

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement on the dates indicated below, to be effective on the date the last party signs.

CITY OF PFLUGERVILLE, TEXAS

By: [Signature]
Jeff Coleman, its Mayor

Date: 8-11-2015

PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT

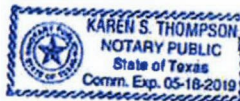
By: Vernagene Mott
Vernagene Mott, President

Date: 08.20.15

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

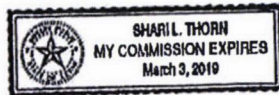
This instrument was acknowledged before me on the 11 day of August, 2015, by Jeff Coleman, Mayor of the City of Pflugerville, a Texas municipal corporation, on behalf of said municipal corporation.



[Signature]
Notary Public in and for the State of Texas

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 20th day of August, 2015, by Vernagene Mott, as President of PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT a political subdivision of the state of Texas, on behalf of said corporation.



[Signature]
Notary Public, State of Texas

Exhibit A-1**Legal Description of Property**

DESCRIPTION OF A 149.96 ACRE TRACT OF LAND, OUT OF THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS, SAID 149.96 ACRE TRACT BEING THE REMAINDER OF AN ORIGINAL 172.85 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS FROM WHICH 172.85 ACRE TRACT, A 4 ACRE TRACT AND A 16 ACRE TRACT WERE TAKEN OUT OF THE ORIGINAL 172.85 ACRE TRACT, RESULTING IN THE 149.96 ACRE TRACT HEREIN DESCRIBED. THE 4 ACRE TRACT IS AS RECORDED IN VOLUME 4656, PAGE 1010 AND THE 16 ACRE TRACT IS AS RECORDED IN VOLUME 4727, PAGE 383.

A 99/100 UNDIVIDED INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2004 TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240368 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND A 1/100 UNDIVIDED INTEREST WAS CONVEYED IN THE SAME YEAR TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240373 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. AN UNDIVIDED 7.4% INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2014 TO CHERYL TIMMERMAN GREINER RECORDED IN DOCUMENT NUMBER 2014151492 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY TEXAS.

A 1.00 ACRE TRACT WHOLLY CONTAINED WITHIN THE SAID 149.96 ACRE TRACT DESCRIBED HEREIN WAS CONVEYED IN 2012 TO THEODOR R. TIMMERMAN AND WIFE, MARLENE TIMMERMAN RECORDED IN DOCUMENT NUMBER 2012208998 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY AND IS NOT DESCRIBED SEPARATLY FROM THE SAID 149.96 ACRE TRACT WHICH IS HEREIN DESCRIBED MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an ½" rebar found with a destroyed red cap for the southwest corner of the herein described Tract same being the northwest corner of a 1.893 acre Tract conveyed to Slvaramakrishnana Venkatraman recorded in Document Number 2013083529 of the Official Public Records, Travis County, Texas, also being a point on the east right of way line of Weiss Lane, from which a magnetic nail found in a concrete culvert for the southeast corner of a 32.29 acre Tract conveyed to Joe Weiss, recorded in Document Number 2001065238 of the Official Public Records, Travis County, Texas, bears N 62° 03' 05" E 58.84 feet,

THENCE, N 27° 33' 41" E 2503.99 feet along the west line of the herein described Tract same being the east right of way line of Welss Lane to a ½" pipe found for the northwest corner of the herein described Tract, same being southwest corner of a remainder of 4 acres conveyed as Tract 3 to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas,

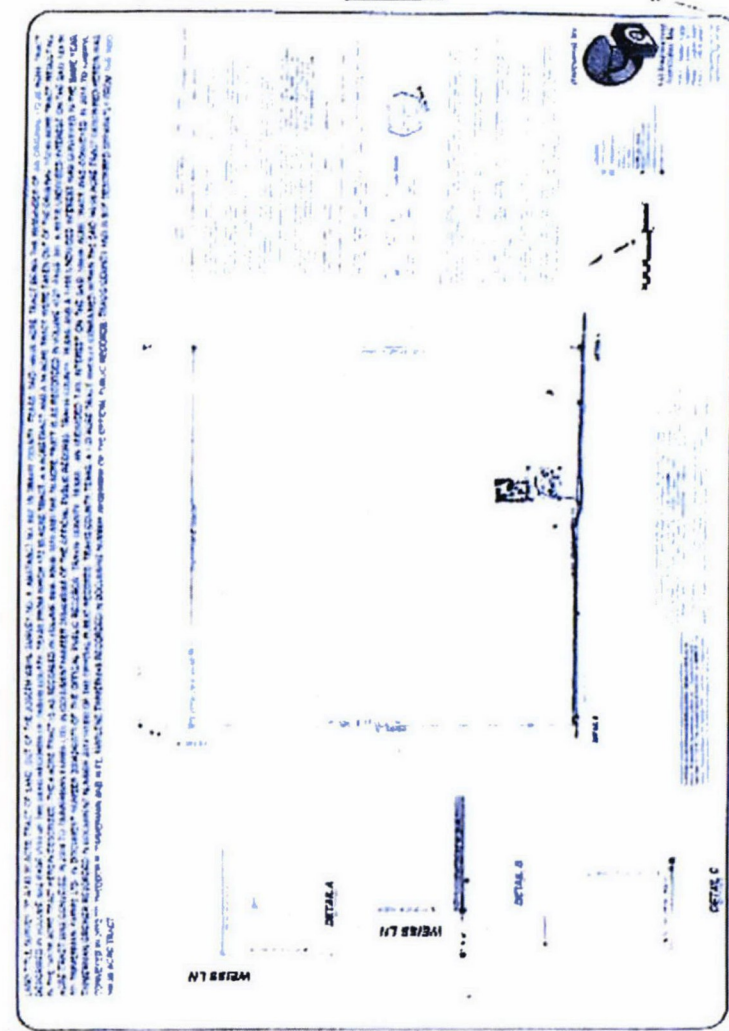
THENCE, S 62° 25' 19" E along the north line of the herein described Tract same being the south line of said Tract 3 at 260.60 feet passing the southeast corner of the said remainder of 4 acres Tract 3 and the southwest corner of a 2.00 acre Tract conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, in all 521.30 feet to an ½" pipe found for the southeast corner of Tract 2 of said Volume 11526 Page 796, and the southwest corner of a 16.00 acre Tract 1 conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, (Tract 2 and 3 are the 4.00 acres in volume 4656 page 1010) Tract 1 is the 16.00 acre Tract in Volume 4727 Page 383

THENCE, S 62° 27' 08" E 2086.85 feet continuing with the north line of the herein described Tract, same being the south line of the said 16.00 acre Tract 1, to a ½" pipe found for the northeast corner of the herein described Tract, same being the southeast corner of said 16.00 acre Tract 3 and being a point on the west line of 51.598 acre Tract conveyed to ARP Autumn Ridge Partners LP. Recorded in Document Number 2007065360 of the Official Public Records of Travis County, Texas,

THENCE, S 27° 32' 22" W with the east line of the herein described Tract same being the west line of said 51.598 acre Tract, at 1291.32 feet passing the southwest corner of said 51.598 acre Tract, same being the northwest corner of a 31.782 acre Tract 2A, conveyed to 130 Cactus Investments L.P., recorded in Document Number 2008121344 of the Official Public Records of Travis County, Texas, (no monument was found at this corner) in all 2504.17 feet to a ½" pipe found for the southeast corner of the herein described Tract, same being the southwest corner of said 31.782 acre Tract, same being a point on the north line of a 46.615 acre Tract conveyed to ARP Autumn Ridge Partners L.P. recorded in Document Number 2007059997 of the Official Public Records of Travis County, Texas.

THENCE, N 62° 26' 32" W with the south line of the herein described Tract, same being the north line of said 46.615 acre Tract, at 1243.44 feet passing the northwest corner of said 46.615 acre Tract same being the northeast corner of a 5.0 acre Tract conveyed to C. J. & Irene King recorded in Volume 5426 Page 1856 of the Deed Records of Travis County, Texas, at 1831.27 passing a ½" rebar found for the north west corner of said 5.0 acre Tract, same being the most northerly northeast corner of said 1.893 acre Tract conveyed to

Exhibit A-2



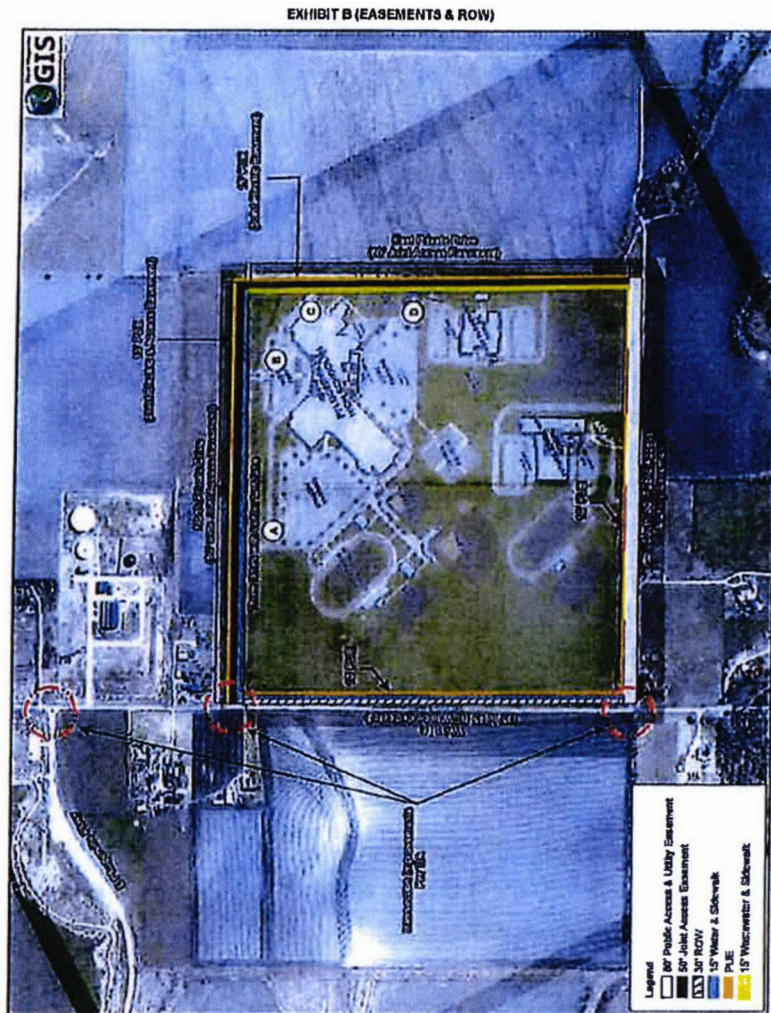


EXHIBIT C (UTILITY CONSTRUCTION)

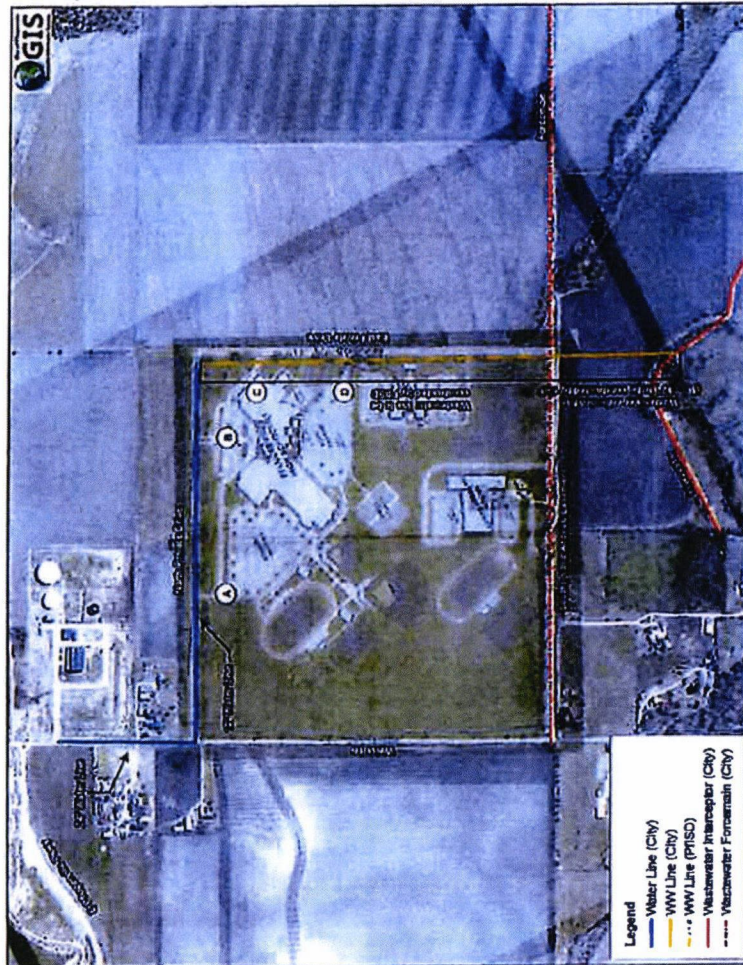


Exhibit D

**WATER METERING SETTLEMENT & RELEASE
BETWEEN THE PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT AND
THE CITY OF PFLUGERVILLE, TEXAS**

WHEREAS, the PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT ("PISD") and the CITY OF PFLUGERVILLE, TEXAS, ("City"), (collectively hereinafter as the "Parties") wish to fully and finally settle, compromise and resolve all outstanding issues, rights, benefits, burdens and obligations related to the water meter issue regarding utility billing and public works meter installation through the effective date of this Settlement Agreement ("Dispute"); and,

WHEREAS, the Parties have entered into a Development Agreement for the PISD High School No. 4 property; and,

WHEREAS, the terms, conditions, agreements made in the Development Agreement, specifically certain infrastructure construction obligations, shall serve as consideration for this settlement and release;

NOW, THEREFORE, for and in consideration of the release of claim herein contained and other good and valuable consideration, including the obligations made by the Parties in the Development Agreement entered into for the Weiss Lane High School No. 4 the Parties agree to the following:

PISD, hereby releases and forever discharges the City and its employees, servants, agents, and attorneys of and from all claims, actions, causes of action, demands, rights, claims for compensatory and punitive damages and costs, expenses, compensation, economic losses, loss of profits and all consequential damages whatsoever arising from the above-mentioned Dispute.

IT IS FURTHER UNDERSTOOD AND AGREED that this Agreement completely and forever compromises and settles all matters between PISD and the City which have been, are, or could have been alleged by either party against the other related to the Dispute.

IT IS FURTHER UNDERSTOOD AND AGREED that this Agreement is made solely for the purpose of avoiding litigation and making peace, and that in entering into this Agreement, neither PISD nor the City is in any way admitting wrong doing or liability related to the Dispute, but instead, each is expressly denying wrong doing and liability.

IT IS FURTHER UNDERSTOOD AND AGREED that PISD hereby covenants and agrees not to sue, institute or cooperate in the institution, commencement, filing, or prosecution of any suit, administrative proceeding, demand, claim, or cause of action, whether asserted individually or derivatively, against the City and all others relating to any and all matters made the subject of this Agreement.

IT IS FURTHER UNDERSTOOD AND AGREED that the City hereby covenants and agrees not to sue, institute or cooperate in the institution, commencement, filing, or prosecution of any suit, administrative proceeding, demand, claim, or cause of action against PISD relating to any and all matters made the subject of this Agreement.

IT IS FURTHER UNDERSTOOD AND AGREED that PISD and the City expressly warrant that no promise or inducement has been offered except as set forth herein; that this Agreement is executed without reliance upon any statement or representation of the person or parties released, or their representatives, concerning the nature and extent of the injuries, damages and/or legal liability therefore; that acceptance of the consideration set forth herein is in full accord and satisfaction of a disputed claim for which liability is expressly denied and that each of the signatories to this Agreement have the ability and authority to bind the respective Parties to this Agreement.

IT IS FURTHER UNDERSTOOD AND AGREED that this Agreement shall be governed by, construed and interpreted, and the rights of the parties determined in accordance with the laws of the State of Texas.

IT IS FURTHER UNDERSTOOD AND AGREED that the statements and representations in this

Agreement are to be considered contractual in nature and not merely recitations of fact.

IT IS FURTHER UNDERSTOOD AND AGREED that in the event that any one or more of the provisions of this Agreement shall, for any reason, be held invalid, illegal, or unenforceable in any respect, such invalidity shall not affect any other provision herein.

IT IS FURTHER UNDERSTOOD AND AGREED that this Agreement shall be binding on each and every party to this Agreement, and their successors, officers, directors, employees, assigns, heirs, executors, administrators, agents, legal representatives, and any of the companies or entities associated with them as owners, subsidiaries or any other related capacity with respect to any and all of the claims that PMSD or the City may have against the other party.

This Agreement is effective and in full force and effect by agreement of the Parties upon execution of the Development Agreement entered into by the Parties for the Weiss Lane High School No. 4 and shall be incorporated into that Agreement by Exhibit, as if recited verbatim.

F

Exhibit I – PfISD and DEVELOPER Agreement

[TO BE INSERTED UPON FINAL ACCEPTANCE]

Exhibit J – Melber Lane
Per Section 2.2.4

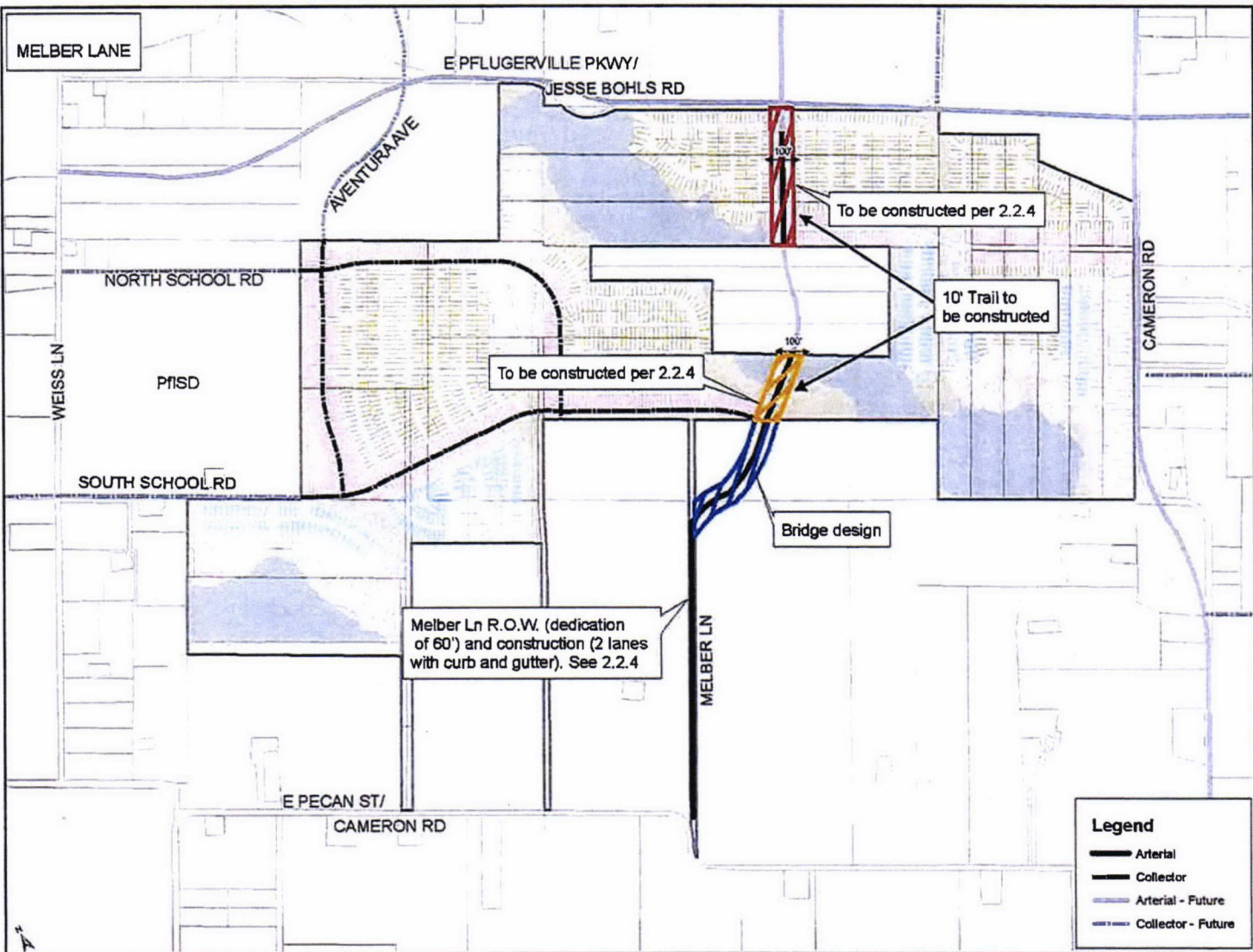


Exhibit K – City Land Plan
Per Section 2.3

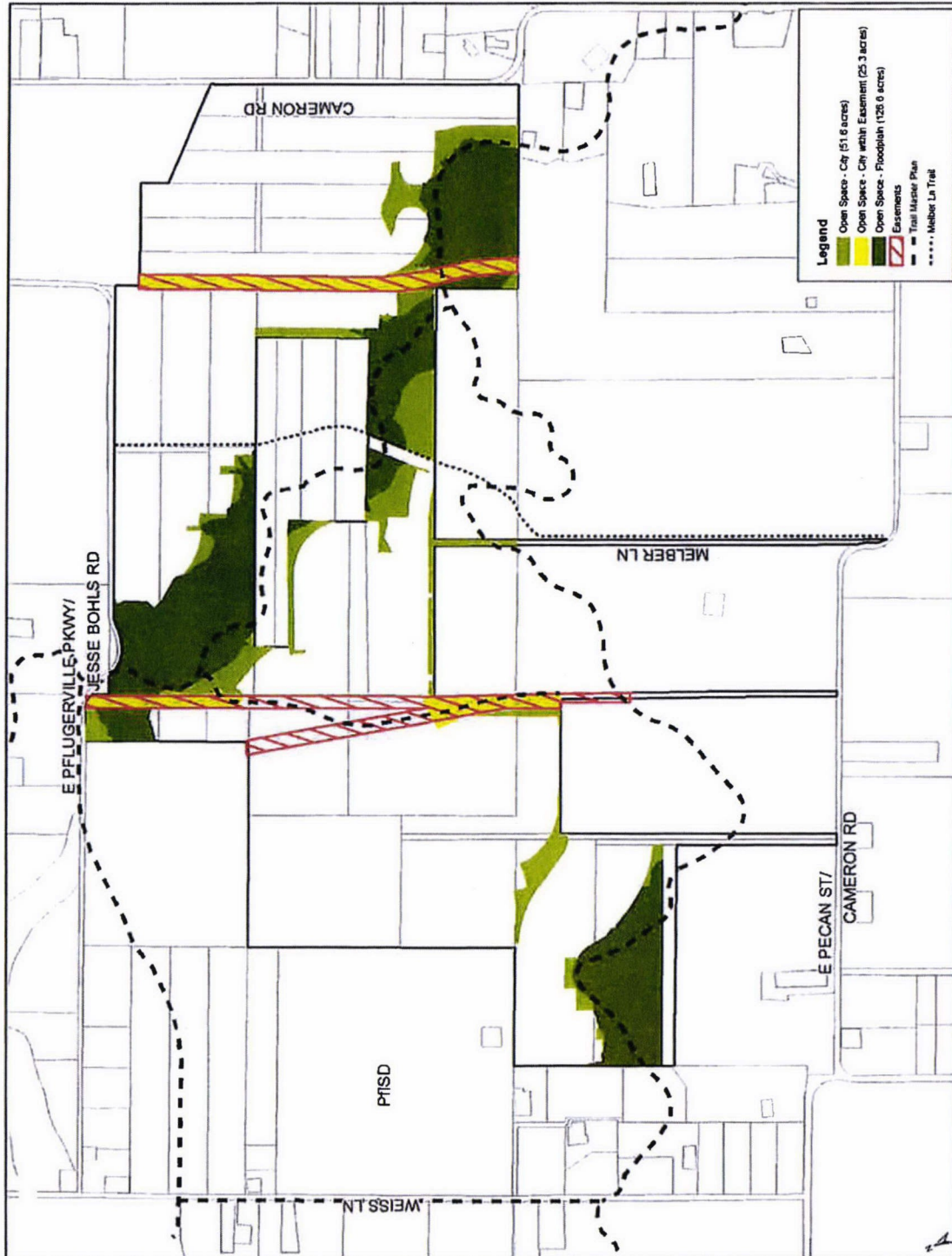


Exhibit L – Land for Immediate Dedication to the CITY
Per Section 2.3

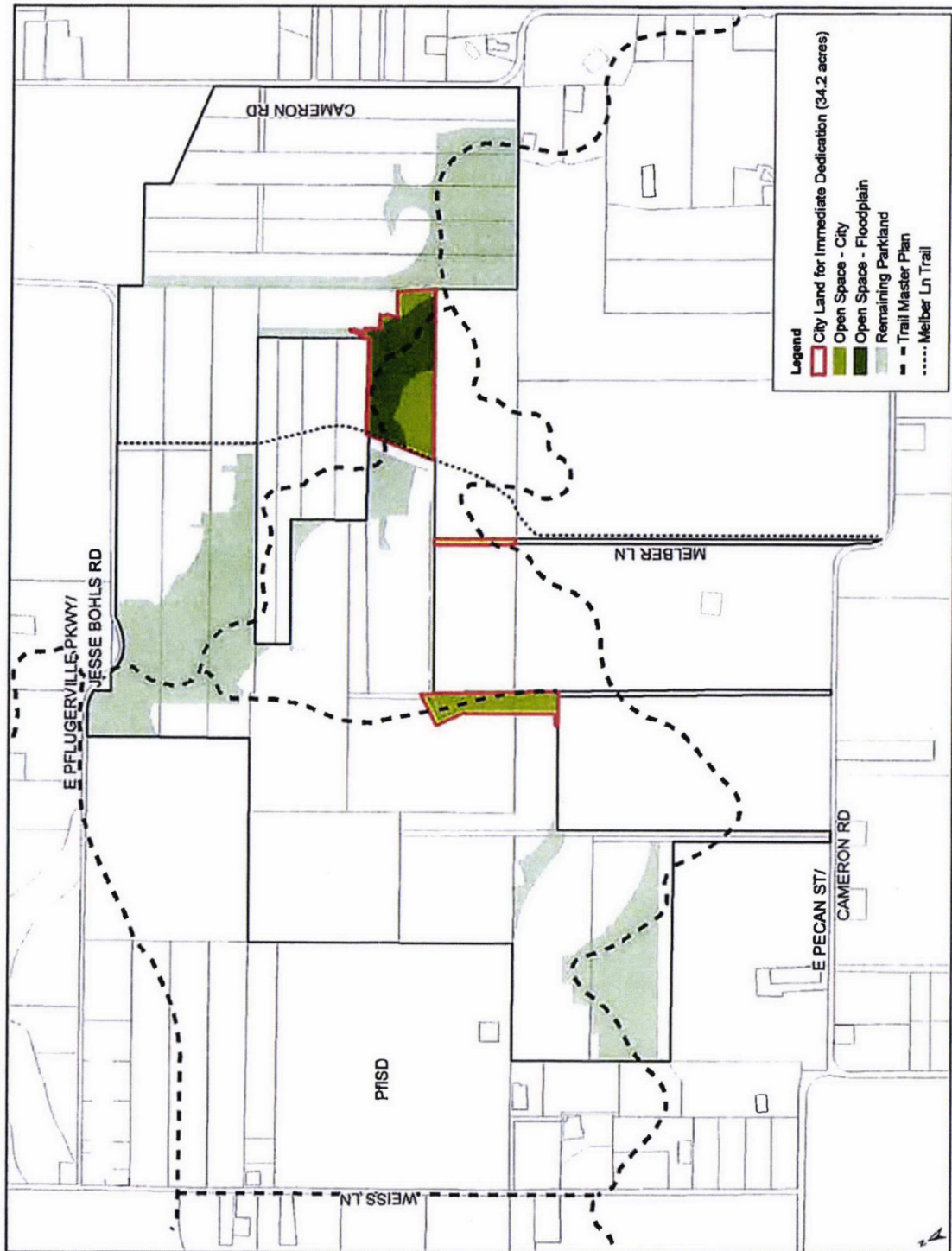


Exhibit L-1 – Land for Dedication to the CITY prior to December 31, 2016
Per Section 2.3

