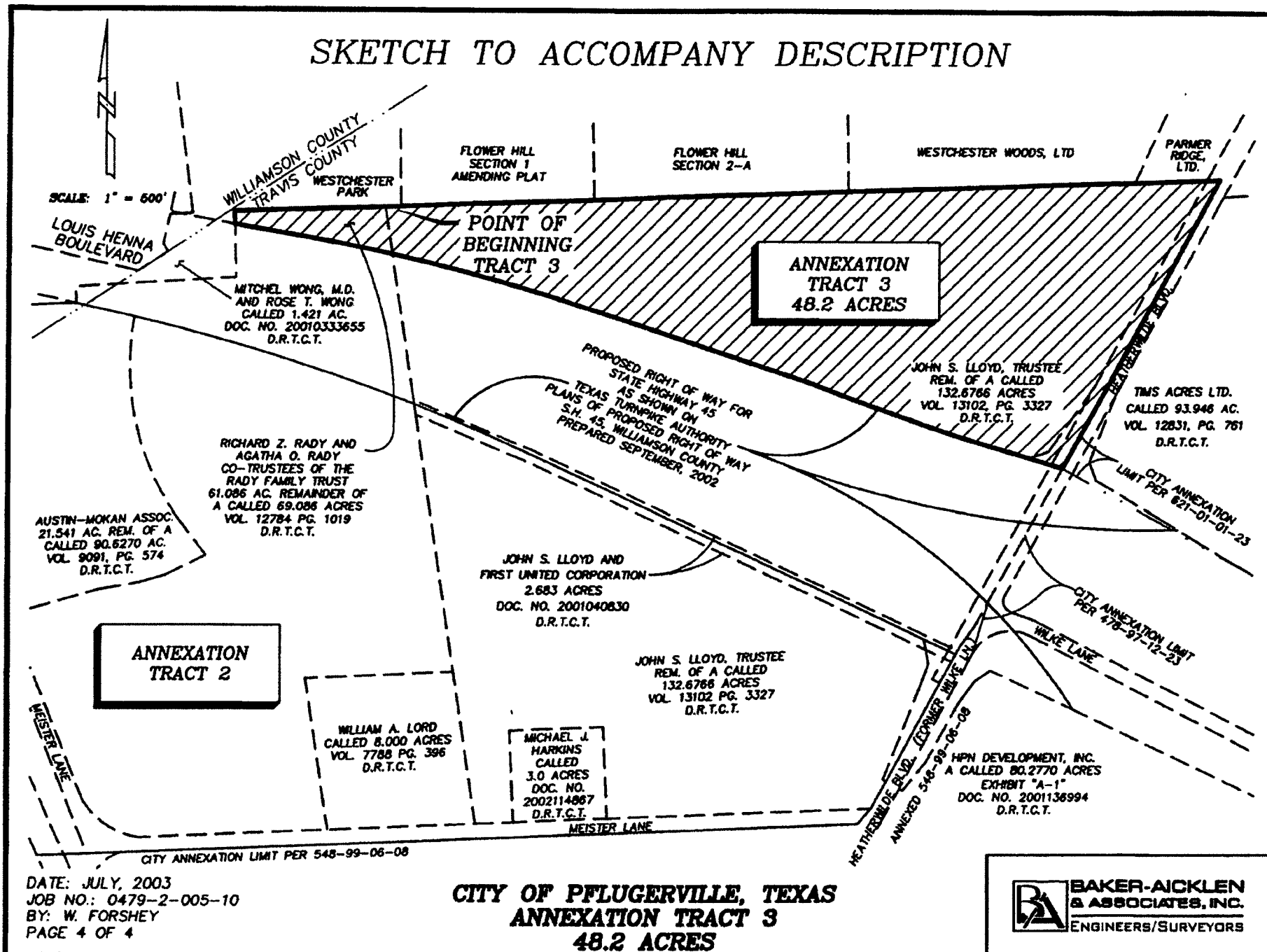
DATE: JULY, 2003
JOB NO.: 0479-2-005-10
BY: W. FORSHEY
PAGE 5 OF 5

