

**METES AND BOUNDS DESCRIPTION
OF
8.41 ACRES (TRACT 3)
IN THE
EDWARD FLINT SURVEY NO. 11 ABSTRACT NO. 277
TRAVIS COUNTY, TEXAS**

Metes and Bounds description of a 8.41 acre tract of land in the Edward Flint Survey No. 11 Abstract 277 in Travis County, Texas and being situated in a call 10.836 acre tract as described in a deed to Lennar Homes of Texas Land and Construction L.T.D., and recorded under Document No. 2002118293 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.) and in Lot 2 of the Bratcher Subdivision as recorded under Volume 90 Page 142 of the Plat Records of Travis County, Texas and being further described in a deed to Lennar Homes of Texas Land and Construction L.T.D., and recorded under Document No. 2002118294 of the O.P.R.T.C.T., said 8.41 acre tract being more fully described by metes and bounds with attached sketch as follows:

COMMENCING at a ½" inch iron pipe found marking the southeast corner of the said 10.836 acre tract, the southwest corner of a call 9.999 acre tract as described in a deed to C. Hardin Camp II and Lavearn Camp and recorded under Document No. 2001163384 of the O.P.R.T.C.T., and being in the north line of Lot 1 Block B of the Villages of Hidden Lake Phase One as recorded under Document No. 200300119 of the O.P.R.T.C.T.;

THENCE departing the north line of the said Lot 1 Block B and with the common line of the said 10.836 acre tract and the 9.999 acre tract **N 26°56'25" E** for a distance of **495.86** feet to the southeast corner and the **POINT OF BEGINNING** of the herein described tract;

THENCE departing the said common line and crossing the said 10.836 acre tract **N 61°44'07" W** for a distance of **308.41** feet to a ½" inch iron rod found marking the easterly northeast corner of Lot 1, the southeast corner of Lot 2 of the said Bratcher Subdivision, and being in the west line of the said 10.836 acre tract;

THENCE departing the west line of the said 10.836 acre tract and with the common line of Lots 1 and 2 of the Bratcher subdivision the following two (2) calls;

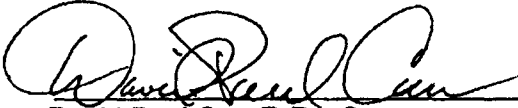
1. **N 61°46'56" W** for a distance of **418.49** feet to a cotton spindle found in a asphalt road marking the interior ell corner of Lot 1, the southwest corner of Lot 2 and of the herein described tract;

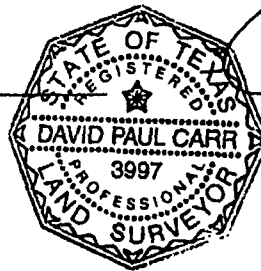
2. **N 26°55'25" E** for a distance of **504.44** feet to a set ½" inch iron rod with cap marked Pate Eng and being the northwest corner of the herein described tract ;


THENCE departing the said common line of Lots 1 and 2 and crossing Lot 2 and the aforementioned 10.836 acre tract **S 61°44'21" E** for a distance of **727.06** feet to a set ½" inch iron rod with cap marked Pate Eng in the said common line of the 10.836 acre tract and the 9.999 acre tract and being the northeast corner of the herein described tract;

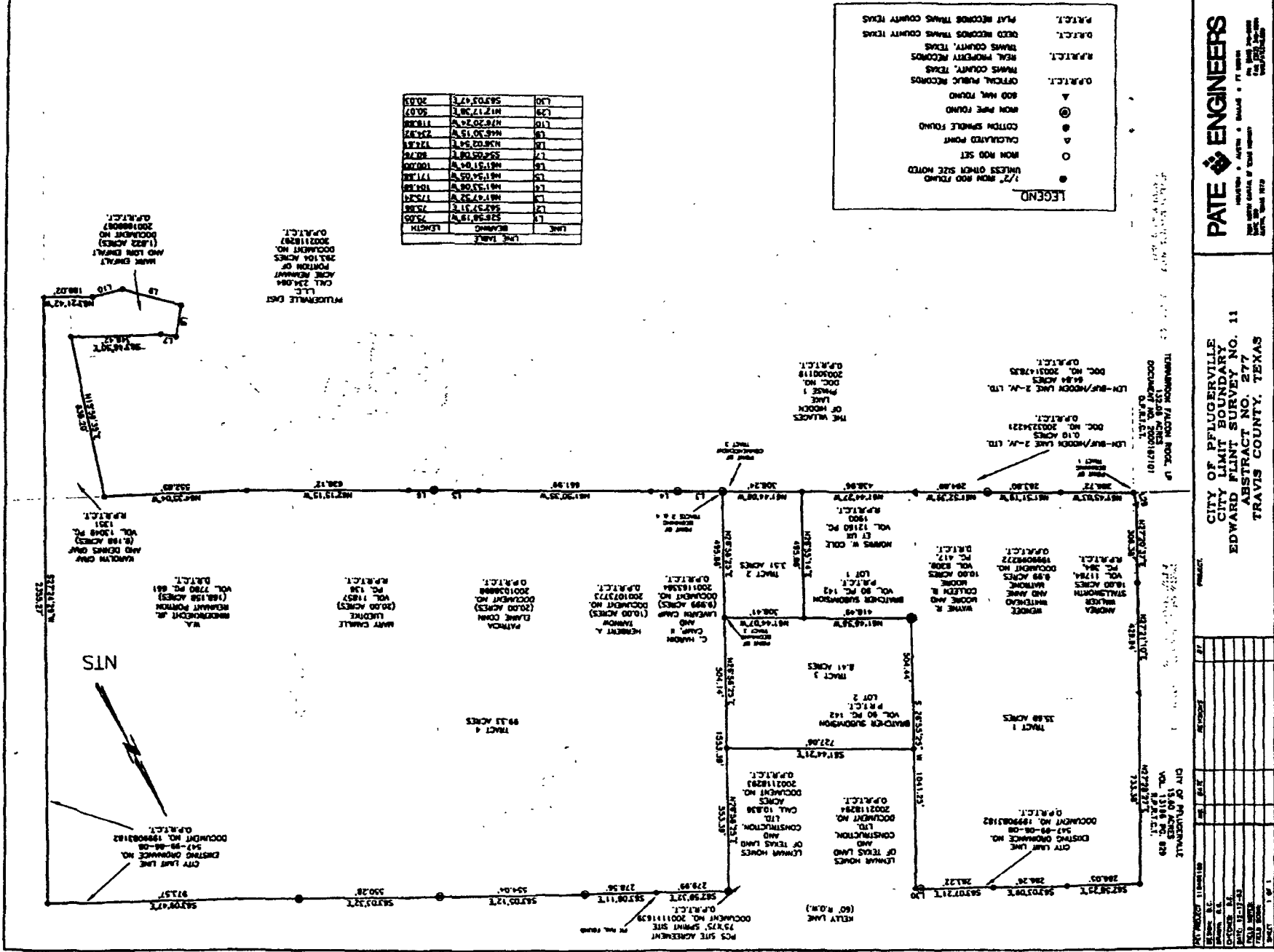
THENCE with the said common line **S 26°56'25" W** for a distance of **504.14** feet to the **POINT OF BEGINNING** of the herein described tract and containing 8.41 acres of land more or less.

I David Paul Carr a duly Registered Professional Land Surveyor in the State of Texas do hereby certify that the foregoing metes and bounds description is the results of a on the ground survey performed under my direction and supervision in December of 2003 and it is true and correct to the best of my knowledge and belief.


David Paul Carr R.P.L.S.
Texas Registration No. 3997




Date Dec 24, 2003



**METES AND BOUNDS DESCRIPTION
OF
99.33 ACRES (TRACT 4)
IN THE
EDWARD FLINT SURVEY NO. 11 ABSTRACT 277
TRAVIS COUNTY, TEXAS**

Being a metes and bounds description of a 99.33 acre tract in the Edward Flint Survey No. 11 Abstract 277 in Travis County, Texas, being all of a call 9.999 acre tract as described in a deed to C. Hardin Camp II and Lavearn Camp and recorded under Document No. 2001163384 of the Official Public Records of Travis County Texas (O.P.R.T.C.T.), being all of a call 10.00 acre tract as described in a deed to Herbert A. Tarnow and recorded in Document No. 2001073773 of the O.P.R.T.C.T., being all of a call 20.00 acre tract as described in a deed to Patricia Elaine Conn and recorded under Document No. 2001038898 of the O.P.R.T.C.T., being all of a call 20.00 acre tract as described in a deed to Mary Camille Luedtke and recorded under Volume 11857 Page 136 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), being a portion of a remnant portion of a call 168.159 acre tract as described in a deed to W. A. Rinderknecht Jr., and recorded under Volume 7780 Page 661 of the Deed Records of Travis County, Texas (D.R.T.C.T.), being a portion of a 9.198 acre tract as described in a deed to Karolyn Graf and Dennis Graf and recorded under Volume 13049 Page 1351 of the R.P.R.T.C.T., being a portion of a call 1.822 acre tract as described in a deed to Mark and Lori Einfalt and recorded under Document No. 2001089067 of the O.P.R.T.C.T., said 99.33 acre tract being more fully described by metes and bounds with attached sketch as follows:

BEGINNING at a ½" inch iron pipe found marking the southeast corner of a call 10.836 acre tract as described in a deed to Lennar Homes of Texas Land and Construction LTD and recorded under Document No. 2002118293 O.P.R.T.C.T., same being the southwest corner of the said 9.999 acre tract; and being in the north line of Lot 1 Block B of the Villages of Hidden Lake Phase One as recorded under Document No. 200300119 of the O.P.R.T.C.T.;

THENCE departing the said north line and with the common line of the 10.836 acre tract, the 9.999 acre tract and the east line of a 75 foot by 75 foot tract as described in a PCS site agreement to Sprint PCS and recorded under Document No. 2001111639 of the O.P.R.T.C.T. **N 26°56'25" E** for a distance of **1553.39** feet to a ½ " inch iron pipe found for the northeast corner of the Sprint site and the northwest corner of the said 9.999 acre tract, and being in the south right-of-way line of Kelly Lane having a call 60 foot wide right-of-way at this point, said south right-of-way line being the existing City Limit line of the City of Pflugerville Texas as set out by Ordinance No. 547-99-06-08 and recorded under Document No. 1999083182 of the O.P.R.T.C.T.;

THENCE with the said south right-of-way line of Kelly Lane, City Limit line, and the north line of the 9.999 acre tract **S 62°59'32" E** for a distance of **279.99** feet to a pk nail found in concrete at the base of a fence corner and being the northeast corner of the 9.999 acre tract and the northwest corner of the said Herbert A. Tarnow 10.00 acre tract;

THENCE with the said south right-of-way line, the City Limit line, and the north line of the 10.00 acre tract **S 63°08'11" E** for a distance of **278.56** feet to a ½ " inch iron pipe found and being the northeast corner of the 10.00 acre tract and the northwest corner of the said Patricia Elaine Conn 20.00 acre tract;

THENCE with the said south right-of-way line, the City Limit line and the north line of the 20.00 acre tract **S 63°05'12" E** for a distance of **554.04** feet to a ½ " inch iron pipe found and being the northeast corner of the 20.00 acre tract and the northwest corner of the said Mary Camille Luedtke 20.00 acre tract;

THENCE with the said south right-of-way line, the City Limit line, and the north line of the 20.00 acre tract **S 63°03'32" E** for a distance of **550.28** feet to a ½ " inch iron pipe found for the northeast of the 20.00 acre tract and the northwest corner of a remnant portion of the said W. A. Rinderknecht Jr. 168.159 acre tract;

THENCE with the said south right-of-way line, the City Limit line, and the north line of the 168.159 acre tract **S 63°09'47" E** for a distance of **973.57** feet to a ½ " inch iron rod found for the northeast corner of the herein described tract, same being an interior corner of the said City Limit line;

THENCE departing the said south right-of-way line with the City Limit line and crossing the following tracts, W. A. Rinderknecht Jr. 168.159 acre tract, the Karolyn Graf and Dennis Graf 9.198 acre tract, and the Mark Einfalt and Lori Einfalt 1.822 acre tract, **S 27°24'29" W** for a distance of **2355.27** feet to a point in the south line of the said 1.822 acre tract same being a north line of a call 234.064 acre remnant tract out of 293.104 acre tract as described in a deed to Pflugerville East L.L.C. and recorded under Document No. 200218297 O.P.R.T.C.T.;

THENCE departing the said City Limit line and with the common line of the 1.822 acre tract and a 234.064 acre tract the following four (4) courses and distances;

1. **N 63°21'42" W** for a distance of **189.02** feet to a ½" inch iron rod found,
2. **N 76°20'24" W** for a distance of **119.88** feet to a ½" inch iron rod found,
3. **N 46°30'15" W** for a distance of **234.92** feet to a ½" inch iron rod found,

4. **N 36°02'54" E** for a distance of **124.61** feet to a ½" inch iron rod found being the northwest corner of the said 1.822 acre tract and being in the south line of Lot 41 Block B of the aforementioned The Villages of Hidden Lake Phase One,

THENCE with the common line of said Lot 41 Block B and the 1.822 acre tract **S 54°05'08" E** for a distance of **60.76** feet to a ½" inch iron rod found and being an angle point in the said line;

THENCE continuing with the said common line **S 63°46'50" E** for a distance of **348.42** feet to a ½" inch iron rod found in the west line of the said 9.198 acre tract and being the northeast corner of the said 1.822 acre tract and the southeast corner of Lot 41 Block B;

THENCE with the common line of the said Lot 41 Block B and the Karolyn Graf and Dennis Graf 9.198 acre tract **N 15°59'35" E** for a distance of **635.20** feet to a ½" inch iron rod found in the south line of the aforementioned 168.159 acre tract, being the northwest corner of the said 9.198 acre tract, and the northeast corner of Lot 41 Block B of the said Villages of Hidden Lake Phase One;

THENCE with the south line of the said 168.159 acre tract and the north line of Lot 41 Block B The Villages of Hidden Lake Phase One **N 64°35'04" W** for a distance of **552.65** feet to a ½" inch iron rod found and being an angle point in said line;

THENCE with the south line of the said 168.159 acre tract, the Mary Camille Luedtke 20.00 acre tract, and the north line of Lot 41 Block B of The Villages of Hidden Lake Phase One **N 62°15'15" W** for a distance of **628.12** feet to a ½" inch iron rod found and being an angle point in said line;

THENCE with the common line of the said 20.00 acre tract and Block B of The Villages of Hidden Lake Phase One **N 61°51'04" W** for a distance of **100.00** feet to a ½" inch iron pipe found and being the southwest corner of the said 20.00 acre tract the southeast corner of the Patricia Elaine Conn 20.00 acre tract;

THENCE continuing with the common line of the said Patricia Elaine Conn 20.00 acre tract and the north line of Block B of The Villages of Hidden Lake Phase One **N 61°54'05" W** for a distance of **171.68** feet to a ½" inch iron rod found and being an angle point in the south line of said 20.00 acre Conn tract;

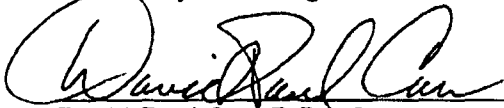
THENCE continuing with the common line of the said Patricia Elaine Conn 20.00 acre tract, the north line of Block B of The Villages of Hidden Lake Phase One, and the south line of the aforementioned Herbert A. Tamow 10.00 acre tract **N 61°50'35" W** for a distance of **661.99** feet to a ½" inch iron rod found being the

southwest corner of the said 10.00 acre tract, the southeast corner of the
aforementioned C. Hardin Camp II and Lavearn Camp 9.999 acre tract;

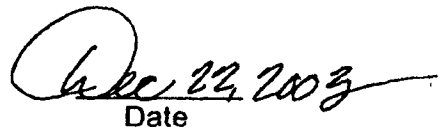
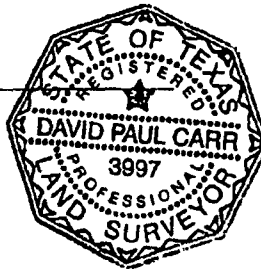
THENCE with the common line of the said 9.999 acre tract and the north line of
Block B of The Villages of Hidden Lake Phase One **N 61°53'06" W** for a distance
of **104.69** feet to a ½" inch Iron pipe found and being an angle point in said line;

THENCE continuing with the south line of the said 9.999 acre tract and the north
line of Block B of The Villages of Hidden Lake Phase One **N 61°47'52" W** for a
distance of **175.24** feet to the **POINT OF BEGINNING** of the herein described
tract and containing 99.33 acres of land more or less.

I David Paul Carr a duly Registered Professional Land Surveyor in the State of
Texas do hereby certify that the foregoing description was prepared under my
supervision and direction in December of 2003 and it is true and correct to the
best of my knowledge and belief.



David Paul Carr R.P.L.S.
Texas Registration No. 3997



Date



EXHIBIT "B"
DESCRIPTION OF THE PFLUGER LANE PROPERTY

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.

PROPOSED ANNEXATION Reservoir Phase II

Proposed Annexation Tracts

JESSE BOHLS RD

0 255 510 1,020 1,530 2,040 Feet



EXHIBIT "A"

FIELD NOTES FOR

0.930 ACRE OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 70.31 ACRE TRACT OF LAND CONVEYED TO REBECCA R. HILL AND FRANK L. HILL BY INSTRUMENT RECORDED IN DOCUMENT NO. 2000168782 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Northeast corner of said 70.31 acre tract, being at the Northwest corner of that certain 146.50 acre tract of land described in Volume 12118, Page 195 of the Real Property Records of Travis County, Texas, being in the South r.o.w. line of Pfluger Lane, for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of said 70.31 acre tract, S 27°08'57" W for a distance of 1351.09 feet to a ½ inch capped iron pin set for the Southeast corner hereof;

THENCE along the South line of the herein described tract, N 58°04'06" W for a distance of 30.14 feet to a ½ inch capped iron pin set in the Northwest line of said 70.31 acre tract for the Southwest corner hereof;

THENCE along the Northwest line of said 70.31 acre tract, N 27°09'03" E for a distance of 1348.68 feet to a ½ inch capped iron pin set at the most Northerly Northwest corner of said 70.31 acre tract, being in the South r.o.w. line of Pfluger Lane for the Northwest corner hereof;

THENCE along the most Northerly line of said 70.31 acre tract, being along the South r.o.w. line of Pfluger Lane, S 62°39'18" E for a distance of 30.00 feet to the PLACE OF BEGINNING and containing 0.930 acre of land, more or less.