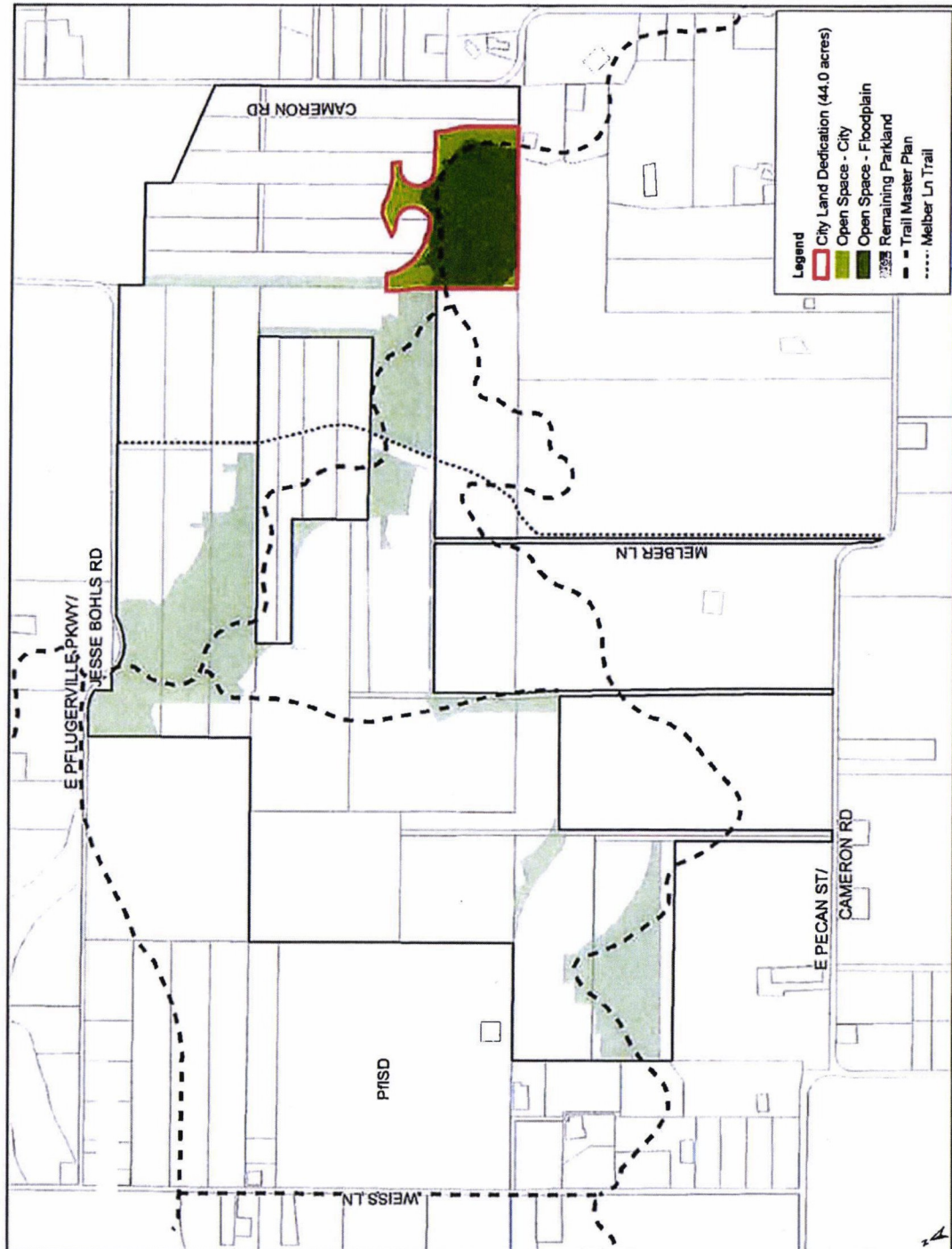


Exhibit M – Parkland Development Fee Credit Methodology
Section 2.3

In conjunction with approximately 5.7 acres of land dedication beyond the minimum required by the Unified Development Code (UDC), 2.4 miles of trail construction within the development, and dedication of approximately 126.6 acres of floodplain the City applied credits towards the required parkland development fee utilizing the following methodology:

Required parkland based on 2,317 dwelling units = 45.87 acres

Proposed acceptable parkland* = 51.6 acres

Difference = 5.72 acres

Required park development fee = \$745 per lot (project total = \$1,726,165)

Proposed accepted floodplain = 126.6 acres

Credit of \$124,655 towards additional 5.72 acres dedicated over the required amount
(5.72 x \$21,780 = \$124,655)

Credit of \$759,600 towards additional 126.6 acres of floodplain dedicated (126.6 x \$6,000 = \$759,600)

Credit of \$554,400 towards construction of not less than 2.0 miles of trail valued at \$231,000 per mile ($2.4 \times 231,000 = \$554,400$)

$$\text{\$1,726,165} - (\text{\$124,655} + \text{\$759,600} + \text{\$554,400}) = \text{\$287,509} / 2,317 =$$

\\$124 per lot park development fee

*Additional land located within existing easements may be dedicated to the CITY however, no parkland development fee has been credited toward that land dedication and was not considered in any acreage calculations.

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

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

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Mar 07, 2016 03:34 PM

2016033646

BARTHOLOMEWD: \$354.00

Dana DeBeauvoir, County Clerk
Travis County TEXAS



TRV

2018152460

22 PGS

ORDINANCE NO. 1361-18-09-11

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO TRACTS OF LAND TALLING APPROXIMATELY 229.992 ACRES OF LAND SITUATED IN THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT NO. 791, TRAVIS COUNTY, TEXAS OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; GENERALLY LOCATED ALONG THE NORTH AND SOUTH SIDES OF E. WELLS BRANCH PARKWAY, EAST OF THE INTERSECTION OF E. WELLS BRANCH PARKWAY AND IMMANUEL ROAD; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / DEVELOPMENT RESERVE (A); TO BE KNOWN AS THE LISSO TRACT 2018 ANNEXATION; 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 229.992 acres of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, of the Real Property Records of Travis County, Texas, more particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality; and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes Tier 2 municipalities, including the City, to annex an area on the request of all property owners in an area; and

WHEREAS, in accordance with Texas Local Government Code, Section 43.0672, the City has negotiated and entered into a written agreement dated July 24, 2018 with the owners of the Property regarding the provision of services to the Property upon annexation, of which the applicable service plan and schedule is attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, the City Council provided public notice and held public hearings on August 14, 2018 and August 28, 2018 for all interested persons to attend and be heard in accordance with Texas Local Government Code § 43.0673; and

WHEREAS, the City has complied with all conditions precedent established under the Texas Local Government Code necessary to take this action annexing the Property.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Property is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.

Section 3. The City finds annexation of the Property to be in the public interest due the Property providing enhancements and greater public access, additional public right-of-way and open spaces, and promoting economic growth of the Property and surrounding areas.

Section 4. The Property shall be zoned Agriculture / Development Reserve (A).

Section 5. The service plan attached as **Exhibit "B"** is approved, and municipal services shall be provided to the Property in accordance therewith.

Section 6. 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 7. This Ordinance will take effect upon its adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

Section 8. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

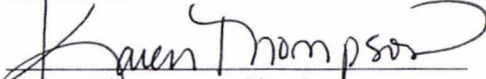
PASSED AND APPROVED this 11th day of September, 2018.

CITY OF PFLUGERVILLE, TEXAS

By: _____

Victor Gonzales, Mayor

ATTEST:


Karen Thompson, City Secretary
APPROVED AS TO FORM:

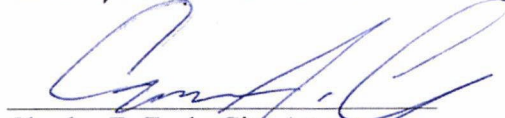

Charles E. Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.



EXHIBIT "A"
PROPERTY DESCRIPTION

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.

**A METES AND BOUNDS
DESCRIPTION OF A
196.457 ACRE TRACT OF LAND**

BEING a 196.457 acre (8,557,677 square feet) tract of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas; and being a portion of a called 223.34 acre Tract II described in instrument to Dwain & Jan Selman in Document No. 2008024920 of the Official Public Records of Travis County; said 196.457 acre tract also containing portions of that certain 120 acre tract recorded in Volume T, Page 124 of the Deed Records of Travis County and that certain 100 acre tract recorded in Volume S, Page 124 of the Deed Records of Travis County; and being more particularly describes as follows:

BEGINNING at a 5/8-inch iron rod found marking the northerly end of a corner clip at the intersection of the southeasterly right-of-way line of Immanuel Road (variable width) and the northeasterly right-of-way line of Wells Branch Parkway (variable width); from which, a 5/8-inch iron rod found marking the southerly end of said corner clip bears South 18°24'37" East, 48.39 feet;

THENCE, North 27°11'37" East, 1514.11 feet along the southeasterly right-of-way line of said Immanuel Road to a 1/2-inch iron found marking western-most corner of that certain 2.00 acre tract described in instrument to Dessau Investments, Inc. recorded in Volume 11532, Page 1467 of the Official Public Records of Travis County;

THENCE, departing the southeasterly right-of-way line of said Immanuel Road and along the boundary of the said 2.00 acre tract the following two (2) courses and distances:

1. South 62°32'22" East, 414.85 feet to a point for corner;
2. North 26°54'50" East, 217.20 feet to a point for corner on the southerly boundary of Lot 7, Block C of Gatlinburg Section Five, plat of which is recorded in Volume 83, Pages 152C-152D of the Plat Records of Travis County;

THENCE, South 62°19'23" East, 1941.89 feet along the southerly boundary of said Gatlinburg Section Five to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the most southerly corner of Lot 9 of said Block C on the northwesterly line of a called 130.81 acre tract of land described in instrument to Timmerman Farms, Ltd. in Document No. 2004240372 of the Official Public Records of Travis County;

THENCE, South 27°12'10" West, 55.13 feet along the northwesterly line of said 130.81 acre tract to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the southwest corner of said 130.81 acre tract;

THENCE, South 62°16'33" East, 1679.97 feet to a 1/2-inch iron rod found marking the northwesterly corner of a called 19.71 acre tract of land described in instrument to the City of Pflugerville in Volume 9482, Page 895 of the Deed Records of Travis County, being on the southerly line of a called 19.00 acre tract described in instrument to the City of Pflugerville in Volume 9236, Page 954 of the Deed Records of Travis County;

THENCE, South 27°16'53" West, departing the southerly line of said 19.00 acre tract, along the northwesterly line of said 19.71 acre tract and along the northwesterly line of a called 82.33 acre Tract II described in instrument to Sun Boulder Ridge LLC in Document No. 2016012106 of the Official Public Records of Travis County; at a distance of 987.11 feet, pass a 1/2-inch iron rod found on line; continuing for a total distance of 2600.33 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set on the northeasterly right-of-way line of Killingsworth Lane (variable width);

Description continued on Sheet 2 of 3.

JGM
6-18-2018
JOHN G. MOSIER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6330
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
PH. 210-541-9166
greg.mosier@kimley-horn.com

196.457 ACRES
ALEXANDER WALTERS SURVEY NO. 67,
ABSTRACT NO. 791
TRAVIS COUNTY, TEXAS

Kimley»Horn

601 NW Loop 410, Suite 350
San Antonio, Texas 78216

FIRM # 10193973

Tel. No. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	APS	JCM	JUNE 2018	008705906	1 OF 3

THENCE, North 62°44'52" West, 1039.73 feet departing the northwesterly line of said Sun Boulder Ridge Tract II and along the northeasterly right-of-way line of said Killingsworth Lane to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner at the intersection of the northeasterly right-of-way line of said Killingsworth Lane with the easterly right-of-way line of aforesaid Wells Branch Parkway;

THENCE, along the northeasterly right-of-way line of said Wells Branch Parkway the following seven (7):

1. in a northwesterly direction along the easterly right-of-way of said Wells Branch Parkway, a central angle of 42°18'39", a radius of 2070.00 feet, a chord bearing and distance of North 31°27'24" West, 1494.12 feet, and a total arc length of 1528.62 feet to a point for corner;
2. North 48°32'27" West, 104.23 feet to a point of for corner;
3. in a northwesterly direction, along a non-tangent curve to the left, a central angle of 7°37'53", a radius of 2080.00 feet, a chord bearing and distance of North 59°17'35" West, 276.84 feet, and a total arc length of 277.04 feet to a point for corner;
4. North 63°06'31" West, 733.61 feet to a point for corner;
5. North 57°23'53" West, 100.44 feet to a point for corner;
6. North 63°06'31" West, 470.29 feet to a point for corner;
7. North 18°24'37" West, 48.39 feet to the **POINT OF BEGINNING** and containing 196.457 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Coordinate System Grid, Central Zone (FIPS 4203) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet. To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

JGM
6-18-2018

JOHN G. MOSIER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6330
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
PH. 210-541-9166
greg.mosier@kimley-horn.com

196.457 ACRES
ALEXANDER WALTERS SURVEY NO. 67,
ABSTRACT NO. 791
TRAVIS COUNTY, TEXAS

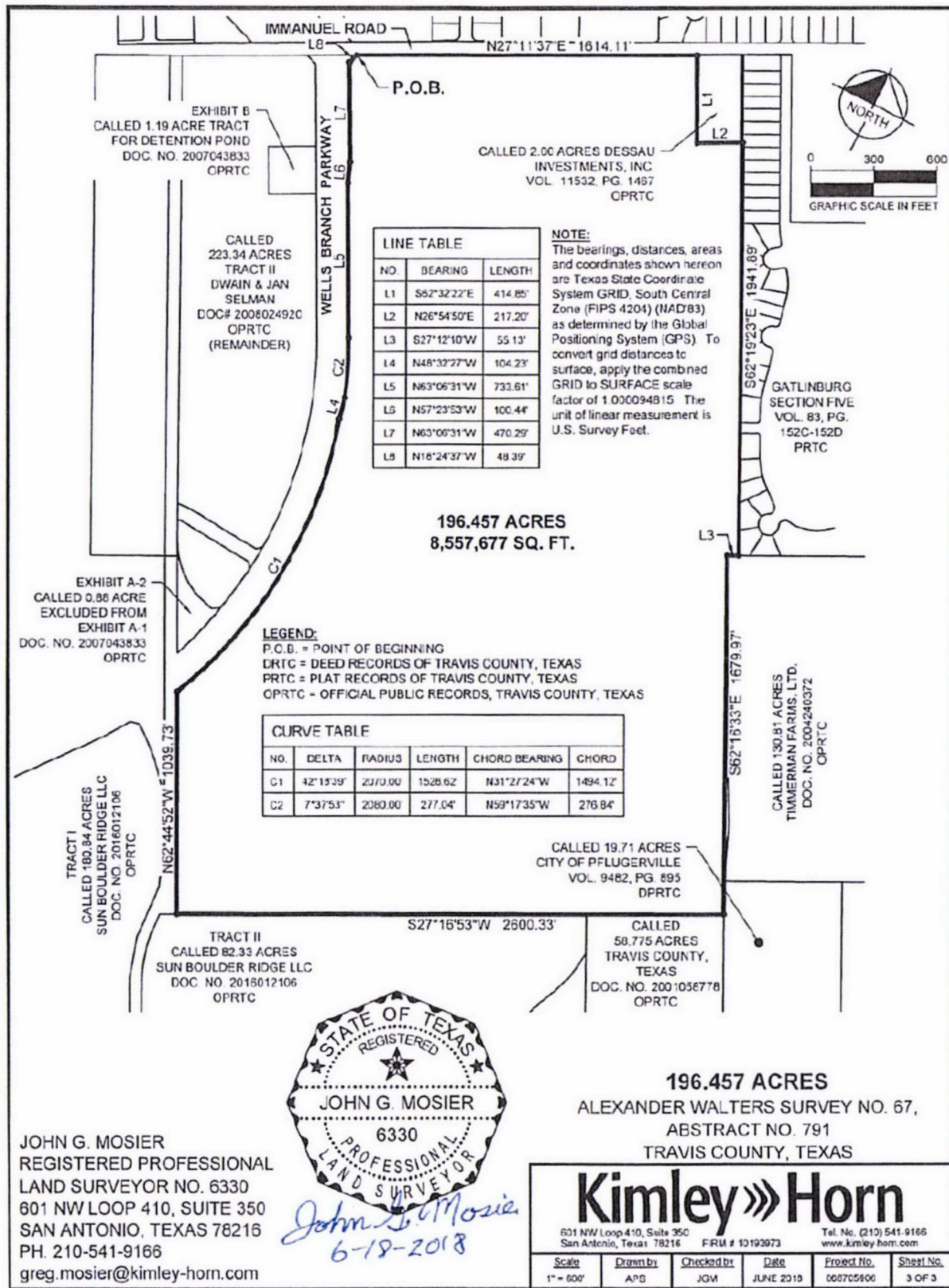
Kimley»Horn

601 NW Loop 410, Suite 350
San Antonio, Texas 78216

FRM # 10101973

Tel. No. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	APS	JGM	JUNE 2018	068705906	2 OF 3



**A METES AND BOUNDS
DESCRIPTION OF A
33.535 ACRE TRACT OF LAND**

BEING a 33.535 acres (1,460,802 square feet) tract of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas; containing a portion of a called 223.34 acre Tract II described in instrument to Dwain & Jan Selman in Document No. 2008024920 of the Official Public Records of Travis County; also containing a portions of that certain 120 acre tract recorded in Volume T, Page 124 of the Deed Records of Travis County and that certain 100 acre tract recorded in Volume S, Page 124 of the Deed Records of Travis County; also containing all a called 0.72 acre tract for a right-of-way dedication agreement recorded in Document No. 2005013020 of the Official Public Records of Travis County; and being more particularly describes as follows:

BEGINNING at a 60D-nail found in a wood fence post at the intersection of the southeasterly right-of-way line of Immanuel Road (width Varies) and the northeasterly right-of-way line of Killingsworth Lane (60 feet wide), marking the western-most corner of the said 120 acre tract;

THENCE, North 27°03'55" East, 597.74 feet along the said southeasterly right-of-way line of Emmanuel Road to a point for corner at the southwesterly end of a right-of-way cutback corner at the intersection with the southwesterly right-of-way line of Wells Branch Parkway (width varies);

THENCE, along the said southwesterly right-of-way line of Wells Branch Parkway the following two (2) courses and distances:

1. North 71°40'20" East, 60.10 feet to a point for corner;
2. South 63°06'31" East, 388.02 feet to a point marking the northern-most corner of a called 1.19 acre tract described in instrument to Travis County, recorded in Document No. 2007043833 of the Official Public Records of Travis County;

THENCE, along the boundary of the said 1.19 acre tract the following three (3) courses and distances:

1. South 26°53'29" West, 230.00 feet to a point for corner;
2. South 63°06'31" East, 225.00 feet to a point for corner;
3. North 26°53'29" East, 230.00 feet to a point for corner on the aforesaid southwesterly right-of-way line of Wells Branch Parkway;

THENCE, along the said southwesterly right-of-way line of Wells Branch Parkway the following two (2) courses and distances:

1. South 63°06'32" East, 683.68 feet to a 5/8-inch iron road found a point of curvature;
2. in a southeasterly direction, along a tangent curve to the right, a central angle of 40°40'36", a radius of 1930.04 feet, a chord bearing and distance of South 42°46'06" East, 1341.62 feet, and a total arc length of 1370.21 feet to a point marking the northern-most corner of a called 0.88 acre tract recorded in Document No. 2007043833 of the Official Public Records of Travis County;

THENCE, along the said 0.88 acre tract the following three (3) courses and distances:

1. South 22°37'46" West, 45.24 feet to a point for corner;
2. South 68°32'05" West, 75.00 feet to a point of for corner;
3. in a northwesterly direction, along a non-tangent curve to the right, a central angle of 44°42'36", a radius of 375.20 feet, a chord bearing and distance of North 85°08'12" West, 285.41 feet, and a total arc length of 292.78 feet to a 5/8-inch iron road found a point of tangency on the aforesaid northeasterly right-of-way line of Killingsworth Lane;

THENCE, North 62°15'13" West, 2287.99 feet along the northeasterly right-of-way line of Killingsworth Lane to the **POINT OF BEGINNING** and containing 33.535 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Coordinate System Grid, Central Zone (FIPS 4203) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet. To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

JGM
6/11/2018
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33.535 ACRES
ALEXANDER WALTERS SURVEY NO. 67,
ABSTRACT NO. 791
TRAVIS COUNTY, TEXAS

Kimley»Horn

601 NW Loop 410, Suite 350
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FIRM # 10193973

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	APS	JGM	JUNE 2018	068705005	1 OF 2

NOTE:

The bearings, distances, areas and coordinates shown hereon are Texas State Coordinate System GRID, South Central Zone (FIPS 4204) (NAD83), as determined by the Global Positioning System (GPS). To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. The unit of linear measurement is U.S. Survey Feet.