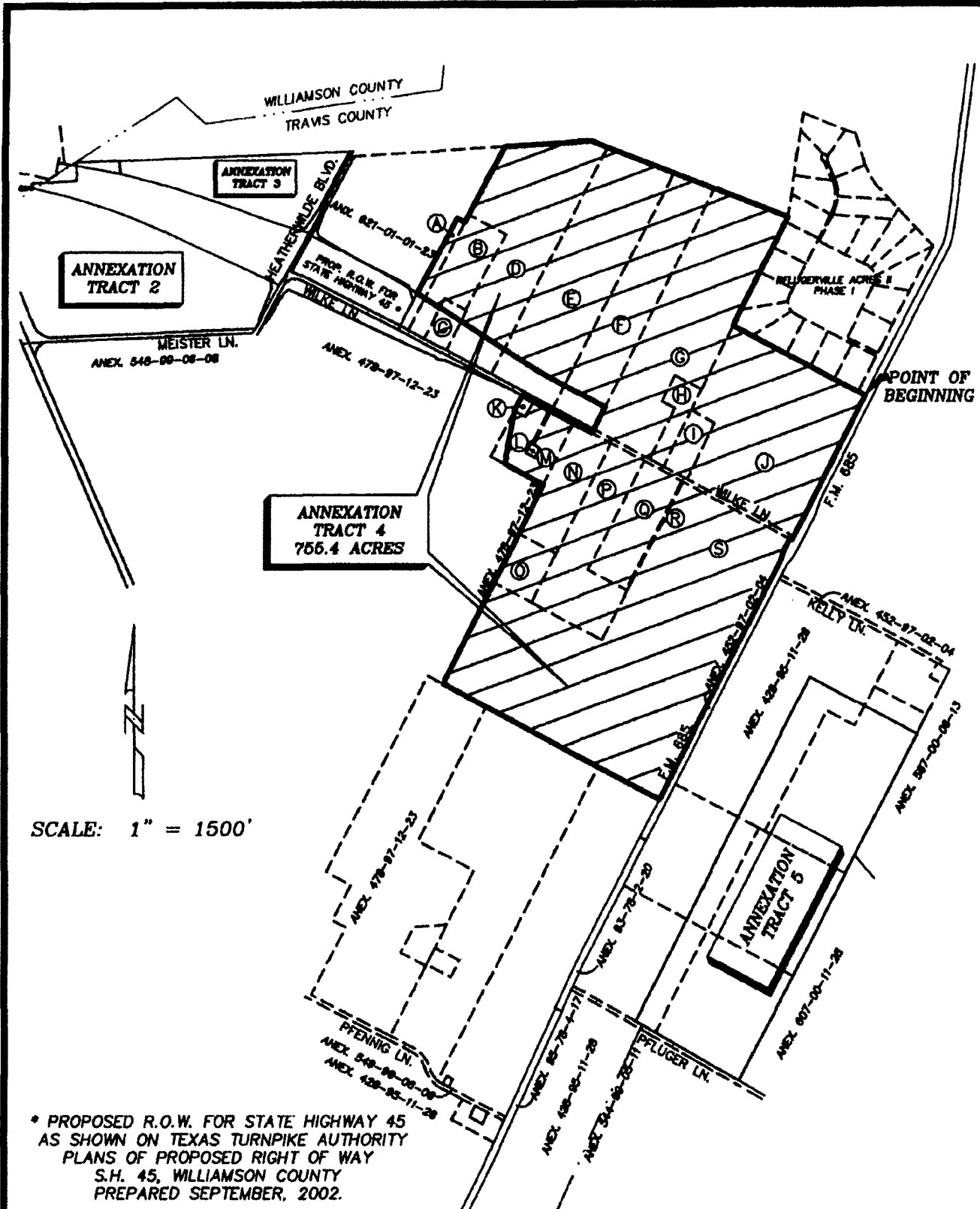
CITY OF PFLUGERVILLE, TEXAS ANNEXATION TRACT 2 141.2 ACRES



**BAKER-AICKLEN
& ASSOCIATES, INC.**
ENGINEERS/SURVEYORS

SKETCH TO ACCOMPANY DESCRIPTION





DATE: JULY, 2003
 REVISED: OCTOBER, 2003
 JOB NO.: 0479-2-005-10
 BY: W. FORSHEY
 PAGE 6 OF 7

CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 4
766.4 ACRES



**BAKER-AICKLEN
 & ASSOCIATES, INC.**
 ENGINEERS/SURVEYORS

TRACT	OWNER	ACREAGE	DEED RECORD
A.	RICHARD L. YATES, ET UX	5.00	VOL. 7232, PG. 1314
B.	KENNETH J. AND HAZEL J. DECK	20.035	VOL. 13242, PG. 2895
C.	C. HARDIN CAMP, II	5.121	VOL. 13074, PG. 1067
D.	GERALD WILKE, INDEPENDENT EXECUTOR	73.914	VOL. 11649, PG. 563
E.	THEODOR R. TIMMERMAN	83.00	VOL. 12343, PG. 1014
F.	TIMMERMAN AND HAGN, LTD.	53.92	VOL. 11562, PG. 582
G.	MICHAEL W. AYER	89.061	VOL. 12007, PG. 1614
H.	JAY OTTO	7.91	VOL. 12543, PG. 1572
I.	M. W. WEGNER AND MILAGROS WEGNER	7.49	VOL. 11588, PG. 273
J.	KANG LEE	96.563	VOL. 13170, PG. 0197
K.	DOROTHY PLATTON	1.00	VOL. 7788, PG. 396
L.	DOROTHY PLATTON	0.86	VOL. 9558, PG. 857
M.	DOROTHY PLATTON, RICKY ALAN STEWART AND BRENDA JOYCE HAGN	15.999	VOL. 7505, PG. 366
N.	DUDLEY HARVEY AND SHARON HARVEY	23.54	VOL. 7721, PG. 196
O.	DUDLEY HARVEY AND SHARON HARVEY	10.57	VOL. 7756, PG. 926
P.	PRESTON WAYNE HARVEY	42.35	VOL. 7721, PG. 203
Q.	JOHN C. AND ALICE L. BURNS	23.558	VOL. 12783, PG. 1753
R.	JOHN S. LLOYD & GEORGE W. MURFEE	0.266	VOL. 9743, PG. 904
S.	MORRIS SHAPIRO, ET AL	221.8	VOL. 11600, PG. 151

DATE: JULY, 2003
 REVISED: OCTOBER, 2003
 JOB NO.: 0479-2-005-10
 BY: W. FORSHEY
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CITY OF PFLUGERVILLE, TEXAS
ANNEXATION TRACT 4
755.4 ACRES



**BAKER-AICKLEN
 & ASSOCIATES, INC.**
 ENGINEERS/SURVEYORS

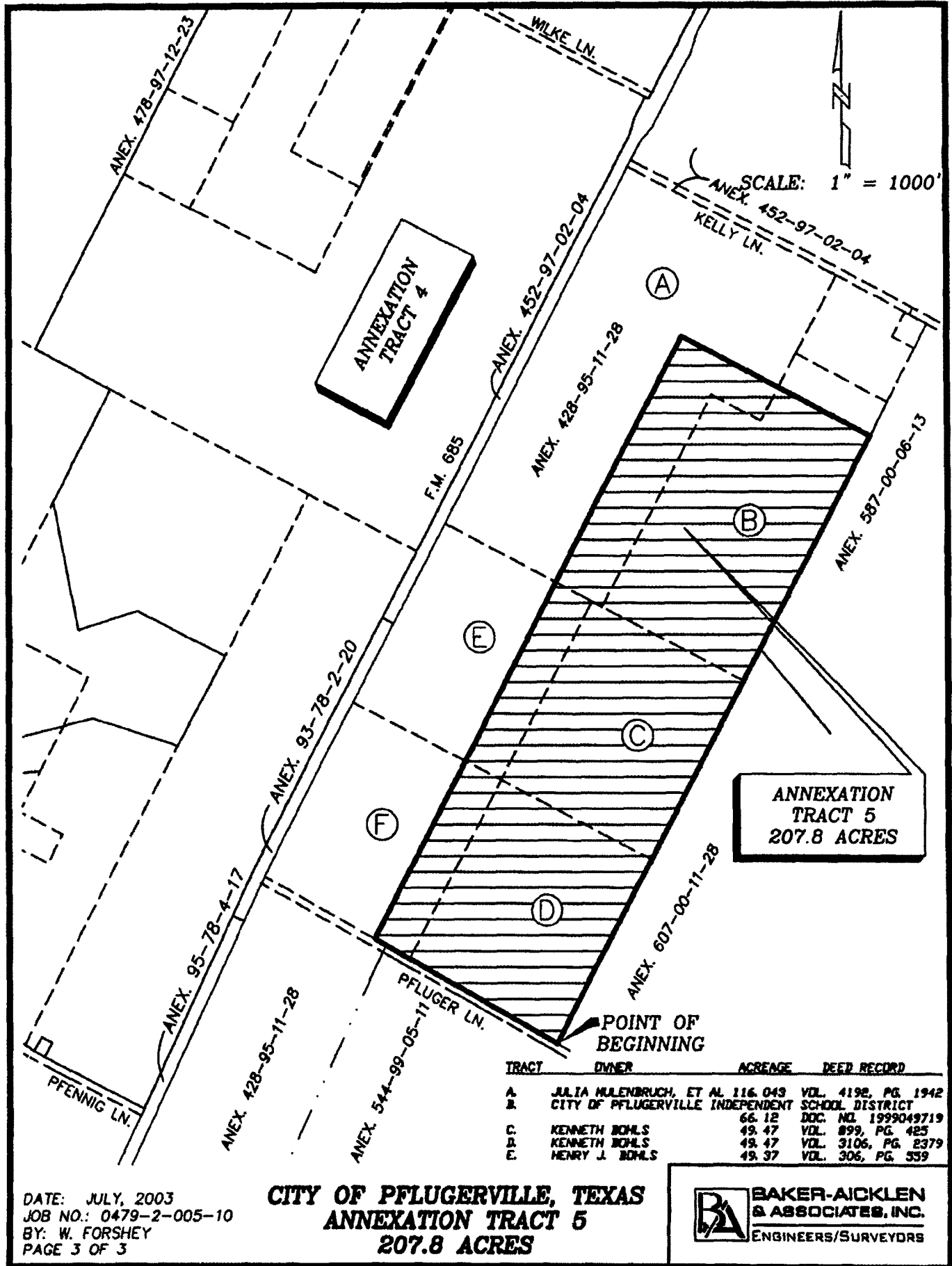


EXHIBIT "B"

Service Plan

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

**SERVICE PLAN FOR PROPOSED ANNEXATION OF
APPROXIMATELY 1,232.8 ACRES OF LAND IN AN AREA
LOCATED GENERALLY NORTH OF PFLUGERVILLE LOOP,
PFENNIG LANE AND PFLUGER LANE AND GENERALLY
EAST OF GRAND AVENUE PARKWAY, IN TRAVIS COUNTY,
TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO
INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE
ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF
THE CITY; AND PROVIDING AN EFFECTIVE DATE**

This service plan establishes a program under which the City of Pflugerville, Texas, will provide full municipal services to the area described on the attached Exhibit "A" (the "Annexed Area"), as required by § 43.065 of the Texas Local Government Code.