SURVEYED BY:

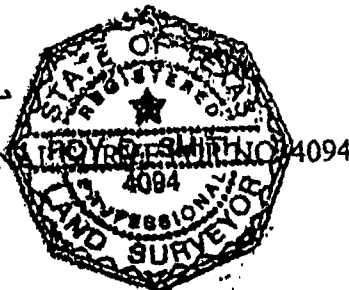
Roy D. Smith Surveyors, P.C.



ROY D. SMITH

REGISTERED PROFESSIONAL

December 16, 2002



Job No. 2743a

EXHIBIT A

EXHIBIT A

FIELD NOTES
FOR

45.193 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 146.50 ACRE TRACT OF LAND CONVEYED TO KATHLEEN M. ENGLAND AND JAY L. JOHNSON BY INSTRUMENTS RECORDED IN VOLUME 11403, PAGE 373, VOLUME 11618, PAGE 104, VOLUME 11861, PAGE 120 AND VOLUME 12118, PAGE 195 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Northeast corner of said 146.50 acre tract, being at the Northwest corner of that 34.791 acre tract as described in Document No. 2001065239 of the Official Public Records of Travis County, Texas, being in the South r.o.w. line of Pfluger Lane for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of said 146.50 acre tract, S 27°18'19" W for a distance of 959.00 feet to a ½ inch iron pin found and S 27°17'52" W for a distance of 562.65 feet to a ½ inch capped iron pin set in the proposed South r.o.w. line of Pfluger Lane realignment for the Southeast corner hereof;

THENCE along the proposed South r.o.w. line of Pfluger Lane realignment for the following courses:


Along a curve to the right whose radius is 955.00 feet, whose arc is 208.88 feet and whose chord bears N 57°44'10" W for a distance of 208.46 feet to a ½ inch capped iron pin set

N 51°28'12" W for a distance of 1214.88 feet to a ½ inch capped iron pin set in the West line of said 146.50 acre tract, for the Southwest corner hereof;

THENCE along the West line of said 146.50 acre tract, N 27°08'57" E for a distance of 1268.13 feet to a ½ inch iron pin found at the Northwest corner of said 146.50 acre tract, being in the South r.o.w. line of Pfluger Lane for the Northwest corner hereof;

THENCE along the north line of said 146.50 acre tract, being along the South r.o.w. line of Pfluger Lane, S 62°39'18" E for a distance of 1402.70 feet to the PLACE OF BEGINNING and containing 45.193 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.


ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
December, 13, 2002



Job No. 2743

**FIELD NOTES
FOR**

TRACT 4 - 3.542 ACRES

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE GEORGE M. MARTIN SURVEY NO. 9 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 208.08 ACRE TRACT OF LAND CONVEYED TO LAWRENCE L. PFLUGER BY INSTRUMENT RECORDED IN VOLUME 4349, PAGE 62 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME STRIP OF LAND DESIGNATED AS A 60 FOOT WIDE ROADWAY EASEMENT BY INSTRUMENTS RECORDED IN VOLUME 7080, PAGE 1988 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND VOLUME 12628, PAGE 534 AND VOLUME 13337, PAGE 1791 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND DOCUMENT NO. 2001019057 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found in the North r.o.w. line of Pfluger Lane, a 60 foot wide public right-of-way, being at the Southeast corner of that certain 10.103 acre tract of land described in Volume 7080, Page 1988 of the Deed Records of Travis County, Texas, for the Southwest corner and PLACE OF BEGINNING hereof;

THENCE along the West line of the herein described tract for the following courses:

N 27°55'16" E for a distance of 1103.37 feet to a ½ inch iron pin found

N 27°47'30" E for a distance of 74.67 feet to a ½ inch iron pin found

N 27°46'45" E for a distance of 333.39 feet to a ½ inch iron pin found

N 27°56'27" E for a distance of 150.80 feet to a ½ inch iron pin found

N 27°45'06" E for a distance of 450.45 feet to a ½ inch iron pin found

N 28°00'39" E for a distance of 461.78 feet to an iron pin found at the Northeast corner of that certain 8.50 acre tract of land described in Volume 12628, Page 534 of the Real Property Records of Travis County, Texas, being in the South line of that certain 107.4 acre tract of land described in Volume 12947, Page 560 and Volume 12947, Page 562 of the Real Property Records of Travis County, Texas, for the Northwest corner hereof;

THENCE along the South line of said 107.4 acre tract, S 63°07'26" E for a distance of 59.90 feet to a ½ inch iron pin found at the Southeast corner of said 107.4 acre tract, being in the East line of said 208.08 acre tract, for the Northeast corner hereof;

EXHIBIT "A"

**FIELD NOTES
FOR**

TRACT 4 - 3.542 ACRES - Page Two

THENCE along the East line of said 208.08 acre tract, S 27°53'03" W for a distance of 2574.64 feet to a ½ inch capped iron pin set in the North r.o.w. line of Pfluger Lane, for the Southeast corner hereof,

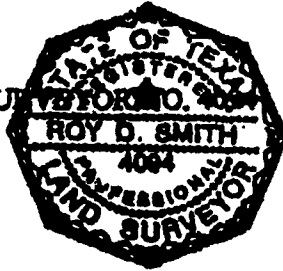
THENCE along the North r.o.w. line of Pfluger Lane, N 62°56'56" W for a distance of 60.00 feet to the **PLACE OF BEGINNING** and containing 3.542 acres of land, more or less.

SURVEYED:

Roy D. Smith Surveyors, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4084
AUGUST 12, 2003



FIELD NOTES
FOR

10.101 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE GEORGE M. MARTIN SURVEY NO. 9 IN TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND CALLED 10.103 ACRES AS CONVEYED TO MARTIN C. BIEHLE AND DEBORAH BIEHLE BY INSTRUMENT RECORDED IN VOLUME 7080, PAGE 1988 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Southeast corner of said 10.103 acre tract, being in the North r.o.w. line of Pfluger Lane, being at the Southwest corner of that certain 60 foot wide roadway easement described in said Volume 7080, Page 1988, for the PLACE OF BEGINNING hereof;

THENCE along the South line of said 10.103 acre tract, being along the North r.o.w. line of Pfluger Lane, N 62°18'55" W for a distance of 381.91 feet to a ½ inch capped iron pin set at the Southwest corner of said 10.103 acre tract;

THENCE along the West line of said 10.103 acre tract, N 27°51'23" E for a distance of 1200.23 feet to a ½ inch iron pin found at the Northwest corner of said 10.103 acre tract;

THENCE along the North line of said 10.103 acre tract for the following courses:

S 45°47'45" E for a distance of 6.52 feet to a ½ inch iron pin found

S 47°04'40" E for a distance of 102.23 feet to a ½ inch iron pin found

S 48°09'45" E for a distance of 215.52 feet to a ½ inch iron pin found

S 49°47'57" E for a distance of 66.30 feet to a ½ inch iron pin found

S 48°11'50" E for a distance of 4.40 feet to a ½ inch iron pin found at the Northeast corner of said 10.103 acre tract, being in the West line of said roadway easement;

THENCE along the East line of said 10.103 acre tract, being along the West line of said roadway easement, S 27°55'16" W for a distance of 1103.37 feet to the PLACE OF BEGINNING and containing 10.101 acres of land, more or less.

SURVEYED BY:

Roy D. Smith Surveyors, P.C.


ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
July 25, 2003

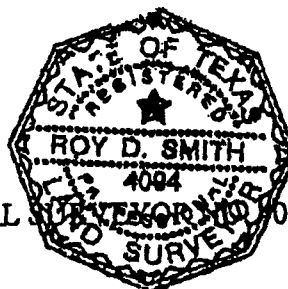


EXHIBIT "A"

FIELD NOTES
FOR

9.294 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 32.290 ACRE TRACT OF LAND CONVEYED TO H.L. WEISS, JR. BY INSTRUMENT RECORDED IN DOCUMENT NO. 2001065236 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Northeast corner of said 32.290 acre tract, being at the Southeast corner of that certain 34.791 acre tract of land described in Document No. 2001065239 of the Official Public Records of Travis County, Texas, being in the West r.o.w. line of Weiss Lane for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of said 32.290 acre tract, being along the West r.o.w. line of Weiss Lane, S 27°54'48" W for a distance of 53.86 feet to a ½ inch capped iron pin set in the proposed South r.o.w. line of Pfluger Lane realignment for the Southeast corner hereof;

THENCE along the proposed South r.o.w. line of Pfluger Lane realignment for the following courses:

N 62°33'21" W for a distance of 316.17 feet to a ½ inch capped iron pin set at a point of curve

Along a curve to the left whose radius is 845.00 feet, whose arc is 539.80 feet and whose chord bears N 80°51'23" W for a distance of 530.67 feet to a ½ inch capped iron pin set

S 80°50'34" W for a distance of 251.81 feet to a ½ inch capped iron pin set at a point of curve

Along a curve to the right whose radius is 955.00 feet, whose arc is 585.96 feet and whose chord bears N 81°34'47" W for a distance of 576.82 feet to a ½ inch capped iron pin set in the West line of said 32.290 acre tract, for the Southwest corner hereof;


THENCE along the West line of said 32.290 acre tract, N 27°17'52" E for a distance of 562.65 feet to a ½ inch iron pin found at the Northwest corner of said 32.290 acre tract for the Northwest corner hereof;

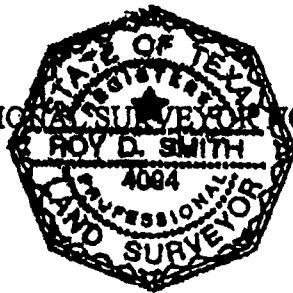
FIELD NOTES
FOR

9.294 ACRES OF LAND - Page Two

THENCE along the North line of said 32.290 acre tract, S 62°24'36" E for a distance of 1569.35 feet to the PLACE OF BEGINNING and containing 9.294 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.


ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094
December 16, 2002
Job No. 2743



FIELD NOTES
FOR

EXHIBIT "A"

34.728 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND CALLED 34.791 ACRES AS CONVEYED TO ROBERT WEISS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2001065239 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Northeast corner of said 34.791 acre tract, being in the West r.o.w. line of Weiss Lane for the PLACE OF BEGINNING hereof;

THENCE along the East line of said 34.791 acre tract, being along the West r.o.w. line of Weiss Lane, S 27°34'17" W for a distance of 966.12 feet to a ½ inch iron pin found at the Southeast corner of said 34.791 acre tract, being at the Northeast corner of that certain 32.290 acre tract of land described in Document No. 2001065236 of the Official Public Records of Travis County, Texas;

THENCE along the South line of said 34.791 acre tract, N 62°24'36" W for a distance of 1569.35 feet to a ½ inch iron pin found at the Southwest corner of said 34.791 acre tract, being in the East line of that certain 146.50 acre tract of land described in Volume 12118, Page 195 of the Real Property Records of Travis County, Texas;

THENCE along the West line of said 34.791 acre tract, N 27°18'19" E for a distance of 959.00 feet to a ½ inch iron pin found at the Northwest corner of said 34.791 acre tract, being in the South r.o.w. line of Pfluger Lane;

THENCE along the North line of said 34.791 acre tract, being in part along the South r.o.w. line of Pfluger Lane, S 62°40'11" E at a distance of 571.95 feet passing a ½ inch capped iron pin found and continuing for a total distance of 1573.82 feet to the PLACE OF BEGINNING and containing 34.728 acres of land, more or less.

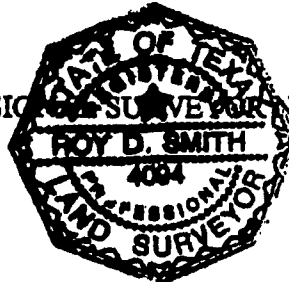
SURVEYED BY:

Roy D. Smith Surveyors, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
September 13, 2002

Job No. 2743



FIELD NOTES
FOR

23.442 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 58.06 ACRE TRACT OF LAND CONVEYED TO ROBERT T. NICHOLAS AND SALLY NICHOLAS BY INSTRUMENT RECORDED IN VOLUME 11418, PAGE 1139 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch capped iron pin set at the northeast corner of said 58.06 acre tract, being at the most Northerly Northwest corner of that certain 70.31 acre tract of land described in Document No. 2000168782 of the Official Public Records of Travis County, Texas, being in the South r.o.w. line of Pfluger Lane, for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of said 58.06 acre tract, S 27°09'03" W for a distance of 1262.18 feet to a ½ inch capped iron pin set in the proposed South r.o.w. line of Pfluger Lane realignment, for the Southeast corner hereof;

THENCE along the proposed South r.o.w. line of Pfluger Lane realignment for the following courses:

N 51°28'12" W for a distance of 114.98 feet to a ½ inch capped iron pin set at a point of curve

Along a curve to the right whose radius is 955.00 feet, whose arc is 828.51 feet and whose chord bears N 26°37'00" W for a distance of 802.77 feet to a ½ inch capped iron pin set

N 01°45'47" W for a distance of 491.83 feet to a ½ inch capped iron pin set at a point of curve

Along a curve to the left whose radius is 845.00 feet, whose arc is 512.12 feet and whose chord bears N 19°07'31" W for a distance of 504.31 feet to a ½ inch capped iron pin set in the Northerly extension of the West line of said 58.06 acre tract for the Southwest corner hereof;

THENCE along the Northerly extension of the West line of said 58.06 acre tract, N 27°08'57" E for a distance of 31.05 feet to a ½ inch capped iron pin set in the South r.o.w. line of Pfluger Lane, for the Northwest corner hereof;

THENCE along the South r.o.w. line of Pfluger Lane for the following courses:

FIELD NOTES
FOR

23.442 ACRES OF LAND - Page Two

Along a curve to the left whose radius is 501.50 feet, whose arc is 191.94 feet and whose chord bears S 51°22'32" E for a distance of 190.77 feet to a ½ inch capped iron pin set

S 62°24'13" E for a distance of 731.32 feet to a ½ inch capped iron pin set

S 62°39'18" E for a distance of 444.26 feet to the PLACE OF BEGINNING and containing 23.442 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

Roy D. Smith

ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094

December 12, 2002

Job No. 2743



EXHIBIT B

FIELD NOTES FOR

PORTION OF PFLUGER LANE TO BE VACATED

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE GEORGE M. MARTIN SURVEY NO. 9 AND THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE EXISTING PFLUGER LANE RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING OF RECORD BY VIRTUE OF VOLUME 2, PAGE 300 OF THE COMMISSIONERS COURT ROAD BOOK OF TRAVIS COUNTY, TEXAS, AND BY VARIOUS RIGHT-OF-WAY DEEDS RECORDED IN VOLUME 2268, PAGE 189, VOLUME 2268, PAGE 191, VOLUME 2268, PAGE 193 AND VOLUME 2268, PAGE 195 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED PORTION OF PFLUGER LANE TO BE VACATED, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch capped iron pin found at the intersection of the North r.o.w. line of Pfluger Lane and the West r.o.w. line of Weiss Lane, for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE S 28°00'12" W for a distance of 61.06 feet to a ½ inch capped iron pin found at the intersection of the South r.o.w. line of Pfluger Lane and the West r.o.w. line of Weiss Lane, for the Southeast corner hereof;

THENCE along the South r.o.w. line of Pfluger Lane for the following courses:

N 72°49'07" W for a distance of 1020.72 feet to a ½ inch capped iron pin found

N 62°40'11" W for a distance of 571.95 feet to a ½ inch iron pin found

N 62°39'18" W for a distance of 1876.96 feet to a ½ inch capped iron pin found

N 62°24'18" W for a distance of 731.32 feet to a ½ inch capped iron pin found at a point of curve

Along a curve to the right whose radius is 501.50 feet, whose arc is 191.94 feet and whose chord bears N 51°22'32" W for a distance of 190.77 feet to a ½ inch capped iron pin found at the intersection of the South r.o.w. line of Pfluger Lane and the Northerly extension of the West line of that certain 58.06 acre tract of land described in Volume 11418, Page 1139 of the Real Property Records of Travis County, Texas, for the Southwest corner hereof;

THENCE N 43°55'09" E for a distance of 60.75 feet to a ½ inch iron pin found in the North r.o.w. line of Pfluger Lane, being at the Southwest corner of that certain 11.985 acre tract of land described in Document No. 2000026273 of the Official Public Records of Travis County, Texas, for the Northwest corner hereof;

THENCE along the North r.o.w. line of Pfluger Lane for the following courses:

FIELD NOTES
FOR

PORTION OF PFLUGER LANE TO BE VACATED - Page Two

Along a curve to the left whose radius is 441.50 feet, whose arc is 174.90 feet and whose chord bears S 50°51'14" E for a distance of 173.76 feet to a ½ inch iron pin found

S 62°18'55" E for a distance of 629.07 feet to a ½ inch iron pin found

S 62°56'56" E for a distance of 101.07 feet to a ½ inch capped iron pin found

S 63°59'46" E for a distance of 485.18 feet to a ½ inch capped iron pin found

S 62°36'36" E for a distance of 628.98 feet to a ½ inch capped iron pin found

S 62°03'15" E for a distance of 1313.59 feet to a ½ inch capped iron pin found

S 72°49'07" E for a distance of 1044.00 feet to the PLACE OF BEGINNING and containing 6.372 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
February 14, 2003



EXHIBIT TO ACCOMPANY FIELD NOTES
FOR VACATION OF PFLUGER LANE

SCALE 1" = 300'

LEGEND

- 1/2" IRON PIN FOUND
- 1/2" CAPPED IRON PIN FOUND

CITY OF PFLUGERVILLE

GEORGE M. MARTIN SURVEY NO. 9

PFLUGER LANE
TO BE VACATED—6.372 AC.

562°03'15"E

1313.59'

PFLUGER LANE

1876.96'

ORIGINAL R.O.W.—VOL. 2, PG. 300
COMMISSIONERS COURT ROAD BOOK
146.50 AC
VOL. 12118, PG. 195

N62°40'11"W
571.95'

DOC. NO. 2001065239

34.791 AC.

S72°49'07"E

N72°49'07"W

CITY OF PFLUGERVILLE
2.088 AC.

P.O.B.