LEGEND:

P.O.B. = POINT OF BEGINNING

DRTC = DEED RECORDS OF TRAVIS COUNTY, TEXAS

PRTC = PLAT RECORDS OF TRAVIS COUNTY, TEXAS

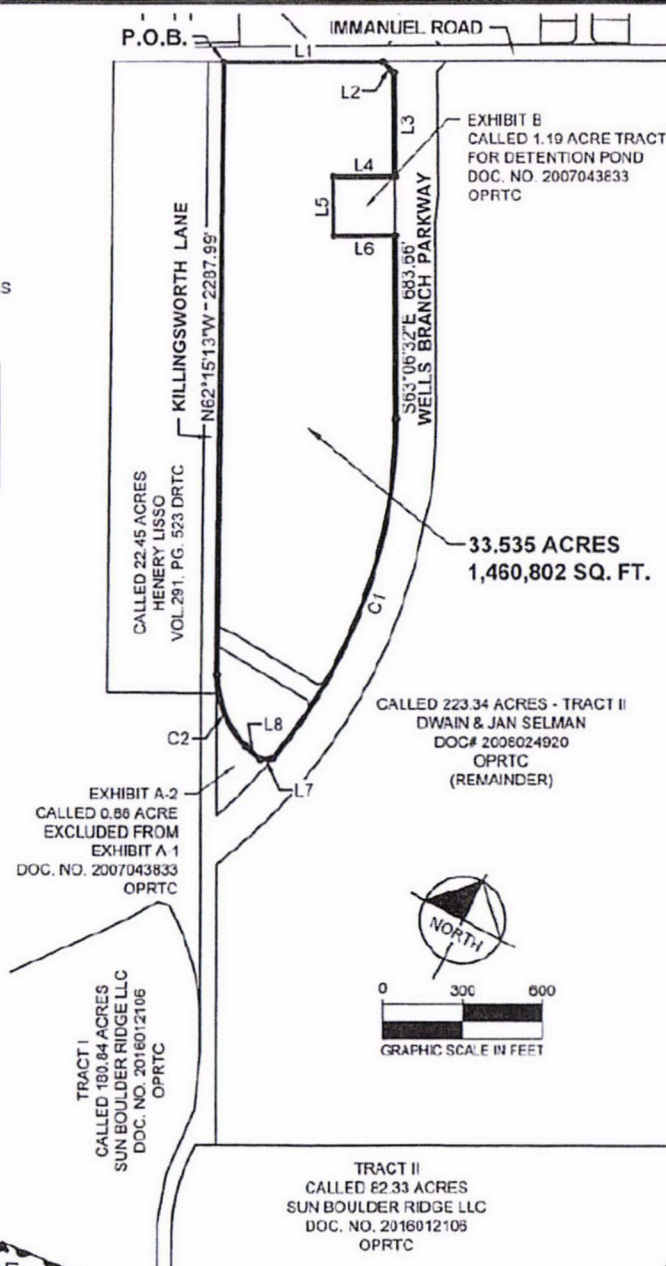
OPRTC = OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	40°40'36"	1930.04'	1370.21'	S42°45'06"E	1341.62'
C2	44°42'36"	375.20'	292.78'	N85°08'12"W	285.41'

LINE TABLE

NO.	BEARING	LENGTH
L1	N27°01'55"E	607.74'
L2	N71°40'20"E	60.10'
L3	S63°06'31"E	388.02'
L4	S25°53'29"W	230.00'
L5	S63°06'31"E	225.00'
L6	N76°53'29"E	230.00'
L7	S22°37'45"W	45.24'
L8	S68°32'05"W	75.30'



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John G. Mosier
6/18/2018

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 600'	APG	JCM	JUNE 2018	063705905	2 OF 2

EXHIBIT "B"

SERVICE PLAN AGREEMENT FOR PROPERTY ANNEXED

AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES

This Agreement is entered into by and between the City of Pflugerville, a Texas Municipal Corporation ("City"), acting by and through its Interim City Manager, and Dwain and Jan Selman, individually and as sole heirs to the Lisso Carl Estate (collectively, "Landowner"), both of which may be referred to herein singularly as "Party" or collectively as the "Parties."

Recitals

WHEREAS, the Landowner has requested that the City consider annexation of two tracts of land totaling approximately 229.992 acres of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas, as specifically described in Exhibit "A" ("Property"), which is attached hereto and incorporated herein for all purposes; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Sections 43.067 et seq., the City and the Landowner must enter into a written agreement identifying a list of public services to be provided to the Property and a schedule for provision of the same; and

WHEREAS, this Agreement is being entered into by and between the Parties to comply with the Texas Local Government Code prior to the City's consideration of an ordinance annexing the Property, it being understood and agreed to by the Parties that annexation of the Property is a condition precedent to this Agreement becoming effective; and

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the Property (the "Effective Date").

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Section 1.

The Parties hereto acknowledge and agree that the foregoing recitals are hereby found to be true and correct and are hereby adopted by the Parties and made a part hereof for all purposes.

Section 2.

The following service list and schedule ("Service Plan") represents the provision of services agreed to between the Landowner of the Property and the City establishing a program under which the City will provide municipal services to the Property (referred to hereinafter as the "Annexed Area") on the Effective Date of this Agreement, as required by § 43.0672 of the Texas Local Government Code, which will be provided at a level consistent with service levels provided to other similarly-situated areas within the City:

I.

- A. **Police Protection.** The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. Upon 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 and characteristics. 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 upon annexation.
 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. Upon 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 and characteristics. 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.

Upon annexation, 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 various private refuse collection companies. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation, provided that a privately owned solid waste management service provider ("POSWMSP") is unavailable. In the event that the Annexed Area is already receiving service, or desires to receive service from a POSWMSP, the City may not prohibit solid waste collection by the POSWMSP, nor may the City offer solid waste collection services for a period of two years following the effective date of the annexation unless a POSWMSP is or becomes unavailable, as established by Texas Local Government Code § 43.0661. If a landowner uses the services of a POSWMSP or services are available from a POSWMSP during the two years following annexation, the City will not provide solid waste collection services to that landowner.

- B. **Maintenance.** Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area upon the effective 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 or other public owned streets under the ownership and control of another public entity.
 3. **Publicly owned parks, playgrounds, and swimming pools.** The City will maintain and operate City-owned land and facilities within the Annexed 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 not under the ownership and control of another public entity. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will periodically inspect facilities and perform maintenance on facilities in the Annexed Area as necessary to ensure continued functionality of the facilities through the 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.
- C. **Development Regulation.** The City will impose and enforce zoning, subdivision development, site development and building code regulations within the Annexed Area upon the effective date of the 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 landowners or residents of the Annexed Area on the same basis as those facilities are available to current City landowners and residents. City residents receive program preference for some City programs. Other City services including Animal Control, Code Enforcement, Municipal Court and General Administration services will be also be available to landowners and residents in the Annexed Area on the same basis those facilities are available to current City landowners and residents. All other services contemplated herein will be available upon the effective date of annexation.

III.

- A. **Capital Improvements.** Capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as amended, which are incorporated herein by reference.
- B. **Water and Wastewater Service.** For portions of the Annexed Area not within the certificated service areas of the City, water and wastewater service to such areas will be subject to service extension regulations and policies provided in the City's Unified Development Code, as amended.

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, unless subsequent agreements are entered into between the City and the other utility providers.

IV.

- A. In accordance with Texas Local Government Code § 43.0672(c), no other services are contemplated by this Service Plan and a schedule for future services as contemplated by Texas Local Government Code § 43.0672(b) is not applicable as all services identified herein will be provided upon the effective date of annexation.

Section 3.

General Terms.

- 1. **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.
- 2. **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.
- 3. **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.
- 4. **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to

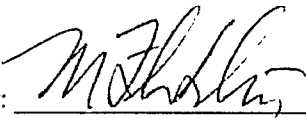
restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

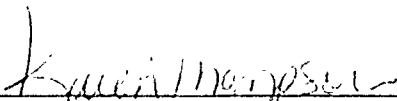
5. Entire Agreement. This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

Executed and Agreed to by the Parties on this the 24th day of July 2018.

CITY OF PFLUGERVILLE

ATTEST:

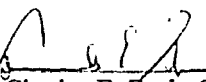
by: 
Trey Fletcher, Interim City Manager

by: 
Karen Thompson, City Secretary

Date: 7/24/2018

Date: 7/24/2018

APPROVED AS TO FORM:

By: 
Charles E. Zech, City Attorney
Denton, Navarro, Rocha, Bernal & Zech, P.C.

PROPERTY OWNER(S):

Dwain Selman (Individually and On Behalf of the Lisso Carl Estate)

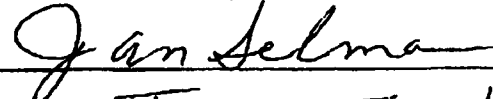
By: 

Name (Print): Dwain Selman

Title: Owner-Partner

Date: 7-9-18

Jan Selman (Individually and On Behalf of the Lisso Carl Estate)

By: 

Name (Print): Jan Selman

Title: Owner-Partner

Date: 7-9-18

EXHIBIT "A"

PROPERTY/ANNEXED AREA

EXHIBIT "A"**A METES AND BOUNDS
DESCRIPTION OF A
196.457 ACRE TRACT OF LAND**

BEING a 196.457 acre (8,557,677 square feet) tract of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas, and being a portion of a called 223.34 acre Tract II described in instrument to Dwain & Jan Selman in Document No. 2008024920 of the Official Public Records of Travis County; said 196.457 acre tract also containing portions of that certain 120 acre tract recorded in Volume T, Page 124 of the Deed Records of Travis County and that certain 100 acre tract recorded in Volume S, Page 124 of the Deed Records of Travis County, and being more particularly describes as follows:

BEGINNING at a 5/8-inch iron rod found marking the northerly end of a corner clip at the intersection of the southeasterly right-of-way line of Immanuel Road (variable width) and the northeasterly right-of-way line of Wells Branch Parkway (variable width); from which, a 5/8-inch iron rod found marking the southerly end of said corner clip bears South 18°24'37" East, 48.39 feet;

THENCE, North 27°11'37" East, 1614.11 feet along the southeasterly right-of-way line of said Immanuel Road to a 1/2-inch iron rod found marking western-most corner of that certain 2.00 acre tract described in instrument to Dessau Investments, Inc. recorded in Volume 11532, Page 1467 of the Official Public Records of Travis County;

THENCE, departing the southeasterly right-of-way line of said Immanuel Road and along the boundary of the said 2.00 acre tract the following two (2) courses and distances:

1. South 62°32'22" East, 414.85 feet to a point for corner;
2. North 26°54'50" East, 217.20 feet to a point for corner on the southerly boundary of Lot 7, Block C of Gatlinburg Section Five, plat of which is recorded in Volume 83, Pages 152C-152D of the Plat Records of Travis County;

THENCE, South 62°19'23" East, 1941.60 feet along the southerly boundary of said Gatlinburg Section Five to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the most southerly corner of Lot 9 of said Block C on the northwesterly line of a called 130.81 acre tract of land described in instrument to Timmerman Farms, Ltd. in Document No. 2004240372 of the Official Public Records of Travis County;

THENCE, South 27°12'10" West, 55.13 feet along the northwesterly line of said 130.81 acre tract to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the southwest corner of said 130.81 acre tract;

THENCE, South 62°16'33" East, 1670.67 feet to a 1/2-inch iron rod found marking the northwesterly corner of a called 19.71 acre tract of land described in instrument to the City of Pflugerville in Volume 9402, Page 895 of the Deed Records of Travis County, being on the southerly line of a called 19.00 acre tract described in instrument to the City of Pflugerville in Volume 9236, Page 954 of the Deed Records of Travis County;

THENCE, South 27°16'53" West, departing the southerly line of said 19.00 acre tract, along the northwesterly line of said 19.71 acre tract and along the northwesterly line of a called 82.33 acre Tract II described in instrument to Sun Boulder Ridge LLC in Document No. 2016012106 of the Official Public Records of Travis County; at a distance of 967.11 feet, pass a 1/2-inch iron rod found on line, continuing for a total distance of 2600.33 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set on the northeasterly right-of-way line of Killingsworth Lane (variable width);

Description continued on Sheet 2 of 3.

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6-18-2018
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196.457 ACRES
ALEXANDER WALTERS SURVEY NO. 67,
ABSTRACT NO. 791
TRAVIS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
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THENCE, North 62°44'52" West, 1039.73 feet departing the northwesterly line of said Sun Boulder Ridge Tract II and along the northeasterly right of way line of said Killingsworth Lane to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner at the intersection of the northeasterly right-of-way line of said Killingsworth Lane with the easterly right-of-way line of aforesaid Wells Branch Parkway.

THENCE, along the northeasterly right-of-way line of said Wells Branch Parkway the following seven (7)

1. in a northwesterly direction along the easterly right-of-way of said Wells Branch Parkway, a central angle of 42°18'39", a radius of 2070.00 feet, a chord bearing and distance of North 31°27'24" West, 1494.12 feet, and a total arc length of 1528.62 feet to a point for corner;
2. North 48°32'27" West, 104.23 feet to a point of for corner;
3. in a northwesterly direction, along a non-tangent curve to the left, a central angle of 7°37'53", a radius of 2080.00 feet, a chord bearing and distance of North 59°17'35" West, 276.84 feet, and a total arc length of 277.04 feet to a point for corner;
4. North 63°06'31" West, 733.61 feet to a point for corner;
5. North 57°23'53" West, 100.44 feet to a point for corner;
6. North 63°06'31" West, 470.29 feet to a point for corner;
7. North 18°24'37" West, 48.39 feet to the **POINT OF BEGINNING** and containing 196.457 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Coordinate System Grid, Central Zone (FIPS 4203) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet. To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

JGM
6-18-2017

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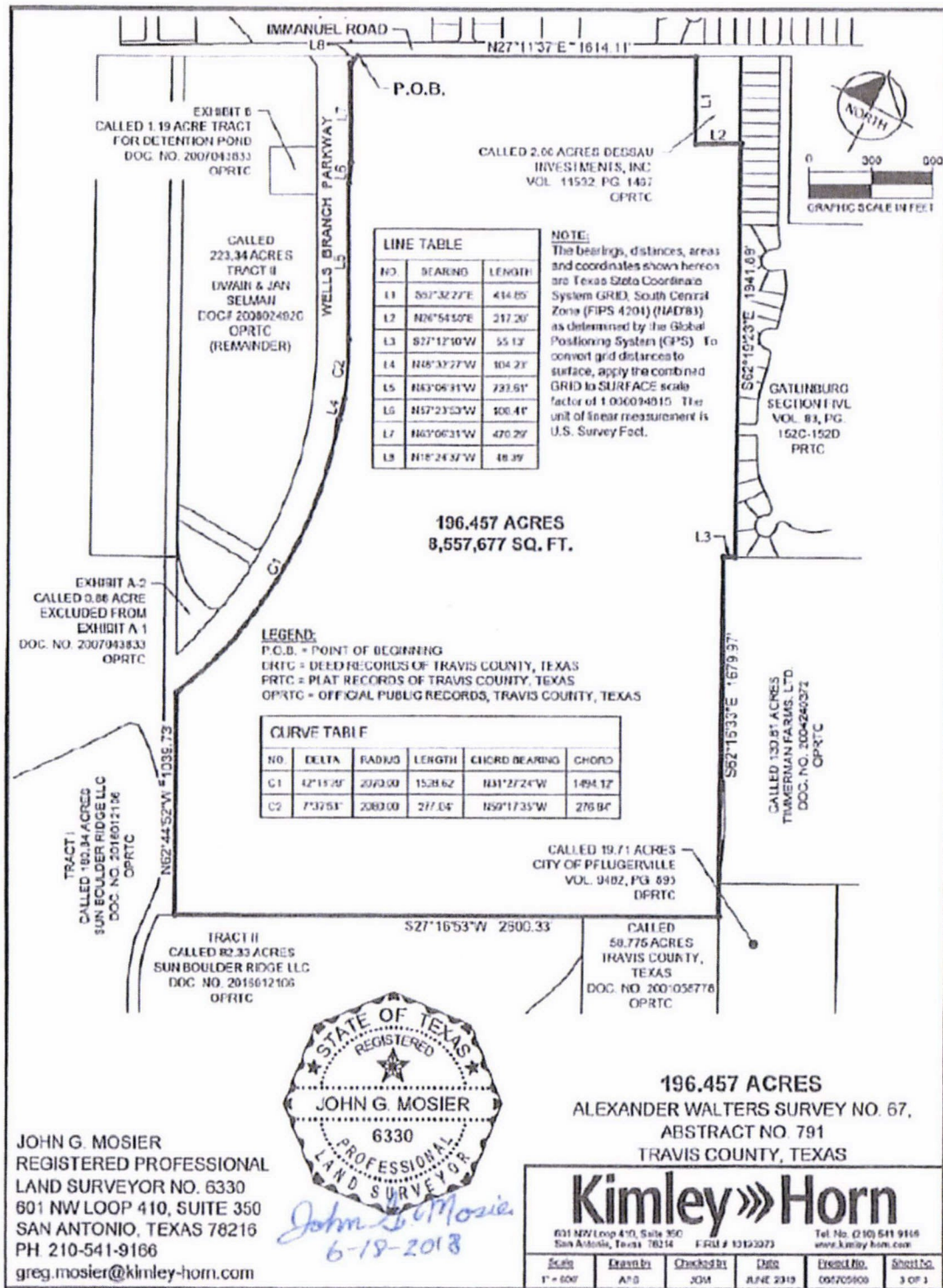
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**A METES AND BOUNDS
DESCRIPTION OF A
33.535 ACRE TRACT OF LAND**

BEING a 33.535 acres (1,400,802 square feet) tract of land situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas; containing a portion of a called 223.34 acre Tract II described in instrument to Dwain & Jan Selman in Document No. 2003024020 of the Official Public Records of Travis County; also containing a portions of that certain 120 acre tract recorded in Volume T, Page 124 of the Deed Records of Travis County and that certain 100 acre tract recorded in Volume S, Page 124 of the Deed Records of Travis County; also containing all a called 0.72 acre tract for a right-of-way dedication agreement recorded in Document No. 2003013020 of the Official Public Records of Travis County; and being more particularly describes as follows:

BEGINNING at a 60D-nail found in a wood fence post at the intersection of the southeasterly right-of-way line of Immanuel Road (width Varies) and the northeasterly right-of-way line of Killingsworth Lane (60 feet wide), marking the western-most corner of the said 120 acre tract;

THENCE, North 27°03'55" East, 597.74 feet along the said southeasterly right-of-way line of Emmanuel Road to a point for corner at the southwesterly end of a right-of-way cutback corner at the intersection with the southwesterly right-of-way line of Wells Branch Parkway (width varies);

THENCE, along the said southwesterly right of way line of Wells Branch Parkway the following two (2) courses and distances:

1. North 71°40'20" East, 60.10 feet to a point for corner;
2. South 63°06'31" East, 388.02 feet to a point marking the northern-most corner of a called 1.19 acre tract described in instrument to Travis County, recorded in Document No. 2007043833 of the Official Public Records of Travis County;

THENCE, along the boundary of the said 1.19 acre tract the following three (3) courses and distances:

1. South 26°53'29" West, 230.00 feet to a point for corner;
2. South 63°06'31" East, 225.00 feet to a point for corner;
3. North 26°53'29" East, 230.00 feet to a point for corner on the aforesaid southwesterly right-of-way line of Wells Branch Parkway;

THENCE, along the said southwesterly right-of-way line of Wells Branch Parkway the following two (2) courses and distances:

1. South 03°00'32" East, 683.88 feet to a 5/8-inch iron rod found a point of curvature;
2. in a southeasterly direction, along a tangent curve to the right, a central angle of 40°40'36", a radius of 1930.04 feet, a chord bearing and distance of South 42°46'06" East, 1341.62 feet, and a total arc length of 1370.21 feet to a point marking the northern-most corner of a called 0.88 acre tract recorded in Document No. 2007043833 of the Official Public Records of Travis County;

THENCE, along the said 0.88 acre tract the following three (3) courses and distances:

1. South 22°37'46" West, 45.24 feet to a point for corner;
2. South 08°32'05" West, 75.00 feet to a point of for corner;
3. in a northwesterly direction, along a non-tangent curve to the right, a central angle of 44°42'36", a radius of 375.20 feet, a chord bearing and distance of North 85°08'12" West, 285.41 feet, and a total arc length of 292.78 feet to a 5/8-inch iron rod found a point of tangency on the aforesaid northeasterly right-of-way line of Killingsworth Lane;

THENCE, North 62°15'13" West, 2287.99 feet along the northeasterly right-of-way line of Killingsworth Lane to the **POINT OF BEGINNING** and containing 33.535 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Coordinate System Grid, Central Zone (FIPS 4203) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet. To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

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State	Drawn by	Checked by	Date	Project No.	Sheet No.
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NOTE:

The bearings, distances, areas and coordinates shown herein are Texas State Coordinate System GRID, South Central Zone (FIPS 4204) (NAD83), as determined by the Global Positioning System (GPS). To convert grid distances to surface, apply the combined GRID to SURFACE scale factor of 1.000094815. The unit of linear measurement is U.S. Survey Feet.

LEGEND:

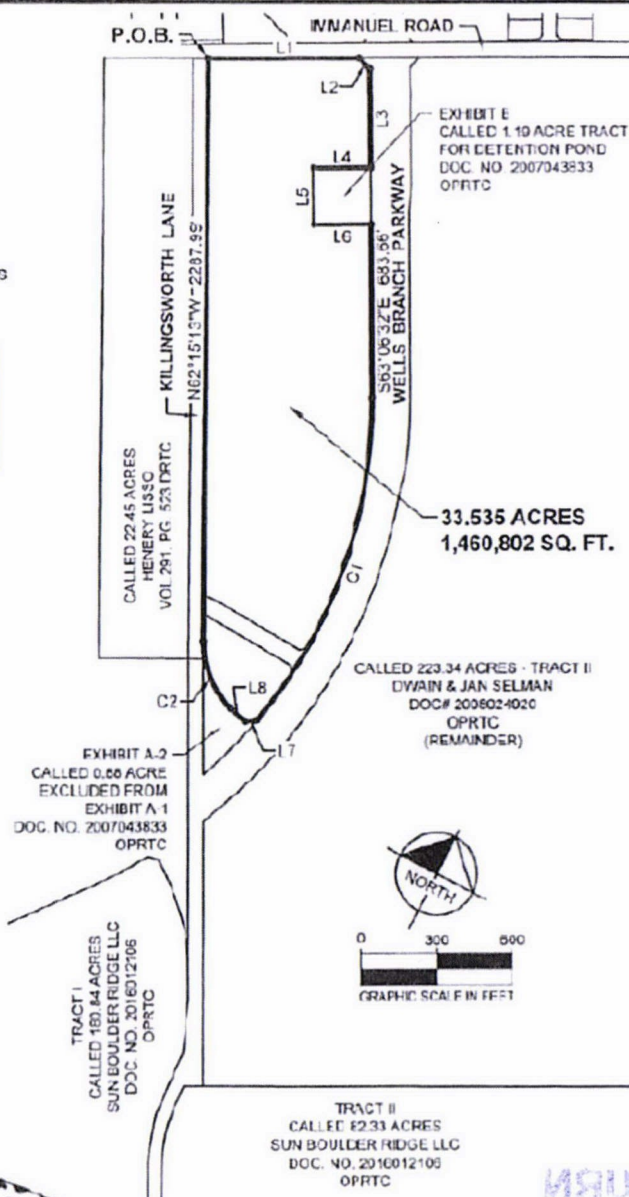
P.O.B. = POINT OF BEGINNING
 DRTC = DEED RECORDS OF TRAVIS COUNTY, TEXAS
 PRTC = PLAT RECORDS OF TRAVIS COUNTY, TEXAS
 OPRTC = OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	42°40'30"	1930.04'	1370.21'	S42°45'16"E	1341.62'
C2	44°42'35"	315.20'	292.78'	N45°08'12"W	285.41'

LINE TABLE

NO.	BEARING	LENGTH
L1	N27°03'55"E	507.74'
L2	N71°40'20"E	60.16'
L3	S83°06'31"E	388.02'
L4	S26°53'25"W	230.00'
L5	S63°06'31"E	225.00'
L6	N26°53'29"E	210.00'
L7	S22°17'46"W	45.24'
L8	S66°12'00"W	16.30'



JOHN G. MOSIER
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6330
 601 NW LOOP 410, SUITE 350
 SAN ANTONIO, TEXAS 78216
 PH. 210-541-9166
 greg.mosier@kimley-horn.com



John G. Mosier
 6/18/2018

33.535 ACRES
 ALEXANDER WALTERS SURVEY NO. 67,
 ABSTRACT NO. 791
 TRAVIS COUNTY, TEXAS

Kimley»Horn

601 NW Loop 410, Suite 150
 San Antonio, Texas 78210
 TEL. NO. (210) 511-9166
 WWW.KIMLEY-HORN.COM

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 600'	APS	JCM	JUNE 2018	200705990	2 OF 2

STANDARD: ADEL 5/18/2015 1:25 PM K:\SNA_SURVE\106375905-LS\50 TRACT NAVG\EXHIBIT\33.535 ACRE ANNE-XATION DWG

RETURN

CITY OF PFLUGERVILLE
PO BOX 589
PFLUGERVILLE TX 78691

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

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Sep 26, 2018 12:16 PM

2018152460

WILSONJ7. \$110.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS



41 pgs 2019163897

ORDINANCE NO. 1390-19-04-09

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, A 149.96 ACRE TRACT OF LAND, OUT OF THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, AND A TRACT OF LAND ENCOMPASSING WEISS LANE RIGHT OF WAY GENERALLY LOCATED BETWEEN EAST PECAN STREET AND KELLY LANE; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / DEVELOPMENT RESERVE (A); TO BE KNOWN AS THE WEISS HIGH SCHOOL 2019 ANNEXATION; 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 149.96 acres of land situated in the Joseph Wehl Survey No. 8, Abstract No. 802, of the Real Property Records of Travis County, Texas, and a tract of land encompassing Weiss Lane right-of-way located adjacent to the 149.96-acre tract generally located between East Pecan Street and Kelly Lane, all as more particularly described and depicted in **Exhibit “A” and Exhibit “B”**, attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality; and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes Tier 2 municipalities, including the City, to annex an area on the request of all property owners in an area; and

WHEREAS, in accordance with Texas Local Government Code, Section 43.0672, the City has negotiated and entered into a written agreement dated February 15, 2019 with the owners of the Property regarding the provision of services to the Property upon annexation, of which the applicable service plan and schedule is attached hereto and incorporated herein as **Exhibit “C”**; and

WHEREAS, in accordance with Texas Local Government Code, Section 43.106, the City is required to annex the entire width of any county road and the adjacent right-of-way on both sides of the road that abuts territory that the City seeks to annex, which in this case includes the described section of Weiss Lane road and right-of-way adjacent to the 149.96-acre tract; and

WHEREAS, the City Council provided public notice and held public hearings on February 26, 2019 and March 12, 2019 for all interested persons to attend and be heard in accordance with Texas Local Government Code, Section 43.0673; and

WHEREAS, the City has complied with all conditions precedent established under the Texas Local Government Code necessary to take this action annexing the Property.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Property is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.