I.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. **Police Protection.** The City provides police service within its city limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.
- B. **Fire Protection and Emergency Medical Service.**
 - 1. Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.
 - 2. The City fire marshal enforces the City fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.
 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. After annexation, transport services will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. Emergency Medical First Responder Services are provided by TCESD #2, and TCESD #2 will continue to provide such services to the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

- A. **Solid Waste Collection.** The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and a private refuse collection company. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation.
- B. **Maintenance.** Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area effective as of the date of annexation:
 - 1. Water and wastewater facilities that are not within the service area of another water or wastewater utility. These facilities will include all internal water and wastewater distribution and collection lines owned by the City that are within the Annexed Area. The City maintains distribution and collection lines and handles all customer billing, service calls and complaints.
 - 2. Public streets and right-of-ways, including street lighting. The City provides street repairs, improvements and inspections. This City does not maintain private streets or right-of-ways.
 - 3. Publicly owned parks, playgrounds, and swimming pools. The City is not aware of any such facilities within the Annexed Area at the time of annexation. Although, as development progresses over time, the City's subdivision ordinance may require dedication of parkland or equivalent payments to the City for the development of recreational facilities.
 - 4. Other publicly-owned facilities or buildings, including drainage facilities, such as drainage channels, storm sewers and detention ponds. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed.
- C. **Development Regulation.** The City will enforce zoning, subdivision development, site development and building code regulations within the Annexed Area after annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the Annexed Area will be reviewed for compliance with City standards.
- D. **Other Services.** City recreational facilities, including parks and library, will be available for use by residents of the Annexed Area on the same basis as those facilities are available to current City residents. City residents receive program preference for some City programs.

III.

Capital Improvements. As provided in Section 43.056(e) of the Local Government Code, the City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Area. The acquisition or construction will occur in accordance within applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area except as provided below for water and wastewater service.

Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City or another utility, the City will extend water and wastewater service to such areas in accordance with the City's service extension policy attached as Exhibit "B" at the appropriate levels considering the topography, land use and population density of the property requesting service. In addition, unless consistent with the City's existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service under this service plan.

The portions of the Annexed Area that are currently within the certificated service areas of other water and wastewater utilities will continue to receive water and wastewater utility services from such utility providers after annexation.

**CITY OF PFLUGERVILLE
WATER AND WASTEWATER SERVICE EXTENSION POLICY**

A. GENERAL POLICY

- (1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities but excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.
- (2)
 - (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.
 - (b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.
- (3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.
- (4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

- (1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.
- (2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.
- (3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City

before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.

- (4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.
- (5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.
- (6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

- (1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4) has been repaid. Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.
- (2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.



2461

ORDINANCE NO. 1088-11-09-27

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO SEPARATE TRACTS OF LAND CONSISTING OF APPROXIMATELY 84 ACRES WITHIN THE SH 45 RIGHT OF WAY, OUT OF THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 IN TRAVIS AND WILLIAMSON COUNTY, TEXAS TO BE KNOWN AS THE SH 45 RIGHT OF WAY ANNEXATION (ANX1106-01); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 84 acres of land, more particularly described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the City is authorized, pursuant to Chapter 43, Section 43.021 of the Texas Local Government Code and Section 1.04 of the Home Rule Charter for the City of Pflugerville, to unilaterally annex the Land; and

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements, and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. The Land is hereby annexed to the City, and the boundaries of the City are extended to include the Land within the corporate limits of the City. From and after the date of this ordinance, the Land shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. The City finds annexation of the Land to be in the public interest.

Section 3. The service plan attached as Exhibit "B" is approved, and municipal services shall be extended to the Land in accordance therewith.

Section 4. The City Secretary is directed to file a certified copy of this ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

Section 6. The City Council intends to annex the Land described in this Ordinance; but if there is included within the description of the Land annexed by this Ordinance any lands or

area that may not be annexed by the City for any reason ("Excluded Lands"), then the Excluded Lands should be excluded and excepted from the Land annexed by this Ordinance as fully as if the Excluded Lands were expressly described in this Ordinance and the remainder of the Land were annexed to the City of Pflugerville.

PASSED AND APPROVED this 27 day of September, 2011.

CITY OF PFLUGERVILLE, TEXAS

By: _____

Jeff Coleman, Mayor

ATTEST:

Karen Thompson
Karen Thompson, City Secretary

EXHIBIT "A"

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 1
50.5 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER**INSTRUMENT NO.**

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

219	DOC. NO. 2003117169
220	NO RECORD FOUND
221	DOC. NO. 2008019287

FORMER WILKE LN. / HEATHER WILDE BLVD. RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE SOUTHEAST CORNER OF STATE OF TEXAS RIGHT-OF-WAY PARCEL 219, A 0.568 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003117169, O.P.R.T.C.T., SAME BEING THE SOUTHWESTERLY CORNER OF PARCEL 220, AN 11.066 ACRE TRACT APPARENTLY IN POSSESSION BY THE STATE AND EVIDENCED BY A SAVE AND EXCEPT DESCRIPTION IN A DEED TO RICHARD Z. RADY AND AGATAHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994 RECORDED IN DOC. NO. 2006202615, O.P.R.T.C.T.;

THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER TRACT 2 DESCRIBED IN ANNEXATION ORDINANCE NO. 720-03-11-11, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 16,987.23 FEET, A CENTRAL ANGLE OF 0°47'39", A CHORD BEARING AND LENGTH OF NORTH 76°48'48" WEST, 235.42 FEET, FOR AN ARC LENGTH OF 235.43 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF SAID PARCEL 219, SAME BEING THE MOST SOUTHWESTERLY CORNER HEREIN;

THENCE NORTH 01°56'43" WEST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF PARCEL 219 FOR A DISTANCE OF 65.32 FEET TO A POINT FOR A CORNER BEING THE WESTERLY NORTHWEST CORNER HEREIN;

THENCE NORTH 86°36'56" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF PARCEL 219 FOR A DISTANCE OF 262.59 FEET TO A POINT FOR A CORNER BEING THE NORTHEASTERLY CORNER OF PARCEL 219 AND THE SOUTHERLY NORTHWEST CORNER OF SAID PARCEL 220;

THENCE NORTH 86°36'56" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF 374.34 FEET TO A POINT BEING AN ELL CORNER IN PARCEL 220;

THENCE NORTH 01°46'10" WEST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF 211.05 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF A CERTAIN TRACT 3 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE EASTERLY NORTHWEST CORNER HEREIN;

THENCE SOUTH 80°02'41" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF 279.47 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7,660.94 FEET, A CENTRAL ANGLE OF 2°34'48", A CHORD BEARING AND LENGTH OF SOUTH 78°45'16" EAST, 344.98 FEET, FOR AN ARC LENGTH OF 344.98 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF PARCEL 221, A 40.539 ACRE SH 45 RIGHT OF WAY TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 20081019287, O.P.R.T.C.T.;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7,660.94 FEET, A CENTRAL ANGLE OF 6°03'00", A CHORD BEARING AND LENGTH OF SOUTH 74°26'22" EAST, 808.55 FEET, FOR AN ARC LENGTH OF 808.93 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING THREE COURSES:

1. SOUTH 71°24'54" EAST FOR A DISTANCE OF 896.79 FEET TO A POINT;
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,480.66 FEET, A CENTRAL ANGLE OF 3°03'18", A CHORD BEARING AND LENGTH OF SOUTH 69°53'15" EAST, 612.06 FEET, FOR AN ARC LENGTH OF 612.13 FEET TO A NON- TANGENTIAL END OF CURVE;
3. SOUTH 72°53'31" EAST FOR A DISTANCE OF 310.98 FEET TO A POINT;

THENCE SOUTH 72°53'31" EAST CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT, FOR A DISTANCE OF 130.82 FEET TO AN ANGLE POINT ON THE APPROXIMATE CENTERLINE OF HEATHERWILDE BOULEVARD, SAME BEING A POINT ON THE WESTERLY LINE OF CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23, SAME BEING THE NORTHEASTERLY CORNER HEREIN;

THENCE SOUTH 28°58'26" WEST CROSSING THE SAID SH 45 RIGHT-OF-WAY AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT ESTABLISHED IN PART PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART PER ANNEXATION ORDINANCE NO. 478-97-12-23, AND IN PART PER ANNEXATION ORDINANCE NO. 548-99-06-08 FOR A DISTANCE OF 844.28 FEET TO AN ANGLE POINT BEING THE NORTHEASTERLY CORNER OF A CERTAIN TRACT 2 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE SOUTHEASTERLY CORNER HEREIN;

THENCE NORTH 64°43'43" WEST CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, FOR A DISTANCE OF 137.59 FEET TO AN ANGLE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45 PARCEL 221;

THENCE NORTH 64°43'43" WEST WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF 1718.42 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 3°41'16", A CHORD BEARING AND LENGTH OF NORTH 66°34'21" WEST, 490.25 FEET, FOR AN ARC LENGTH OF 490.34 FEET TO A POINT OF COMPOUND CURVATURE BEING THE SOUTHWESTERLY CORNER OF PARCEL 221 AND THE SOUTHEASTERLY CORNER OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 7°27'10", A CHORD BEARING AND LENGTH OF NORTH 72°08'34" WEST, 990.21 FEET, FOR AN ARC LENGTH OF 990.91 FEET TO A POINT OF COMPOUND CURVATURE IN THE SOUTHERLY LINE OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE THE LEFT HAVING A RADIUS OF 16,987.23 FEET, A CENTRAL ANGLE OF 0°32'52", A CHORD BEARING AND LENGTH OF NORTH 76°08'35" WEST, 162.40 FEET, FOR AN ARC LENGTH OF 162.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 50.5 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

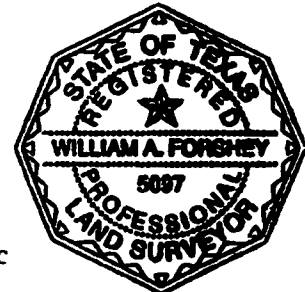
BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

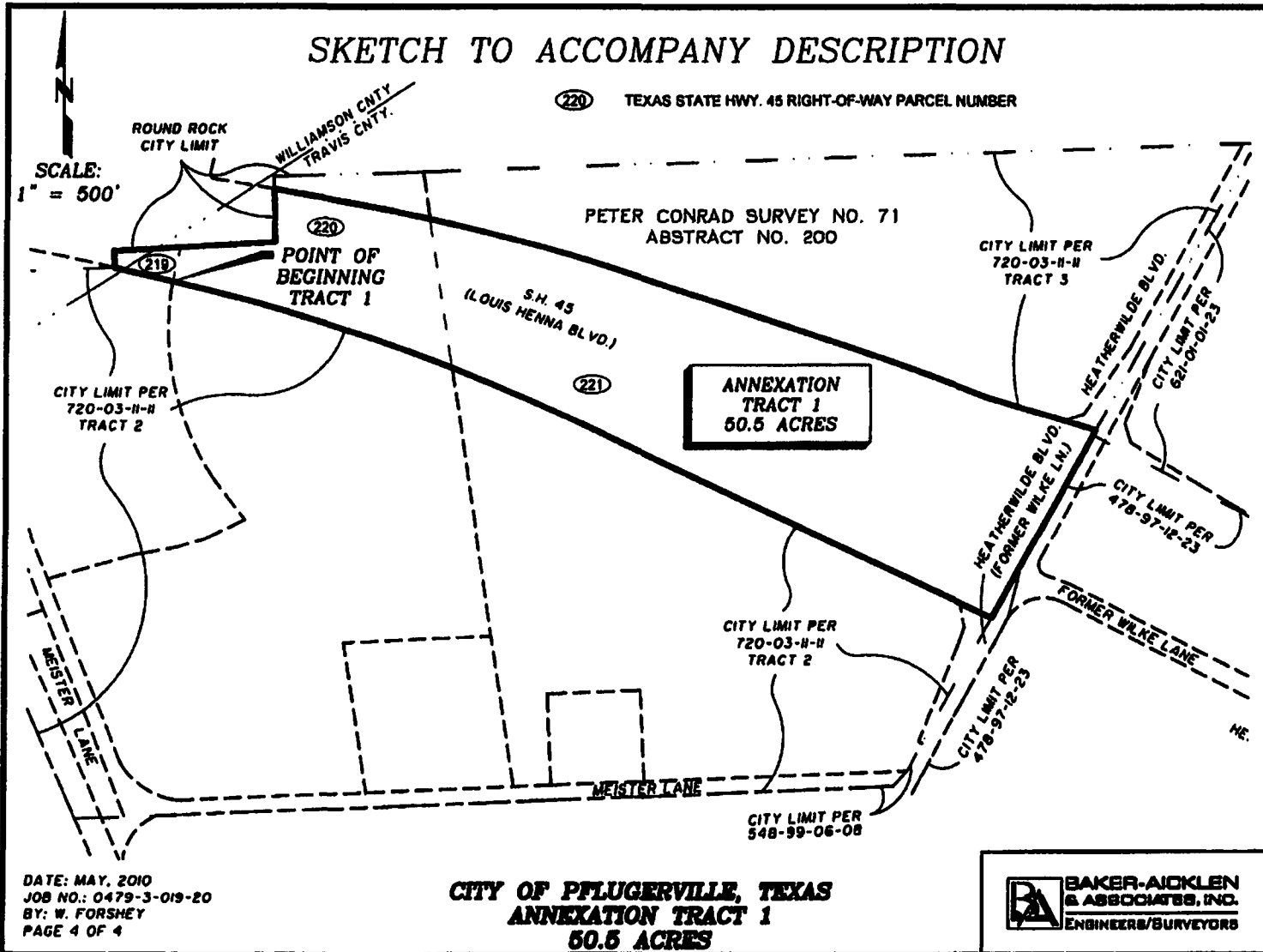
BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



0479-3-019-20

W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 1.DOC

SKETCH TO ACCOMPANY DESCRIPTION



**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 2
33.6 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER**INSTRUMENT NO.**

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

224	DOC. NO. 2003103131
225	DOC. NO. 2003100467
226	DOC. NO. 2003177212
227	DOC. NO. 2003214008
228	DOC. NO. 2003170456
229	DOC. NO. 2003170457