1044.00'

1020.72'

S28°00'12"W
61.06'

WESS LANE

Pflugerville Submittal Page 321 of 609

- 1/2" IRON PIN FOUND
- 1/2" CAPPED IRON PIN FOUND

FOR VACATION OF PFLUGER LANE

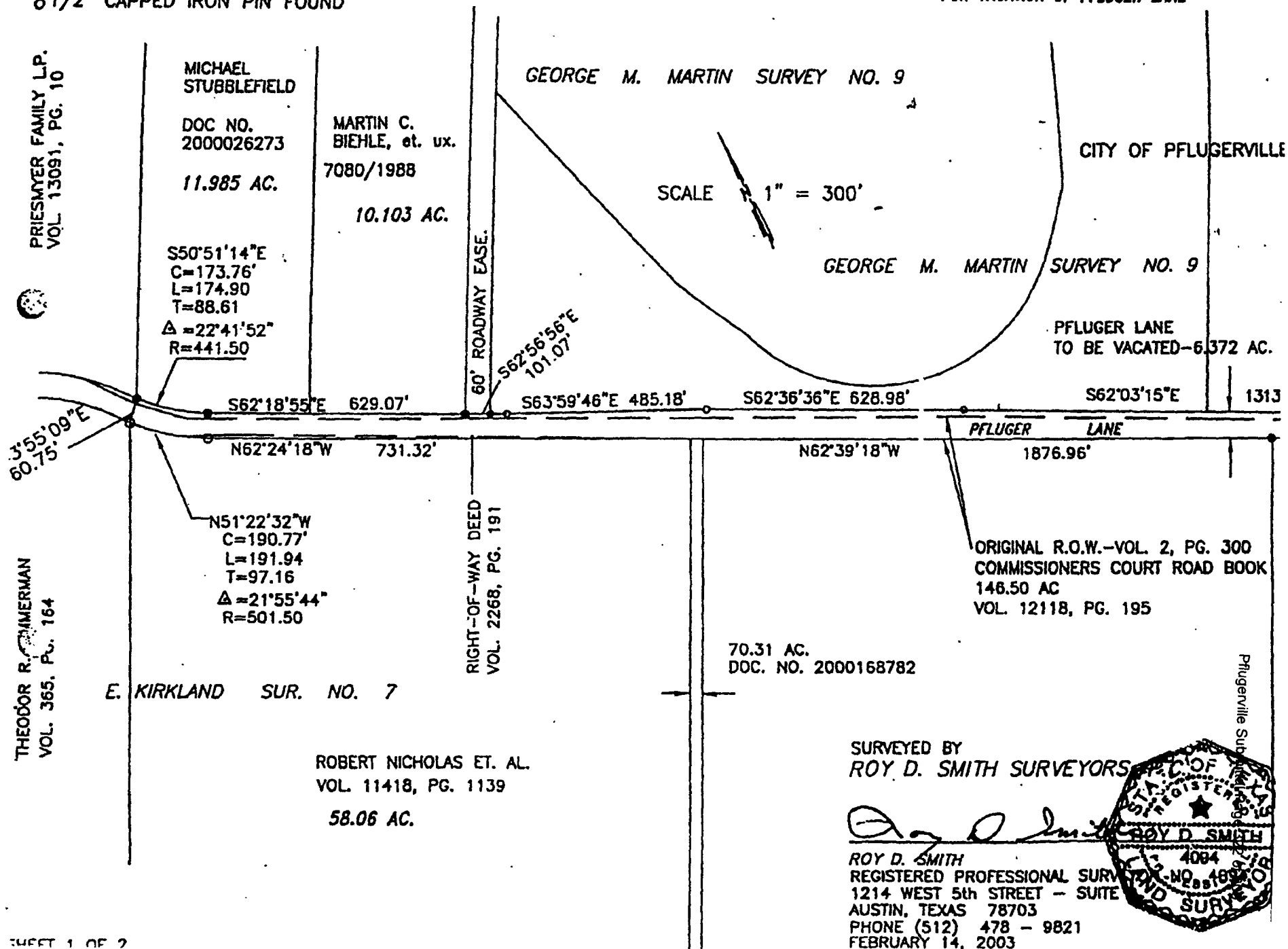


EXHIBIT "C"
SERVICE PLAN

183582-1 03/02/2004

1

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 BY THE CITY OF PFLUGERVILLE, 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 § 43.065 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.

EXHIBIT B

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.

Please return original after recording to:

Karen Thompson, City Secretary
City of Pflugerville
P.O. Box 589
Pflugerville, TX 78691

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2004 Apr 02 11:37 AM 2004061370

TORREZR \$96.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

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.



ORDINANCE NO. 768-04-12-28

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 968.2 ACRES OF LAND ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED EAST OF THE EXISTING CITY LIMIT, ALONG AND INCLUDING A PORTION OF THE STATE HIGHWAY 130 RIGHT OF WAY AND AREAS EAST TO WEISS LANE, INCLUDING AREAS ADJACENT TO THE CITY'S RESERVOIR SITE, 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; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 968.2 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, pursuant to Chapter 43, Section 43.057 of the Texas Local Government Code, the City finds the annexation to be in the public interest due to resulting promotion of economic development in the Land and surrounding areas; 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 due to the promotion of economic growth of the Land and surrounding areas.

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 on December 31, 2004 following 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 28 day of December, 2004.

CITY OF PFLUGERVILLE, TEXAS

By: Catherine T. Callen
Catherine T. Callen, Mayor

ATTEST:

Karen Thompson
Karen Thompson, City Secretary

EXHIBIT "A"
DESCRIPTION OF THE PROPERTY

DATE: DECEMBER 2004
REVISED: DEC. 16, 2004
JOB NO.: 0479-2-008-10
BY: W. FORSHEY
PAGE 1 OF 1

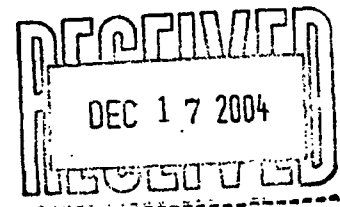
**CITY OF PFLUGERVILLE, TEXAS
EAST ANNEXATION TRACTS
968.2 ACRES**



**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT A
881.1 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, THE GEORGE M. MARTIN SURVEY NO. 9, THE E. KIRKLAND SURVEY NO 7, ABSTRACT NO. 458, THE SEFRIN EISELIN SURVEY NO. 4, ABSTRACT NO. 265, THE TAYLOR S. BARNES SURVEY NO. 46, ABSTRACT NO. 67 AND THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER	RECORD ACREAGE	ANNEX. ACREAGE	INSTRUMENT NO.
1A. CONNIE LORRAINE SLADEK	8.72 REM.	8.72	VOL. 10530, PG. 676
1B. CONNIE LORRAINE SLADEK	54.94 REM.	54.94	VOL. 10530, PG. 676
2A. THEODORE R. TIMMERMAN	23.732 REM.	23.732	VOL. 2470, PG. 572
2B. THEODORE R. TIMMERMAN	53.728 REM.	53.728	VOL. 2470, PG. 572
(TRACT NUMBERS 3-9 NOT USED)			
10. TIMMERMAN & HAGN, LTD.	+/-133 REM.	+/-133	VOL.8394, PG. 544
11A. TIMMERMAN & HAGN, LTD.	77.290 REM.	77.290	DOC. NO. 2004025617
11B. TIMMERMAN & HAGN, LTD.	47.131 REM.	47.131	DOC. NO. 2004025617
11C. TIMMERMAN & HAGN, LTD.	62.474 REM.	62.474	DOC. NO. 2004025617
(TRACT NUMBER 12 NOT USED)			
13A. TIMMERMAN & HAGN, LTD.	153.80 REM.	47.72	DOC. NO. 2004025616
13B. TIMMERMAN & HAGN, LTD.	111.07 REM.	111.07	DOC. NO. 2004025616
14A. TIMMERMAN & HAGN, LTD.	57 REM.	2.46	VOL.8394, PG. 544
14B. TIMMERMAN & HAGN, LTD.	124 REM.	124	VOL.8394, PG. 544
(TRACT NUMBERS 15-17 NOT USED)			
18. ROBERT NICHOLAS & SALLY NICHOLAS	34.618 REM.	34.618	VOL. 11418, PG. 1139
(SUBJECT TO CONDEMNATION CAUSE NO. 2484, TRAVIS CNTY. PROBATE COURT NO. 1)			
19. ROBERT NICHOLAS & SALLY NICHOLAS	7.00	7.00	VOL. 11418, PG. 1139
20. ROBERT NICHOLAS & SALLY NICHOLAS	11.00	11.00	VOL. 11418, PG. 1139
21. REBECCA R. HILL & FRANK HILL	69.38 REM.	69.38	DOC. NO. 2001020588



22. KATHLEEN MARIE ENGLAND & JAY LAWRENCE JOHNSON	101.307 REM.	101.307	VOL. 12118, PG. 195
23. H.L. WEISS, JR.	20.1 REM.	20.1	DOC. NO. 2001065236
24. H.L. WEISS, JR. & MERLE A. WEISS	1.89	1.89	VOL. 9294, PG. 901
25. NEAL E. WEISS & BARBARA A. WEISS	1.00.	1.00	DOC. NO. 2002167832
26. DON LEE WEISS & GLADYS WEISS	27.29	27.29	DOC NO. 2001065237
27. DON LEE WEISS & GLADYS WEISS	5.00	5.00	VOL. 5161, PG. 1611
28. GLEN WEISS	32.29	32.29	DOC. NO. 200165235
29. JOE WEISS	32.29	32.29	DOC. NO. 2001065238
30. JAMES R. BOHLS	5.00 (A)	5.00	VOL. 10951, PG. 0053
31. HELEN NONEMAN	3.00	3.00	VOL. 12763, PG. 313
32. JAMES R. BOHLS & BARBARA A. BOHLS	2.52	2.52	VOL. 7777, PG. 94
33. JAMES R. BOHLS	34.96	34.96	VOL. 12431, PG. 1410
34. JAMES R. BOHLS	1.59	1.59	VOL. 4997, PG. 223
35. JAMES R. BOHLS	3.465	3.465	VOL. 4997, PG. 219
36. JAMES R. BOHLS, ET AL	5.10	5.10	VOL. 8404, PG. 470
37. JAMES R. BOHLS	5.00 (B)	5.00	VOL. 10951, PG. 0053
38. MILDRED L. SMITH	156.8 REM.	156.8	VOL. 3978, PG. 1765
39. STATE OF TEXAS	VARIES	163.549	N/A

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED OR TAX APPRAISAL DISTRICT RECORDS OR TAKEN FROM THE STATE HIGHWAY 130 RIGHT-OF-WAY MAPS; ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), TRACT A 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" FOUND IN THE SOUTH LINE OF A 8.72 ACRE TRACT BEING A REMAINDER OF A 96.90 ACRE TRACT OF LAND DESCRIBED IN A DEED TO CONNIE LORRAINE SLADEK RECORDED IN VOLUME 10530, PAGE 676, DEED RECORDS OF TRAVIS COUNTY TEXAS (D.R.T.C.T.), AND SITUATED IN THE WILLIAM CALDWELL SURVEY NO 66, SAID POINT LYING IN THE NORTH LINE OF PECAN STREET, A 60 FOOT WIDE PUBLIC RIGHT-OF-WAY AND LOCATED 666.08 FEET RIGHT OF ENGINEERS STATION 1128+43.76, OF THE STATE HIGHWAY 130 BASELINE AS SHOWN ON THE TEXAS TURNPIKE AUTHORITY PROJECT NO. HP 1196 (I) RIGHT-OF-WAY PLANS;

THENCE WITH THE SOUTH LINE OF THE SAID 8.72 ACRE TRACT, WITH THE NORTH LINE OF SAID PECAN STREET, **NORTH 61°01'22" WEST, 460.75 FEET** TO THE SOUTHWEST CORNER OF THE SAID 8.72 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF A 23.732 ACRE REMAINDER OF A 97.5 ACRE TRACT DESCRIBED IN A DEED TO THEODORE R. TIMMERMAN RECORDED IN VOLUME 2470, PAGE 572, D.R.T.C.T;

THENCE WITH THE SOUTH LINE OF THE SAID 23.72 ACRE TRACT AND THE NORTH LINE OF SAID PECAN STREET, **NORTH 65°02'19" WEST, 793.74 FEET** TO THE SOUTHWEST CORNER OF THE SAID 23.732 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF A 77.29 ACRE REMAINDER OF A 236.03 ACRE TRACT DESCRIBED IN A DEED TO TIMMERMAN & HAGN, LTD. RECORDED IN DOC. NO. 20425617, OFFICAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.);

THENCE ALONG THE COMMON LINE BETWEEN THE SAID 23.732 ACRE AND 77.29 ACRE TRACTS, **NORTH 27°02'59" EAST, 1458.23 FEET** TO AN ANGLE POINT;

THENCE CONTINUING THROUGH THE SAID 77.29 TRACT AND THROUGH A 251.07 ACRE REMAINDER OF A 255.00 ACRE OF A 296.72 ACRE TRACT DESCRIBED IN A DEED TO TIMMERMAN & HAGN, LTD. RECORDED IN VOLUME 8394, PAGE 544, D.R.T.C.T. AND THROUGH A 62.474 ACRE REMAINDER OF THE SAID 236.03 ACRE TRACT AND THROUGH A 153.80 ACR REMAINDER OF A 300.03 ACRE TRACT DESCRIBED IN ADEED TO TIMMERMAN & HAGN, LTD. RECORDED IN DOC. NO. 2004025616, O.P.R.T.C.T. AND THROUGH A 57 ACRE TRACT BEING A REMAINDER OF A 535 ACRE TRACT DESCRIBED IN A DEED TO TIMMERMAN AND HAGN, LTD. RECORDED IN VOLUME 8394, PAGE 544, D.R.T.C.T., THE FOLLOWING FIVE COURSES:

- 1) **NORTH 14°12'03" WEST, 2990.43 FEET;**
- 2) **NORTH 18°43'49" WEST, 501.99 FEET;**
- 3) **NORTH 14°09'23" WEST, 1753.25 FEET;**
- 4) **NORTH 08°43'50" WEST, 1102.58 FEET** TO THE BEGINNING OF A CURVE;
- 5) **WITH THE CURVE TO THE RIGHT HAVING A RADIUS OF 12109.16 FEET, A CENTRAL ANGLE OF 4°12'18", A CHORD BEARING AND DISTANCE OF NORTH 06°37'40" WEST, 888.56 FEET AND AN ARC LENGTH OF 888.76 FEET** TO A POINT ON THE CURRENT EAST LINE OF THE CITY OF PFLUGERVILLE ESTABLISHED BY ORDINANCE 544-99-05-11;

THENCE CONTINUING THROUGH THE SAID 57 ACRE TRACT AND THROUGH PARCEL NO. 163A, A 22.067 ACRE TRACT ACQUIRED FOR STATE HIGHWAY 130 RIGHT-OF-WAY WITH THE SAID EAST CITY LIMIT LINE, **NORTH 24°45'43" EAST, 1057.03 FEET** TO A POINT ON THE ORIGINAL SOUTH LINE OF PFLUGER LANE, A 60 FOOT WIDE PUBLIC RIGHT-OF WAY ANNEXED BY ORDINANCE 730-03-12-16;

THENCE WITH THE ORIGINAL SOUTH RIGHT-OF-WAY OF PFLUGER LANE AND SAID CITY LIMIT, WITH THE NORTH LINE OF THE SAID 22.067 ACRE TRACT, **SOUTH 60°35'24" EAST, 1276.97 FEET** TO AN ANGLE POINT AT THE INTERSECTION OF THE MOST EASTERLY LINE OF THE STATE HIGHWAY 130;

THENCE THROUGH A 124 TRACT BEING A REMAINDER OF THE SAID TIMMERMAN AND HAGN, LTD. 535 ACRE TRACT **SOUTH 27°23'31" WEST, 1050.79 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 350.00 FEET LEFT OF ENGINEERS STATION 1045+12.69 OF THE SAID STATE HIGHWAY 130 BASELINE AND LYING ON THE CURVING EAST LINE OF THE SAID STATE HIGHWAY 130 RIGHT-OF-WAY AND BEING THE WESTERLY SOUTHWEST CORNER OF THE SAID 124 ACRE TRACT AND THE NORTHWEST CORNER OF A 111.07 ACRE REMAINDER OF THE SAID TIMMERMAN AND HAGN, LTD. 300.03 ACRE TRACT

THENCE CONTINUING WITH THE EAST LINE THE STATE HIGHWAY 130 AND WITH THE WEST LINE OF THE SAID 111.07 ACRE TRACT THE FOLLOWING THREE COURSES:

1) WITH THE CURVE TO THE LEFT HAVING A RADIUS OF 11109.16 FEET, A CENTRAL ANGLE OF 0°40'52", A CHORD BEARING AND DISTANCE OF **SOUTH 08°23'24" EAST, 132.05 FEET** AND AN ARC LENGTH OF 132.05 FEET TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 350.00 FEET LEFT OF ENGINEERS STATION 1046+48.90 OF THE SAID STATE HIGHWAY 130 BASELINE;

2) **SOUTH 08°43'50" EAST, 1055.19 FEET**;

3) **SOUTH 14°09'23" EAST, 1144.38 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 300.00 FEET LEFT OF ENGINEERS STATION 1068+78.45 OF THE SAID STATE HIGHWAY 130 BASELINE FOR THE SOUTHWEST CORNER OF THE SAID 111.07 ACRE TRACT AND BEING THE NORTHWEST CORNER OF A 47.131 ACRE REMAINDER OF THE SAID TIMMERMAN AND HAGN, LTD. 236.03 ACRE TRACT;

THENCE CONTINUING WITH THE EAST LINE OF STATE HIGHWAY 130 AND WITH THE WEST LINE OF THE SAID 47.131 ACRE TRACT, THE FOLLOWING THREE COURSES:

1) **SOUTH 14°09'23" EAST, 521.55 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 300.00 FEET LEFT OF ENGINEERS STATION 1074+00.00 OF THE SAID STATE HIGHWAY 130 BASELINE

2) **SOUTH 18°43'49" EAST, 501.60 FEET** TO AN ANGLE POINT;

3) **SOUTH 14°12'03" EAST, 1891.00 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 341.47 FEET LEFT OF ENGINEERS STATION 1097+91.00 OF THE SAID STATE HIGHWAY 130 BASELINE AND BEING THE SOUTH CORNER OF THE SAID 47.131 ACRE TRACT AND LYING ON THE WEST LINE OF A 53.728 ACRE REMAINDER OF A 97.5 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THEODORE R. TIMMERMAN RECORDED IN VOLUME 2470, PAGE 572, D.R.T.C.T.;