Section 3. The City finds annexation of the Property to be in the public interest due the Property providing enhancements and greater public access, additional public right-of-way and open spaces, and promoting economic growth of the Property and surrounding areas.

Section 4. The Property shall be zoned Agriculture / Development Reserve (A).

Section 5. The service plan attached as **Exhibit "C"** is approved, and municipal services shall be provided to the Property in accordance therewith.

Section 6. 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 7. This Ordinance will take effect upon its adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

Section 8. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

PASSED AND APPROVED this 9th day of April, 2019.

CITY OF PFLUGERVILLE, TEXAS

By: _____

Victor Gonzales, Mayor

ATTEST:

Karen Thompson

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Charles E. Zech

Charles E. Zech, City Attorney

DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.



EXHIBIT "A"

PROPERTY DESCRIPTION

Land totaling approximately 149.96 acres of land out of the Joseph Wehl Survey No. 8, Abstract 802, in Travis County, Texas.

DESCRIPTION OF A 149.96 ACRE TRACT OF LAND, OUT OF THE JOSEPH WEHL SURVEY NO. 8, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS, SAID 149.96 ACRE TRACT BEING THE REMAINDER OF AN ORIGINAL 172.85 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS FROM WHICH 172.85 ACRE TRACT, A 4 ACRE TRACT AND A 16 ACRE TRACT WERE TAKEN OUT OF THE ORIGINAL 172.85 ACRE TRACT, RESULTING IN THE 149.96 ACRE TRACT HEREIN DESCRIBED. THE 4 ACRE TRACT IS AS RECORDED IN VOLUME 4656, PAGE 1010 AND THE 16 ACRE TRACT IS AS RECORDED IN VOLUME 4727, PAGE 383.

A 99/100 UNDIVIDED INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2004 TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240368 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND A 1/100 UNDIVIDED INTEREST WAS CONVEYED IN THE SAME YEAR TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240373 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. AN UNDIVIDED 7.4% INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2014 TO CHERYL TIMMERMAN GREINER RECORDED IN DOCUMENT NUMBER 2014151492 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY TEXAS.

A 1.00 ACRE TRACT WHOLLY CONTAINED WITHIN THE SAID 149.96 ACRE TRACT DESCRIBED HEREIN WAS CONVEYED IN 2012 TO THEODOR R. TIMMERMAN AND WIFE, MARLENE TIMMERMAN RECORDED IN DOCUMENT NUMBER 2012208998 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY AND IS NOT DESCRIBED SEPARATLY FROM THE SAID 149.96 ACRE TRACT WHICH IS HEREIN DESCRIBED MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an ½" rebar found with a destroyed red cap for the southwest corner of the herein described Tract same being the northwest corner of a 1.893 acre Tract conveyed to Sivaramakrishnana Venkatraman recorded in Document Number 2013093529 of the Official Public Records, Travis County, Texas, also being a point on the east right of way line of Weiss Lane, from which a magnetic nail found in a concrete culvert for the southeast corner of a 32.29 acre Tract conveyed to Joe Weiss, recorded in Document Number 2001065238 of the Official Public Records, Travis County, Texas, bears N 62° 03' 05" E 58.84 feet,

THENCE, N 27° 33' 41" E 2503.99 feet along the west line of the herein described Tract same being the east right of way line of Weiss Lane to a ½" pipe found for the northwest corner of the herein described Tract, same being southwest corner of a remainder of 4 acres conveyed as Tract 3 to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas,

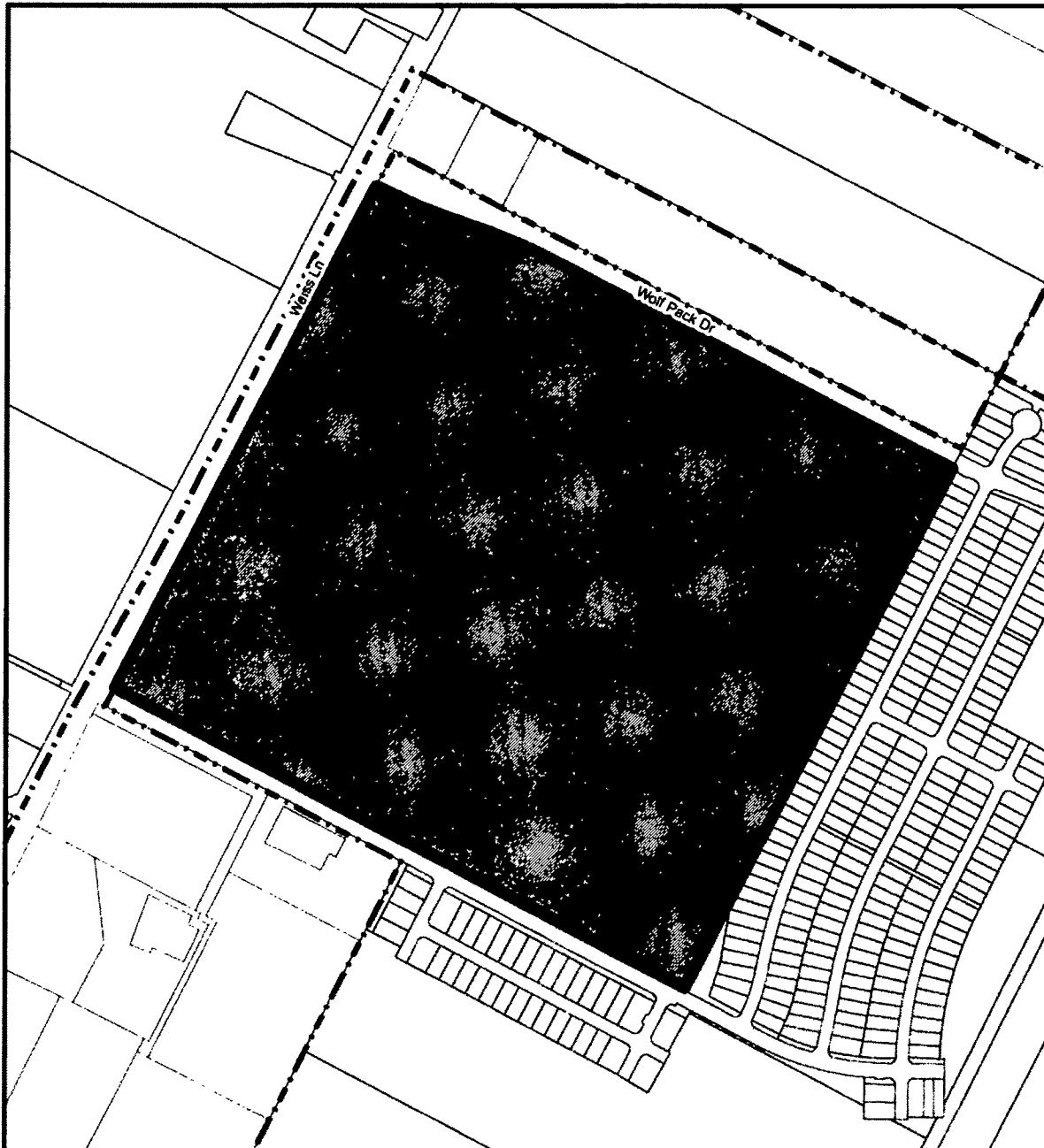
THENCE, S 62° 25' 19" E along the north line of the herein described Tract same being the south line of said Tract 3 at 260.60 feet passing the southeast corner of the said remainder of 4 acres Tract 3 and the southwest corner of a 2.00 acre Tract conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, in all 521.30 feet to an ½" pipe found for the southeast corner of Tract 2 of said Volume 11526 Page 796, and the southwest corner of a 16.00 acre Tract 1 conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, (Tract 2 and 3 are the 4.00 acres in volume 4656 page 1010) Tract 1 is the 16.00 acre Tract in Volume 4727 Page 383

THENCE, S 62° 27' 08" E 2086.85 feet continuing with the north line of the herein described Tract, same being the south line of the said 16.00 acre Tract 1, to a ½" pipe found for the northeast corner of the herein described Tract, same being the southeast corner of said 16.00 acre Tract 3 and being a point on the west line of 51.598 acre Tract conveyed to ARP Autumn Ridge Partners LP. Recorded in Document Number 2007065360 of the Official Public Records of Travis County, Texas,

THENCE, S 27° 32' 22" W with the east line of the herein described Tract same being the west line of said 51.598 acre Tract, at 1291.32 feet passing the southwest corner of said 51.598 acre Tract, same being the northwest corner of a 31.782 acre Tract 2A, conveyed to 130 Cactus Investments L.P., recorded in Document Number 2008121344 of the Official Public Records of Travis County, Texas, (no monument was found at this corner) in all 2504.17 feet to a ½" pipe found for the southeast corner of the herein described Tract, same being the southwest corner of said 31.782 acre Tract, same being a point on the north line of a 46.615 acre Tract conveyed to ARP Autumn Ridge Partners L.P. recorded in Document Number 2007059997 of the Official Public Records of Travis County, Texas.

THENCE, N 62° 26' 32" W with the south line of the herein described Tract, same being the north line of said 46.615 acre Tract, at 1243.44 feet passing the northwest corner of said 46.615 acre Tract same being the northeast corner of a 5.0 acre Tract conveyed to C. J. & Irene King recorded in Volume 5426 Page 1856 of the Deed Records of Travis County, Texas, at 1831.27 passing a ½" rebar found for the north west corner of said 5.0 acre Tract, same being the most northerly northeast corner of said 1.893 acre Tract conveyed to

Sivaramakrishnana Venkatraman in all 2609.11 feet to the **POINT OF BEGINNING** and containing 149.96 acres more or less;






**Weiss High
School Property**

**Case Number:
ANX1901-01**

1/4/19

Legend

-  Annexation
-  ETJ
-  City Limits

0 175 350 700 Feet



Pflugerville is a city in Williamson County, Texas, United States. It is a suburb of Austin, Texas. The city is located in the north-central part of the state, about 30 miles north of Austin. The city is part of the Austin metropolitan area. The city is known for its parks and recreational facilities. The city is also known for its schools. The city is a part of the Pflugerville Independent School District. The city is a part of the Pflugerville City Council. The city is a part of the Pflugerville City Manager. The city is a part of the Pflugerville City Clerk. The city is a part of the Pflugerville City Attorney. The city is a part of the Pflugerville City Engineer. The city is a part of the Pflugerville City Planner. The city is a part of the Pflugerville City Auditor. The city is a part of the Pflugerville City Treasurer. The city is a part of the Pflugerville City Clerk. The city is a part of the Pflugerville City Attorney. The city is a part of the Pflugerville City Engineer. The city is a part of the Pflugerville City Planner. The city is a part of the Pflugerville City Auditor. The city is a part of the Pflugerville City Treasurer.

PFLUGERVILLE
TEXAS

Locator Map



EXHIBIT "B"

PROPERTY DESCRIPTION

Weiss Lane Right-of-Way

EXHIBIT "B"

Weiss Lane Right of Way
From East Pecan Street to East Pflugerville Parkway
Travis County, Texas

DESCRIPTION OF 18.74 ACRES

DESCRIPTION OF 18.74 ACRES OR 816,419 SQUARE FEET OF LAND, MORE OR LESS, BEING THE RIGHT OF WAY OF WEISS LANE FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY; SAID 18.74 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with "McGRAY McGRAY" cap set in the northwest right-of-way line of Weiss Lane and the southwest line of that tract described as 5.00 acres (Exhibit "B") conveyed to James R. Bohls by deed, as recorded in Volume 10951, Page 53, Real Property Records, Travis County, Texas, and being in the northeast right-of-way line of East Pecan Street, from which a 1/2" iron rod found at the west corner of said 5.00 acre Bohls tract and the south corner of that tract described as 281.80 acres conveyed to Cactus Commercial South, L.P. by deed, as recorded in Document No. 2014095553, Official Public Records, Travis County, Texas, and being in the northeast right-of-way line of East Pecan Street bears N62°24'20"W 782.17 feet, and said point of beginning having Grid Coordinate Values of N=10,127,104.41 E=3,164,507.48;

THENCE, with the northwest right-of-way line of Weiss Lane, the following sixteen (16) courses, numbered 1 through 16:

- 1) **N72°03'33"E 62.07 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 2) **N26°45'44"E 212.92 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 3) **S62°24'20"E 13.00 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 4) **N26°45'44"E 543.25 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 5) **N20°29'06"E 100.60 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 6) **N26°45'44"E 1,002.54 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 7) **N09°03'11"E 311.30 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 8) **N26°12'04"E 345.36 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 9) **N66°56'43"E 110.67 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 10) **N27°33'37"E 2,780.17 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;

18.74 AC

- 11) **N62°26'23"W 20.00 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 12) **N27°33'37"E 35.00 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 13) **S62°26'23"E 20.00 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 14) **N27°33'37"E 169.62 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 15) **N27°27'23"E 1,024.51 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
and
- 16) **N17°27'23"W 35.21 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set in the northeast line of that tract described as 32.290 acres (Exhibit "B") conveyed to H.L. Weiss, Jr. by deed, as recorded in Document No. 2001065236, Official Public Records, Travis County, Texas, and the southwest line of that tract described as 9.294 acres conveyed to the City of Pflugerville by deed, as recorded in Document No. 2003074909, Official Public Records, Travis County, Texas, from which a 1/2" iron rod found bears **N62°27'35"W 224.96 feet**;

THENCE, continuing with the northwest right-of-way line of Weiss Lane, with the southwest line of said 9.294 acre City of Pflugerville tract, **S62°27'35"E 90.80 feet** to a 1/2" iron rod found at the south corner of said 9.294 acre City of Pflugerville tract;

THENCE, crossing said Weiss Lane, **N57°05'52"E 115.11 feet** to a 1/2" iron rod found at the north corner of that tract described as 24.596 acres conveyed to the City of Pflugerville by deed, as recorded in Document No. 2003038259, Official Public Records, Travis County, Texas, being in the southeast right-of-way line of Weiss Lane;

THENCE, with the southeast right-of-way line of Weiss Lane, the following twelve (12) courses, numbered 1 through 12:

- 1) **S27°38'57"W 815.88 feet** to a calculated point;
- 2) **S62°34'28"E 19.47 feet** to a 1/2" iron rod with cap found;
- 3) **S27°33'00"W 333.88 feet** to a 1/2" iron rod with cap found;
- 4) **N62°25'19"W 20.04 feet** to a 1/4" iron pipe found;
- 5) **S27°33'37"W 2,504.24 feet** to 1/2" iron rod found;

18.74 AC

- 6) **S62°26'32"E 30.01 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 7) **S27°33'37"W 49.93 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 8) **S27°33'37"W 430.82 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 9) with a curve to the left, whose intersection angle is **01°21'34"**, radius is **2,424.50 feet**, an arc distance of **57.52 feet**, and a chord bearing **S26°52'50"W 57.52 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 10) **S26°12'04"W 23.17 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 11) **N62°34'30"W 23.42 feet** to a calculated point; and
- 12) **S26°45'44"W 2,545.65 feet** to a calculated point at the west corner of that tract described as 4.956 acres conveyed to Israel Arreola, Jr. by deed, as recorded in Document No. 2018107473, Official Public Records, Travis County, Texas, and being in the northeast right-of-way line of East Pecan Street;

THENCE, with the northeast right-of-way line of East Pecan Street, crossing said Weiss Lane, **N63°17'24"W 145.12 feet** to the PLACE OF BEGINNING and containing 18.74 acres, or 816,419 square feet, more or less, contained within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas Coordinate System, Central Zone, North American Datum of 1983 (2011) Epoch 2010.00. The Combined Grid to Surface Scale Factor is 1.00010 and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591




03/20/19

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\LJA~15-043~Weiss Lane-Pflugerville\Descriptions\Weiss Lane ROW 1

**SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS**

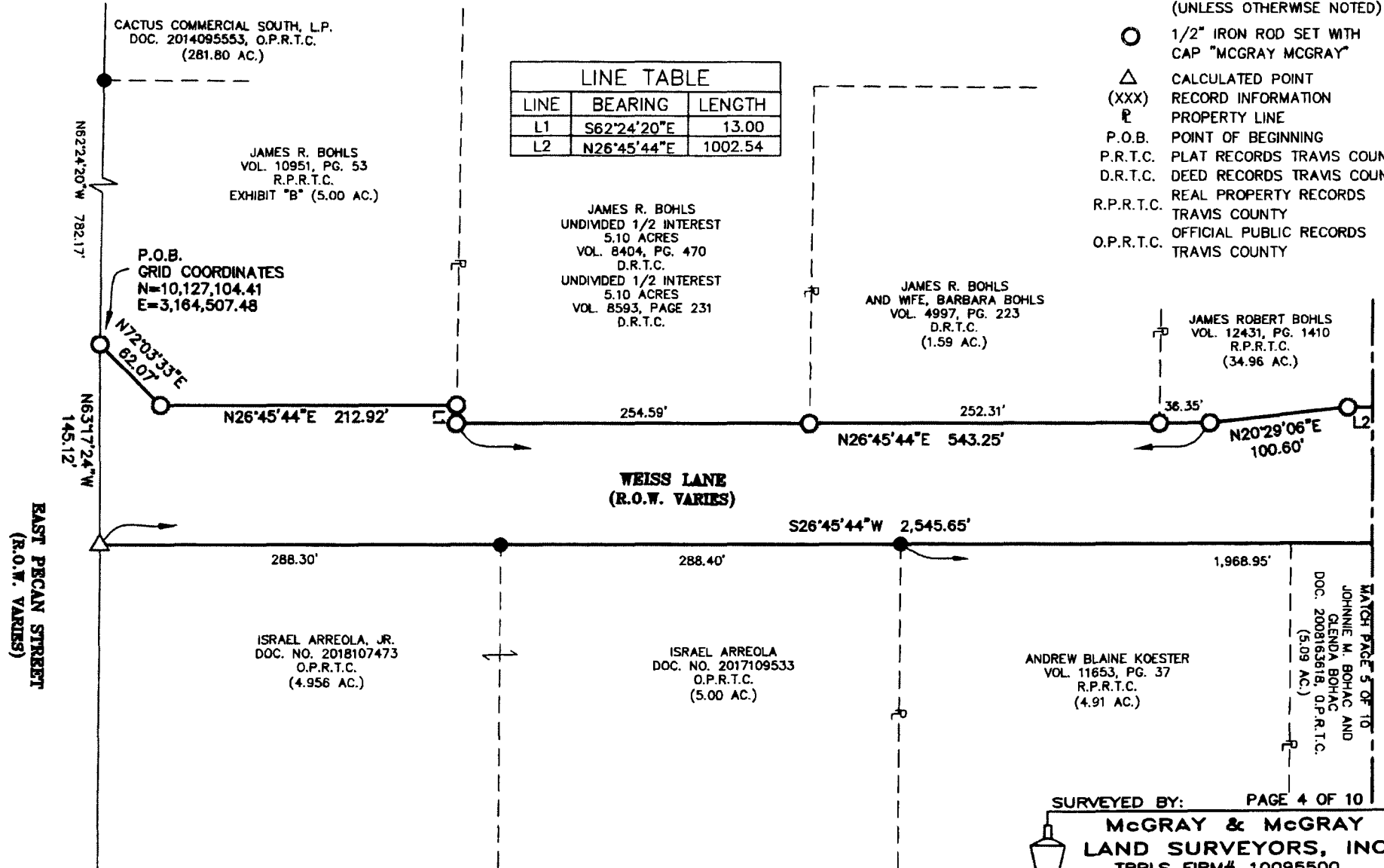
RE: CITY OF PFLUGERVILLE

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
(XXX) RECORD INFORMATION
- R PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

SCALE 1" = 100'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S62°24'20"E	13.00
L2	N26°45'44"E	1002.54

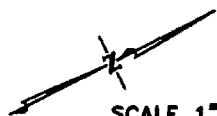


PAGE 4 OF 10

SURVEYED BY: **McGRAY & McGRAY**
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE



SCALE 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

JAMES ROBERT BOHLS
VOL. 12431, PG. 1410
R.P.R.T.C.
(34.96 AC.)

N26°45'44"E 1,002.54'

WEISS LANE
(R.O.W. VARIES)

S26°45'44"W 2,545.65'

1,968.95'

JOHNNIE M. BOHAC AND
GLENDA BOHAC
DOC. 2008163618
O.P.R.T.C.
(5.09 AC.)

JAMES B. KOEHLER
VOL. 12141, PG. 1304
R.P.R.T.C.
(9.77 AC.)

DONALD JAY
DOC. 2008071900
O.P.R.T.C.
(5.00 AC.)

MATCH PAGE 4 OF 10

MATCH PAGE 6 OF 10

SURVEYED BY: PAGE 5 OF 10

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

**SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS**

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	57.52	2424.50	1°21'34"	28.76	S26°52'50"W	57.52

LINE TABLE		
LINE	BEARING	LENGTH
L1	S26°12'04"W	23.17
L2	N62°34'30"W	23.42

JAMES ROBERT BOHLS
VOL. 12431, PG. 1410
R.P.R.T.C.
(34.96 AC.)

HELEN NONEMAN
VOL. 12763, PG. 313
R.P.R.T.C.
(3.00 AC.)

HELEN NONEMAN
DOC. 2012194992
O.P.R.T.C.
(5.10 AC.)

N09°03'11"E 311.30'

N26°12'04"E 345.36'

N86°36'43"E
110.67'

455.20'
N27°33'37"E 2,780.17'

**WEISS LANE
(R.O.W. VARIES)**

S26°45'44"W 2,545.65'

1,968.95'

S27°33'37"W 430.82'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

HOANG V. PHAM AND
KINH T. TRAN, MARRIED
AND HAO PHAM AND
NU NGUYEN, MARRIED
DOC. 2007089916
O.P.R.T.C.
(5.05 AC.)

ROBERT F. PRATER AND
WIFE, JANET PRATER
VOL. 7981, PG. 994
D.R.T.C.
TRACT NO. 1
(4.68 AC.)

ROBERT F. PRATER AND
WIFE, JANET PRATER
VOL. 7981, PG. 994, D.R.T.C.
TRACT NO. 2 (3.84 AC.)

SURVEYED BY: PAGE 6 OF 10

**McGRAY & McGRAY
LAND SURVEYORS, INC.**
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

**SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS**

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

HELEN NONEMAN
DOC. 2012194992
O.P.R.T.C.
(5.10 AC.)

CACTUS COMMERCIAL SOUTH, L.P.
DOC. 2014095553
O.P.R.T.C.
(281.80 AC.)

JOE WEISS
DOC. 2001065238
O.P.R.T.C.
EXHIBIT "B" (32.290 AC.)

455.20'

25.39'

905.44'

N27°33'37"E 2,780.17'

**WEISS LANE
(R.O.W. VARIES)**

S27°33'37"W 2,504.24'

S27°33'37"W 430.82'

L2

MATCH PAGE 6 OF 10

ROBERT F. PRATER AND
WIFE, JANET PRATER
VOL. 7981, PG. 994
D.R.T.C.
TRACT NO. 2
(3.84 AC.)

PRATER LANE

BOARD OF TRUSTEES OF THE
PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT
DOC. 2014175132
O.P.R.T.C.
EXHIBIT A-1 (149.96 AC.)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S62°26'32"E	30.01
L2	S27°33'37"W	49.93

MATCH PAGE 8 OF 10

SURVEYED BY: PAGE 7 OF 10

**McGRAY & McGRAY
LAND SURVEYORS, INC.**
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

JOE WEISS
DOC. 2001065238
O.P.R.T.C.
EXHIBIT "B"
(32.290 AC.)

DON LEE WEISS AND
GLADYS O. WEISS
DOC. 2008172152
O.P.R.T.C.
EXHIBIT "A" (32.290 AC.)

905.44'

902.46'

N27°33'37"E 2,780.17'

WEISS LANE
(R.O.W. VARIES)

S27°33'37"W 2,504.24'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
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- ℙ PROPERTY LINE
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TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

BOARD OF TRUSTEES OF THE
PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT
DOC. 2014175132
O.P.R.T.C.
EXHIBIT A-1 (149.96 AC.)

SURVEYED BY: PAGE 8 OF 10

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°26'23"W	20.00
L2	N27°33'37"E	35.00
L3	S62°26'23"E	20.00
L4	N62°25'19"W	20.04

DON LEE WEISS
DOC. 2001065237
O.P.R.T.C.
(30.29 AC.)
INCLUDING 5.00 ACRES
TO DON LEE WEISS AND
WIFE, GLADYS WEISS
VOL. 5161, PG. 1611
D.R.T.C.

DON LEE WEISS
DOC. 2001065237
O.P.R.T.C., (30.29 AC.)
INCLUDING 5.00 ACRES
TO DON LEE WEISS AND
WIFE, GLADYS WEISS
VOL. 5161, PG. 1611, D.R.T.C.