FORMER WILKE RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE NORTHEAST CORNER OF SH 45 RIGHT-OF-WAY PARCEL 229, A 5.134 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003170457, O.P.R.T.C.T., SAME BEING AN ANGLE POINT IN A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING NORTHEASTERLY CORNER HEREIN;

THENCE SOUTH 26°49'53" WEST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 416.08 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, SAME BEING THE MOST SOUTHEASTERLY CORNER HEREIN;

THENCE NORTH 62°18'52" WEST WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT FOR A DISTANCE OF 1,122.85 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING AN ANGLE POINT CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE NORTH 62°22'14" WEST CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A DISTANCE OF 1,636.34 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE NORTH 62°38'34" WEST CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A

DISTANCE OF 342.48 FEET TO AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING THE SOUTHWESTERLY CORNER HEREIN;

THENCE NORTH 28°20'19" EAST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23 AND IN PART WITH THE WESTERLY LINE OF SH 45 RIGHT-OF-WAY PARCEL 224, A 1.541 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003103131, O.P.R.T.C.T. FOR A DISTANCE OF 473.65 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23;

THENCE NORTH 28°17'47" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART WITH THE WESTERLY LINE SAID PARCEL 224 FOR A DISTANCE OF 118.34 FEET TO A POINT FOR A CORNER ON THE NORTHERLY RIGHT-OF-WAY OF SH 45, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 224, SAME BEING A SOUTHWESTERLY CORNER OF A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING THE NORTHWESTERLY CORNER HEREIN;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 AND WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,480.66 FEET, A CENTRAL ANGLE OF 0°04'46", A CHORD BEARING AND LENGTH OF SOUTH 57°26'04" EAST, 15.91 FEET, FOR AN ARC LENGTH OF 15.91 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 113.95 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID PARCEL 224, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 225, A 2.847 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003100467, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 225 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 251.64 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 225, SAME BEING THE NORTHWESTERLY CORNER OF PARCEL 226, A 3.825 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003177212, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 226 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 357.63 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 226, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 227, A 6.859 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003214008, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 227 AND WITH THE CURRENT

PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 712.15 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 227, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 228, A 8.142 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003170456, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 282.36 FEET TO A POINT BEING THE BEGINNING OF A CURVE;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,708.08 FEET, A CENTRAL ANGLE OF 4°44'47", A CHORD BEARING AND LENGTH OF SOUTH 59°46'05" EAST, 472.71 FEET, FOR AN ARC LENGTH OF 472.85 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 62°08'29" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 240.62 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 228, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 229;

THENCE SOUTH 62°08'29" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 229 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 648.68 FEET TO THE POINT OF BEGINNING AND CONTAINING 33.6 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11
 BAKER-AICKLEN & ASSOCIATES, INC.
 405 BRUSHY CREEK ROAD
 CEDAR PARK, TEXAS 78613
 (512) 260-3700



0479-3-019-20

W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 2.DOC

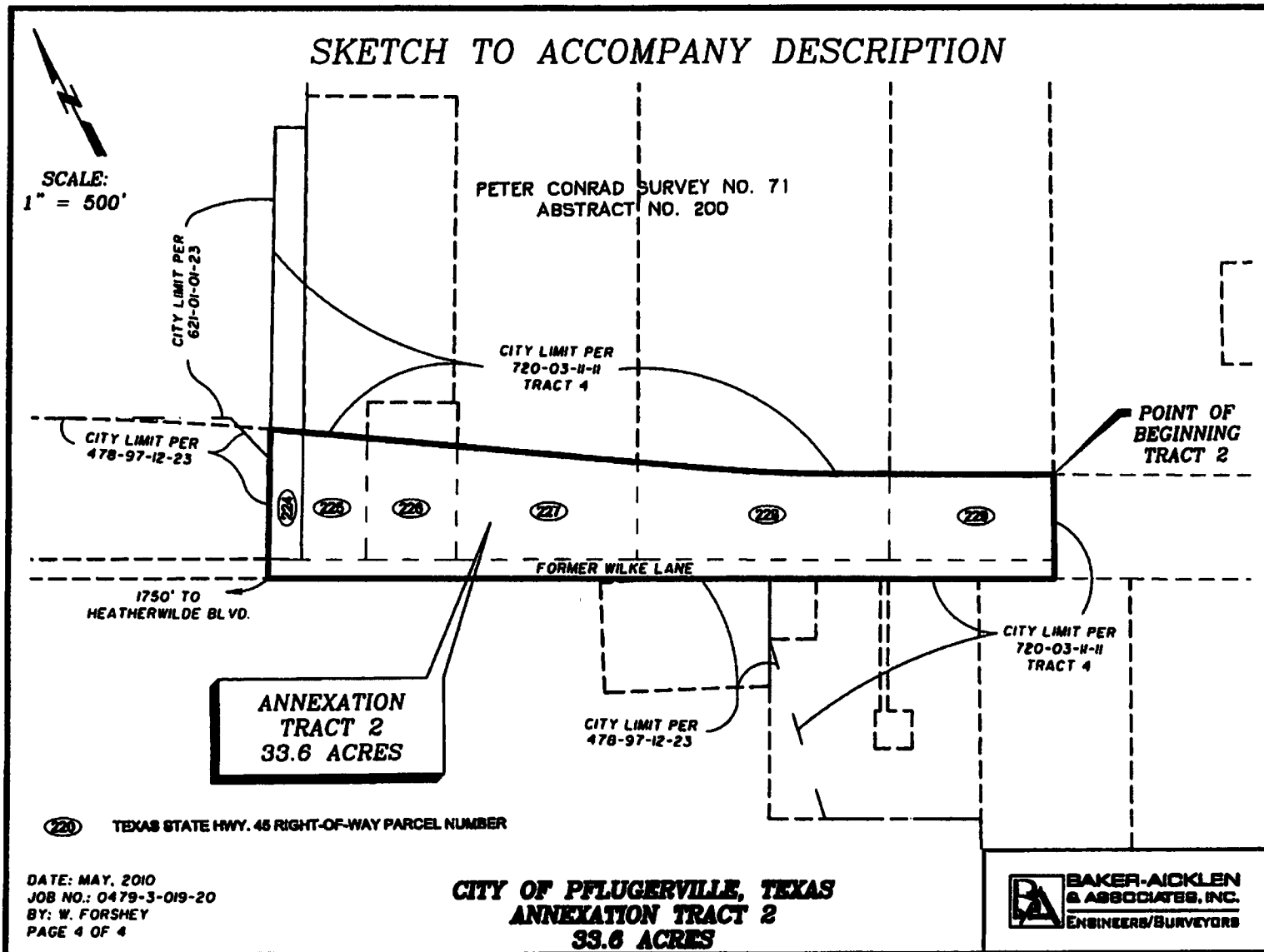


EXHIBIT "B"

**SERVICE PLAN FOR PROPOSED ANNEXATION BY THE CITY OF
PFLUGERVILLE, IN TRAVIS COUNTY, TEXAS**

SH 45 RIGHT OF WAY ANNEXATION

This service plan establishes a program under which the City of Pflugerville, Texas (the "City"), will provide full municipal services to the area described on the attached Exhibit "A" (the "Annexed Area"), as required by § 43.065 of the Texas Local Government Code.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area as applicable at a level consistent with the service to other areas of the City with similar population density. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.
- B. Fire Protection and Emergency Medical Service.
 - 1. Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.
 - 2. The City fire marshal enforces the fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.
 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. After annexation, transport services will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. Emergency Medical First Responder Services are provided by TCESD #2, and TCESD #2 will continue to provide such services to the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

- A. Solid Waste Collection. The Annexed Area consists of the SH 45 Right of Way and solid waste collection is not applicable. Should service be needed, the City will provide solid waste collection services as provided throughout the City limits for a fee and as determined through a contract between the City and a private refuse collection company. The solid waste collection services typically include garbage collection, recycling, bulky

item collection and brush collection or chipping. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation. The City may not prohibit the collection of solid waste by a private provider or charge a fee for solid waste collection if service is retained by a private provider during the first two years following annexation. If service is retained by a private provider during the two years following annexation, the City is not required to provide solid waste collection services.