THENCE CONTINUING WITH THE EAST LINE OF STATE HIGHWAY 130 AND WITH THE WEST LINE OF THE SAID 53.728 ACRE TRACT, **SOUTH 14°12'03" EAST, 1232.77 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 342.43 FEET LEFT OF ENGINEERS STATION 1110+23.76 OF THE SAID STATE HIGHWAY 130 BASELINE FOR THE SOUTH CORNER OF THE SAID

53.728 ACRE TRACT AND LYING ON THE WEST LINE OF A 54.94 ACRE REMAINDER OF THE SAID SLADEK 96.90 ACRE TRACT;

THENCE DEPARTING THE EAST LINE OF STATE HIGHWAY 130 WITH THE COMMON LINE BETWEEN THE SAID 53.728 AND 54.94 ACRE TRACTS, **NORTH 27°37'30" EAST, 1112.20 FEET** TO A ½ INCH IRON ROD FOUND FOR AN ELL CORNER IN THE 53.728 ACRE TRACT AND BEING THE NORTHWEST CORNER OF THE SAID 54.94 ACRE TRACT;

THENCE CONTINUING WITH THE COMMON LINE BETWEEN THE SAID 53.728 AND 54.94 ACRE TRACTS, **SOUTH 63°44'02" EAST, 108.14 FEET** TO A ½ INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF A 69.38 ACRE REMAINDER OF A 70.31 ACRE TRACT DESCRIBED IN A DEED TO REBECCA R. HILL AND FRANK HILL RECORDED IN DOC. NO. 2001020588, O.P.R.T.C.T.;

THENCE WITH THE COMMON LINE BETWEEN THE SAID 53.728 AND 69.38 ACRE TRACTS, **NORTH 27°16'05" EAST, 2145.18 FEET** TO THE SOUTHWEST CORNER OF A 11.00 ACRE TRACT DESCRIBED IN A DEED TO ROBERT NICHOLAS AND SALLY NICHOLAS RECORDED IN VOLUME 11418, PAGE 1139, D.R.T.C.T., SAID POINT LYING ON THE EAST LINE OF THE SAID TIMMERMAN AND HAGN, LTD. 124 ACRE REMAINDER TRACT;

THENCE WITH THE COMMON LINE BETWEEN THE SAID 124 AND 11 ACRE TRACTS AND WITH THE WEST LINE OF A 7.00 ACRE TRACT DESCRIBED IN A DEED TO ROBERT NICHOLAS AND SALLY NICHOLAS RECORDED IN VOLUME 11418, PAGE 1139, D.R.T.C.T. AND WITH THE WEST LINE OF A 34.618 ACRE REMAINDER OF A 58.08 ACRE TRACT DESCRIBED IN A DEED TO ROBERT NICHOLAS AND SALLY NICHOLAS RECORDED IN VOLUME 11418, PAGE 1139, D.R.T.C.T., **NORTH 27°04'11" EAST, 2445.18 FEET** TO THE NORTHWEST CORNER OF THE SAID 34.618 ACRE TRACT TO POINT ON THE CURRENT AND CURVING SOUTH RIGHT-OF-WAY OF PFLUGER LANE;

THENCE ALONG THE CURRENT SOUTH RIGHT-OF-WAY OF PFLUGER LANE AND ALONG THE NORTH LINE OF THE SAID 34.618 ACRE TRACT AND ALONG THE SOUTH LINE OF THE CURRENT CITY LIMIT OF PFLUGERVILLE ESTABLISHED BY ORDINANCE 744-04-03-23, THE FOLLOWING FOUR COURSES:

- 1) WITH A CURVE TO THE RIGHT HAVING A **RADIUS OF 845.00 FEET, A CENTRAL ANGLE OF 34°43'29"**, A CHORD BEARING AND DISTANCE OF **SOUTH 19°12'08" EAST, 504.32 FEET** AND AN ARC LENGTH OF **512.12 FEET** TO A POINT OF TANGENCY;
- 2) **SOUTH 01°50'24" EAST, 491.83 FEET** TO THE BEGINNING OF A CURVE;
- 3) WITH A CURVE TO THE LEFT HAVING A **RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 49°42'25"**, A CHORD BEARING AND DISTANCE OF **SOUTH 26°41'37" EAST, 802.77 FEET** AND AN ARC LENGTH OF **828.51 FEET** TO A POINT OF TANGENCY;
- 4) **SOUTH 51°32'49" EAST, 114.99 FEET** TO A POINT ON THE EAST LINE OF THE SAID 34.618 ACRE TRACT AND ON THE WEST LINE OF A 0.930 ACRE TRACT DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE RECORDED IN DOC. NO. 2003139002, O.P.R.T.C.T.;

THENCE WITH THE COMMON LINE BETWEEN THE SAID 34.618 ACRE AND 0.930 ACRE TRACTS, WITH THE SAID CITY LIMIT LINE, **SOUTH 27°05'00" WEST, 86.50 FEET** TO THE SOUTHWEST CORNER OF THE SAID 0.930 ACRE TRACT AND BEING THE NORTHERLY NORTHWEST CORNER OF THE SAID HILL 69.38 ACRE TRACT;

THENCE WITH THE COMMON LINE BETWEEN THE SAID 0.930 ACRE AND 69.38 ACRE TRACTS, WITH THE SAID CITY LIMIT LINE, **SOUTH 58°08'43" EAST, 30.14 FEET** TO THE SOUTHEAST CORNER OF THE 0.930 ACRE TRACT AND LYING ON THE EAST LINE OF 101.307 ACRE REMAINDER OF A 146.50 ACRE TRACT DESCRIBED IN A DEED TO KATHLEEN MARIE ENGLAND AND JAY LAWRENCE JOHNSON RECORDED IN VOLUME 12118, PAGE 195, D.R.T.C.T.;

THENCE WITH THE COMMON LINE BETWEEN THE 101.307 ACRE AND 0.930 ACRE TRACTS, WITH THE SAID CITY LIMIT LINE, **NORTH 27°03'59" EAST, 82.97 FEET** TO THE NORTHWEST CORNER OF THE SAID 101.307 ACRE TRACT AND LYING ON THE CURRENT SOUTH RIGHT-OF-WAY OF PFLUGER LANE;

THENCE WITH THE CURRENT SOUTH LINE OF PFLUGER LANE AND SAID CITY LIMIT LINE, ALONG THE NORTH LINE OF THE SAID 101.307 ACRE TRACT AND ALONG THE NORTH LINE OF A 20.1 ACRE REMAINDER OF A 32.29 ACRE TRACT DESCRIBED IN A DEED TO H.L. WEISS, JR. RECORDED IN DOC. NO. 2001065236, O.P.R.T.C.T., THE FOLLOWING FIVE COURSES:

- 1) **SOUTH 51°32'48" EAST, 1214.89 FEET** TO THE BEGINNING OF A CURVE;
- 2) WITH A CURVE TO THE LEFT HAVING A **RADIUS OF 954.72 FEET, A CENTRAL ANGLE OF 47°42'12"**, A CHORD BEARING AND DISTANCE OF **SOUTH 75°23'52" EAST, 772.12 FEET** AND AN ARC LENGTH OF **794.88 FEET** TO A POINT OF TANGENCY;
- 3) **NORTH 80°45'57" E, 251.81 FEET** TO THE BEGINNING OF A CURVE;
- 4) WITH A CURVE TO THE RIGHT HAVING A **RADIUS OF 845.13 FEET, A CENTRAL ANGLE OF 36"**, A CHORD BEARING AND DISTANCE OF **SOUTH 80°56'11" EAST, 530.67 FEET** AND AN ARC LENGTH OF **539.80 FEET** TO A POINT OF TANGENCY;
- 5) **SOUTH 62°37'58" EAST, 316.17 FEET** TO THE NORTHEAST CORNER OF THE SAID 20.1 ACRE TRACT AT THE INTERECTION OF THE CURRENT SOUTH LINE OF PFLUGER LANE WITH THE WEST LINE OF WEISS LANE;

THENCE WITH THE WEST LINE OF WEISS LANE AND THE EAST LINE OF THE SAID 20.1 ACRE TRACT AND THE FOLLOWING TRACTS:

H.L. WEISS, JR. & MERLE A. WEISS, 1.89 ACRES AS RECORDED IN VOL. 9294, PG. 901
NEAL E. WEISS & BARBARA A. WEISS, 1.00 ACRES AS RECORDED IN DOC. NO. 2002167832
DON LEE WEISS & GLADYS WEISS, 27.29 ACRES AS RECORDED IN DOC NO. 2001065237
DON LEE WEISS & GLADYS WEISS, 5.00 ACRES AS RECORDED IN VOL. 5161, PG. 1611
GLEN WEISS, 32.29 ACRES AS RECORDED IN DOC. NO. 200165235, O.P.R.T.C.T.
JOE WEISS, 32.29 ACRES AS RECORDED IN DOC. NO. 2001065238, O.P.R.T.C.T.

SOUTH 27°33'32" WEST, 3554.11 FEET TO THE SOUTHWEST CORNER OF THE SAID JOE WEISS TRACT;

THENCE CONTINUING WITH THE WEST LINE OF WEISS LANE AND THE EAST LINE OF THE FOLLOWING TRACTS:

JAMES R. BOHLS, 5.00 (A) ACRES AS RECORDED IN VOL. 10951, PG. 0053

HELEN NONEMAN, 3.00 ACRES AS RECORDED IN VOL. 12763, PG. 313

JAMES R. BOHLS & BARBARA A. BOHLS, 2.52 ACRES AS RECORDED IN VOL. 7777, PG. 94

JAMES R. BOHLS, 34.96 ACRES AS RECORDED IN VOL. 12431, PG. 1410

JAMES R. BOHLS, 1.59 ACRES AS RECORDED IN VOL. 4997, PG. 223

JAMES R. BOHLS, 3.465 ACRES AS RECORDED IN VOL. 4997, PG. 219

JAMES R. BOHLS, ET AL 5.10 ACRES AS RECORDED IN VOL. 8404, PG. 470

JAMES R. BOHLS, 5.00 (B) ACRES AS RECORDED IN VOL. 10951, PG. 0053

SOUTH 26°46'06" WEST, 3112.54 FEET TO THE INTERSECTION OF THE WEST LINE OF WEISS LANE WITH THE ORIGINAL NORTH LINE OF PECAN STREET;

THENCE WITH THE ORIGINAL NORTH LINE OF PECAN WITH THE SOUTH LINE OF JAMES R. BOHL'S 5.00 ACRE TRACT AND WITH THE SOUTH LINE OF A 156.8 ACRE REMAINDER OF A 161 ACRE TRACT DESCRIBED IN A DEED TO MILDRED L. SMITH RECORDED IN VOLUME 3978, PAGE 1765, D.R.T.C.T., **NORTH 62°41'45" WEST, 1710.58 FEET** TO AN ANGLE POINT LYING ON THE EAST LINE OF PARCEL NO. 166, A 4.188 ACRE TRACT ACQUIRED FOR STATE HIGHWAY 130 RIGHT-OF-WAY;

THENCE CONTINUING ALONG THE COMMON LINE BETWEEN THE SAID 156.8 ACRE AND 4.188 ACRE TRACTS THE FOLLOWING TWO COURSES:

- 1) **NORTH 27°19'54"EAST, 39.47 FEET** TO A POINT ON THE CURRENT RIGHT-OF-WAY OF PECAN STREET;
- 2) **NORTH 62°40'46" WEST, 914.44 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AND LOCATED 445.49 FEET LEFT OF ENGINEERS STATION 1037+23.41 OF THE SAID STATE HIGHWAY 130 BASELINE;

THENCE THROUGH THE SAID PARCEL 166 AND THROUGH PARCEL 165, A 33.235 ACRE TRACT ACQUIRED FOR STATE HIGHWAY 130 RIGHT-OF-WAY; **NORTH 63°55'32"WEST,** PASSING AT 1229.96 FEET, AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AT A RIGHT-OF-WAY POINT OF CURVITURE AND LYING ON THE CURRENT RIGHT-OF-WAY OF PECAN STREET AND ALSO LOCATED 495.07 RIGHT OF ENGINEERS STATION 1129+18.93 OF THE SAID STATE HIGHWAY 130 BASELINE, IN ALL A TOTAL DISTANCE OF **1409.05 FEET** TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" LOCATED 631.97 FEET RIGHT OF ENGINEERS STATION 1128+03.37 OF THE SAID STATE HIGHWAY 130 BASELINE AND BEING A POINT ON THE CURRENT RIGHT-OF WAY OF PECAN STREET AND LYING IN THE SOUTH LINE OF THE SAID THEODORE R. TIMMERMAN 8.72 ACRE REMAINDER TRACT;

THENCE **SOUTH 26°04'50" WEST, 52.99 FEET** TO THE POINT OF BEGINNING AND CONTAINING 881.1 ACRES.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER TEXAS TURNPIKE AUTHORITY RIGHT-OF-WAY PLANS FOR STATE HIGHWAY 130.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT WAS 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

12/16/04

WILLIAM A. FORSHEY

DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5097

BAKER-AICKLEN & ASSOCIATES, INC.

203 E. MAIN STREET, SUITE 201

ROUND ROCK, TEXAS 78664

(512) 244-9620

PROJECT NO.: 0479-2-008

W:\PROJECTS\CITY OF PFLUGERVILLE\EAST ANNEXATION\DOCS\DESCRIPTION OF TRACT A ALTERNATE.DOC



**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT B
87.1 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 GEORGE M. MARTIN SURVEY NO. 9 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

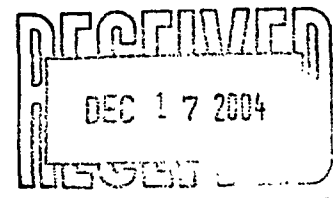
<u>OWNER</u>	<u>DEED ACREAGE</u>	<u>ANNEX. ACREAGE</u>	<u>INSTRUMENT NO.</u>
1. PRIESMEYER FAMILY, L.P.	50.00	50.00	VOL. 13091, PG. 0010
2. LESTER RAY JOHNSON, JR.	8.50	8.50	VOL. 12628, PG. 0537
3. MELISSA NORRIS	8.28	8.28	DOC NO. 2001019057
4. LESLIE J. TRECARTIN & DONALD R. WILDER	8.299	8.299	VOL. 13337, PG. 1791
5. CITY OF PFLUGERVILLE	0.530	0.530	DOC. NO. 2003233398
6. MICHAEL STUBBLEFIELD	12.0	12.0	DOC. NO. 2000026273

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED OR 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 B BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF A 50.00 ACRE TRACT SITUATED IN THE GEORGE M. MARTIN SURVEY NO. 9 AND DESCRIBED IN A DEED TO THE PREISMEYER FAMILY, L.P. RECORDED IN VOLUME 13091, PAGE 0010, DEED RECORDS OF TRAVIS COUNTY TEXAS (D.R.T.C.T.) AND BEING THE SOUTHEAST CORNER OF A 197.27 ACRE TRACT OF LAND AND DESCRIBED IN A DEED TO TIMMERMAN & HAGN, LTD. RECORDED IN VOLUME 3310, PAGE 1434, D.R.T.C.T. AND LYING IN THE NORTH LINE OF PFLUGER LANE, A 60 FOOT WIDE PUBLIC RIGHT-OF-WAY ANNEXED INTO THE CITY OF PFLUGERVILLE BY ORDINANCE NO. 730-03-12-16 AND BEING THE **POINT OF BEGINNING**;

THENCE, DEPARTING THE NORTH LINE OF PFLUGER LINE ALONG THE COMMON LINE BETWEEN THE SAID 50.00 ACRE AND 197.27 ACRE TRACTS THE FOLLOWING THREE COURSES:

- 1) NORTH 27°35'36" EAST, 1736.13 FEET;
- 2) NORTH 11°39'36" EAST, 56.21 FEET



3) **NORTH 27°25'36" EAST, 645.05 FEET** TO THE NORTHWEST CORNER OF THE SAID 50.00 ACRE TRACT;

THENCE WITH THE NORTH LINE OF THE SAID 50.00 ACRE TRACT AND WITH THE NORTH LINE OF A 8.50 ACRE TRACT OF LAND DESCRIBED IN A DEED TO LESTER RAY JOHNSON, JR. RECORDED IN VOLUME 12628, PAGE 0537, D.R.T.C.T., **S 63°10'33" E, 1701.86 FEET** TO THE NORTHEAST CORNER OF THE SAID 8.50 ACRE TRACT;

THENCE WITH THE EAST LINE OF THE SAID 8.50 ACRE TRACT AND WITH THE WEST LINE OF THE CURRENT PFLUGERVILLE CITY LIMIT ESTABLISHED BY ORDINANCE 744-04-03-23, **SOUTH 27°48'45" WEST, 462.20 FEET** TO THE SOUTHEAST CORNER OF THE SAID 8.50 ACRE TRACT AND BEING THE NORTHEAST CORNER OF A 8.28 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MELISSA NORRIS RECORDED IN DOCUMENT NO. 2001019057, O.P.R.T.C.T.;

THENCE WITH THE EAST LINE OF THE SAID 8.28 ACRE TRACT AND CONTINUING ALONG A WEST LINE OF THE SAID CITY LIMIT, **SOUTH 27°37'55" WEST, 451.09 FEET**, TO THE SOUTHEAST CORNER OF THE SAID 8.28 ACRE TRACT AND BEING THE NORTHEAST CORNER OF A 8.299 ACRE TRACT OF LAND DESCRIBED IN A DEED TO LESLIE J. TRECARTIN & DONALD R. WILDER RECORDED IN VOLUME 13337, PAGE 1791, D.R.T.C.T.;

THENCE WITH THE EAST LINE OF THE SAID 8.299 ACRE TRACT AND CONTINUING ON A WEST LINE OF THE SAID CITY LIMIT, THE FOLLOWING THREE COURSES:

- 1) **SOUTH 27°53'30" WEST, 150.74 FEET**
- 2) **SOUTH 27°43'48" WEST, 333.27 FEET**
- 3) **SOUTH 27°44'33" WEST, 74.64 FEET** TO THE SOUTHEAST CORNER OF THE SAID 8.299 ACRE TRACT;