DON LEE WEISS
DOC. 2001065237
O.P.R.T.C.
(30.29 AC.)
INCLUDING 5.00 ACRES
TO DON LEE WEISS AND
WIFE, GLADYS WEISS
VOL. 5161, PG. 1611
D.R.T.C.

MATCH PAGE 10 OF 10
H.L. WEISS, JR.
DOC. 2001065236
O.P.R.T.C.
EXHIBIT "B" (32.290 AC.)

491.68'
N27°33'37"E 2,780.17'

N27°33'37"E 169.62'

204.97'
N27°27'23"E 1,024.51'

215.18'

WEISS LANE
(R.O.W. VARIES)

S27°33'37"W 2,504.24'

1/4" IRON PIPE

S27°33'00"W 333.88'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- P PROPERTY LINE
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TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

BOARD OF TRUSTEES OF THE
PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT
DOC. 2014175132
O.P.R.T.C.
EXHIBIT A-1 (149.96 AC.)

IRBY MAX FORD
VOL. 11526, PG. 796
R.P.R.T.C.
TRACT 2 (2.00 AC.)

SURVEYED BY: PAGE 9 OF 10

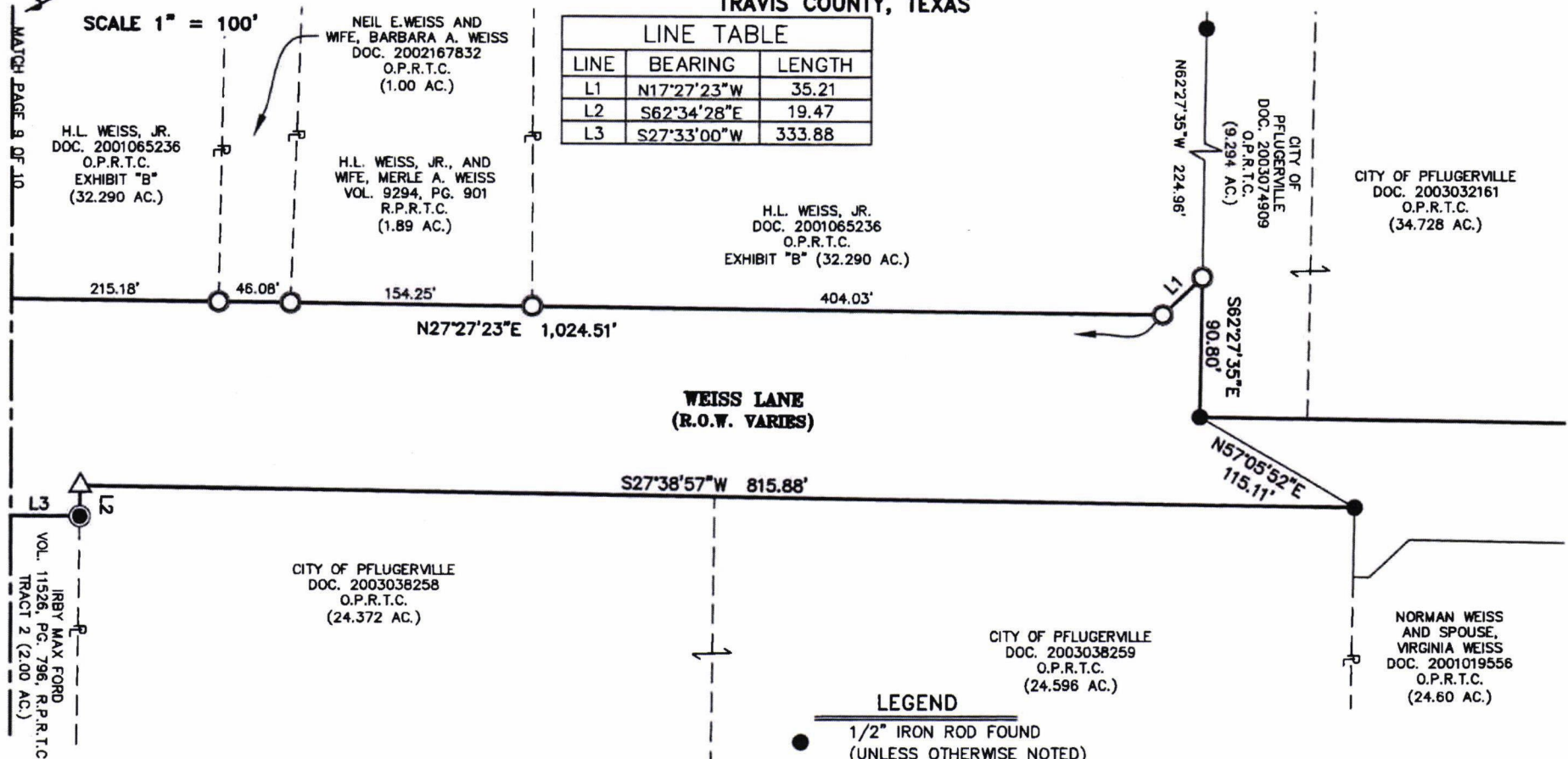
McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

**SKETCH TO ACCOMPANY DESCRIPTION OF 18.74 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PECAN STREET TO EAST PFLUGERVILLE PARKWAY
TRAVIS COUNTY, TEXAS**

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N17°27'23"W	35.21
L2	S62°34'28"E	19.47
L3	S27°33'00"W	333.88

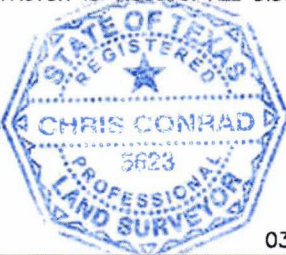


LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- P PROPERTY LINE
- P.O.B. POINT OF BEGINNING
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- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

NOTES:

- THE BEARINGS DESCRIBED HEREON ARE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, (2011) EPOCH 2010.00. THE COMBINED GRID TO SURFACE SCALE FACTOR IS 1.00010. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
- FOR ANNEXATION PURPOSES ONLY.



CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623
Note: There is a description to accompany this plat.

03/20/19
DATE

ISSUED: 03/20/19
SURVEYED BY: PAGE 10 OF 10

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

EXHIBIT “ B ”

Weiss Lane Right of Way
From East Pflugerville Parkway to Kelly Lane
Travis County, Texas

DESCRIPTION OF 18.94 ACRES

DESCRIPTION OF 18.94 ACRES OR 824,929 SQUARE FEET OF LAND, MORE OR LESS, BEING THE RIGHT OF WAY OF WEISS LANE FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE; SAID 18.94 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2” iron rod found in the northwest right-of-way line of Weiss Lane at the south line of that tract described as 9.294 acres conveyed to the City of Pflugerville by deed, as recorded in Document No. 2003074909, Official Public Records, Travis County, Texas, from which a 1/2” iron rod found in the southwest line of said 9.294 acre City of Pflugerville tract and the northeast line of that tract described as 32.290 acres (Exhibit “B”) conveyed to H.L. Weiss, Jr. by deed, as recorded in Document No. 2001065236, Official Public Records, Travis County, Texas, and said point of beginning having Grid Coordinate Values of N=10,132,988.96 E=3,167,631.39;

THENCE, with the northwest right-of-way line of Weiss Lane, the following sixteen (16) courses, numbered 1 through 16:

- 1) **N27°39’55”E 3,252.08 feet** to a 1/2” iron rod with cap found;
- 2) **N62°24’39”W 29.99 feet** to a 1/2” iron rod with cap found;
- 3) **N27°38’09”E 421.25 feet** to a 1/2” iron rod with cap found;
- 4) **N27°22’47”E 653.71 feet** to a 1/2” iron rod with cap found;
- 5) **N27°23’17”E 502.09 feet** to a calculated point;
- 6) **N27°12’44”E 60.00 feet** to a calculated point;
- 7) **N27°24’51”E 161.80 feet** to a calculated point;
- 8) **S59°53’01”E 30.03 feet** to a calculated point;
- 9) **N27°24’56”E 100.36 feet** to a calculated point;
- 10) **N60°23’43”W 30.03 feet** to a calculated point;
- 11) **N27°24’51”E 358.07 feet** to a 1/2” iron rod with cap found;

18.94 AC

- 12) **S63°08'15"E 0.81 feet** to a 1/2" iron rod with cap found;
- 13) **N27°31'23"E 40.16 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 14) **N27°31'23"E 16.24 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 15) with curve to the left, whose intersection angle is **02°01'44"**, radius is **2,442.50 feet**, an arc distance of **86.49 feet**, and a chord bearing **N26°30'31"E 86.48 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 16) **N23°33'41"E 147.36 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 17) **N22°10'56"E 316.15 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 18) **N27°06'28"E 293.57 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
- 19) **N28°17'24"E 1,404.74 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set;
and
- 20) **N17°08'45"W 35.55 feet** to a 1/2" iron rod with "McGRAY McGRAY" cap set in the northeast line of that tract described as 20.162 acres conveyed to Ronny Wayne Rinderknecht, Lonny Charges Rinderknecht, and Becky Rinderknecht Krueger by deed, as recorded in Volume 9868, Page 82, Real Property Records, Travis County, Texas, and in the southwest right-of-way line of Kelly Lane;

THENCE, crossing said Weiss Lane, **S62°34'55"E 140.31 feet** to a calculated point in the northwest line of The Reserve at Westcreek, a Condominium Development, of record in Document No. 2006224774, Official Public Records, Travis County, Texas, being in the southeast right-of-way line of Weiss Lane;

THENCE, with the southeast right-of-way line of Weiss Lane, the following twelve (12) courses, numbered 1 through 12:

- 1) **S27°25'05"W 674.63 feet** to a calculated point;
- 2) **S27°22'12"W 880.20 feet** to a calculated point;
- 3) **N62°36'51"W 10.00 feet** to a calculated point;
- 4) **S27°30'12"W 169.20 feet** to a calculated point;

18.94 AC

- 5) **S50°22'59"E 30.68 feet** to 1/2" iron rod with cap found;
- 6) **S27°31'27"W 801.23 feet** to a 1/2" iron rod with cap found;
- 7) **S27°31'15"W 409.76 feet** to a 1/2" iron rod found;
- 8) **S26°30'57"W 118.84 feet** to a calculated point;
- 9) **S27°25'42"W 1,763.93 feet** to a calculated point;
- 10) **S27°47'16"W 1,740.18 feet** to a calculated point;
- 11) **S62°17'16"E 10.87 feet** to a 1/2" iron rod with cap found;
- 12) **S27°25'40"W 193.56 feet** to a calculated point;
- 13) **S30°18'33"W 89.14 feet** to a 1/2" iron rod with cap found;
- 14) **S28°01'32"W 55.10 feet** to a 1/2" iron rod with cap found;
- 15) **N62°30'11"W 9.90 feet** to a 1/2" iron rod with cap found;
- 16) **S27°59'37"W 424.59 feet** to a 1/2" iron rod with cap found;
- 17) **S27°56'20"W 375.29 feet** to a 1/2" iron rod with cap found;
- 18) **S16°50'34"E 35.44 feet** to a calculated point;
- 19) **S28°11'47"W 10.19 feet** to a 1/2" iron rod with cap found; and
- 20) **N62°19'45"W 44.98 feet** to a 1/2" iron rod found at the north corner of that tract described as 24.596 acres conveyed to the City of Pflugerville by deed, as recorded in Document No. 2003038259, Official Public Records, Travis County, Texas;

THENCE, crossing said Weiss Lane, **S57°05'52"W 115.11 feet** to the PLACE OF BEGINNING and containing 18.94 acres, or 824,929 square feet, more or less, contained within these metes and bounds.

18.94 AC


Bearing Basis Note

The bearings described herein are Texas Coordinate System, Central Zone, North American Datum of 1983 (2011) Epoch 2010.00. The Combined Grid to Surface Scale Factor is 1.00010 and was established by GPS observations.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591



03/20/19

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\LJA-15-043-Weiss Lane-Pflugerville\Descriptions\Weiss Lane ROW 2

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
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- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S28°01'32"W	55.10
L2	N62°30'11"W	9.90
L3	S16°50'34"E	35.44
L4	S28°11'47"W	10.19
L5	N62°19'45"W	44.98

CITY OF PFLUGERVILLE
DOC. 2003032161
O.P.R.T.C.
(34.728 AC.)

P.O.B.
GRID COORDINATES
N=10,132,988.96
E=3,167,631.39

H.L. WEISS, JR.
DOC. 2001065236
O.P.R.T.C.
EXHIBIT "B" (32.290 AC.)

CITY OF PFLUGERVILLE
DOC. 2003074909, O.P.R.T.C.
(9.294 AC.)

N62°27'35"W 315.76'

S57°05'52"W 115.11'

CITY OF PFLUGERVILLE
DOC. 2003038259
O.P.R.T.C.
(24.596 AC.)

WEISS LANE
(R.O.W. VARIES)

N27°39'55"E 3,252.08'

S27°56'20"W 375.29'

S27°59'37"W 424.59'

NORMAN WEISS AND SPOUSE,
VIRGINIA WEISS
DOC. 2001019556
O.P.R.T.C.
(24.60 AC.)

KEITH WEISS
VOL. 13105, PG. 302
R.P.R.T.C.
(5.00 AC.)

SURVEYED BY: PAGE 5 OF 12

MCGRAY & MCGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

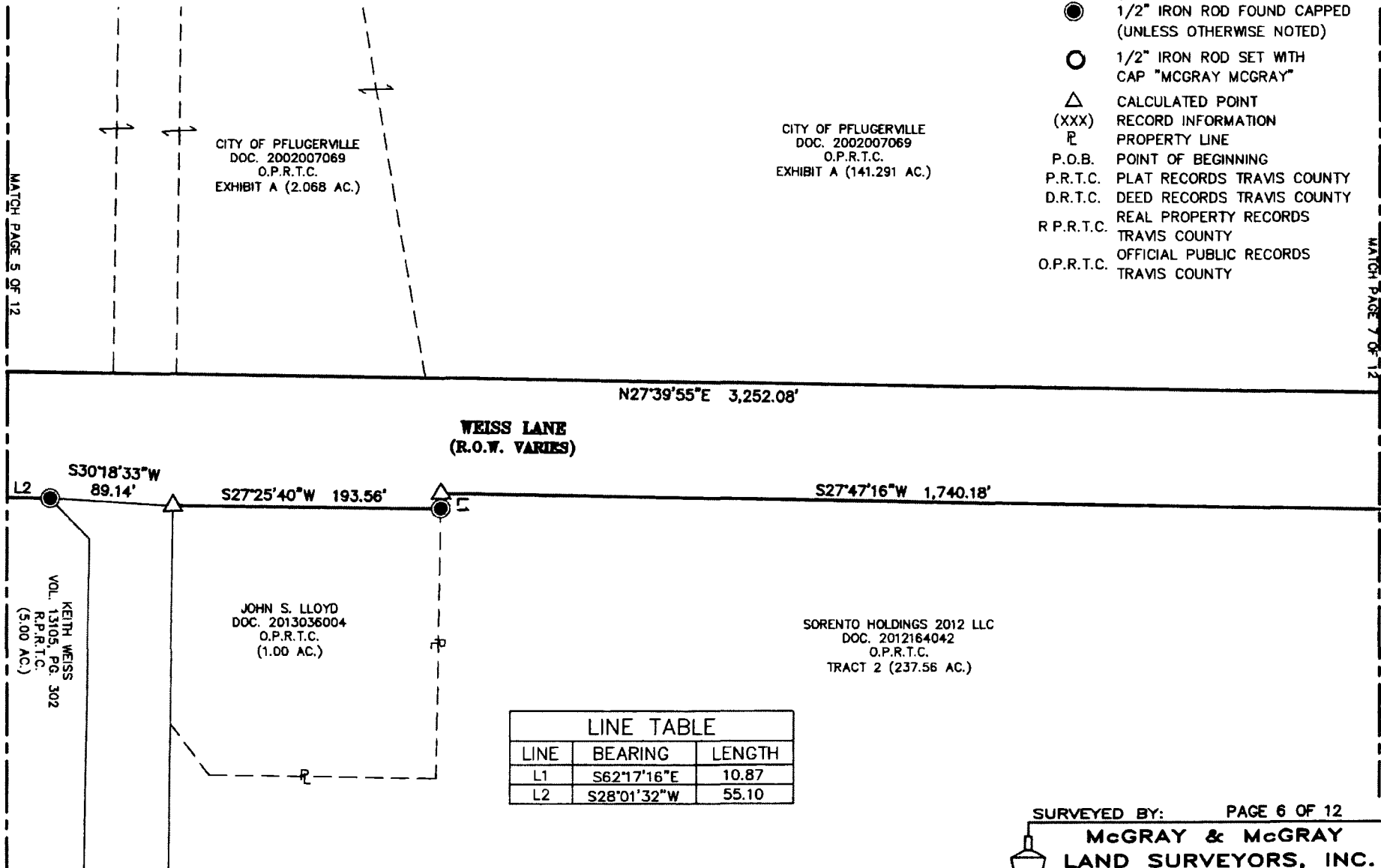
**SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS**

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
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TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY



SURVEYED BY: PAGE 6 OF 12

**McGRAY & McGRAY
LAND SURVEYORS, INC.**
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

CITY OF PFLUGERVILLE
DOC. 2002007069
O.P.R.T.C.
EXHIBIT A (141.291 AC.)

- LEGEND**
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
 - △ CALCULATED POINT
 - (XXX) RECORD INFORMATION
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 - R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
 - O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

MATCH PAGE 5 OF 12

MATCH PAGE 8 OF 12

N27°39'55"E 3,252.08'

WEISS LANE
(R.O.W. VARIES)

S27°47'16"W 1,740.18'

SORENTO HOLDINGS 2012 LLC
DOC. 2012164042
O.P.R.T.C.
TRACT 2 (237.56 AC.)

SURVEYED BY: PAGE 7 OF 12

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

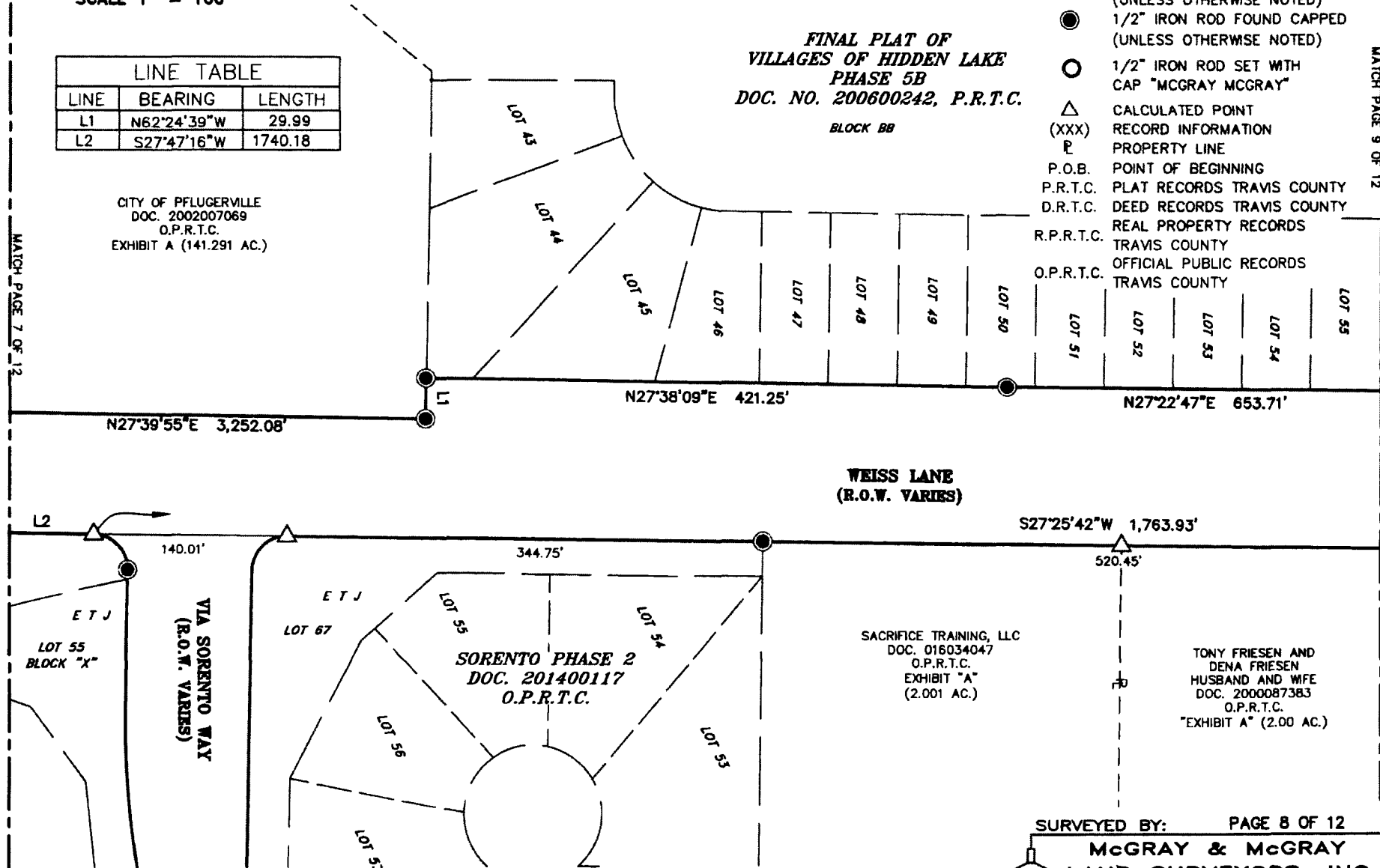
LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°24'39"W	29.99
L2	S27°47'16"W	1740.18

CITY OF PFLUGERVILLE
DOC. 2002007069
O.P.R.T.C.
EXHIBIT A (141.291 AC.)

FINAL PLAT OF
VILLAGES OF HIDDEN LAKE
PHASE 5B
DOC. NO. 200600242, P.R.T.C.
BLOCK BB

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- P PROPERTY LINE
- P.O.B. POINT OF BEGINNING
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- R.P.R.T.C. REAL PROPERTY RECORDS TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY



Pflugerville Submittal Page 559 of 609

SURVEYED BY: PAGE 8 OF 12
McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

FINAL PLAT OF
VILLAGES OF HIDDEN LAKE
PHASE 5B
DOC. NO. 200600242, P.R.T.C.

BLOCK BB

FINAL PLAT OF
VILLAGES OF HIDDEN LAKE
PHASE 3A
DOC. NO. 200400264, P.R.T.C.

D.E. LOT 1
DETENTION POND

LINE TABLE		
LINE	BEARING	LENGTH
L1	N27°24'51"E	161.80
L2	S27°31'15"W	409.76

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON ROD FOUND CAPPED (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

HIDDEN LAKE CROSSING
(60' R.O.W.)

LANDSCAPE LOT

N27°22'47"E 653.71'

N27°23'17"E 502.09'

N27°12'44"E 60.00'

WEISS LANE
(R.O.W. VARIES)

S27°25'42"W 1,763.93'

366.75' LOT 66

391.97'

S26°30'57"W 118.84'

SURVEYED BY: PAGE 9 OF 12

MCGRAY & MCGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

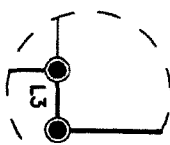
RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

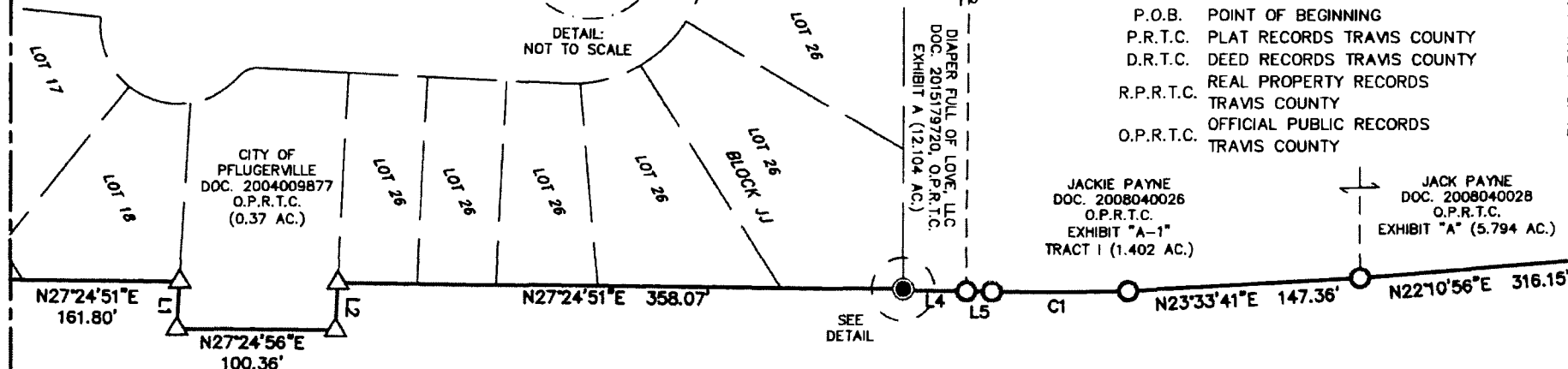
LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

FINAL PLAT OF
VILLAGES OF HIDDEN LAKE
PHASE 4C
DOC. NO. 200600338, P.R.T.C.