B. Maintenance. Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area effective as of the date of annexation:

1. **Water and wastewater facilities** that are not within the service area of another water or wastewater utility. These facilities will include all internal water and wastewater distribution and collection lines owned by the City that are within the Annexed Area. The City maintains distribution and collection lines and handles all customer billing, service calls and complaints.
2. **Public streets and right-of-ways.** The City provides street repairs, improvements, inspections, street lighting and traffic control devices. This City does not maintain private streets, private right-of-ways or State Highway facilities.
3. **Other public easement, facilities or buildings,** including drainage facilities, such as drainage channels, storm sewers and detention ponds contained within dedicated public easements. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will inspect the land a minimum of every six (6) weeks and perform maintenance as required which includes but is not limited to mowing and the removal of debris no fewer than six (6) times a year. Any unacceptable conditions that exist in the drainage areas and are reported to the City of Pflugerville between scheduled inspections will be evaluated and resolved as necessary. A maintenance schedule for these areas can be obtained from the Public Works and Parks and Recreation Departments. If the City establishes a city-wide maintenance plan after the establishment of this service plan the city-wide service plan will replace the maintenance plan established in this service plan.

III.

A. Capital Improvements. As provided in Section 43.056(e) of the Local Government Code, the City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Area. The acquisition or construction will occur in accordance with applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area except as provided below for water and wastewater service.

B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City or another utility, the City will extend water and wastewater service to such areas in accordance with the City's service extension policy

attached as Exhibit “B”, at the appropriate levels considering the topography, land use and population density of the property requesting service. In addition, unless consistent with the City’s existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service under this service plan.

The portions of the Annexed Area that are currently within the certificated service areas of other water and wastewater utilities will continue to receive water and wastewater utility services from such utility providers after annexation.

EXHIBIT "A"- TO SERVICE PLAN

**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 1
50.5 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

219	DOC. NO. 2003117169
220	NO RECORD FOUND
221	DOC. NO. 2008019287

FORMER WILKE LN. / HEATHERWILDE BLVD. RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE SOUTHEAST CORNER OF STATE OF TEXAS RIGHT-OF-WAY PARCEL 219, A 0.568 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003117169, O.P.R.T.C.T., SAME BEING THE SOUTHWESTERLY CORNER OF PARCEL 220, AN 11.066 ACRE TRACT APPARENTLY IN POSSESSION BY THE STATE AND EVIDENCED BY A SAVE AND EXCEPT DESCRIPTION IN A DEED TO RICHARD Z. RADY AND AGATAHA O. RADY, CO-TRUSTEES OF THE RADY FAMILY TRUST DATED SEPTEMBER 8, 1994 RECORDED IN DOC. NO. 2006202615, O.P.R.T.C.T.;

THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER TRACT 2 DESCRIBED IN ANNEXATION ORDINANCE NO. 720-03-11-11, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 16,987.23 FEET, A CENTRAL ANGLE OF 0°47'39", A CHORD BEARING AND LENGTH OF NORTH 76°48'48" WEST, 235.42 FEET, FOR AN ARC LENGTH OF 235.43 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF SAID PARCEL 219, SAME BEING THE MOST SOUTHWESTERLY CORNER HEREIN;

THENCE NORTH 01°56'43" WEST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF PARCEL 219 FOR A DISTANCE OF 65.32 FEET TO A POINT FOR A CORNER BEING THE WESTERLY NORTHWEST CORNER HEREIN;

THENCE NORTH 86°36'56" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF PARCEL 219 FOR A DISTANCE OF 262.59 FEET TO A POINT FOR A CORNER BEING THE NORTHEASTERLY CORNER OF PARCEL 219 AND THE SOUTHERLY NORTHWEST CORNER OF SAID PARCEL 220;

THENCE NORTH 86°36'56" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE NORTHERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF 374.34 FEET TO A POINT BEING AN ELL CORNER IN PARCEL 220;

THENCE NORTH 01°46'10" WEST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE WESTERLY LINE OF SAID PARCEL 220 FOR A DISTANCE OF 211.05 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF A CERTAIN TRACT 3 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE EASTERLY NORTHWEST CORNER HEREIN;

THENCE SOUTH 80°02'41" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF 279.47 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7,660.94 FEET, A CENTRAL ANGLE OF 2°34'48", A CHORD BEARING AND LENGTH OF SOUTH 78°45'16" EAST, 344.98 FEET, FOR AN ARC LENGTH OF 344.98 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF PARCEL 221, A 40.539 ACRE SH 45 RIGHT OF WAY TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 20081019287, O.P.R.T.C.T.;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7,660.94 FEET, A CENTRAL ANGLE OF 6°03'00", A CHORD BEARING AND LENGTH OF SOUTH 74°26'22" EAST, 808.55 FEET, FOR AN ARC LENGTH OF 808.93 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE CURRENT PFLUGERVILLE CITY LIMIT, THE FOLLOWING THREE COURSES:

1. SOUTH 71°24'54" EAST FOR A DISTANCE OF 896.79 FEET TO A POINT;
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,480.66 FEET, A CENTRAL ANGLE OF 3°03'18", A CHORD BEARING AND LENGTH OF SOUTH 69°53'15" EAST, 612.06 FEET, FOR AN ARC LENGTH OF 612.13 FEET TO A NON- TANGENTIAL END OF CURVE;
3. SOUTH 72°53'31" EAST FOR A DISTANCE OF 310.98 FEET TO A POINT;

THENCE SOUTH 72°53'31" EAST CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT, FOR A DISTANCE OF 130.82 FEET TO AN ANGLE POINT ON THE APPROXIMATE CENTERLINE OF HEATHERWILDE BOULEVARD, SAME BEING A POINT ON THE WESTERLY LINE OF CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23, SAME BEING THE NORTHEASTERLY CORNER HEREIN;

THENCE SOUTH 28°58'26" WEST CROSSING THE SAID SH 45 RIGHT-OF-WAY AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT ESTABLISHED IN PART PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART PER ANNEXATION ORDINANCE NO. 478-97-12-23, AND IN PART PER ANNEXATION ORDINANCE NO. 548-99-06-08 FOR A DISTANCE OF 844.28 FEET TO AN ANGLE POINT BEING THE NORTHEASTERLY CORNER OF A CERTAIN TRACT 2 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-11-11, SAME BEING THE SOUTHEASTERLY CORNER HEREIN;

THENCE NORTH 64°43'43" WEST CROSSING THE SAID SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, FOR A DISTANCE OF 137.59 FEET TO AN ANGLE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45 PARCEL 221;