THENCE WITH THE SOUTH LINE OF THE SAID 8.299 ACRE TRACT AND CONTINUING ALONG A NORTH LINE OF THE SAID PFLUGERVILLE CITY LIMIT, **NORTH 48°10'55" WEST, 388.73 FEET** TO THE NORTHEAST CORNER OF A 12.0 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MICHAEL STUBBLEFIELD RECORDED IN DOCUMENT NO. 2000026273, O.P.R.T.C.T.;

THENCE WITH THE EAST LINE OF THE SAID 12.0 ACRE TRACT AND CONTINUING ON A WEST LINE OF THE SAID CITY LIMIT, **SOUTH 28°02'59" WEST, 1198.74 FEET** TO THE SOUTHEAST CORNER OF THE SAID 12.0 ACRE TRACT AND LYING ON THE NORTH LINE OF SAID PFLUGER LANE;

THENCE WITH THE SOUTH LINE OF THE SAID 12.0 ACRE TRACT AND CONTINUING ON A NORTH LINE OF THE SAID CITY LIMIT AND PFLUGER LANE, **NORTH 62°18'03" WEST, 249.13 FEET** TO THE BEGINNING OF A CURVE;

THENCE CONTINUING WITH THE SOUTH LINE OF THE SAID 12.0 ACRE TRACT AND WITH THE NORTH LINE OF THE SAID CITY LIMIT AND PFLUGER LANE, WITH THE CURVE TO THE RIGHT HAVING A **RADIUS OF 441.47 FEET, A CENTRAL ANGLE OF 22°33'53"**, A **CHORD BEARING AND DISTANCE OF NORTH 51°01'08" WEST, 172.74 FEET** AND AN **ARC LENGTH OF 173.86 FEET** TO A POINT OF COMPOUND CURVATURE AND BEING THE

SOUTHWEST CORNER OF THE SAID 12 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID 50.00 ACRE TRACT;

THENCE CONTINUING WITH THE SOUTH LINE OF THE SAID 50.00 ACRE TRACT WITH THE NORTH LINE OF PFLUGER LANE ANNEXED BY ORDINANCE 730-03-12-16 WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 441.47 FEET, A CENTRAL ANGLE OF $2^{\circ}50'42''$, A CHORD BEARING AND DISTANCE OF NORTH $38^{\circ}18'52''$ WEST, 21.92 FEET, AND AN ARC LENGTH OF 21.92 FEET TO A POINT OF REVERSE CURVATURE;

THENCE CONTINUING WITH THE SOUTH LINE OF THE SAID 50.00 ACRE TRACT WITH THE NORTH LINE OF PFLUGER LANE AND SAID CITY LIMIT WITH A CURVE TO THE LEFT HAVING A RADIUS OF 530.74 FEET, A CENTRAL ANGLE OF $23^{\circ}22'25''$, A CHORD BEARING AND DISTANCE OF NORTH $48^{\circ}34'32''$ WEST, 219.01 FEET, AND AN ARC LENGTH OF 220.59 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING WITH THE SOUTH LINE OF THE SAID 50.00 ACRE TRACT WITH THE NORTH LINE OF PFLUGER LANE AND SAID CITY LIMIT, NORTH $60^{\circ}31'13''$ WEST, 643.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 87.1 ACRES.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH FOR THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 PER TEXAS TURNPIKE AUTHORITY RIGHT-OF-WAY PLANS FOR STATE HIGHWAY 130.

SURVEYOR'S CERTIFICATION:

THIS DOCUMENT WAS 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

WILLIAM A. FORSHEY

12/16/04

DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5097

BAKER-AICKLEN & ASSOCIATES, INC.

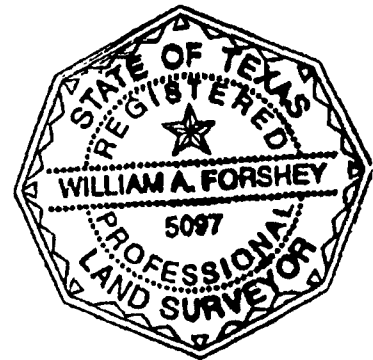
203 E. MAIN STREET, SUITE 201

ROUND ROCK, TEXAS 78664

(512) 244-9620

PROJECT NO.: 0479-2-008

W:\PROJECTS\CITY OF PFLUGERVILLE\EAST ANNEXATION\DOCS\DESCRIPTION OF TRACT B ALTERNATE.DOC



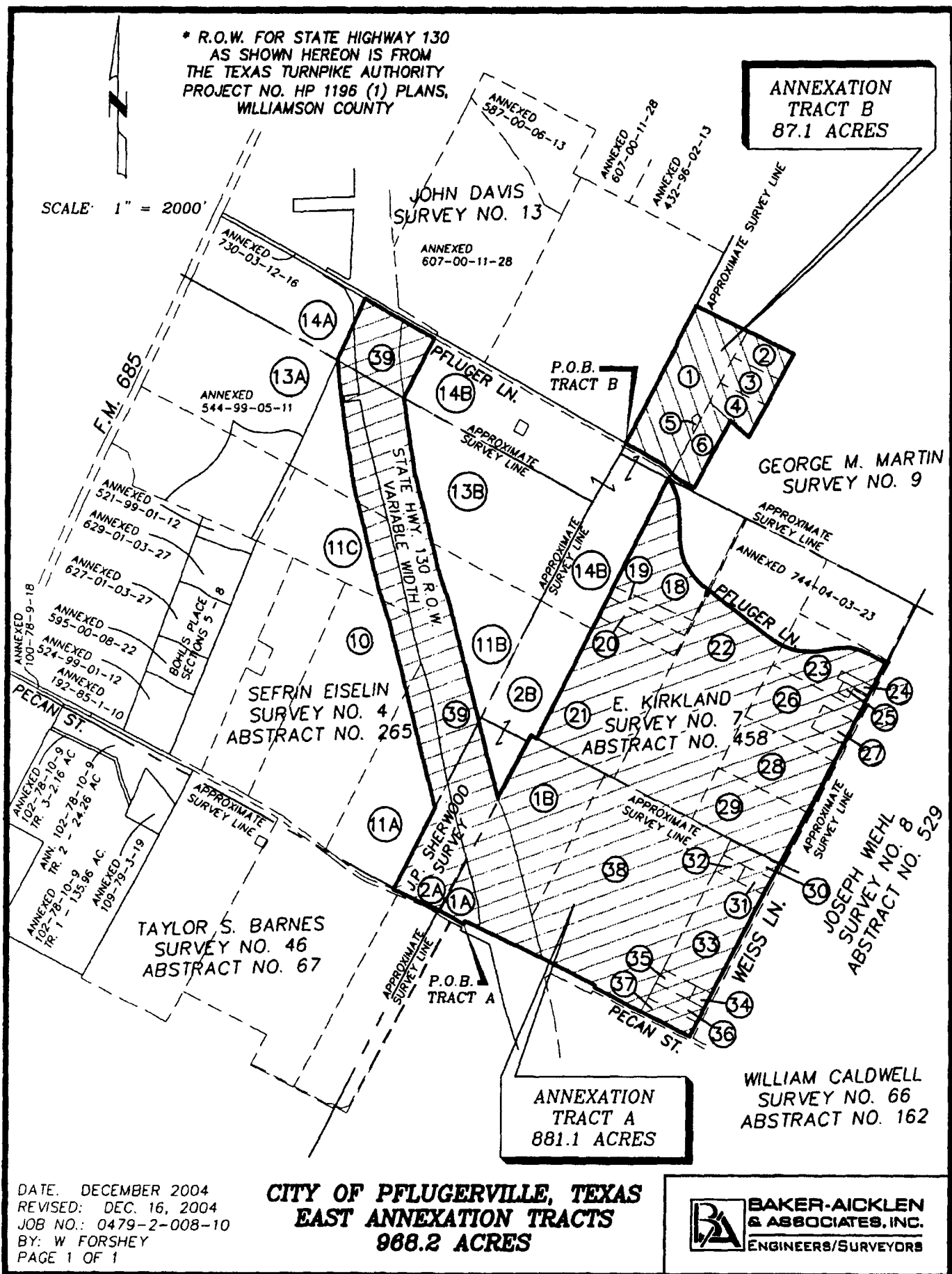


EXHIBIT “B”
SERVICE PLAN

SERVICE PLAN FOR PROPOSED ANNEXATION BY THE CITY OF PFLUGERVILLE, 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 § 43.065 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. The City may not prohibit the collection of solid waste by a private provider or charge a fee for solid waste collection to any resident who continues to use the services of a private provider during the first two years following annexation. If a resident continues to use the services of a private provider during the two years following annexation, the City is not required to provide solid waste collection services to that resident.

- 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.

EXHIBIT B

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.

January 3, 2005

Account #87

ORDINANCE NO. 768-04-12-28

Please record the above referenced ordinance here enclosed. Returning the original to:

**City of Pflugerville
Attn: Karen Thompson, City Secretary
P.O. Box 589
Pflugerville, TX 78691-0589**

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
Dana DeBeauvoir
2005 Jan 05 09:37 AM 2005001913
FERGUSONL \$50.00
DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS



ORDINANCE NO. 880-07-04-24

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 634.6 ACRES OF LAND IN THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162, ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED SOUTH OF PECAN STREET AND WEST OF CAMERON ROAD, 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; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 313.4 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.

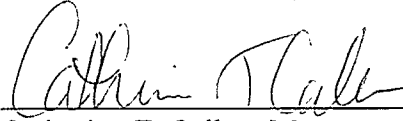
Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as 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 24th day of April, 2007.

CITY OF PFLUGERVILLE, TEXAS

By: 
Catherine T. Callen, Mayor

ATTEST:


Karen Thompson, City Secretary

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

EXHIBIT "B"
SERVICE PLAN

**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION TRACT A
634.6 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 CALDWELL SURVEY NO. 66, ABSTRACT NO. 162 IN TRAVIS COUNTY, TEXAS AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER	RECORD ACREAGE	ANNEX. ACREAGE	INSTRUMENT NO.
1. PECAN PARK RETAIL, LTD.	26.067 REM.	26.067	DOC. NO. 2003067623
2. STATE OF TEXAS/TRAVIS COUNTY RIGHT-OF-WAY	138.3	138.3	VARIES
3A. NORTHEAST PARK, LTD.	0.389 REM.	0.389	DOC. NO. 2003067624
3B. NORTHEAST PARK, LTD.	10.995 REM.	10.995	DOC. NO. 2003067624
4A. PECAN STREET ESTATES, LTD.	11.605 REM.	11.605	DOC. NO. 2003067625
4B. PECAN STREET ESTATES, LTD.	0.84 REM.	0.84	DOC. NO. 2003067625
5A. PVILLE EAST, LTD.	21.329 REM.	21.329	DOC. NO. 2003067626
5B. PVILLE EAST, LTD.	0.017 REM.	0.017	DOC. NO. 2003067626
5C. PVILLE EAST, LTD.	0.790 REM.	0.790	DOC. NO. 2003067626
6. GERALD WILKE & MARGARET WILKE	10.91 ACRE	10.91 AC.	VOL. 4864, PG. 360
7. THELDON K. BOHLS, ET AL	+/-104.5 REM.	+/-104.5	VOL. 12820, PG. 1846
8. LANIER BOHLS, ET AL	+/- 97.7 REM.	0.936	VOL. 12820, PG. 1846
9. ELWOOD & WILLIE MAE BURNS	30.5 REM.	30.5	VOL. 2843, PG. 597
10A. ELWOOD & WILLIE MAE BURNS	17.693 REM.	17.693	VOL. 5729, PG. 1745
10B. ELWOOD & WILLIE MAE BURNS	7.05 REM.	7.05	VOL. 5729, PG. 1745
11A. THE WHITEHEAD BY-PASS TRUST	43.229 REM.	43.229	VOL. 11621, PG. 639
11B. ELWOOD & WILLIE MAE BURNS	0.550 REM.	0.550	VOL. 11621, PG. 639
12. G.J. KILIAN (HEIRS)	87.97 REM.	87.97	VOL. 955, PG. 46
13. SUSAN ANDERSON ET AL, TRUSTEES ROBERT F. ANDERSON NON-REVOCABLE TRUST	65.7 REM.	65.7	VOL. 12191, PG. 114
14. SUSAN ANDERSON ET AL, TRUSTEES ROBERT F. ANDERSON NON-REVOCABLE TRUST	55.8 REM.	55.8	VOL. 12191, PG. 114

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED OR TAX APPRAISAL DISTRICT RECORDS OR TAKEN FROM THE STATE HIGHWAY 130 RIGHT-OF-WAY MAPS; ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), TRACT A 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" FOUND IN THE SOUTH LINE OF A 8.72 ACRE TRACT BEING A REMAINDER OF A 96.90 ACRE TRACT OF LAND DESCRIBED IN A DEED TO CONNIE LORRAINE SLADEK RECORDED IN VOLUME 10530, PAGE 676, DEED RECORDS OF TRAVIS COUNTY TEXAS (D.R.T.C.T.), AND SITUATED IN THE WILLIAM CALDWELL SURVEY NO 66, SAID POINT LYING IN THE NORTH LINE OF PECAN STREET, A 60 FOOT WIDE PUBLIC RIGHT-OF-WAY AND LOCATED 666.08 FEET RIGHT OF ENGINEERS STATION 1128+43.76, OF THE STATE HIGHWAY 130 BASELINE AS SHOWN ON THE TEXAS TURNPIKE AUTHORITY PROJECT NO. HP 1196 (1) RIGHT-OF-WAY PLANS AND LYING ON THE CURRENT SOUTH LINE OF THE CITY OF PFLUGERVILLE ESTABLISHED BY ORDINANCE 784-04-12-28;

THENCE NORTH 26°01'31" EAST, 52.87 FEET, WITH THE CITY LIMIT LINE, TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" FOUND IN THE SOUTH LINE OF THE SAID 8.72 ACRE TRACT AND LOCATED 631.97 FEET RIGHT OF ENGINEERS STATION 1128+03.37 OF THE SAID STATE HIGHWAY 130 BASELINE AND BEING A POINT ON THE CURRENT NORTH RIGHT-OF WAY OF PECAN STREET;

THENCE SOUTH 63°57'34"EAST, 178.96 FEET, WITH THE CITY LIMIT LINE, TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" AT A RIGHT-OF-WAY POINT OF CURVITURE AND LYING ON THE CURRENT RIGHT-OF-WAY OF PECAN STREET AND ALSO LOCATED 495.07 RIGHT OF ENGINEERS STATION 1129+18.93 OF THE SAID STATE HIGHWAY 130 BASELINE;

THENCE ACROSS THE STATE HIGHWAY 130 RIGHT-OF-WAY WITH THE CITY LIMIT LINE, SOUTH 63°55'32"EAST, 1229.96 FEET, TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION" LYING IN THE SOUTH LINE OF A 156.8 ACRE REMAINDER OF A 161 ACRE TRACT DESCRIBED IN A DEED TO MILDRED L. SMITH RECORDED IN VOLUME 3978, PAGE 1765, D.R.T.C.T., AND LOCATED 445.49 FEET LEFT OF ENGINEERS STATION 1037+23.41 OF THE SAID STATE HIGHWAY 130 BASELINE;

THENCE CONTINUING WITH THE CITY LIMIT LINE, ALONG THE SOUTH LINE OF THE SAID 156.8 ACRE TRACT, THE FOLLOWING TWO COURSES:

- 1. SOUTH 62°40'46" EAST, 914.44 FEET TO AN ANGLE POINT LOCATED 1128.76 FEET LEFT OF ENGINEERS STATION 1143+19.05 OF THE SAID STATE HIGHWAY 130 BASELINE;**
- 2. SOUTH 27°19'54"WEST, 39.47 FEET TO A POINT ON THE ORIGINAL RIGHT-OF-WAY OF PECAN STREET AND LOCATED 1102.31 FEET LEFT OF ENGINEERS STATION 1143+48.61 OF THE SAID STATE HIGHWAY 130 BASELINE ;**

THENCE WITH THE CITY LIMIT LINE AND ORIGINAL NORTH LINE OF PECAN STREET, WITH THE SOUTH LINE OF THE SAID 156.8 ACRE TRACT AND WITH THE SOUTH LINE OF A 5.00 ACRE TRACT DESCRIBED IN A DEED TO JAMES R. BOHLS, RECORDED IN VOL.

10951, PG. 0053, D.R.T.C.T., **SOUTH 62°41'45" EAST, 1710.58 FEET** TO THE SOUTHEAST CORNER OF THE SAID 5.00 ACRE TRACT AND BEING THE INTERSECTION THE ORIGINAL NORTH LINE OF PECAN STREET WITH THE WEST LINE OF WEISS LANE;

THENCE, DEPARTING THE PFLUGERVILLE CITY LIMIT LINE, ACROSS THE WEISS LANE RIGHT-OF-WAY, **SOUTH 61°38'20" EAST, 60.02 FEET** TO THE SOUTHEAST CORNER OF A 5.00 ACRE TRACT DESCRIBED IN A DEED TO CHARLES A. SCHNABEL AND WIFE, NADINE L. SCHNABEL RECORDED IN VOLUME 8492, PAGE 722, D.R.T.C.T. AND BEING THE INTERSECTION THE ORIGINAL NORTH LINE OF PECAN STREET WITH THE EAST LINE OF WEISS LANE;

THENCE **SOUTH 62°44'48" EAST, 746.57 FEET**, CONTINUING WITH THE NORTH LINE OF PECAN STREET AND THE SOUTH LINE OF THE SCHNABEL 5.00 ACRE TRACT TO THE SOUTHEAST CORNER OF THE SCHNABEL 5.00 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A 17.76 ACRE TRACT DESCRIBED IN A DEED TO CHARLES A. SCHNABEL AND WIFE, NADINE L. SCHNABEL RECORDED IN VOLUME 7087, PAGE 1478, D.R.T.C.T.;

THENCE CONTINUING WITH THE NORTH LINE OF PECAN STREET AND THE SOUTH LINE OF THE SCHNABEL 17.76 ACRE TRACT THE FOLLOWING TWO COURSES:

1. **SOUTH 63°27'49" EAST, 283.54 FEET** TO AN ANGLE POINT;
2. **SOUTH 53°38'29" EAST, 185.87 FEET** TO AN ANGLE POINT LYING ON A WESTERLY LINE OF THE APPROXIMATELY 97.7 ACRE REMAINDER OF A CALLED 104 ACRE TRACT, DESCRIBED AS SECOND TRACT & EXHIBIT C, FIRST TRACT THIRD TRACT AND AS EXHIBIT B IN A DEED TO LANIER BOHLS, ET AL, RECORDED IN VOLUME 12820, PAGE 1846, D.R.T.C.T.