DETAIL:
NOT TO SCALE



WEISS LANE
(R.O.W. VARIES)

S27°31'15\"W 409.76'

S27°31'27\"W 801.23'

LOT 3
4.576 AC.

FINAL PLAT OF
PFLUGERVILLE INDUSTRIAL PARK
DOC. NO. 200800320
O.P.R.T.C.

LOT 2
11.940 AC.

LOT 1
2.509 AC.

LINE TABLE

LINE	BEARING	LENGTH
L1	S59°53'01\"E	30.03
L2	N60°23'43\"W	30.03
L3	S63°08'15\"E	0.81
L4	N27°31'23\"E	40.16
L5	N27°31'23\"E	16.24

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	86.49	2442.50	2°01'44\"	43.25	N26°30'31\"E	86.48

SURVEYED BY: PAGE 10 OF 12

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: CITY OF PFLUGERVILLE

SCALE 1" = 100'

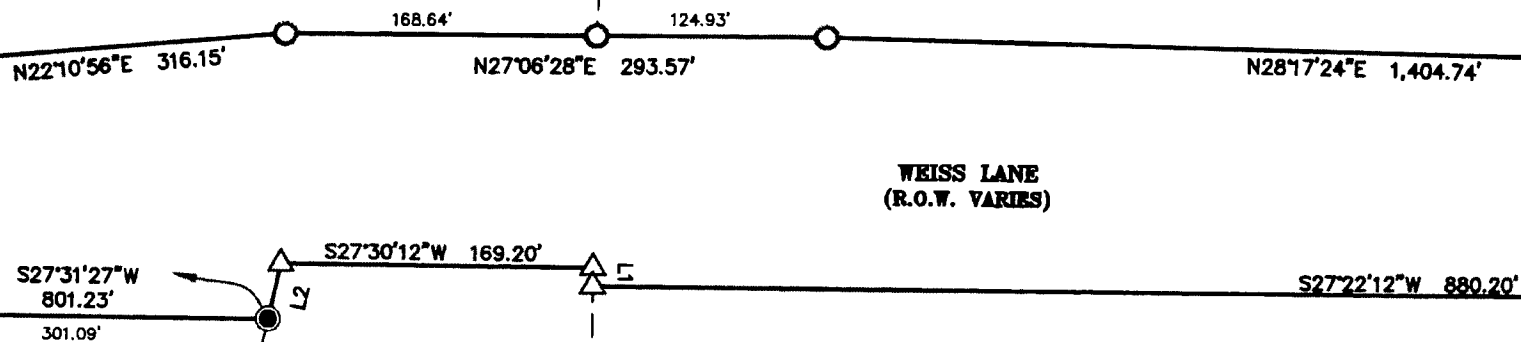
MATCH PAGE 12 OF 12

JACK PAYNE
DOC. 2008040028
O.P.R.T.C.
EXHIBIT "A" (5.794 AC.)

RONNY WAYNE RINDERKNECHT
LONNY CHARGES RINDERKNECHT
BECKY RINDERKNECHT KRUEGER
VOL. 9868, PG. 82
R.P.R.T.C.
(20.162 AC.)

- LEGEND**
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
 - 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
 - △ CALCULATED POINT
 - (XXX) RECORD INFORMATION
 - ℙ PROPERTY LINE
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 - P.R.T.C. PLAT RECORDS TRAVIS COUNTY
 - D.R.T.C. DEED RECORDS TRAVIS COUNTY
 - R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
 - O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

MATCH PAGE 12 OF 12



LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°36'51"W	10.00
L2	S50°22'59"E	30.68

SURVEYED BY: PAGE 11 OF 12

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

SKETCH TO ACCOMPANY DESCRIPTION OF 18.94 ACRES
OF WEISS LANE RIGHT OF WAY
FROM EAST PFLUGERVILLE PARKWAY TO KELLY LANE
TRAVIS COUNTY, TEXAS

RE: TRAVIS COUNTY

SCALE 1" = 100'

RONNY WAYNE RINDERKNECHT
LONNY CHARGES RINDERKNECHT
BECKY RINDERKNECHT KRUEGER
VOL. 9868, PG. 82
R.P.R.T.C.
(20.162 AC.)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N17°08'45"W	35.55

MATCH PAGE 11 OF 12

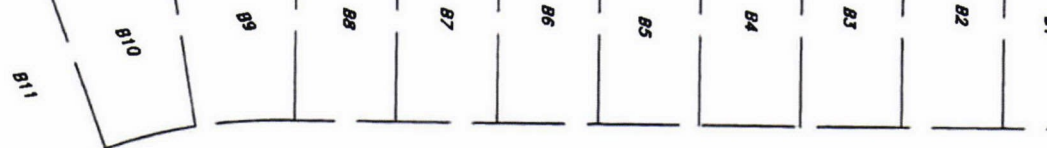
KELLY LANE
(R.O.W. VARIES)

WEISS LANE
(R.O.W. VARIES)

S27°22'12"W 880.20'

S27°25'05"W 674.63'

CITY OF PFLUGERVILLE
DOC. 2006062763
O.P.R.T.C.
(8.346 AC.)



NOTES:
1. THE BEARINGS DESCRIBED HEREON ARE TEXAS COORDINATE SYSTEM,
CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, (2011) EPOCH 2010.00.
THE COMBINED GRID TO SURFACE SCALE FACTOR IS 1.00010. ALL DISTANCES
SHOWN ARE SURFACE DISTANCES.
2.. FOR ANNEXATION PURPOSES ONLY.

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD FOUND CAPPED
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH
CAP "MCGRAY MCGRAY"
- △ CALCULATED POINT
(XXX) RECORD INFORMATION
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- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
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- R.P.R.T.C. REAL PROPERTY RECORDS
TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY

THE RESERVE AT
WESTCREEK
A CONDOMINIUM
DEVELOPMENT
DOC. NO. 2006224774
O.P.R.T.C.



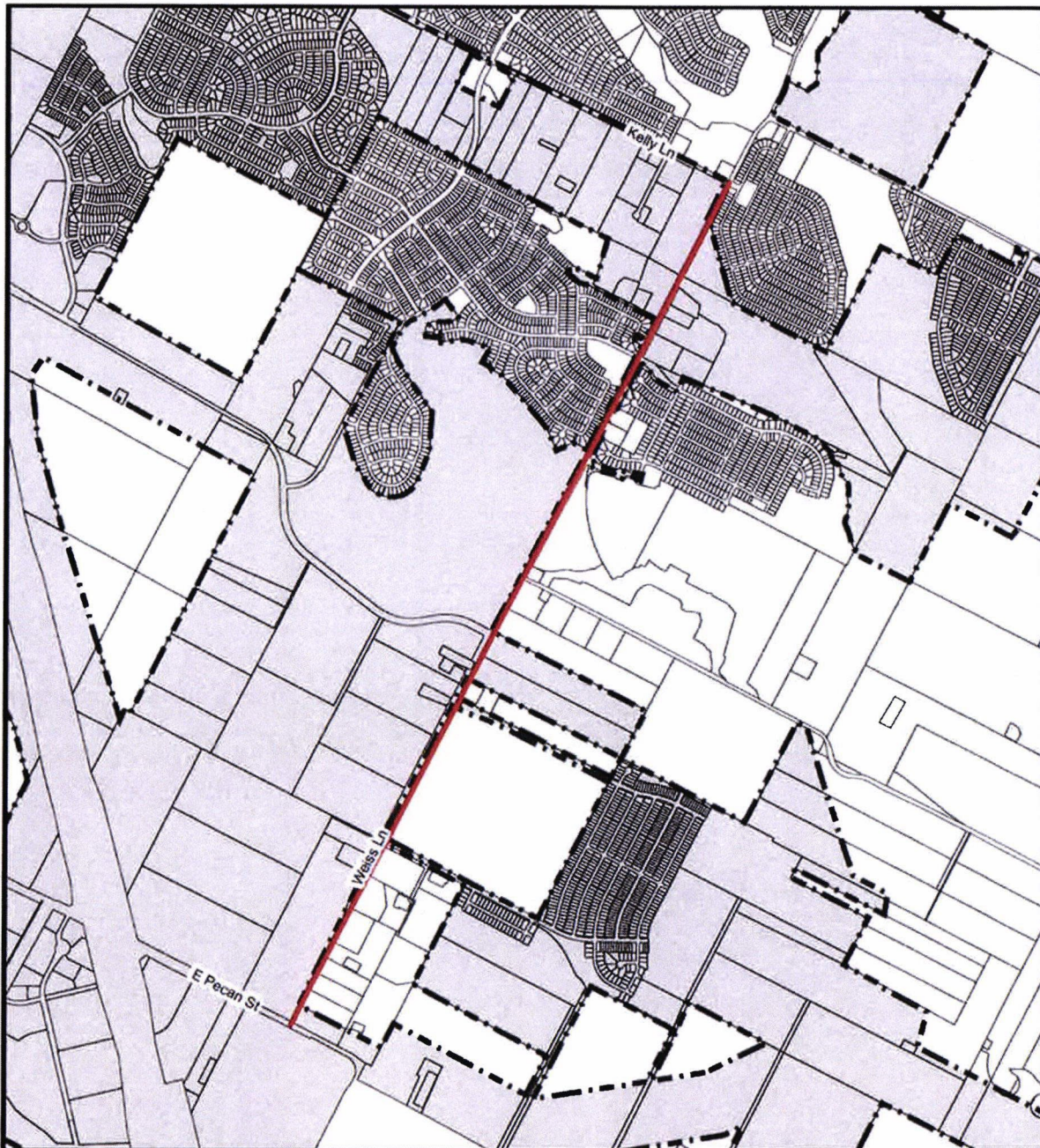
03/20/19

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: There is a description to accompany this plat.

ISSUED: 03/20/19
SURVEYED BY: PAGE 12 OF 12

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

JOB NO.: 19-031



**Annexation
Weiss Ln**

**Case Number:
ANX1901-01**

2/13/19

Legend



City Limits

Annexation ROW Extent

0 500 1,000 2,000 Feet



When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.

PFLUGERVILLE
TEXAS

Locator Map



EXHIBIT “C”

SERVICE PLAN AGREEMENT FOR PROPERTY ANNEXED

AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES

This Agreement is entered into by and between the City of Pflugerville, a Texas Municipal Corporation (“City”), acting by and through its City Manager, and Pflugerville Independent School District (“Landowner”), both of which may be referred to herein singularly as “Party” or collectively as the “Parties.”

Recitals

WHEREAS, the Landowner has requested that the City consider annexation of a tract of land totaling approximately 149.96 acres of land situated in the Joseph Wehl Survey No. 8, Abstract No. 802, Travis County, Texas, as specifically described in **Exhibit “A”** (“Property”), which is attached hereto and incorporated herein for all purposes; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Sections 43.067 et seq., the City and the Landowner must enter into a written agreement identifying a list of public services to be provided to the Property and a schedule for provision of the same; and

WHEREAS, this Agreement is being entered into by and between the Parties to comply with the Texas Local Government Code prior to the City’s consideration of an ordinance annexing the Property, it being understood and agreed to by the Parties that annexation of the Property is a condition precedent to this Agreement becoming effective; and

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the Property (the “Effective Date”).

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Section 1.

The Parties hereto acknowledge and agree that the foregoing recitals are hereby found to be true and correct and are hereby adopted by the Parties and made a part hereof for all purposes.

Section 2.

The following service list and schedule (“Service Plan”) represents the provision of services agreed to between the Landowner of the Property and the City establishing a program under which the City will provide municipal services to the Property (referred to hereinafter as the “Annexed Area”) on the Effective Date of this Agreement, as required by § 43.0672 of the Texas Local Government Code, which will be provided at a level consistent with service levels provided to other similarly-situated areas within the City:

I.

- A. Police Protection. The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. Upon 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 and characteristics. 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 upon annexation.
 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. Upon 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 and characteristics. 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.

Upon annexation, 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 various private refuse collection companies. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation, provided that a privately owned solid waste management service provider ("POSWMSP") is unavailable. In the event that the Annexed Area is already receiving service, or desires to receive service from a POSWMSP, the City may not prohibit solid waste collection by the POSWMSP, nor may the City offer solid waste collection services for a period of two years following the effective date of the annexation unless a POSWMSP is or becomes unavailable, as established by Texas Local Government Code § 43.0661. If a landowner uses the services of a POSWMSP or services are available from a POSWMSP during the two years following annexation, the City will not provide solid waste collection services to that landowner.

B. Maintenance. Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area upon the effective 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 or other public owned streets under the ownership and control of another public entity.
3. **Publicly owned parks, playgrounds, and swimming pools.** The City will maintain and operate City-owned land and facilities within the Annexed 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 not under the ownership and control of another public entity. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will periodically inspect facilities and perform maintenance on facilities in the Annexed Area as necessary to ensure continued functionality of the facilities through the 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.

C. Development Regulation. The City will impose and enforce zoning, subdivision development, site development and building code regulations within the Annexed Area upon the effective date of the 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 landowners or residents of the Annexed Area on the same basis as those facilities are available to current City landowners and residents. City residents receive program preference for some City programs. Other City services including Animal Control, Code Enforcement, Municipal Court and General Administration services will be also be available to landowners and residents in the Annexed Area on the same basis those facilities are available to current City landowners and residents. All other services contemplated herein will be available upon the effective date of annexation.

III.

- A. Capital Improvements. Capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as amended, which are incorporated herein by reference.
- B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City, water and wastewater service to such areas will be subject to service extension regulations and policies provided in the City's Unified Development Code, as amended.

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, unless subsequent agreements are entered into between the City and the other utility providers.

IV.

- A. In accordance with Texas Local Government Code § 43.0672(c), no other services are contemplated by this Service Plan and a schedule for future services as contemplated by Texas Local Government Code § 43.0672(b) is not applicable as all services identified herein will be provided upon the effective date of annexation.

Section 3.

General Terms.

- 1. **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.
- 2. **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.
- 3. **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.
- 4. **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to

restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

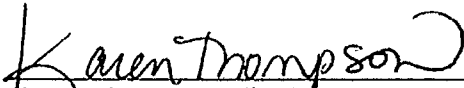
5. Entire Agreement. This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

Executed and Agreed to by the Parties on this the 19 day of February 2019.

CITY OF PFLUGERVILLE

ATTEST:



by: 
Sereniah Breland, City Manager

by: 
Karen Thompson, City Secretary

Date: 2/19/2019

Date: 2/19/2019

APPROVED AS TO FORM:

By: 
Charles E. Zech, City Attorney
 Denton, Navarro, Rocha, Bernal & Zech, P.C.

PROPERTY OWNER(S):

Pflugerville Independent School District

By: Vernagene Mott

Name (Print): Mrs. Vernagene Mott

Title: President, Board of Trustees

Date: 2-7-2019

EXHIBIT "A"**PROPERTY/ANNEXED AREA**

DESCRIPTION OF A 149.96 ACRE TRACT OF LAND, OUT OF THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS, SAID 149.96 ACRE TRACT BEING THE REMAINDER OF AN ORIGINAL 172.85 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS FROM WHICH 172.85 ACRE TRACT, A 4 ACRE TRACT AND A 16 ACRE TRACT WERE TAKEN OUT OF THE ORIGINAL 172.85 ACRE TRACT, RESULTING IN THE 149.96 ACRE TRACT HEREIN DESCRIBED. THE 4 ACRE TRACT IS AS RECORDED IN VOLUME 4656, PAGE 1010 AND THE 16 ACRE TRACT IS AS RECORDED IN VOLUME 4727, PAGE 383.

A 99/100 UNDIVIDED INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2004 TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240368 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND A 1/100 UNDIVIDED INTEREST WAS CONVEYED IN THE SAME YEAR TO TIMMERMAN FARMS LTD. IN DOCUMENT NUMBER 2004240373 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. AN UNDIVIDED 7.4% INTEREST ON THE SAID 149.96 ACRE TRACT WAS CONVEYED IN 2014 TO CHERYL TIMMERMAN GREINER RECORDED IN DOCUMENT NUMBER 2014151492 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY TEXAS.

A 1.00 ACRE TRACT WHOLLY CONTAINED WITHIN THE SAID 149.96 ACRE TRACT DESCRIBED HEREIN WAS CONVEYED IN 2012 TO THEODOR R. TIMMERMAN AND WIFE, MARLENE TIMMERMAN RECORDED IN DOCUMENT NUMBER 2012208998 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY AND IS NOT DESCRIBED SEPARATLY FROM THE SAID 149.96 ACRE TRACT WHICH IS HEREIN DESCRIBED MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an ½" rebar found with a destroyed red cap for the southwest corner of the herein described Tract same being the northwest corner of a 1.893 acre Tract conveyed to Sivaramakrishnana Venkatraman recorded in Document Number 2013093529 of the Official Public Records, Travis County, Texas, also being a point on the east right of way line of Weiss Lane, from which a magnetic nail found in a concrete culvert for the southeast corner of a 32.29 acre Tract conveyed to Joe Weiss, recorded in Document Number 2001065238 of the Official Public Records, Travis County, Texas, bears N 62° 03' 05" E 58.84 feet,

THENCE, N 27° 33' 41" E 2503.99 feet along the west line of the herein described Tract same being the east right of way line of Weiss Lane to a ½" pipe found for the northwest corner of the herein described Tract, same being southwest corner of a remainder of 4 acres conveyed as Tract 3 to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas,

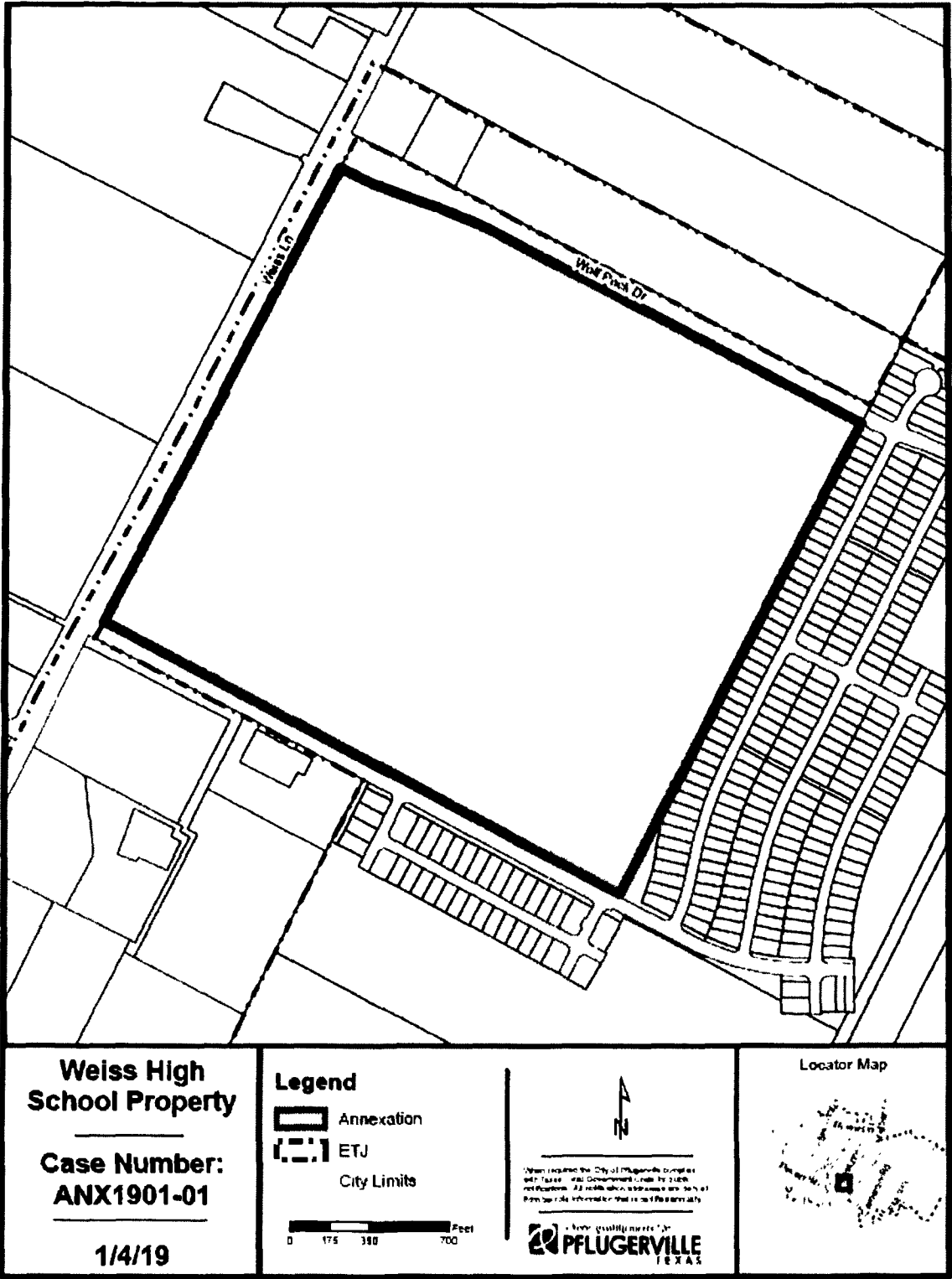
THENCE, S 62° 25' 19" E along the north line of the herein described Tract same being the south line of said Tract 3 at 260.60 feet passing the southeast corner of the said remainder of 4 acres Tract 3 and the southwest corner of a 2.00 acre Tract conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, in all 521.30 feet to an ½" pipe found for the southeast corner of Tract 2 of said Volume 11526 Page 796, and the southwest corner of a 16.00 acre Tract 1 conveyed to Irby M. Ford recorded in Volume 11526 Page 796 of the Real Property Records of Travis County, Texas, (Tract 2 and 3 are the 4.00 acres in volume 4656 page 1010) Tract 1 is the 16.00 acre Tract in Volume 4727 Page 383

THENCE, S 62° 27' 08" E 2086.85 feet continuing with the north line of the herein described Tract, same being the south line of the said 16.00 acre Tract 1, to a ½" pipe found for the northeast corner of the herein described Tract, same being the southeast corner of said 16.00 acre Tract 3 and being a point on the west line of 51.598 acre Tract conveyed to ARP Autumn Ridge Partners LP. Recorded in Document Number 2007065360 of the Official Public Records of Travis County, Texas,

THENCE, S 27° 32' 22" W with the east line of the herein described Tract same being the west line of said 51.598 acre Tract, at 1291.32 feet passing the southwest corner of said 51.598 acre Tract, same being the northwest corner of a 31.782 acre Tract 2A, conveyed to 130 Cactus Investments L.P., recorded in Document Number 2008121344 of the Official Public Records of Travis County, Texas, (no monument was found at this corner) in all 2504.17 feet to a ½" pipe found for the southeast corner of the herein described Tract, same being the southwest corner of said 31.782 acre Tract, same being a point on the north line of a 46.615 acre Tract conveyed to ARP Autumn Ridge Partners L.P. recorded in Document Number 2007059997 of the Official Public Records of Travis County, Texas.

THENCE, N 62° 26' 32" W with the south line of the herein described Tract, same being the north line of said 46.615 acre Tract, at 1243.44 feet passing the northwest corner of said 46.615 acre Tract same being the northeast corner of a 5.0 acre Tract conveyed to C. J. & Irene King recorded in Volume 5426 Page 1856 of the Deed Records of Travis County, Texas, at 1831.27 passing a ½" rebar found for the north west corner of said 5.0 acre Tract, same being the most northerly northeast corner of said 1.893 acre Tract conveyed to

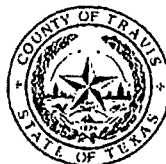
Sivaramakrishnana Venkatraman in all 2609.11 feet to the **POINT OF BEGINNING** and containing 149.96 acres more or less;



RETURN

CITY OF PFLUGERVILLE
PO BOX 589
PFLUGERVILLE, TX 78691

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.



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

2019163897

Oct 21, 2019 09:54 AM

Fee: \$186.00

MEDINAE



34 pgs 2019086341

ORDINANCE NO. 1397-19-06-11

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, A TRACT OF LAND TOTALING APPROXIMATELY 14.09 ACRES OF LAND SITUATED IN THE JOHN LIESSE SURVEY NO. 18, ABSTRACT NO. 406, TRAVIS COUNTY, TEXAS OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY AND ANNEXING A TRACT OF LAND TOTALING APPROXIMATELY 6.57 ACRES OF LAND BEING A PORTION OF A 43.52 ACRE-TRACT OF LAND OUT OF THE JOHN LIESSE SURVEY NO. 18, ABSTRACT NO. 496, IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT 1 IN DOCUMENT NO. 2017099889 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS LESS AND EXCEPT PROPERTY PREVIOUSLY ANNEXED AS DESCRIBED IN ANNEXATION ORDINANCE NO. 899-07-08-14; BOTH TRACTS BEING GENERALLY LOCATED SOUTH OF JESSE BOHLS ROAD, EAST OF WEISS LANE, AND NORTH AND WEST OF CAMERON ROAD; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / DEVELOPMENT RESERVE (A); TO BE KNOWN AS THE CARMEL WEST ADDITION ANNEXATION; 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 14.09 acres of land situated in the John Liesse Survey No. 18, Abstract No. 406, of the Real Property Records of Travis County, Texas, more particularly described and depicted in **Exhibit "A-1"** as Tract 2, and to annex approximately 6.57 acres of land being a portion of a 43.52 acre-tract of land out of the John Liesse Survey No. 18, Abstract No. 496, Travis County, Texas, described as Tract 1 in Document No. 2017099889 of the Real Property Records of Travis County, Texas, more particularly described and depicted in **Exhibit "A-2"** as Tract 1 less and except property previously annexed by Ordinance No. 899-07-08-14 as more particularly depicted and described in **Exhibit "B,"** with all exhibits being attached hereto and incorporated herein by reference (collectively, the "Property"); and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality; and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes Tier 2 municipalities, including the City, to annex an area on the request of all property owners in an area; and

WHEREAS, in accordance with Texas Local Government Code, Section 43.0672, the City has negotiated and entered into a written agreement dated May 7, 2019 with the owners of the Property regarding the provision of services to the Property upon annexation, of which the applicable service plan and schedule is attached hereto and incorporated herein as **Exhibit "C,"** and

WHEREAS, the City Council provided public notice and held public hearings on May 14, 2019 and May 28, 2019, for all interested persons to attend and be heard in accordance with Texas Local Government Code § 43.0673; and

WHEREAS, the City has complied with all conditions precedent established under the Texas Local Government Code necessary to take this action annexing the Property.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Property is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.