THENCE NORTH 64°43'43" WEST WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, FOR A DISTANCE OF 1718.42 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 3°41'16", A CHORD BEARING AND LENGTH OF NORTH 66°34'21" WEST, 490.25 FEET, FOR AN ARC LENGTH OF 490.34 FEET TO A POINT OF COMPOUND CURVATURE BEING THE SOUTHWESTERLY CORNER OF PARCEL 221 AND THE SOUTHEASTERLY CORNER OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7,617.94 FEET, A CENTRAL ANGLE OF 7°27'10", A CHORD BEARING AND LENGTH OF NORTH 72°08'34" WEST, 990.21 FEET, FOR AN ARC LENGTH OF 990.91 FEET TO A POINT OF COMPOUND CURVATURE IN THE SOUTHERLY LINE OF PARCEL 220;

THENCE CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT CITY OF PFLUGERVILLE LIMIT, ALONG A CURVE THE LEFT HAVING A RADIUS OF 16,987.23 FEET, A CENTRAL ANGLE OF 0°32'52", A CHORD BEARING AND LENGTH OF NORTH 76°08'35" WEST, 162.40 FEET, FOR AN ARC LENGTH OF 162.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 50.5 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

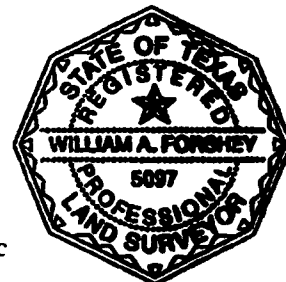
BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

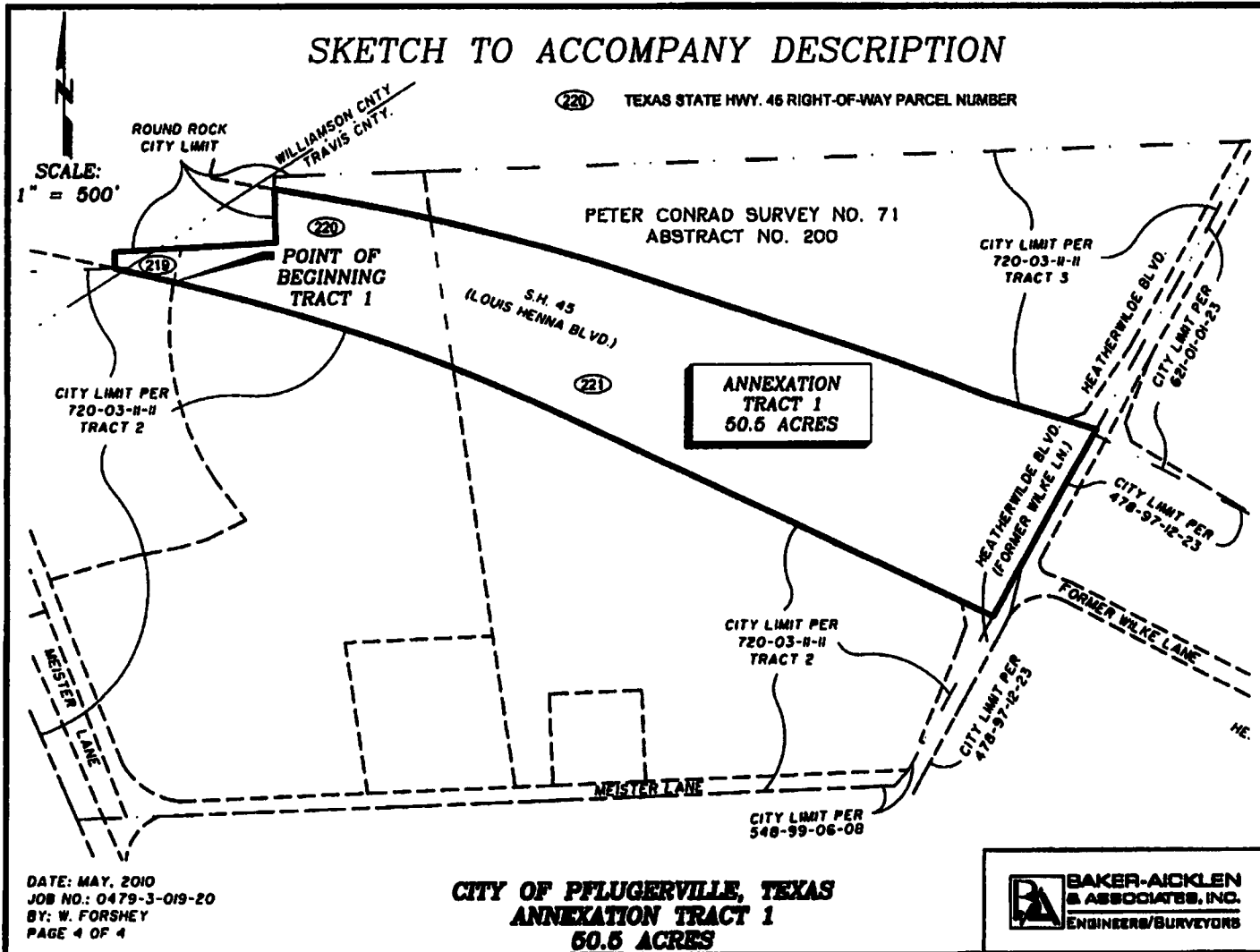
BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



0479-3-019-20

W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 1.DOC

SKETCH TO ACCOMPANY DESCRIPTION



**CITY OF PFLUGERVILLE
TRAVIS AND WILLIAMSON COUNTY, TEXAS
ANNEXATION TRACT 2
33.6 ACRES
METES AND BOUNDS DESCRIPTION**

THE HEREIN DESCRIPTION AND ACCOMPANYING SKETCH ARE BASED ON RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200 AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER

INSTRUMENT NO.

TEXAS STATE HIGHWAY 45 (SH 45) RIGHT-OF-WAY PARCELS:

224	DOC. NO. 2003103131
225	DOC. NO. 2003100467
226	DOC. NO. 2003177212
227	DOC. NO. 2003214008
228	DOC. NO. 2003170456
229	DOC. NO. 2003170457

FORMER WILKE RIGHT-OF-WAY INCORPORATED INTO SH 45

RECORD INSTRUMENTS ARE FROM THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), TRACT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY OF TEXAS STATE HIGHWAY 45 (SH 45) AND BEING THE NORTHEAST CORNER OF SH 45 RIGHT-OF-WAY PARCEL 229, A 5.134 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN DOC. NO. 2003170457, O.P.R.T.C.T., SAME BEING AN ANGLE POINT IN A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING NORTHEASTERLY CORNER HEREIN;

THENCE SOUTH 26°49'53" WEST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY LINE WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 416.08 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SH 45, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, SAME BEING THE MOST SOUTHEASTERLY CORNER HEREIN;

THENCE NORTH 62°18'52" WEST WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT FOR A DISTANCE OF 1,122.85 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING AN ANGLE POINT CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE NORTH 62°22'14" WEST CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A DISTANCE OF 1,636.34 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23;

THENCE NORTH 62°38'34" WEST CONTINUING WITH THE SOUTHERLY SH 45 RIGHT-OF-WAY LINE, SAME BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FORMER WILKE LANE, FOR A

DISTANCE OF 342.48 FEET TO AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING THE SOUTHWESTERLY CORNER HEREIN;

THENCE NORTH 28°20'19" EAST OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23 AND IN PART WITH THE WESTERLY LINE OF SH 45 RIGHT-OF-WAY PARCEL 224, A 1.541 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003103131, O.P.R.T.C.T. FOR A DISTANCE OF 473.65 FEET TO A POINT BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 478-97-12-23, SAME BEING AN ANGLE POINT IN THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23;