THENCE ALONG THE COMMON LINE BETWEEN THE SAID SCHNABEL AND BOHLS TRACTS, **SOUTH 63°43'36" EAST, 133.33 FEET** TO THE SOUTHEAST CORNER OF THE SCHNABEL 17.76 ACRE TRACT AND BEING AN ANGLE POINT IN THE WEST LINE OF THE SAID 99 ACRE TRACT;

THENCE, THROUGH THE SAID 99 ACRE TRACT, **SOUTH 27°18'32" WEST, 295.16 FEET**, TO A POINT ON THE SOUTH LINE OF THE 99 ACRE TRACT AND ON THE NORTHEASTERLY LINE OF CAMERON ROAD, A PUBLIC RIGHT-OF-WAY;

THENCE **NORTH 62°56'29" WEST, 180.95 FEET**, ALONG A PROJECTION OF THE SOUTH LINE OF THE 99 ACRE TRACT AND THE NORTHEASTERLY LINE OF CAMERON ROAD TO AN ANGLE POINT IN APPROXIMATE NORTHWESTERLY RIGHT-OF-WAY OF CAMERON ROAD AND APPROXIMATELY LYING ON THE EAST LINE OF THE APPROXIMATELY 104.5 ACRE REMAINDER OF A CALLED 111 ACRE TRACT DESCRIBED AS THIRD TRACT AND AS EXHIBIT B IN A DEED TO THELDON BOHLS, ET AL, RECORDED IN VOLUME 12820, PAGE 1846, D.R.T.C.T.;

THENCE ALONG THE APPROXIMATE NORTHWESTERLY LINE OF CAMERON ROAD AND THE APPROXIMATE SOUTHEASTERLY LINE OF THE SAID 104.5 ACRE TRACT **SOUTH 27°03'31" WEST, 2,149.88 FEET** TO THE SOUTHEASTERLY CORNER OF THE SAID 104.5 ACRE TRACT AND BEING THE NORTHEASTERLY CORNER OF A 51.2 ACRE TRACT

DESCRIBED IN A DEED TO ELWOOD B. BURNS AND WIFE, WILLIE MAE BURNS RECORDED IN VOLUME 2843, PAGE 597, D.R.T.C.T.;

THENCE ALONG THE APPROXIMATE NORTHWESTERLY LINE OF CAMERON ROAD AND THE APPROXIMATE SOUTHEASTERLY LINE OF THE SAID 51.2 ACRE TRACT SOUTH 26°45'17" WEST, 1,153.60 FEET TO THE SOUTHEASTERLY CORNER OF THE SAID 51.2 ACRE TRACT AND BEING THE NORTHEASTERLY CORNER OF A 35.849 ACRE TRACT DESCRIBED IN A DEED TO ELWOOD B. BURNS AND WIFE, WILLIE MAE BURNS RECORDED IN VOLUME 5729, PAGE 1745, D.R.T.C.T.;

THENCE ALONG THE APPROXIMATE NORTHWESTERLY LINE OF CAMERON ROAD AND THE APPROXIMATE SOUTHEASTERLY LINE OF THE SAID 35.849 ACRE TRACT SOUTH 27°07'26" WEST, 347.96 FEET TO AN ANGLE POINT IN THE CURRENT S.H. 130 RIGHT-OF-WAY;

THENCE SOUTH 62°50'15" EAST, 22.43 FEET TO AN ANGLE POINT IN THE NORTHWESTERLY LINE OF CAMERON ROAD AND LOCATED 707.11 FEET LEFT OF ENGINEERS STATION 1192+97.83 OF THE SAID STATE HIGHWAY 130 BASELINE ;

THENCE ALONG THE APPROXIMATE NORTHWESTERLY LINE OF CAMERON ROAD ACROSS THE S.H. 130 RIGHT-OF-WAY, SOUTH 27°09'39" WEST, 528.06 FEET TO AN ANGLE POINT;

THENCE ALONG THE APPROXIMATE NORTHWESTERLY LINE OF CAMERON ROAD ACROSS THE S.H. 130 RIGHT-OF-WAY, SOUTH 27°39'39" WEST, 1,960.08 FEET TO AN ANGLE POINT AND LOCATED 984.19 FEET RIGHT OF ENGINEERS STATION 1211+06.45 OF THE SAID STATE HIGHWAY 130 BASELINE AND BEING THE NORTHEAST CORNER OF A 49.993 ACRE TRACT DESCRIBED IN A DEED TO GLADYS WENTRCEK RECORDED IN VOLUME 5242, PAGE 2288, D.R.T.C.T.;

THENCE NORTH 62°20'21" WEST, 39.76 FEET TO FOUND TXDOT CAPPED IRON ROD FOR AN ANGLE POINT IN THE S.H. 130 RIGHT-OF-WAY LOCATED 984.20 FEET RIGHT OF ENGINEERS STATION 1211+06.58 OF THE SAID STATE HIGHWAY 130 BASELINE AND BEING THE SOUTHEAST CORNER OF A 87.97 ACRE REMAINDER OF A 97-1/2 ACRE TRACT DESCRIBED IN A DEED TO G.J. KILIAN RECORDED IN VOLUME 955, PAGE 46, D.R.T.C.T.;

THENCE NORTH 62°23'17" WEST, 2,954.16 FEET, WITH THE COMMON LINE BETWEEN THE SAID 49.993 ACRE AND 87.97 ACRE TRACTS, TO AN ANGLE POINT LYING ON THE EAST LINE OF A 339.82 ACRE TRACT DESCRIBED IN A DEED TO TRAVIS COUNTY, TEXAS RECORDED IN VOLUME 13131, PAGE 3751, AND BEING THE SOUTHWEST CORNER OF THE SAID 87.97 ACRE TRACT;

THENCE NORTH 27°30'44" EAST, 1,408.37 FEET, WITH THE COMMON LINE BETWEEN THE SAID 87.97 ACRE AND 339.82 ACRE TRACTS, TO AN ANGLE POINT BEING THE NORTHWEST CORNER OF THE SAID 87.97 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A 43.229 ACRE REMAINDER OF A 60.677 ACRE TRACT DESCRIBED IN A DEED TO THE WHITEHEAD BY-PASS TRUST RECORDED IN VOLUME 11621, PAGE 639, D.R.T.C.T.;

THENCE NORTH 27°40'13" EAST, 901.00 FEET, WITH THE COMMON LINE BETWEEN THE SAID 43.229 ACRE AND 339.82 ACRE TRACTS, TO AN ANGLE POINT BEING THE

NORTHWEST CORNER OF THE SAID 43.229 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A 17.693 ACRE REMAINDER OF THE SAID BURNS 35.849 ACRE TRACT;

THENCE NORTH 27°50'26" EAST, 513.51 FEET, WITH THE COMMON LINE BETWEEN THE SAID 17.693 ACRE AND 339.82 ACRE TRACTS, TO AN ANGLE POINT BEING THE NORTHWEST CORNER OF THE SAID 17.693 ACRE TRACT AND BEING THE NORTHEAST CORNER OF THE SAID 339.82 ACRE TRACT AND LYING ON THE SOUTHWESTERLY LINE OF AN APPROXIMATELY 65.7 ACRE REMAINDER OF A 163-3/4 ACRE TRACT DESCRIBED AS TRACT 2 IN A DEED TO SUSAN ANDERSON LORAS, ET AL AS TRUSTEES OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST RECORDED IN VOLUME 12191, PAGE 114, D.R.T.C.T.;

THENCE NORTH 62°04'16" WEST, 950.67 FEET, WITH THE COMMON LINE BETWEEN THE SAID 65.7 ACRE AND 339.82 ACRE TRACTS, TO AN ANGLE POINT BEING THE SOUTHWEST CORNER OF THE SAID 65.7 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF AN APPROXIMATELY 55.8 ACRE REMAINDER OF A 131-1/4 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED TO SUSAN ANDERSON LORAS, ET AL AS TRUSTEES OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST RECORDED IN VOLUME 12191, PAGE 114, D.R.T.C.T.;

THENCE NORTH 62°08'15" WEST, 1,019.07 FEET, WITH THE COMMON LINE BETWEEN THE SAID 55.8 ACRE AND 339.82 ACRE TRACTS, TO A CAPPED IRON ROD STAMPED TRAVIS COUNTY BEING THE SOUTHWEST CORNER OF THE SAID 55.8 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF A 17.80 ACRE TRACT DESCRIBED IN CONDEMNATION CAUSE NO. 2319 TO TRAVIS COUNTY, TEXAS RECORDED IN VOLUME 371, PAGE 912, TRAVIS COUNTY PROBATE COURT RECORDS;

THENCE DEPARTING THE NORTH LINE OF THE 339.82 ACRE TRACT, WITH THE COMMON LINE BETWEEN THE SAID 55.8 ACRE AND 17.80 ACRE TRACTS, THE FOLLOWING TWO COURSES:

1. NORTH 17°07'44" WEST, 563.89 FEET TO AN ANGLE POINT;
2. NORTH 28°19'01" EAST, 1,971.50 FEET TO THE NORTHWEST CORNER OF THE SAID 55.8 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A 26.067 ACRE REMAINDER OF A 30.261 ACRE TRACT DESCRIBED IN A DEED TO PARK RETAIL, LTD. RECORDED IN DOC. NO. 2003067623, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

THENCE NORTH 28°18'02" EAST, 1068.09 FEET, WITH THE COMMON LINE BETWEEN THE SAID 20.067 ACRE AND 17.80 ACRE TRACTS, TO A FOUND TXDOT CAPPED IRON ROD BEING THE NORTHWEST CORNER OF THE SAID 20.067 ACRE TRACT AND LYING ON THE CURRENT SOUTH RIGHT-OF-WAY LINE OF PECAN STREET AND LYING ON AN ANGLE POINT IN THE S.H. 130 RIGHT-OF-WAY LOCATED 740.26 FEET RIGHT OF ENGINEERS STATION 1129+31.21 OF THE SAID STATE HIGHWAY 130 BASELINE;

THENCE NORTH 28°38'00" EAST, 54.75 FEET, WITH THE EAST LINE OF THE 17.80 ACRE TRACT, TO A FOUND TXDOT CAPPED IRON ROD BEING AN ANGLE POINT IN THE S.H. 130 RIGHT-OF-WAY LOCATED 703.06 FEET RIGHT OF ENGINEERS STATION 1128+91.03 OF THE SAID STATE HIGHWAY 130 BASELINE AND LYING ON THE ORIGINAL SOUTH RIGHT-OF-WAY LINE OF PECAN STREET;

THENCE NORTH 24°02'06" EAST, 59.72 FEET, ACROSS PECAN STREET TO THE POINT OF BEGINNING AND CONTAINING 634.6 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, HARN PER TEXAS TURNPIKE AUTHORITY RIGHT-OF-WAY PLANS FOR STATE HIGHWAY 130.

SURVEYOR'S CERTIFICATION:

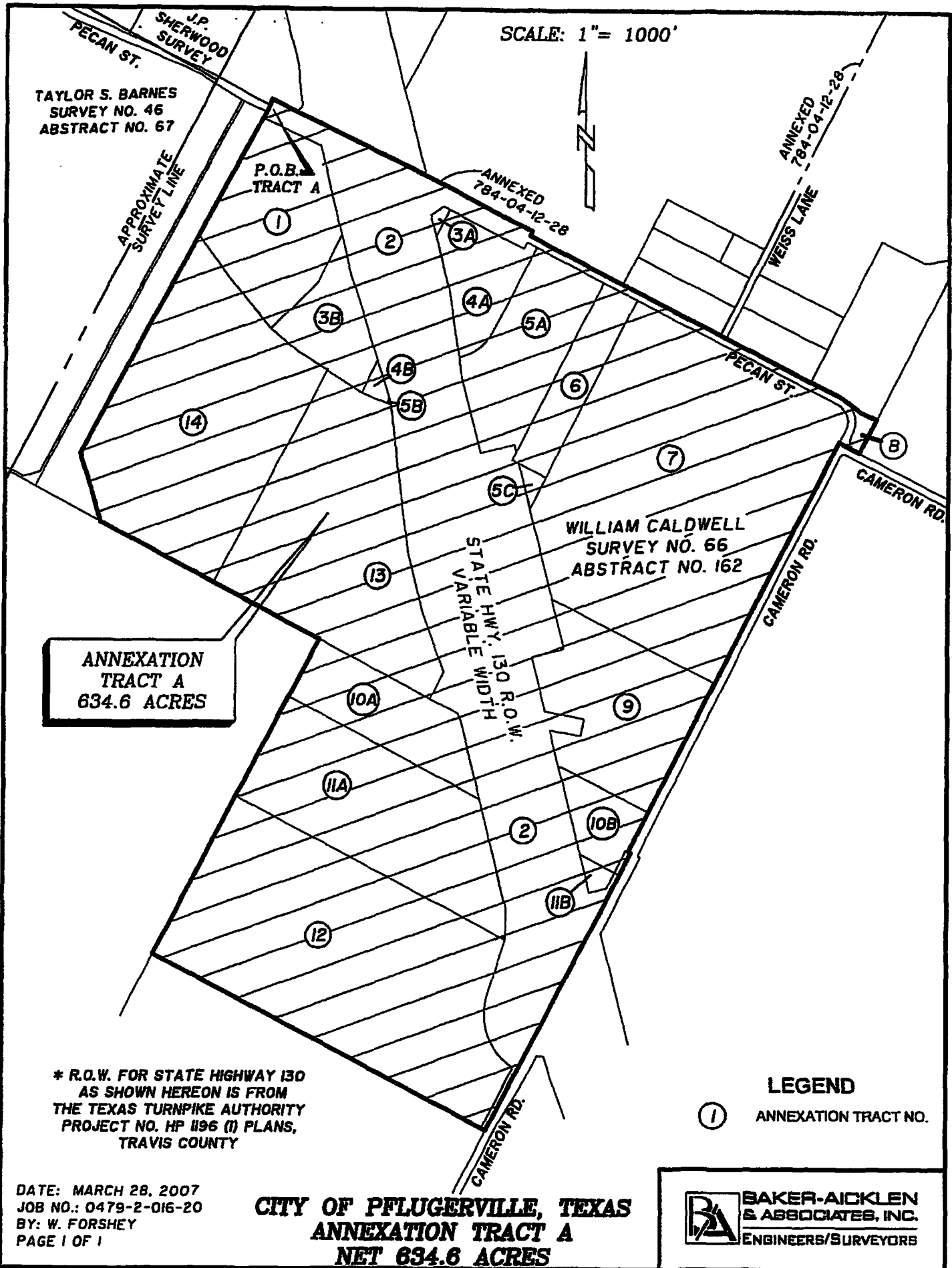
THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21 AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL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

William A. Forshey

WILLIAM A. FORSHEY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5097
BAKER-AICKLEN & ASSOCIATES, INC.
203 E. MAIN STREET, SUITE 201
ROUND ROCK, TEXAS 78664
(512) 244-9620

03/28/07
DATE





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

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.

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. The City may not prohibit the collection of solid waste by a

private provider or charge a fee for solid waste collection to any resident who continues to use the services of a private provider during the first two years following annexation. If a resident continues to use the services of a private provider during the two years following annexation, the City is not required to provide solid waste collection services to that resident.

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 or private right-of-ways.
3. **Publicly owned parks, playgrounds, and swimming pools.** The City will maintain and operate publicly owned land and facilities within the annexation area.
4. **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.

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.

- 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

ANNEXED AREA

[ATTACH LEGAL DESCRIPTION]

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.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 May 10 03:08 PM 2007085166

FERGUSONLL \$80.00

DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS

Return:

City of Pflugerville
P.O. Box 589
Pflugerville, TX 7869

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.

14
MK**ORDINANCE NO. 899-07-08-14**

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 274.65 ACRES OF LAND IN THE JOHN LIESSE SURVEY NO. 18, ABSTRACT NO. 496, AND THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162 IN TRAVIS COUNTY, TEXAS, ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED EAST OF WEISS LANE ORIGINATING AT THE NORTHEAST CORNER OF WEISS LANE AND PECAN STREET, 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; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 274.65 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.

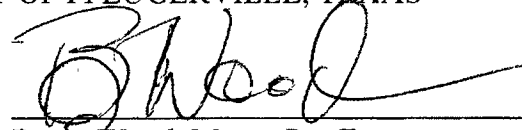
Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as 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 14th day of August, 2007.