Section 3. The City finds annexation of the Property to be in the public interest due the Property providing enhancements and greater public access, additional public right-of-way and open spaces, and promoting economic growth of the Property and surrounding areas.

Section 4. The Property shall be zoned Agriculture / Development Reserve (A).

Section 5. The service plan attached as **Exhibit "C"** is approved, and municipal services shall be provided to the Property in accordance therewith.


Section 6. 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 7. This Ordinance will take effect upon its adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

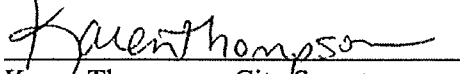
Section 8. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

PASSED AND APPROVED this 11th day of June 2019.

CITY OF PFLUGERVILLE, TEXAS

By: 
Victor Gonzales, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Karen Thompson", written over a horizontal line.

Karen Thompson, City Secretary

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Charles E. Zech", written over a horizontal line.

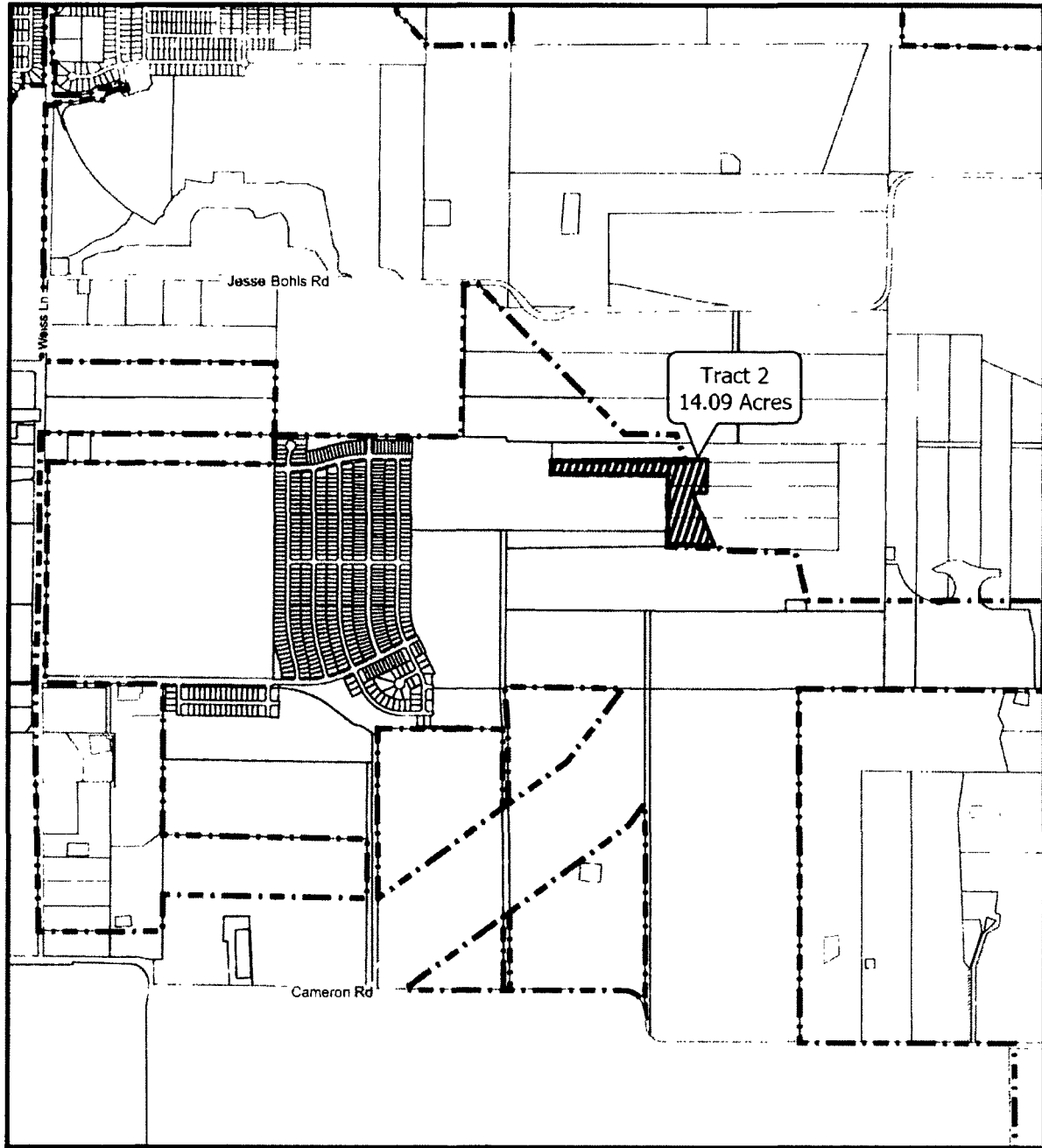
Charles E. Zech, City Attorney

DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

EXHIBIT "A-1"

PROPERTY DESCRIPTION

Tract 2 - 14.09 acres of land situated in the John Liesse Survey No. 18, Abstract No. 406, of the Real Property Records of Travis County, Texas



14.09 Acres

THAT PART OF THE JOHN LIESSE SURVEY 18, ABSTRACT No. 406, TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 15.623 ACRE TRACT, THAT 15.967 ACRE TRACT AND THAT 19.9285 ACRE TRACT CONVEYED TO TEXAS GULF BANK, N.A., AS TRUSTEE OF THE MANAGEMENT TRUST FOR THE BENEFIT OF HOLLY JEAN PFLUGER, BY DEED RECORDED IN DOCUMENT No. 2015193607 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

Begin at a 1/2" iron rod with Pape-Dawson cap found at the Southeast Corner of that 7.94 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015162829 of the Official Public Records of Travis County, Texas, and the Southwest Corner of said 15.623 Acre Tract at Texas State Plane Central Zone NAD 83 grid coordinates N. 10127969.37 feet and E. 3173081.25 feet (from which point the Southwest Corner of said John Liesse Survey bears approximately S.75°57'40"W. 2450 feet)

Thence N.27°31'45"E., along the West Line of said 15.623 Acre Tract and the East Line of said 7.94 Acre Tract (at 170.43 feet pass the Northeast Corner of said 7.94 Acre Tract and the Southeast Corner of that 62.00 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015146187 of the Official Public Records of Travis County, Texas) in all a distance of 326.09 feet to a 1/2" iron rod found at the Northwest Corner of said 15.623 Acre Tract and the Southwest Corner of said 15.967 Acre Tract;

Thence N.27°31'45"E., along the West Line of said 15.967 Acre Tract and the East Line of said 62.00 Acre Tract a distance of 368.80 feet to a 1/2" iron rod found at the Northwest Corner of said 15.967 Acre Tract and the Southerly Southwest Corner of said 16.925 Acre Tract;

Thence N.27°31'45"E. along a West Line of said 16.925 Acre Tract and the East Line of said 62.00 Acre Tract a distance of 109.72 feet to a 1/2" iron rod with Texas land Surveyors cap found at the Northeast Corner of said 62.00 Acre Tract and an interior corner of said 16.925 Acre Tract;

Thence N.62°45'53"W. along the North Line of said 62.00 Acre Tract and the South Line of said 16.925 Acre Tract a distance of 1326.26 feet to a 1/2" iron rod with Pape-Dawson cap found at the Westerly Southwest Corner of said 16.925 Acre Tract and an interior corner of said 62.00 Acre Tract;

Thence N.27°14'07"E. along the West Line of said 16.925 Acre Tract and an East Line of said 62.00 Acre Tract a distance of 161.08 feet to a 1/2" iron rod with Pape-Dawson cap found at the Southwest Corner of that 16.747 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015162822 of the Official Public Records of Travis County, Texas, and the Northwest Corner of said 16.925 Acre Tract;

Thence S.62°45'53"E. along the North Line of said 16.925 Acre Tract and the South Line of said 16.747 Acre Tract a distance of 1766.66 feet to a 1/2" iron rod set;

14.09 Acres

Thence S.27°49'55"W. across said 16.925 Acre Tract (at 270.81 feet pass the South Line of said 16.925 Acre Tract and the North Line of said 15.967 Acre Tract) in all a distance of 364.90 feet to a 1/2" iron rod set;

Thence N.65°33'54"W. across said 15.967 Acre Tract a distance of 161.01 feet to a 1/2" iron rod set in the West Line of that Wastewater Easement to City of Pflugerville by deed recorded in Document No. 2016151275 of the Official Public Records of Travis County, Texas;

Thence along the West Line of said Wastewater Easement and across said 15.967 Acre Tract and said 15.623 Acre Tract the following two courses:

1. S.08°00'23"W. a distance of 237.44 feet to a 1/2" iron rod set;
2. S.02°00'28"W. (at 47.15 feet pass the South Line of said 15.967 Acre Tract and the North Line of said 15.623 Acre Tract) in all a distance of 417.93 feet to a 1/2" iron rod set in the South Line of said 15.623 Acre Tract and the North Line of that 85.00 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015162822 of the Official Public Records of Travis County, Texas;

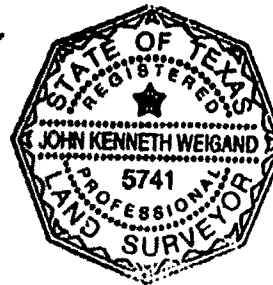
Thence N.61°46'03"W. along the South Line of said 15.623 Acre Tract and the North Line of said 85.00 Acre Tract a distance of 536.32 feet to the said Point of Beginning.

Containing 14.09 acres, more or less.

John K. Weigand Feb. 8, 2018

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

RJ Surveying & Associates, Inc.
2900 Jazz Street
Round Rock, Texas 78664
F-10015400



All iron rods set have RJ Surveying caps
Bearings are Texas State Plane Central Zone NAD 83

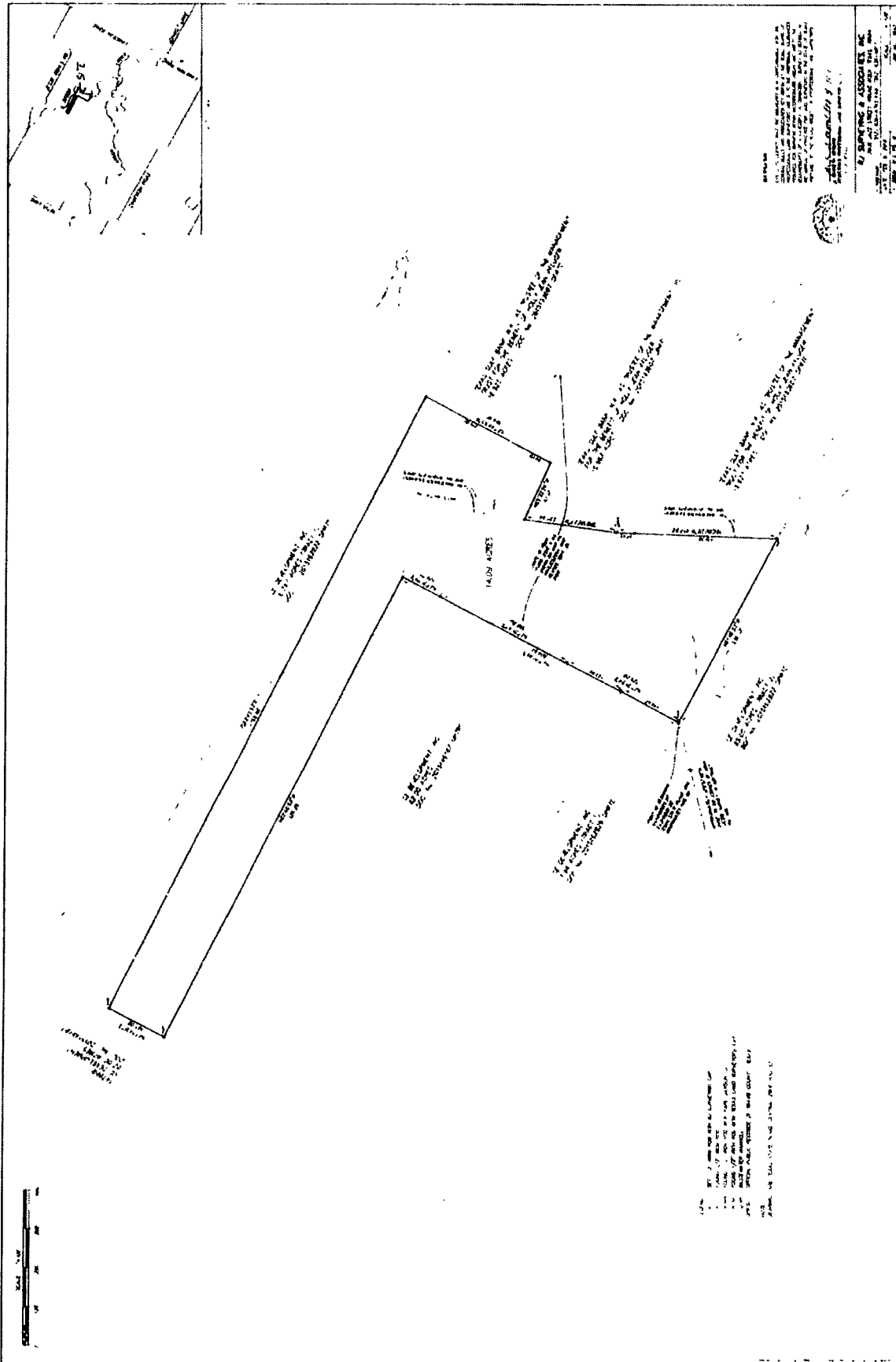
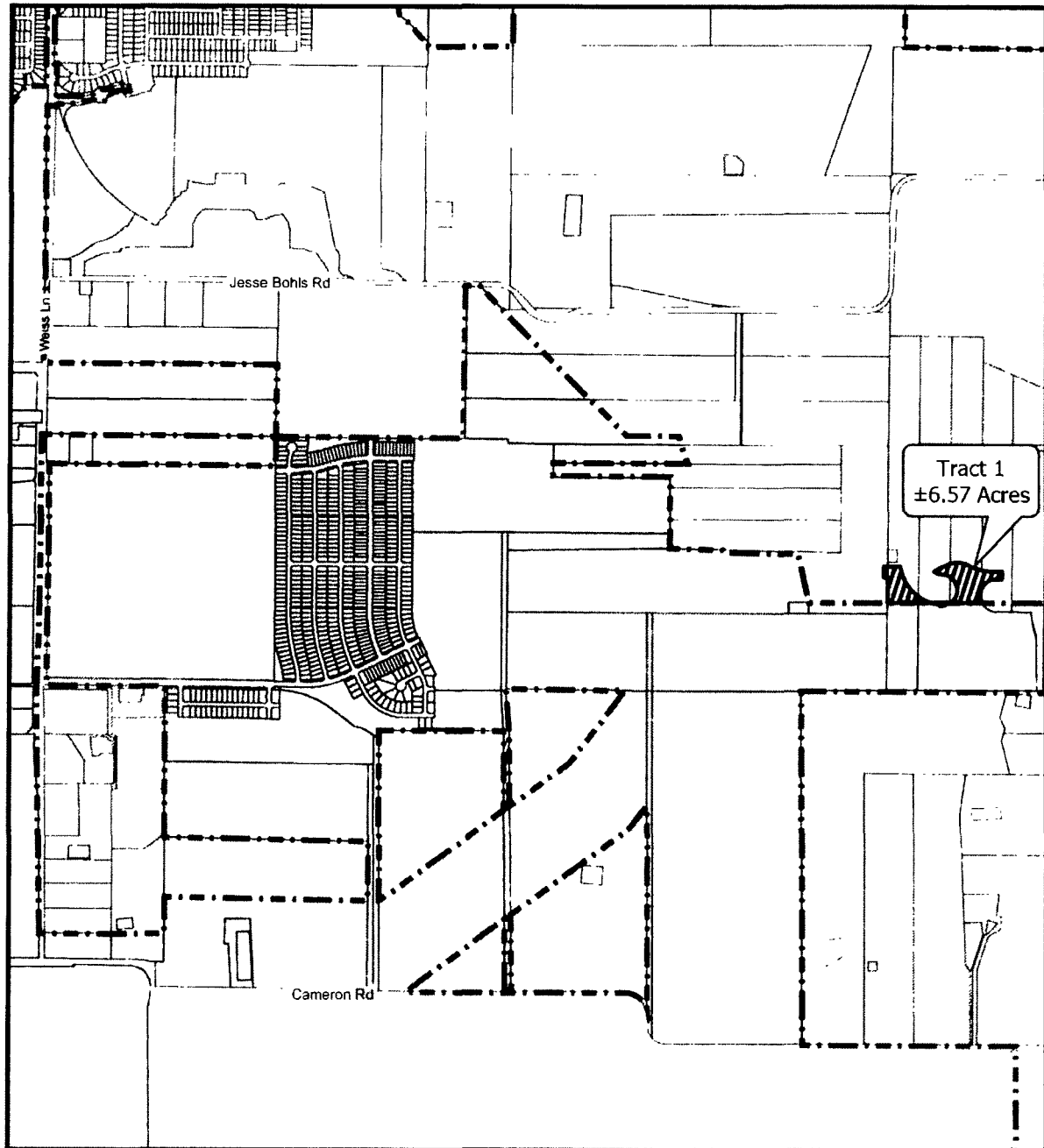


EXHIBIT "A-2"**PROPERTY DESCRIPTION**

Tract 1 – A tract of land totaling approximately 6.57 acres of land being a portion of a 43.52 acre-tract of land out of the John Liesse Survey No. 18, Abstract No. 496, in Travis County, Texas, described as Tract 1 in Document No. 2017099889 of the Real Property Records of Travis County, Texas, less and except property previously annexed by Ordinance No. 899-07-08-14



Tract 1

THAT PART OF THE JOHN LIESSE SURVEY No. 18, ABSTRACT No. 496 IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 85.00-ACRE TRACT OF LAND (TRACT 2) CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2015162822 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; A PART OF THAT 33.233-ACRE TRACT OF LAND CONVEYED TO ARP AUTUMN RIDGE PARTNERS, LP BY DEED RECORDED IN DOCUMENT No. 2007094925 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; A PART OF THAT 45.533 ACRE TRACT (TRACT 1) OF LAND CONVEYED TO SBJV INVESTMENTS, LTD., BY DEED RECORDED IN DOCUMENT No. 2015093627 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; A PART OF THAT 29.034 ACRE TRACT (TRACT 1) OF LAND CONVEYED TO SBJV INVESTMENTS, LTD., BY DEED RECORDED IN DOCUMENT NO. 2015094383 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND A PART OF THAT 44.114 ACRE TRACT (TRACT 4) OF LAND CONVEYED TO SBJV INVESTMENTS, LTD., BY DEED RECORDED IN DOCUMENT No. 2015093627 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at 1/2" iron rod set at the west corner of a said 33.233-Acre Tract, same being the south corner of a 211.71-Acre Tract (Tract 1) of land conveyed to City of Pflugerville by deed recorded in Document No. 2015165200 of the Official Public Records of Travis County, Texas, and on the northeast line of a 198.380-Acre Tract of land conveyed to James W. & Nadine M. Whiteley by deed recorded in Volume 6373, Page 1149 of the Deed Records of Travis County, Texas;

THENCE N.27°30'21"E. with the northwest line of said 33.233-Acre Tract, same being in part with the southeast line of said 211.71-Acre Tract and with the southeast line of said 85.00-Acre Tract, (pass at a distance of 883.95 feet a 1/2" iron rod set at the east corner of said 211.71-Acre Tract, same being the south corner of said 85.00-Acre Tract) in all a distance of 1,279.39 feet to a 1/2" iron rod set;

THENCE across said 85.00-Acre Tract, said 33.233-Acre tract, said 45.533-Acre Tract, said 29.034-Acre Tract and said 44.114-Acre Tract the following 19 courses:

1. N.62°29'24"W. a distance of 45.66 feet to a 1/2" iron rod set;
2. N.27°43'07"E. a distance of 125.00 feet to a 1/2" iron rod set;
3. S.62°29'24"E. a distance of 190.78 feet to a 1/2" iron rod set at a point on a non-tangent curve to the left;
4. Southeasterly along the arc of said curve, a distance of 606.42 feet, said curve having a radius of 500.00 feet, a central angle of 69°29'28" and a chord bearing S.16°20'05"E., 569.93 feet ;
5. S.30°54'26"E. a distance of 70.36 feet to a point on a non-tangent curve to the left;
6. Northeasterly along the arc of said curve, a distance of 631.01 feet, said curve having a radius of 185.00 feet, a central angle of 195°25'39" and a chord bearing N.40°24'58"E., 366.65 feet to a 1/2" iron rod set;
7. N.57°17'51"W. a distance of 58.09 feet to a 1/2" iron rod set at a point of curvature of a curve to the right;
8. Northwesterly, along the arc of said curve to the right a distance of 98.35 feet, said curve having a radius of 165.00 feet, a central angle of 34°09'01", and a chord bearing N.40°13'21"W., 96.90 feet to a 1/2" iron rod set;
9. S.88°29'57"E. a distance of 171.57 feet to a 1/2" iron rod set at a point of curvature of a curve to the right;
10. Southeasterly, along the arc of said curve to the right a distance of 245.11 feet, said curve having a radius of 265.00 feet, a central angle of 52°59'43", and a chord bearing S.62°00'06"E., 236.47 feet to a 1/2" iron rod set at a point of reverse curvature of a curve to the left;
11. Southeasterly, along the arc of said curve a distance of 296.77 feet, said curve having a radius of 635.00 feet, a central angle of 26°46'39", and a chord bearing S.48°53'34"E., 294.08 feet to a 1/2" iron rod set;
12. S.62°16'53"E. a distance of 103.48 feet to a 1/2" iron rod set;
13. S.27°43'07"W. a distance of 86.58 feet to a 1/2" iron rod set;

14. N.62°16'53"W a distance of 89.38 feet to a 1/2" iron rod set at a point on a non-tangent curve to the left;
15. Southwesterly along the arc of said curve, a distance of 538.93 feet, said curve having a radius of 185.00 feet, a central angle of 166°54'32" and a chord bearing S.25°31'24"W., 367.59 feet to a 1/2" iron rod set;
16. S.62°12'26"E. a distance of 411.83 feet to a 1/2" iron rod set at a point on a non-tangent curve to the left;
17. Southerly along the arc of said curve, a distance of 227.21 feet, said curve having a radius of 900.00 feet, a central angle of 14°27'53" and a chord bearing S.17°08'15"W., 226.61 feet to a 1/2" iron rod set at a point of reverse curvature of a curve to the right;
18. Southerly, along the arc of said curve a distance of 133.17 feet, said curve having a radius of 450.00 feet, a central angle of 16°57'19", and a chord bearing S.18°22'58"W., 132.68 feet to a 1/2" iron rod set;
19. S.26°51'37"W. a distance of 536.05 feet to a 1/2" iron rod set on the southwest line of said 44.114-Acre Tract, same being the northeast line of a 8.90-Acre Tract of land conveyed to Randall J. & Darlene M. Harlan by deed recorded in Document No. 2015038577 of the Official Public Records of Travis County, Texas;

THENCE N.62°57'24"W. in part with the southwest line of said 45.533-Acre Tract, said 29.034-Acre Tract, said 44.114-Acre Tract, and said 33.322-Acre Tract and in part with the northwest line of said 8.90-Acre Tract and said 198.380-Acre Tract a distance of 1717.41 feet to the said Point of Beginning.

Containing 43.52 acres, more or less.