THENCE NORTH 28°17'47" EAST CONTINUING OVER AND ACROSS THE SH 45 RIGHT-OF-WAY WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ANNEXATION ORDINANCE NO. 621-01-01-23 AND IN PART WITH THE WESTERLY LINE SAID PARCEL 224 FOR A DISTANCE OF 118.34 FEET TO A POINT FOR A CORNER ON THE NORTHERLY RIGHT-OF-WAY OF SH 45, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 224, SAME BEING A SOUTHWESTERLY CORNER OF A CERTAIN TRACT 4 ANNEXED INTO THE CITY OF PFLUGERVILLE PER ANNEXATION ORDINANCE NO. 720-03-01-01, SAME BEING THE NORTHWESTERLY CORNER HEREIN;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 AND WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,480.66 FEET, A CENTRAL ANGLE OF 0°04'46", A CHORD BEARING AND LENGTH OF SOUTH 57°26'04" EAST, 15.91 FEET, FOR AN ARC LENGTH OF 15.91 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 224 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 113.95 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID PARCEL 224, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 225, A 2.847 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003100467, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 225 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 251.64 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 225, SAME BEING THE NORTHWESTERLY CORNER OF PARCEL 226, A 3.825 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003177212, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 226 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 357.63 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 226, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 227, A 6.859 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003214008, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 227 AND WITH THE CURRENT

PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 712.15 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 227, SAME BEING THE NORTHWESTERLY CORNER OF SH 45 RIGHT-OF-WAY PARCEL 228, A 8.142 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003170456, O.P.R.T.C.T.;

THENCE SOUTH 57°23'42" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 282.36 FEET TO A POINT BEING THE BEGINNING OF A CURVE;

THENCE CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,708.08 FEET, A CENTRAL ANGLE OF 4°44'47", A CHORD BEARING AND LENGTH OF SOUTH 59°46'05" EAST, 472.71 FEET, FOR AN ARC LENGTH OF 472.85 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 62°08'29" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 228 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 240.62 FEET TO A POINT BEING THE NORTHEASTERLY CORNER IN PARCEL 228, SAME BEING THE NORTHWESTERLY CORNER OF SAID PARCEL 229;

THENCE SOUTH 62°08'29" EAST CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SH 45 WITH THE NORTHERLY LINE OF SAID PARCEL 229 AND WITH THE CURRENT PFLUGERVILLE CITY LIMIT PER ORDINANCE NO. 720-03-01-01 FOR A DISTANCE OF 648.68 FEET TO THE POINT OF BEGINNING AND CONTAINING 33.6 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT, PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

William A. Forshey 05/19/11

BAKER-AICKLEN & ASSOCIATES, INC.
405 BRUSHY CREEK ROAD
CEDAR PARK, TEXAS 78613
(512) 260-3700



0479-3-019-20
W:\PROJECTS\CITY OF PFLUGERVILLE\SH 45 INFILL AREAS\DOC\DESCRIPTION TRACT 2.DOC

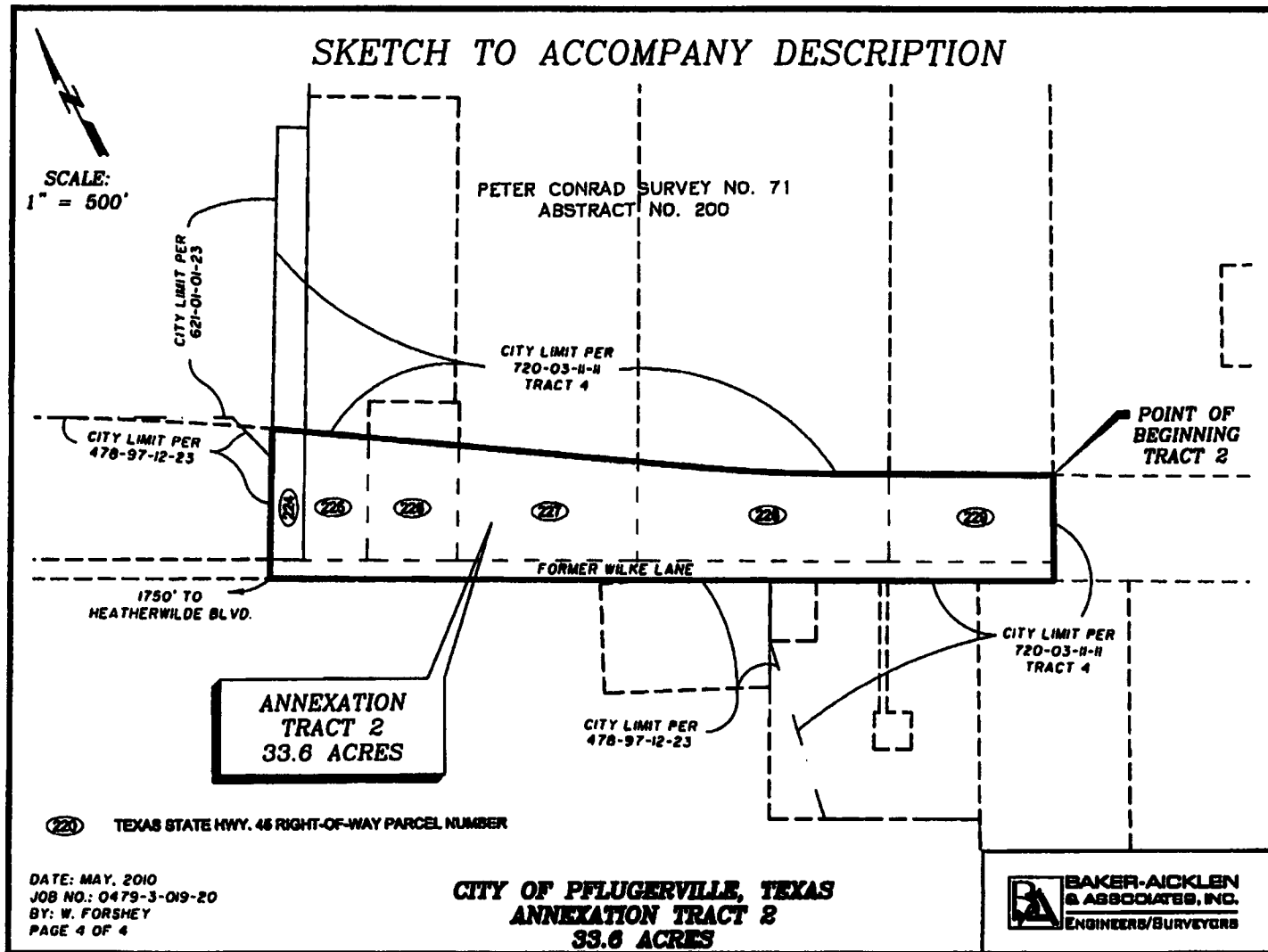


EXHIBIT "B" - TO SERVICE PLAN

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

- (1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities, and excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.
- (2)
 - (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.
 - (b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.
- (3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.
- (4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

- (1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.
- (2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.
- (3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.
- (4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total

per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

- (5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.
- (6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

- (1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4). Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.
- (2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.

After Recording Please Return To:
City of Pflugerville
City Managers Office
PO Box 589
Pflugerville, TX 78691

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Oct 11, 2011 08:43 AM

2011148051

HAYWOODK: \$108.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

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