CITY OF PFLUGERVILLE, TEXAS

By:


Bruce Wood, Mayor Pro Tem

ATTEST:


Karen Thompson, City Secretary

APPROVED AS TO FORM:



Floyd Akers, City Attorney



EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

274.65 Acres

THIS DESCRIPTION AND THE ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE JOHN LIESSE SURVEY No. 18, ABSTRACT No. 496, AND THE WILLIAM CALDWELL SURVEY No. 66, ABSTRACT No. 162, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS;

OWNER	RECORD ACREAGE	ANNEX ACREAGE	INSTRUMENT NUMBER
1. Kennith H.J.Bohls & Evelyn M.Bohls Page1438	84.3	24.15	Volume 3713,
2. Kennith H.J.Bohls & Evelyn M.Bohls 976	100.00	24.96	Volume 2402, Page
3. Rosa Pfluger	168.00	50.21	Volume 930, Page 61
4. Rosa Pfluger	161.00	20.49	Volume 930, Page 61
5. Winnie Mae & Jack Murchison,etal 1140	125.15	49.05	Volume 4796, Page
6. H.W. Kuempel	118.16	41.47	Volume 317, Page 124
7. Lanier C. Bohls Page1826	99.00	50.04	Volume 12820,
8. Lanier C. Bohls 123	5.00	4.85	Volume 10498, Page
9. Charles A. Schnabel, Jr., et ux Page1478	17.76	4.08	Volume 7087,
10. Charles A. Schnabel, Jr. et ux	5.00	4.95	Volume 8492, Page 722
11. Weiss Lane		0.40	

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED RECORDS. THE ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BEGIN at a point on the West Line of Cameron Road at the Southeast corner of that 84.3 Acre Tract conveyed to Kennith H.J. Bohls and Evelyn M. Bohls, in Volume 3713, Page 1438 of the Deed Records of Travis County, Texas, said point also being the Northeast corner of that 8.90 Acre Tract, with 1/2 interest conveyed to Christine H. Mills in Document No. 2002240294 of the Official Public Records of Travis County, Texas;

THENCE N.62°57'24"W., along the South Line of said 84.3 Acre Tract and the North Line of said 8.90 Acre Tract, at 793.90 feet pass the Northwest corner of said 8.90 Acre Tract and the Northeast corner of that 198.38 Acre Tract conveyed to James W. and Nadine M. Whitely in Volume 6373, Page 1149 of the Deed Records of Travis County, Texas, in all a distance of 1,054.16 feet to the Southwest corner of said 84.3 Acre Tract and the Southeast corner of that 100.00 Acre Tract conveyed to Kennith and Evelyn Bohls in Volume 2402, Page 176 of the Deed Records of Travis County, Texas;

THENCE continue N.62°57'24"W., along the South Line of said 100.00 Acre Tract and the North Line of said 198.38 Acre Tract, a distance of 1,087.33 feet to the Southwest corner of said 100.00 Acre Tract and the Southeast corner of that 168.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

THENCE N.62°54'31"W., along the North Line of said 198.38 Acre Tract and South Line of said 168.00 Acre Tract, a distance of 948.69 feet to the Northeast corner of that 161.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County,

Texas;

THENCE crossing said 161.00 Acre Tract the following two courses;

1. N.88°39'51"W., a distance of 1,340.03 feet;
2. S.64°43'28"W., at 929.49 feet pass the West Line of said 161.00 Acre Tract and the East Line of that 125.15 Acre Tract conveyed to Winnie Mae and Jack Murchison in Volume 4796, Page 1140 of the Deed Records of Travis County, Texas, in all a distance of 1,234.61 feet;

THENCE S.80°56'51"W. crossing said 125.15 Acre Tract, at 1730.91 feet pass the West Line of said 125.15 Acre Tract and the East Line of that 118.16 Acre Tract conveyed to H. W. Kuempel in Volume 317, Page 124 of the Deed Records of Travis County, Texas, in all a distance of 3107.94 feet to the North Line of Cameron Road;

THENCE N.62°47'45"W crossing said 118.16 Acre Tract along the North Line of Cameron Road, a distance of 394.64 feet to the West Line of said 118.16 Acre Tract and the East Line of that 99.00 Acre Tract conveyed to Lanier C. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas;

THENCE N.62°40'39"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 1,361.35 feet to the Southeast Corner of that 5.00 Acre Tract conveyed to Lanier Bohls in Volume 10498, Page 123 of the Real Property Records of Travis County, Texas;

THENCE N.62°31'43"W. along the South Line of said 5.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 257.42 feet to the Southwest Corner of said 5.00 Acre Tract;

THENCE N.62°30'50"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 768.93 feet to a point on the West Line of said 99.00 Acre Tract and a point on the East Line of that 111.00 Acre Tract conveyed to Trelton K. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas

THENCE N.27°18'32"E., along the West Line of said 99.00 Acre Tract and the East Line of said 111.00 Acre Tract, a distance of 295.16 feet to the Southeast corner of that 17.76 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 7087, Page 1478 of the Deed Records of Travis County, Texas;

THENCE N.63°43'36"W., along the South Line of said 17.76 Acre Tract, and the North Line of said 111.00 Acre Tract, a distance of 133.33 feet to a point on the North Line of Pecan Street;

THENCE continue along the North Line of Pecan Street and the South Line of said 17.76 Acre Tract the following two courses;

1. N.53°38'29"W., a distance of 185.87 feet;
2. N.63°27'49"W., a distance of 283.54 feet to the Southwest corner of said 17.76 Acre Tract and the Southwest corner of that 5.00 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 8492, Page 722 of the Deed Records of Travis County, Texas;

THENCE N.62°44'48"W., along the North Line of Pecan Street and the South Line of said 5.00 Acre Tract, a distance of 746.57 feet to the Southeast corner of said 5.00 Acre Tract and the East Line of Weiss Lane;

THENCE N.61°38'20"W., crossing Weiss Lane, a distance of 60.02 feet to the West Line of Weiss Lane;

THENCE N.26°46'08"E., along the West Line of Weiss Lane, a distance of 287.04 feet;

THENCE S.62°45'11"E., crossing Weiss Lane, a distance of 60.00 feet to the East Line of said Weiss Lane and the Northwest corner of said 5.00 Acre Tract;

THENCE continue S.62°45'11"E., along the North Line of said 5.00 Acre Tract, a distance of 749.19 feet to the Northeast Corner of said 5.00 Acre Tract and the West Line of said 17.76 Acre Tract;

THENCE continue S.62°45'11"E., crossing said 17.76 Acre Tract, a distance of 600.41 feet to the East Line of said 17.76 Acre Tract and the West Line of said 99.00 Acre Tract;

THENCE N.27°18'02"E. along the West Line of said 99.00 Acre Tract, a distance of 392.91 feet;

THENCE S.62°36'38"E., crossing said 99.00 Acre Tract at 2,386.18 feet pass the East Line of said 99.00 Acre Tract and the West Line of said 118.16 Acre Tract, in all a distance of 2,453.06 feet;

THENCE N.80°56'51"E., crossing said 118.16 Acre Tract, at 1,781.32 feet pass the East Line of said 118.16 Acre Tract and the West Line of said 125.15 Acre Tract, in all a distance of 2,638.25 feet;

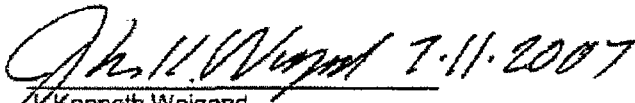
THENCE N.64°43'28"E., crossing said 125.15 Acre Tract, at 1,056.32 feet pass the North Line of said 125.15 Acre Tract and the South Line of said 168.00 Acre Tract, in all a distance of 1,328.57 feet;

THENCE crossing said 168.00 Acre Tract, the 100.00 Acre Tract and the 84.3 Acre Tract the following 2 courses;

1. S.88°39'51"E., a distance of 1,804.85 feet;
2. S.62°56'31"E., at 1,184.83 feet pass the East Line of said 168.00 Acre Tract and the West Line of said 100.00 Acre Tract, at 2270.77 feet pass the East Line of 100.00 Acre Tract and West Line of said 84.3 Acre Tract, in all a distance of 3,320.30 feet to the East Line of 84.3 Acre Tract and the West Line of Cameron Road;

THENCE S.27°09'41"W., along the East Line of said 84.3 Acre Tract and the West Line of Cameron Road, a distance of 1,000.00 feet to the POINT OF BEGINNING.

Containing 274.65 acres, more or less.


J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



This document was prepared under 22TAC 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.

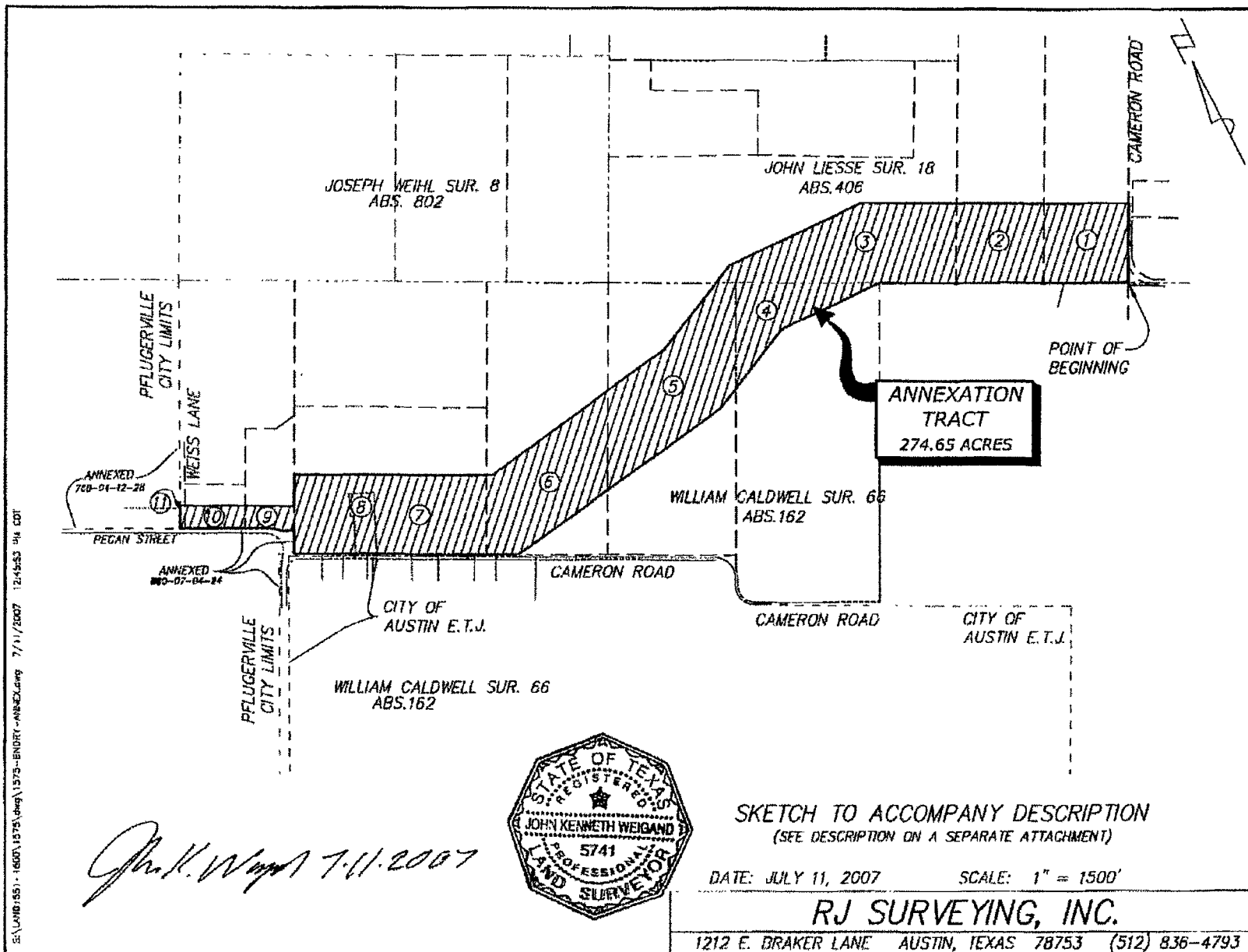


EXHIBIT “B”

SERVICE PLAN

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

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.

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 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:

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

- A. 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. The City may not prohibit the collection of solid waste by a private provider or charge a fee for solid waste collection to any resident who continues to use the services of a private provider during the first two years following annexation. If a resident continues to use the services of a private provider during the two years following annexation, the City is not required to provide solid waste collection services to that resident.
- 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 or private right-of-ways.
 3. **Publicly owned parks, playgrounds, and swimming pools**. The City will maintain and operate publicly owned land and facilities within the annexation area.
 4. **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.
- 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.

- 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

THIS DESCRIPTION AND THE ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE JOHN LIESSE SURVEY No. 18, ABSTRACT No. 496, AND THE WILLIAM CALDWELL SURVEY No. 66, ABSTRACT No. 162, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER	RECORD ACREAGE	ANNEX ACREAGE	INSTRUMENT NUMBER
1. Kenneth H.J. Bonis & Evelyn M. Bonis Page 1438	84.3	24.15	Volume 3713,
2. Kenneth H.J. Bonis & Evelyn M. Bonis 976	100.00	24.95	Volume 2402, Page
3. Rosa Pfluger	168.00	50.21	Volume 930, Page 51
4. Rosa Pfluger	161.00	20.49	Volume 930, Page 61
5. Winnie Mae & Jack Murchison, et al 1140	125.15	49.05	Volume 4796, Page
6. H.W. Kuempel	118.16	41.47	Volume 317, Page 124
7. Lanier C. Bonis Page 1826	99.00	50.04	Volume 12820,
8. Lanier C. Bonis 123	5.00	4.85	Volume 10498, Page
9. Charles A. Schnabel, Jr., et ux Page 1478	17.76	4.08	Volume 7087,
10. Charles A. Schnabel, Jr. et ux	5.00	4.95	Volume 8492, Page 722
11. Weiss Lane		0.40	

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED RECORDS. THE ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BEGIN at a point on the West Line of Cameron Road at the Southeast corner of that 84.3 Acre Tract conveyed to Kenneth H.J. Bonis and Evelyn M. Bonis, in Volume 3713, Page 1438 of the Deed Records of Travis County, Texas, said point also being the Northeast corner of that 8.90 Acre Tract, with 1/2 interest conveyed to Christine H. Mills in Document No. 2002240284 of the Official Public Records of Travis County, Texas;

THENCE N.62°57'24"W., along the South Line of said 84.3 Acre Tract and the North Line of said 8.90 Acre Tract, at 793.90 feet, pass the Northwest corner of said 8.90 Acre Tract and the Northeast corner of that 198.38 Acre Tract conveyed to James W. and Nadine M. Whitley in Volume 6573, Page 149 of the Deed Records of Travis County, Texas, in all a distance of 1,054.13 feet to the Southwest corner of said 84.3 Acre Tract and the Southeast corner of that 100.00 Acre Tract conveyed to Kenneth and Evelyn Bonis in Volume 2402, Page 76 of the Deed Records of Travis County, Texas;

THENCE continue N.62°57'24"W., along the South Line of said 100.00 Acre Tract and the North Line of said 198.38 Acre Tract, a distance of 1,067.33 feet to the Southwest corner of said 100.00 Acre Tract and the Southeast corner of that 168.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

THENCE N.62°54'31"W., along the North Line of said 198.38 Acre Tract and South Line of said 168.00 Acre Tract, a distance of 846.66 feet to the Northeast corner of that 161.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

Texas;

THENCE crossing said 161.00 Acre Tract the following two courses,

1. N.88°39'51"W., a distance of 1,340.03 feet;
2. S.64°43'28"W., at 929.49 feet pass the West Line of said 161.00 Acre Tract and the East Line of that 125.15 Acre Tract conveyed to Winnie Mae and Jack Murchison in Volume 4796, Page 1140 of the Deed Records of Travis County, Texas, in all a distance of 1,234.81 feet.

THENCE S.80°56'51"W. crossing said 125.15 Acre Tract, at 1730.91 feet pass the West Line of said 125.15 Acre Tract and the East Line of that 118.16 Acre Tract conveyed to H.W. Kuempel in Volume 317, Page 124 of the Deed Records of Travis County, Texas, in all a distance of 3107.94 feet to the North Line of Cameron Road;

THENCE N.62°47'45"W. crossing said 118.16 Acre Tract along the North Line of Cameron Road, a distance of 394.84 feet to the West Line of said 118.16 Acre Tract and the East Line of that 99.00 Acre Tract conveyed to Lanier C. Bonis in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas;

THENCE N.62°40'39"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 1,361.35 feet to the Southeast Corner of that 5.00 Acre Tract conveyed to Lanier Bonis in Volume 10498, Page 123 of the Real Property Records of Travis County, Texas;

THENCE N.62°31'43"W. along the South Line of said 5.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 267.42 feet to the Southwest Corner of said 5.00 Acre Tract;

THENCE N.62°30'50"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 768.93 feet to a point on the West Line of said 99.00 Acre Tract and a point on the East Line of that 111.00 Acre Tract conveyed to Traldon K. Bonis in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas;

THENCE N.27°18'32"E., along the West Line of said 99.00 Acre Tract and the East Line of said 111.00 Acre Tract, a distance of 295.18 feet to the Southeast corner of that 17.76 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 7087, Page 1478 of the Deed Records of Travis County, Texas;

THENCE N.63°43'36"W., along the South Line of said 17.76 Acre Tract, and the North Line of said 111.00 Acre Tract, a distance of 133.33 feet to a point on the North Line of Pecan Street;

THENCE continue along the North Line of Pecan Street and the South Line of said 17.76 Acre Tract the following two courses,

1. N.63°38'29"W., a distance of 185.87 feet;
2. N.63°27'49"W., a distance of 283.54 feet to the Southwest corner of said 17.76 Acre Tract; and the Southwest corner of that 5.00 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 8492, Page 722 of the Deed Records of Travis County, Texas;

THENCE N.62°44'48"W., along the North Line of Pecan Street and the South Line of said 5.00 Acre Tract, a distance of 146.57 feet to the Southwest corner of said 5.00 Acre Tract and the East Line of Weiss Lane;

THENCE N.61°38'20"W., crossing Weiss Lane, a distance of 60.02 feet to the West Line of Weiss Lane;

THENCE N.28°46'08"E., along the West Line of Weiss Lane, a distance of 287.04 feet;

THENCE S.62°45'11"E., crossing Weiss Lane, a distance of 60.00 feet to the East Line of said Weiss Lane and the Northwest corner of said 5.00 Acre Tract;

THENCE continue S.62°45'11"E., along the North Line of said 5.00 Acre Tract, a distance of 749.19 feet to the Northeast Corner of said 5.00 Acre Tract and the West Line of said 17.76 Acre Tract;

THENCE continue S.62°45'11"E., crossing said 17.76 Acre Tract, a distance of 600.41 feet to the East Line of said 17.76 Acre Tract and the West Line of said 99.00 Acre Tract;

THENCE N.27°18'02"E. along the West Line of said 99.00 Acre Tract, a distance of 392.91 feet;

THENCE S.62°36'38"E., crossing said 99.00 Acre Tract at 2,386.18 feet pass the East Line of said 99.00 Acre Tract and the West Line of said 118.16 Acre Tract, in all a distance of 2,455.06 feet;

THENCE N.80°56'51"E., crossing said 118.16 Acre Tract, at 1,781.32 feet pass the East Line of said 118.16 Acre Tract and the West Line of said 125.15 Acre Tract, in all a distance of 2,638.25 feet;

THENCE N.64°43'28"E., crossing said 125.15 Acre Tract, at 1,058.32 feet pass the North Line of said 125.15 Acre Tract and the South Line of said 168.00 Acre Tract, in all a distance of 1,328.57 feet;

THENCE crossing said 168.00 Acre Tract, the 100.00 Acre Tract and the 84.3 Acre Tract the following two courses,

1. S.88°39'51"E., a distance of 1,804.85 feet;
2. S.62°56'31"E., at 1,84.83 feet pass the East Line of said 168.00 Acre Tract and the West Line of said 100.00 Acre Tract, at 2270.77 feet pass the East Line of 100.00 Acre Tract and West Line of said 84.3 Acre Tract, in all a distance of 3,320.30 feet to the East Line of that 3 Acre Tract and the West Line of Cameron Road;

THENCE S.27°09'41"W., along the East Line of said 84.3 Acre Tract and the West Line of Cameron Road, a distance of 1,000.00 feet to the POINT OF BEGINNING

Containing 274.65 acres more or less.