John K. Weigand 12/5/2016
 J. Kenneth Weigand
 Registered Professional Land Surveyor No. 5741
 State of Texas



RJ Surveying & Associates, Inc.
 2900 Jazz Street
 Round Rock, Texas 78664
 F-10015400

All iron rods set have RJ Surveying caps
 Bearings are Texas State Plane Central Zone NAD 83

EXHIBIT “B”

**EXHIBIT A-2 BEING LESS AND EXCEPT PROPERTY PREVIOUSLY ANNEXED AND
DESCRIBED IN ORDINANCE NO. 899-07-08-14 AS FOLLOWS:**

14
MKG**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.

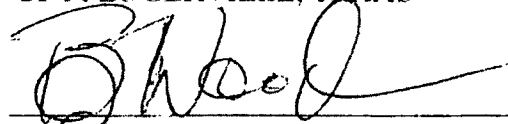
Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as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

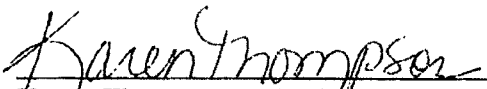
CITY OF PFLUGERVILLE, TEXAS

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**

274.55 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. Kenneth H.J. Bohls & Evelyn M. Bohls Page 1438	84.3	24.15	Volume 3713,
2. Kenneth 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, 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. Bohls Page 1826	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 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. 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 Kenneth 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°46'06"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.

John Kenneth Weigand 7-11-2007

John 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.

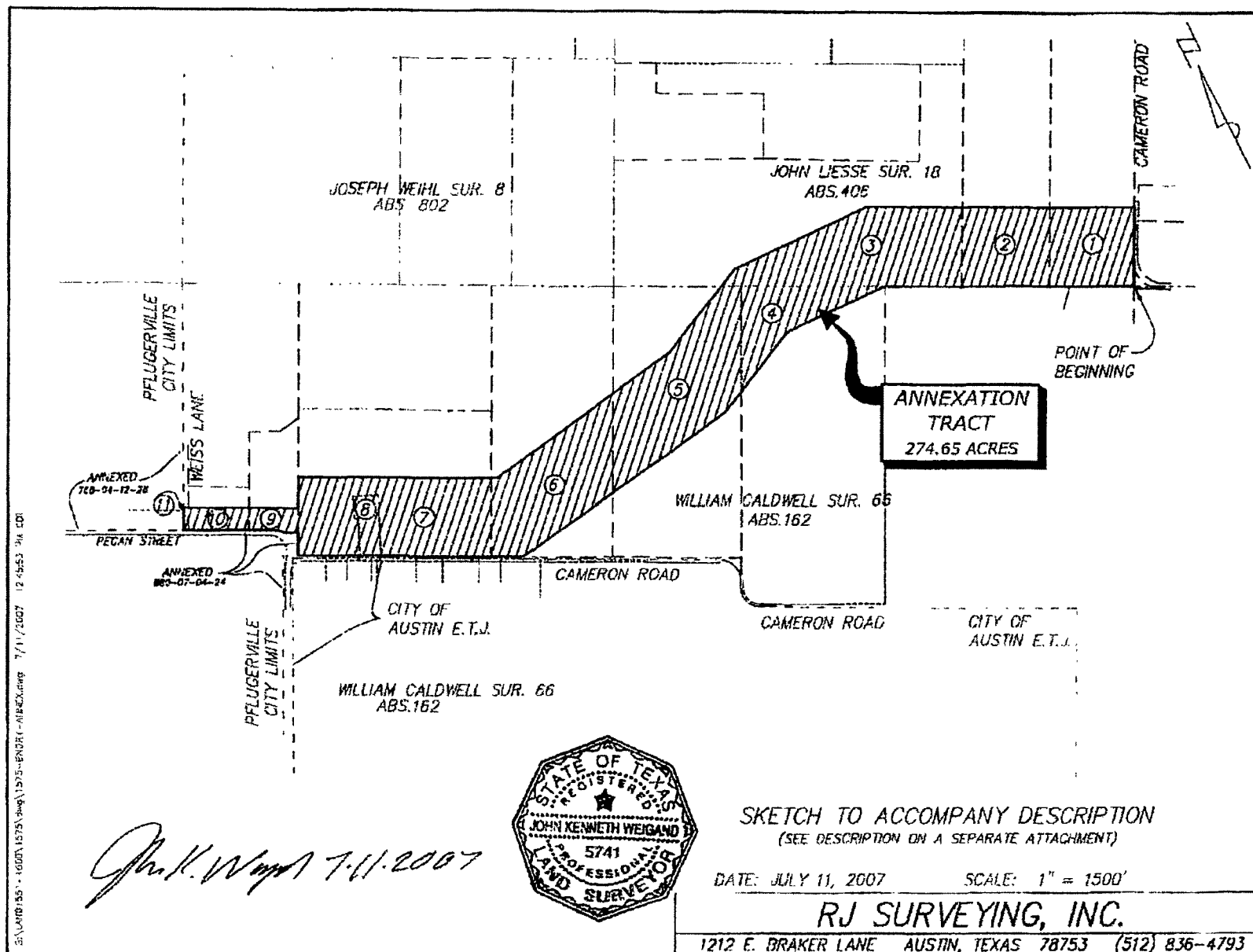


EXHIBIT "B"**SERVICE PLAN****SERVICE PLAN FOR PROPOSED ANNEXATION BY THE CITY OF
PFLUGERVILLE, IN TRAVIS COUNTY, TEXAS**

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. Bohls & Evelyn M. Bohls Page 1436	84.3	24.15	Volume 3713
2. Kenneth H.J. Bohls & Evelyn M. Bohls 976	100.00	24.25	Volume 2402 Page
3. Rosa Pfluger	168.00	50.21	Volume 930 Page 51
4. Rosa Pfluger	161.00	20.49	Volume 930 Page 51
5. Winnie Mae & Jack Murchison, et al 1140	125.15	49.05	Volume 4796 Page
6. H.W. Kuenigel	116.16	41.47	Volume 317 Page 124
7. Lanner C. Bohls Page 1026	99.00	50.04	Volume 12820
8. Lanner C. Bohls 123	5.00	4.83	Volume 10498 Page
9. Charles A. Schnabel, Jr., et ux Page 1478	17.75	4.08	Volume 7087
10. Charles A. Schnabel, Jr., et ux	5.00	4.35	Volume 8492 Page 722
11. Weiss Lane		0.47	

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. Bohls and Evelyn M. Bohls, in Volume 3713, Page 1436 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 198.35 Acre Tract conveyed to James W. and Nadine M. Whitley in Volume 9373, Page 149 of the Deed Records of Travis County, Texas, in all a distance of 1,054.10 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 Bohls in Volume 2402, Page 175 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 198.35 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 51 of the Deed Records of Travis County, Texas.

THENCE N 62°54'31"W, along the North Line of said 198.35 Acre Tract and South Line of said 168.00 Acre Tract, a distance of 548.89 feet to the Northeast corner of that 101.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 51 of the Deed Records of Travis County, Texas.

THENCE crossing said 161.00 Acre Tract the following two courses:

- N 88°39'51"W, a distance of 1,340.03 feet;
- S 64°45'28"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 1,234.31 feet.

THENCE S 80°50'51"W, crossing said 125.15 Acre Tract, at 1710.91 feet pass the West Line of said 125.15 Acre Tract and the East Line of that 116.16 Acre Tract conveyed to H.W. Kuenigel in Volume 317, Page 124 of the Deed Records of Travis County, Texas, in all a distance of 3,107.94 feet to the North Line of Cameron Road.

THENCE N 82°47'45"W, crossing said 116.16 Acre Tract along the North Line of Cameron Road, a distance of 384.84 feet to the West Line of said 116.16 Acre Tract and the East Line of that 99.00 Acre Tract conveyed to Lanner C. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas.

THENCE N 62°40'32"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 Lanner C. 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 267.42 feet to the Southwest corner of said 3.00 Acre Tract.

THENCE N 62°30'59"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 11.00 Acre Tract conveyed to Trudell K. Bohls in Volume 12820, Page 1546 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 11.00 Acre Tract, a distance of 295.16 feet to the Southeast corner of that 17.75 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 17.75 Acre Tract and the North Line of said 11.00 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 17.75 Acre Tract the following two courses:

- N 53°28'29"W, a distance of 195.87 feet;
- N 63°27'48"W, a distance of 283.54 feet to the Southwest corner of said 17.75 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 81°39'20"W, crossing Weiss Lane, a distance of 80.02 feet to the West Line of Weiss Lane.

THENCE N 88°46'02"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 749.18 feet to the Northeast corner of said 5.00 Acre Tract and the West Line of said 17.75 Acre Tract.

THENCE continue S 62°45'11"E, crossing said 17.75 Acre Tract, a distance of 600.41 feet to the East Line of said 17.75 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 392.31 feet.

THENCE S 62°36'33"E, crossing said 99.00 Acre Tract at 2,306.18 feet pass the East Line of said 99.00 Acre Tract and the West Line of said 116.16 Acre Tract, in all a distance of 2,453.00 feet.

THENCE N 80°50'51"W, crossing said 116.16 Acre Tract at 1,781.32 feet pass the East Line of said 116.16 Acre Tract and the West Line of said 125.15 Acre Tract, in all a distance of 2,636.25 feet.

THENCE N 64°43'22"E, crossing said 125.15 Acre Tract, at 1,054.32 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:

- S 88°39'51"E, a distance of 1,804.85 feet;
- 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 the West Line of said 84.3 Acre Tract, in all a distance of 3,320.30 feet to the East Line of the 3 Acre Tract and the West Line of Cameron Road.

THENCE S 27°00'41"W, along the East Line of said 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. Waples 7-11-2007
 Kenneth Waples
 Registered Professional Land Surveyor No. 5741
 State of Texas

R. Surveying, Inc.
 1712 East Braker Lane
 Austin, Texas 78753



This document was prepared under 221A0.063.21, does not reflect the results of an on the ground survey, and is not to be used in convey of real property interests in real property except those rights and interests implied or established by the creation or re-configuration of the boundaries of the political subdivision for which it was prepared.

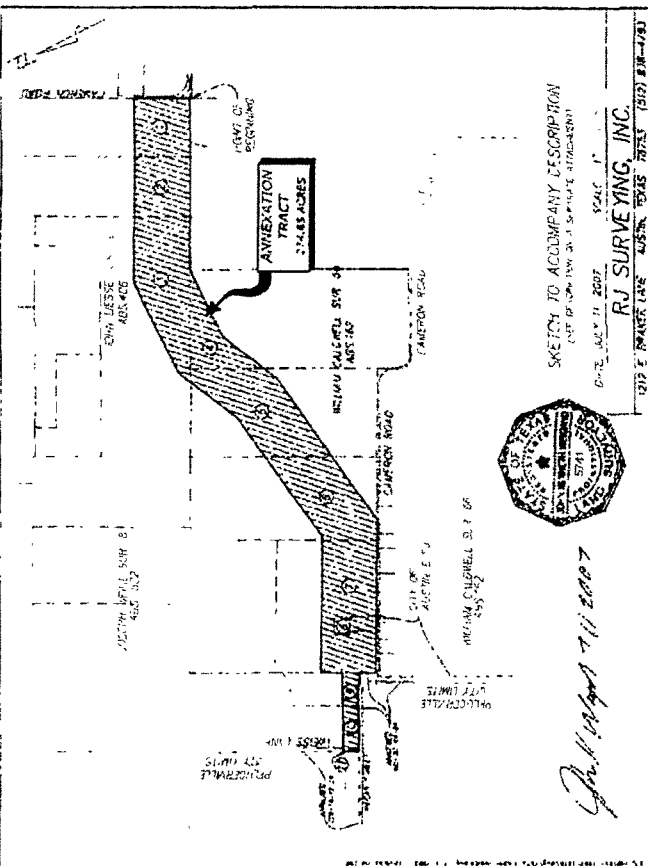


EXHIBIT "B" - TO SERVICE PLAN

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.

EXHIBIT "C"

SERVICE PLAN AGREEMENT FOR PROPERTY ANNEXED

AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES

This Agreement is entered into by and between the City of Pflugerville, a Texas Municipal Corporation ("City"), acting by and through its City Manager, and CE Development, Inc. ("Landowner"), both of which may be referred to herein singularly as "Party" or collectively as the "Parties."

Recitals

WHEREAS, the Landowner has requested that the City consider annexation of a tract of land totaling approximately 14.09 acres of land situated in the John Liesse Survey No. 18, Abstract No. 406, Travis County, Texas, as specifically described in **Exhibit "A"** ("Property") and further shown in Exhibit "B" as MUD #23 Territory Gain, which is attached hereto and incorporated herein for all purposes; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Sections 43.067 et seq., the City and the Landowner must enter into a written agreement identifying a list of public services to be provided to the Property and a schedule for provision of the same; and

WHEREAS, this Agreement is being entered into by and between the Parties to comply with the Texas Local Government Code prior to the City's consideration of an ordinance annexing the Property, it being understood and agreed to by the Parties that annexation of the Property is a condition precedent to this Agreement becoming effective; and

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the Property (the "Effective Date").

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Section 1.

The Parties hereto acknowledge and agree that the foregoing recitals are hereby found to be true and correct and are hereby adopted by the Parties and made a part hereof for all purposes.

Section 2.

The following service list and schedule ("Service Plan") represents the provision of services agreed to between the Landowner of the Property and the City establishing a program under which the City will provide municipal services to the Property (referred to hereinafter as the "Annexed Area") on the Effective Date of this Agreement, as required by § 43.0672 of the Texas Local

Government Code, which will be provided at a level consistent with service levels provided to other similarly-situated areas within the City:

I.

- A. **Police Protection.** The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. Upon 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 and characteristics. 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 upon annexation.
 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. Upon 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 and characteristics. 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.

Upon annexation, 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 various private refuse collection companies. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation, provided that a privately owned solid waste management service provider ("POSWMSP") is unavailable. In the event that the Annexed Area is already receiving service, or desires to receive service from a POSWMSP, the City may not prohibit solid waste collection by the POSWMSP, nor may the City offer solid waste collection services for a period of two years following the effective date of the annexation unless a POSWMSP is or becomes unavailable, as established by Texas Local Government Code § 43.0661. If a landowner uses the services of a POSWMSP or services are available from a POSWMSP during the two

years following annexation, the City will not provide solid waste collection services to that landowner.

- B. **Maintenance.** Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area upon the effective 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 or other public owned streets under the ownership and control of another public entity.
 3. **Publicly owned parks, playgrounds, and swimming pools.** The City will maintain and operate City-owned land and facilities within the Annexed 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 not under the ownership and control of another public entity. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will periodically inspect facilities and perform maintenance on facilities in the Annexed Area as necessary to ensure continued functionality of the facilities through the 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.
- C. **Development Regulation.** The City will impose and enforce zoning, subdivision development, site development and building code regulations within the Annexed Area upon the effective date of the 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 landowners or residents of the Annexed Area on the same basis as those facilities are available to current City landowners and residents. City residents receive program preference for some City programs. Other City services including Animal Control, Code Enforcement, Municipal Court and General Administration services will be also be available to landowners and residents in the Annexed Area on the same basis those facilities are available to current City landowners and residents. All other services contemplated herein will be available upon the effective date of annexation.

III.

- A. Capital Improvements. Capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as amended, which are incorporated herein by reference.
- B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City, water and wastewater service to such areas will be subject to service extension regulations and policies provided in the City's Unified Development Code, as amended.

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, unless subsequent agreements are entered into between the City and the other utility providers.

IV.

- A. In accordance with Texas Local Government Code § 43.0672(c), no other services are contemplated by this Service Plan and a schedule for future services as contemplated by Texas Local Government Code § 43.0672(b) is not applicable as all services identified herein will be provided upon the effective date of annexation.

Section 3.

General Terms.

- 1. Binding Effect/Authority. This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.
- 2. Choice of Law. This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.
- 3. Counterparts. This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.
- 4. Legal Construction. If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever

context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

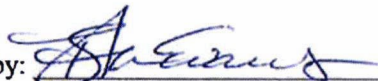
5. Entire Agreement. This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

Executed and Agreed to by the Parties on this the 7 day of March 2019.

CITY OF PFLUGERVILLE

ATTEST:


by: 
Sereniah Breland, City Manager

by: 
~~Karen Thompson, City Secretary~~
Trista Evans, Deputy City Secretary

Date: 5/7/19

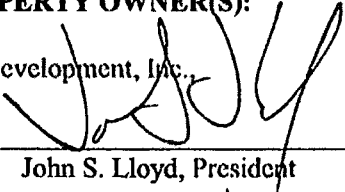
Date: 5/7/19

APPROVED AS TO FORM:

By: 
Charles E. Zech, City Attorney
for Denton, Navarro, Rocha, Bernal & Zech, P.C.

PROPERTY OWNER(S):

CE Development, Inc.

By: 
John S. Lloyd, President

Date: 3/7/19

EXHIBIT "A"**PROPERTY/ANNEXED AREA**

14.09 Acres

THAT PART OF THE JOHN LIESSE SURVEY 18, ABSTRACT No. 100, TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 15.623 ACRE TRACT, THAT 15.967 ACRE TRACT AND THAT 14.9285 ACRE TRACT CONVEYED TO TEXAS GULF BANK, N.A., AS TRUSTEE OF THE MANAGEMENT TRUST FOR THE BENEFIT OF HOLLY JEAN PFLUGER, BY DEED RECORDED IN DOCUMENT No. 2015193607 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

Begin at a 1/2" iron rod with Pape-Dawson cap found at the Southeast Corner of that 7.94 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015162829 of the Official Public Records of Travis County, Texas, and the Southwest Corner of said 15.623 Acre Tract at Texas State Plane Central Zone NAD 83 grid coordinates N: 10127969.37 feet and E: 3173081.25 feet (from which point the Southwest Corner of said John Liesse Survey 18 is approximately S: 75°57'40"W: 2450 feet)

Thence N 27°31'45"E, along the West Line of said 15.623 Acre Tract and the East Line of said 7.94 Acre Tract (at 170.43 feet pass the Northeast Corner of said 7.94 Acre Tract and the Southeast Corner of that 62.00 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015146187 of the Official Public Records of Travis County, Texas) in all a distance of 326.09 feet to a 1/2" iron rod found at the Northwest Corner of said 15.623 Acre Tract and the Southwest Corner of said 15.967 Acre Tract,

Thence N 27°31'45"E, along the West Line of said 15.967 Acre Tract and the East Line of said 62.00 Acre Tract a distance of 368.80 feet to a 1/2" iron rod found at the Northwest Corner of said 15.967 Acre Tract and the Southerly Southwest Corner of said 16.925 Acre Tract,

Thence N 27°31'45"E, along a West line of said 16.925 Acre Tract and the East Line of said 62.00 Acre Tract a distance of 109.72 feet to a 1/2" iron rod with Texas Land Surveyors cap found at the Northeast Corner of said 62.00 Acre Tract and an interior corner of said 16.925 Acre Tract,

Thence N 62°45'53"W, along the North line of said 62.00 Acre Tract and the South Line of said 16.925 Acre Tract a distance of 1326.26 feet to a 1/2" iron rod with Pape-Dawson cap found at the Westerly Southwest Corner of said 16.925 Acre Tract and an interior corner of said 62.00 Acre Tract,

Thence N 27°14'07" E, along the West line of said 16.925 Acre Tract and an East Line of said 62.00 Acre Tract a distance of 161.08 feet to a 1/2" iron rod with Pape-Dawson cap found at the Southwest Corner of that 16.747 Acre Tract conveyed to CE Development, Inc., by deed recorded in Document No. 2015162822 of the Official Public Records of Travis County, Texas, and the Northwest Corner of said 16.925 Acre Tract,

Thence S 62°45'53" E, along the North line of said 16.925 Acre Tract and the South Line of said 16.747 Acre Tract a distance of 1766.66 feet to a 1/2" iron rod set;

14.09 Acres

Thence S 27°49'55" W across said 16.925 Acre Tract (at 2711.81 feet pass the South Line of said 16.925 Acre Tract and the North Line of said 15.967 Acre Tract) in all a distance of 364.90 feet to a 1/2" iron rod set.

Thence N 65°33'54" W across said 15.967 Acre Tract a distance of 161.01 feet to a 1/2" iron rod set in the West Line of that Wastewater Easement to City of Pflugerville by deed recorded in Document No. 2016151275 of the Official Public Records of Travis County, Texas.

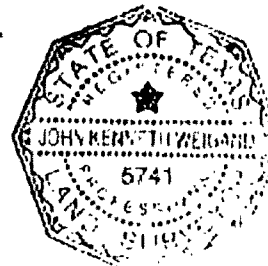
Thence along the West Line of said Wastewater Easement and across said 15.967 Acre Tract and said 15.623 Acre Tract the following two courses:

1. S 08°00'23" W a distance of 237.44 feet to a 1/2" iron rod set,
2. S 02°00'28" W (at 47.15 feet pass the South Line of said 15.967 Acre Tract and the North Line of said 15.623 Acre Tract) in all a distance of 412.43 feet to a 1/2" iron rod set in the South line of said 15.623 Acre Tract and the North line of that 85.000 Acre Tract conveyed to CF Development, Inc., by deed recorded in Document No. 2015162822 of the Official Public Records of Travis County, Texas;

Thence N 61°46'03" W along the South Line of said 15.623 Acre Tract and the North Line of said 85.000 Acre Tract a distance of 536.32 feet to the said Point of Beginning.

Containing 14.09 acres, more or less.

John Kenneth Weigand Feb. 6, 2013
 J. Kenneth Weigand
 Registered Professional Land Surveyor No. 5741
 State of Texas



RI Surveying & Associates, Inc.
 2900 Jazz Street
 Round Rock, Texas 78664
 P 10015400

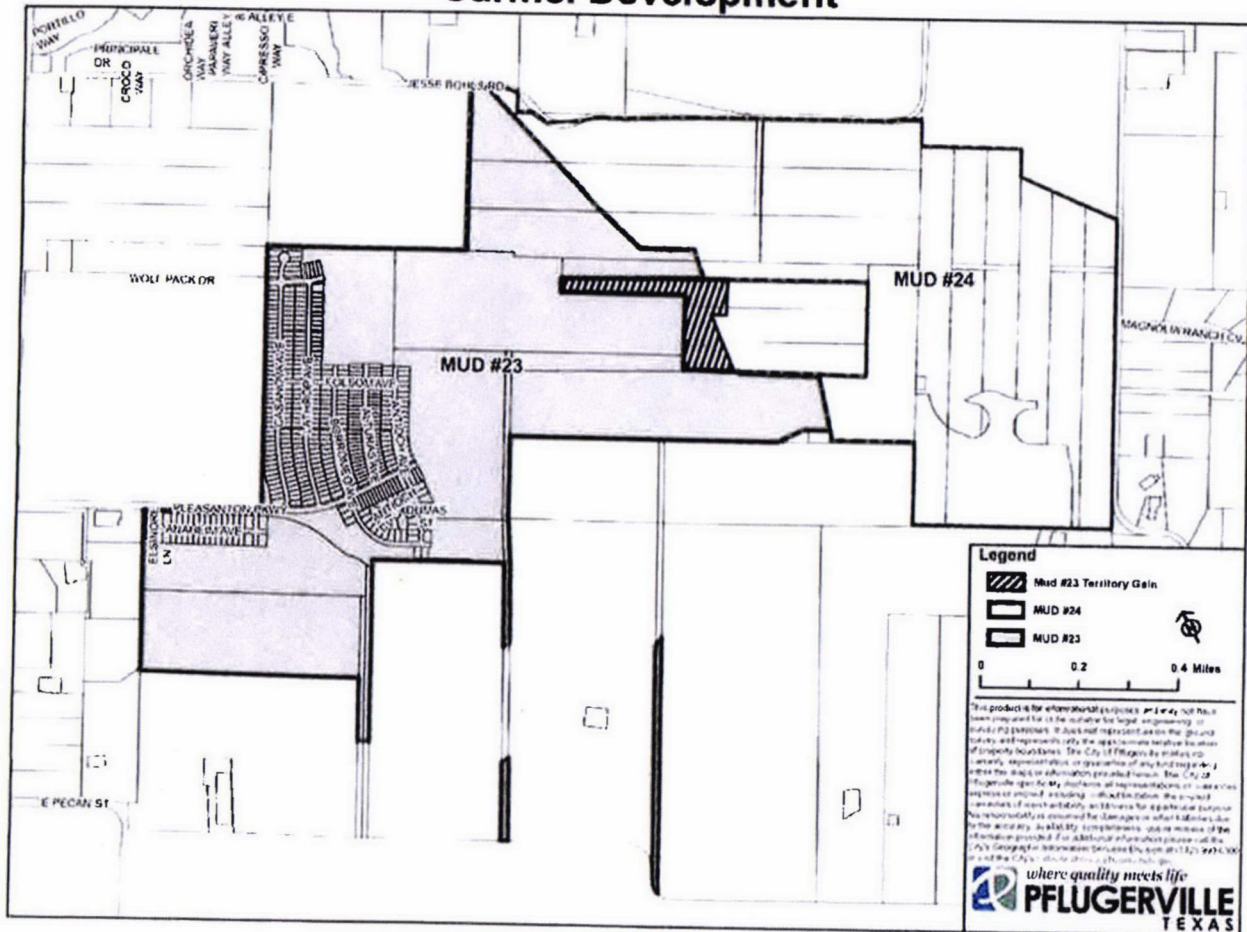
All iron rods set have RI Surveying caps.
 Bearings are Texas State Plane Central Zone NAD 83

EXHIBIT "B"

PROPERTY/ANNEXED AREA

MUD #23 TERRITORY GAIN – 14.09 ACRES

Carmel Development



RETURN

CITY OF PFLUGERVILLE
P.O. BOX 589
PFLUGERVILLE, TX 78691



**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

2019086341

Jun 13, 2019 11:56 AM

Fee: \$158.00

MACEDOS

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.