John H. Wiegand 7-11-2007
John H. Wiegand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



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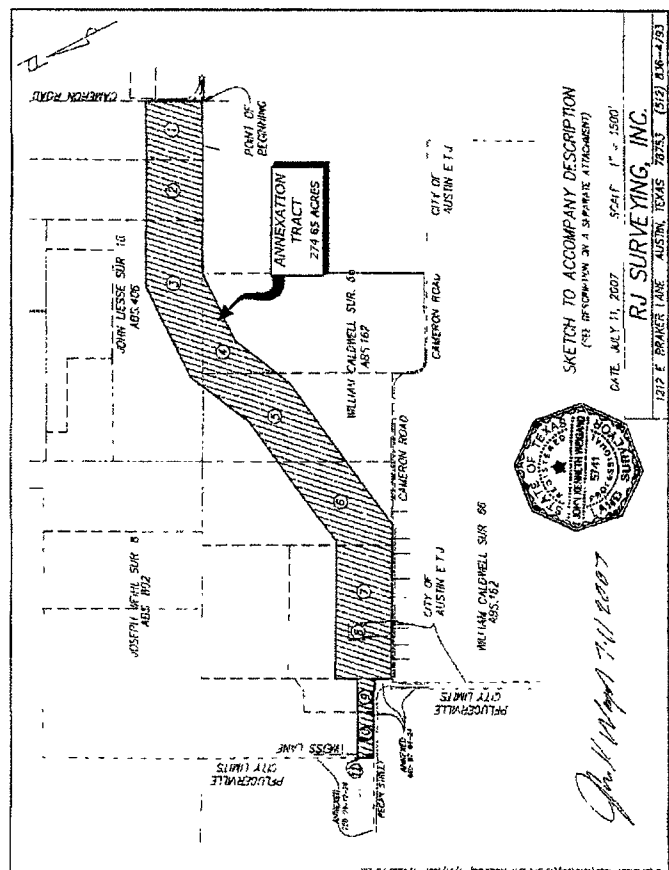


EXHIBIT "B" - TO SERVICE PLAN

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
PO Box 589 Ste.300
Pflugerville TX 78691

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 Oct 12 10:20 AM 2007188673

GONZALES \$68.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

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.



23KH

ORDINANCE NO. 1089-11-09-27

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 7.321 ACRES OF LAND ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED SOUTH OF PECAN STREET AND WEST OF SH 130, BEING PART OF THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT 162 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; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1109-01)

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 7.321 acres of land, more particularly described in Exhibit "A" and shown in Exhibit "B", attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Chapter 43, Section 43.028 of the Texas Local Government Code, the annexation area is one-half mile or less in width, is contiguous to the annexing municipality, and is vacant and without residents; and

WHEREAS, the City Council of the City has granted an annexation petition submitted to the City of Pflugerville (Exhibit "C"); 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 due to the promotion of economic growth of the Land and surrounding areas.

Section 3. The service plan attached as Exhibit "D" 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 6. 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 7. 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"

EXHIBIT "A"



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**7.321 ACRES
WILLIAM CALDWELL SURVEY
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 7.321 ACRES (APPROXIMATELY 318,882 SQ. FT.) IN THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT 162, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 17.800 ACRE TRACT DESCRIBED IN A PROCEEDING IN EMINENT DOMAIN, CAUSE NO. 2319, DATED OCTOBER 13, 1999 AND RECORDED IN DOCUMENT NO. 1999122493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 131-1/4 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO SUSAN ANDERSON LORAS, ROBERT FORD ANDERSON, JR. AND STEVEN MICHAEL ANDERSON, AS TRUSTEE OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST, U/A MAY 19, 1994, DATED MAY 19, 1994 AND RECORDED IN VOLUME 12191, PAGE 114 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 7.321 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2" rebar with Chaparral cap set for the intersection of the south right-of-way line of Pecan Street (right-of-way width varies) and the east line of said 17.800 acre tract, same being a southwest corner of a 4.194 acre tract described in a Possession and Use Agreement For Transportation Purposes to the State of Texas recorded in Document No. 2004044317 of the Official Public Records of Travis County, Texas, also being the west line of a 30.261 acre tract described in a deed to Park Retail, LTD recorded in Document No. 2003067623 of the Official Public Records of Travis County, Texas, of which said 4.194 acre tract is a portion, also being the northwest corner of a 26.123 acre tract described in a deed to Pflugerville Community Development Corporation recorded in Document No. 2010009406 of the Official Public Records of Travis County, Texas, from which a rebar with Macias Assoc. cap found bears South 64°27'38" East, a distance of 127.57 feet;

THENCE South 28°18'01" West, with the east line of said 17.800 acre tract, same being the west line of said 26.123 acre tract, at a distance of 1068.19 feet passing a rebar with G & R Surveying cap found for the southwest corner of said 26.123 acre tract, same being the northwest corner of a 121.790 acre tract described in a deed to Pflugerville Community Development Corporation recorded in Document No. 2008190659 of the Official Public Records of Travis County, Texas, and continuing with the west line of said 121.790 acre tract, for a total distance of 1611.79 feet to a 1/2" rebar with Chaparral cap set, from which a rebar with Travis County TNR cap found for an angle point in the common line of said 17.800 acre tract and said 121.790 acre tract bears South 28°18'01" West, a distance of 1427.76 feet;

Exhibit A

Page 2 of 2

THENCE North 61°36'45" West, crossing said 17.800 acre tract, a distance of 199.77 feet to a 1/2" rebar with Chaparral cap set in the west line of said 17.800 acre tract, same being the east line of a 2.56 acre tract described in a deed to the City of Pflugerville recorded in Volume 9236, Page 954 of the Real Property Records of Travis County, Texas, from which a rebar with Travis County TNR cap found for an angle point in the common line of said 17.800 acre tract and said 2.56 acre tract bears South 28°23'15" West, a distance of 26.13 feet;

THENCE with the west line of said 17.800 acre tract, same being the east line of said 2.56 acre tract, the following two courses and distances:

- 1. North 28°23'15" East, a distance of 1170.56 feet to a rebar with G & R Surveying cap found;**
- 2. North 28°13'44" East, at a distance of 418.61 feet passing 0.10 feet right of a rebar with G & R Surveying cap found, and continuing for a total distance of 427.07 feet to a 1/2" rebar with Chaparral cap set in the apparent south right-of-way line of Pecan Street;**

THENCE South 65°41'30" East, crossing said 17.800 acre tract, with the apparent south right-of-way line of Pecan Street, a distance of 199.01 feet to the POINT OF BEGINNING, containing 7.321 acres of land, more or less.

Surveyed on the ground May 4, 2011. Bearing Basis: Grid azimuth for Texas Central Zone state plane coordinates, 1983/93 HARN, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 271-007-BD1.

Eric J. Dannheim 5/12/11
Eric J. Dannheim
Registered Professional Land Surveyor
State of Texas No. 6075

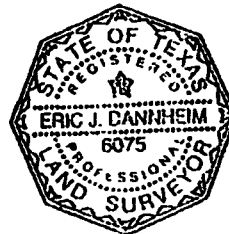
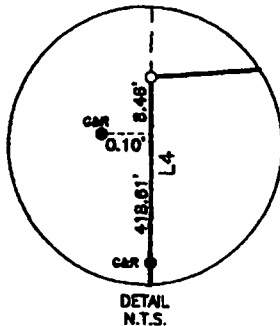


EXHIBIT "B"

SKETCH TO ACCOMPANY A DESCRIPTION OF 7.321 ACRES (APPROXIMATELY 318,882 SQ. FT.) IN THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT 162, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 17.800 ACRE TRACT DESCRIBED IN A PROCEEDING IN EMINENT DOMAIN, CAUSE NO. 2319, DATED OCTOBER 13, 1999 AND RECORDED IN DOCUMENT NO. 1999122493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 131-1/4 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO SUSAN ANDERSON LORAS, ROBERT FORD ANDERSON, JR. AND STEVEN MICHAEL ANDERSON, AS TRUSTEE OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST, U/A MAY 19, 1994, DATED MAY 19, 1994 AND RECORDED IN VOLUME 12191, PAGE 114 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE STATE PLANE COORDINATES, 1983/93 HARN, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).

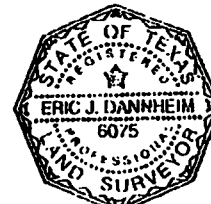
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 271-007-BD1.



LINE TABLE		
No.	BEARING	LENGTH
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L2	N61°36'45"W	199.77'
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L5	S65°41'30"E	199.01'

LEGEND

- TNR ● REBAR WITH TRAVIS COUNTY TNR CAP FOUND
- C&R ● REBAR WITH G & R SURVEYING CAP FOUND
- MA ● REBAR WITH MACIAS ASSOC. CAP FOUND
- 1/2" REBAR WITH CHAPARRAL CAP SET



EW
5/12/11

DATE OF SURVEY: 5/04/11
PLOT DATE: 05/12/11
DRAWING NO.: 271-007-BD1
PROJECT NO.: 271-007
DRAWN BY: EJD
SHEET 1 OF 2

Chaparral

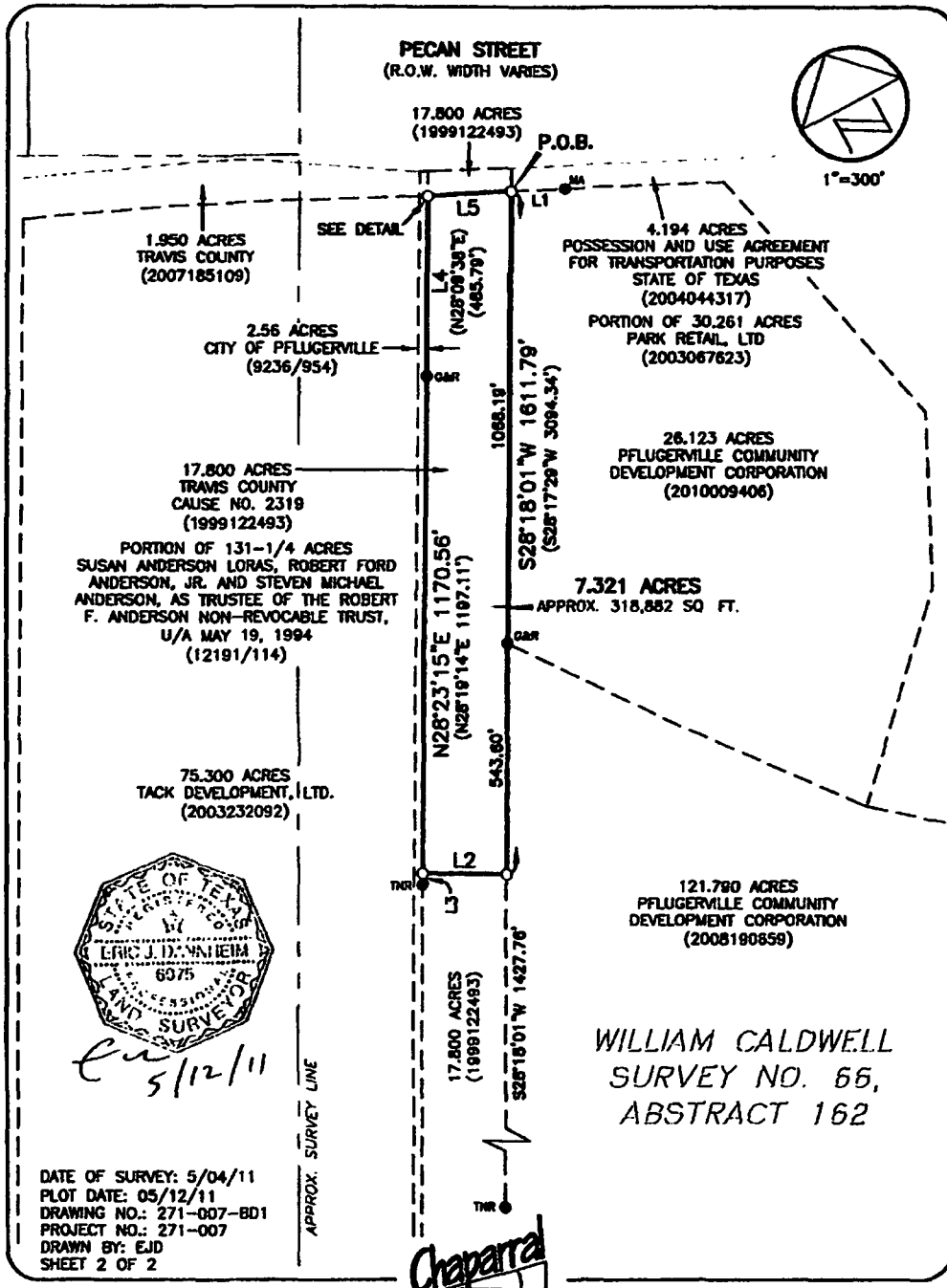


EXHIBIT "C"



RECEIVED
JUL 19 2011

JUL 19 2011

Planning Department

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

**PETITION & REQUEST FOR THE ANNEXATION OF LAND INTO THE CITY LIMITS
OF THE CITY OF PFLUGERVILLE**

Whereas, the undersigned is the owner(s) of that certain lot, tract or parcel of land in Travis County, Texas, as particularly described hereinafter in Section 2 (the "Property");

Whereas, the Property to be included is not within the extraterritorial jurisdiction ("ETJ") of any other City;

Whereas, pursuant to §43.028 (b), *Tex. Loc. Gov't Code*, the undersigned seek to have the Property included within the corporate limits of the City of Pflugerville ("Pflugerville"); and

Whereas, the undersigned petition and request that the Property be included within the corporate limits of the City of Pflugerville;

NOW THEREFORE, the undersigned by this Petition and Request:


Section One. Requests the City Council of Pflugerville to adopt such ordinance or resolution, or to take such other action as is necessary in its judgment, to accept and incorporate the Property into and as part of the corporate limits of the City of Pflugerville, effective as of the earliest date deemed legally permissible, i.e. the date of this petition is filed in Pflugerville, the date this petition is filed with a public officer on behalf of Pflugerville, or the date this petition and request is accepted and granted by the City Council of Pflugerville, whichever date is earliest.

Section Two. Request the City Council of Pflugerville to adopt an ordinance and to take such other action as is necessary in its judgment, to incorporate and include the following described property (the "Property") within the corporate limits of the City of Pflugerville, to-wit:

All that certain lot, tract or parcel of land, including the roads, streets and rights-of-way within Travis County, Texas, described or shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

Executed and Effective on this 12th day of August, 2011.

Pflugerville Community Development Corporation



David R. Clay
President
No. of Acres: 7.321

THE STATE OF TEXAS

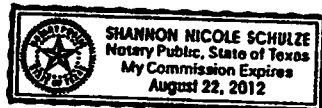
§
§
§

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared David R. Clay, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein expressed and in the capacity therein stated.

Given Under My Hand and Seal of Office on this the 12th day of August, 2011.

(SEAL)





Notary Public State of Texas

EXHIBIT “D”

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

PCDC PETITION 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 Travis County Emergency Services District No. 2 (TCESD #2) 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 an area that is vacant and without residents, therefore 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. The 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



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

7.321 ACRES
WILLIAM CALDWELL SURVEY
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 7.321 ACRES (APPROXIMATELY 318,882 SQ. FT.) IN THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT 162, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 17.800 ACRE TRACT DESCRIBED IN A PROCEEDING IN EMINENT DOMAIN, CAUSE NO. 2319, DATED OCTOBER 13, 1989 AND RECORDED IN DOCUMENT NO. 1999122493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 131-1/4 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO SUSAN ANDERSON LORAS, ROBERT FORD ANDERSON, JR. AND STEVEN MICHAEL ANDERSON, AS TRUSTEE OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST, U/A MAY 19, 1994, DATED MAY 19, 1994 AND RECORDED IN VOLUME 12191, PAGE 114 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 7.321 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2" rebar with Chaparral cap set for the intersection of the south right-of-way line of Pecan Street (right-of-way width varies) and the east line of said 17.800 acre tract, same being a southwest corner of a 4.194 acre tract described in a Possession and Use Agreement For Transportation Purposes to the State of Texas recorded in Document No. 2004044317 of the Official Public Records of Travis County, Texas, also being the west line of a 30.261 acre tract described in a deed to Park Retail, LTD recorded in Document No. 2003067623 of the Official Public Records of Travis County, Texas, of which said 4.194 acre tract is a portion, also being the northwest corner of a 26.123 acre tract described in a deed to Pflugerville Community Development Corporation recorded in Document No. 2010009406 of the Official Public Records of Travis County, Texas, from which a rebar with Macias Assoc. cap found bears South 64°27'38" East, a distance of 127.57 feet;

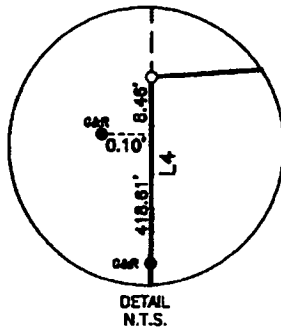
THENCE South 28°18'01" West, with the east line of said 17.800 acre tract, same being the west line of said 26.123 acre tract, at a distance of 1068.19 feet passing a rebar with G & R Surveying cap found for the southwest corner of said 26.123 acre tract, same being the northwest corner of a 121.790 acre tract described in a deed to Pflugerville Community Development Corporation recorded in Document No. 2008190659 of the Official Public Records of Travis County, Texas, and continuing with the west line of said 121.790 acre tract, for a total distance of 1611.79 feet to a 1/2" rebar with Chaparral cap set, from which a rebar with Travis County TNR cap found for an angle point in the common line of said 17.800 acre tract and said 121.790 acre tract bears South 28°18'01" West, a distance of 1427.76 feet;

Exhibit A

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- 1/2" REBAR WITH CHAPARRAL CAP SET



EW
5/12/11

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DRAWN BY: EJD
SHEET 1 OF 2

Chaparral

