



Control Number: 51166



Item Number: 1

Addendum StartPage: 0

51166

PUC DOCKET NO. \_\_\_\_\_



PETITION BY COLORADO RIVER PROJECT, LLC.  
FOR EXPEDITED RELEASE  
FROM CCN NO. 11978 AND  
CCN NO. 20650 NOW HELD BY  
SWWC UTILITIES, INC. d/b/a  
HORNSBY BEND UTILITY

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§

BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

**COLORADO RIVER PROJECT, LLC's PETITION FOR STREAMLINED EXPEDITED  
RELEASE BY LANDOWNER FROM WATER AND SEWER CERTIFICATES OF  
CONVENIENCE AND NECESSITY**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Colorado River Project, LLC ("Petitioner"), pursuant to Texas Water Code § 13.2541 and Rule 24.245 of the PUC's Rules found at 16 Texas Administrative Code § 24.245 and, in support thereof, would respectfully show the following:

**I. APPLICABLE REGULATIONS**

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and is not receiving water or sewer service may petition for expedited release of the area from a CCN. TEX. WATER CODE ANN. § 13.2541(b). For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract "is entitled to that release." *Id.* The PUC rule provides the same, and it recognizes that Travis County is a county in which owners of at least 25 acres are entitled to expedited release. *See* 16 TEX. ADMIN. CODE § 24.245. Under Section 13.2541(c), the PUC "shall grant the petition not later than the 60th day after the date the landowner files the petition."

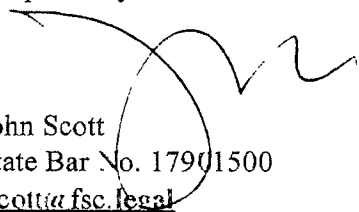
## II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns approximately 2,122.27 acres of property in Travis County (Property). A portion of the Property is within the boundaries of water CCN No. 11978 and sewer CCN No. 20650 held by SWWC Utilities, Inc. d/b/a Hornsby Bend Utility ("Hornsby"). The Property does not receive service from any water or sewer provider. The affidavit of Rohan Patel in support of this Petition is attached hereto as **Exhibit A**. Maps showing the location of the Property, along with the digital data, are attached hereto as **Exhibit B**. The deeds showing ownership of the Property are attached hereto as **Exhibit C**. A copy of this petition has been mailed to Hornsby via certified mail.

## III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541(b) entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Travis County. Under Section 13.2541(c), the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Property that is within the boundaries of water CCN No. 11978 and Sewer CCN No. 20650.

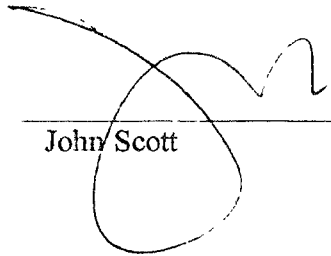
Respectfully submitted,



John Scott  
State Bar No. 17901500  
[jscott@fsc.legal](mailto:jscott@fsc.legal)  
Franklin Scott Conway LLP  
405 West 14<sup>th</sup> Street  
Austin, TX 78701  
Telephone: (512) 340-7805  
Facsimile: (512) 808-0838

**CERTIFICATE OF SERVICE**

I hereby certify by my signature below that on the 13<sup>th</sup> day of August, 2020, a true and correct copy of the above and foregoing document was forwarded via U.S. certified mail, return receipt requested to Hornsby Bend Utility C/O SWWC Utilities, Inc., 12535 Reed Rd., Sugar Land TX 77478-2837.

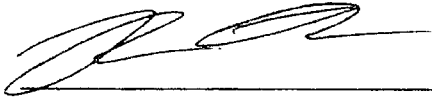


John Scott

# EXHIBIT A

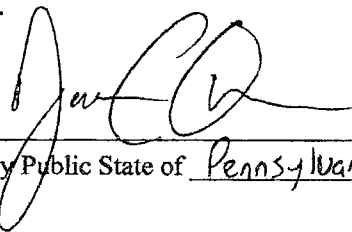
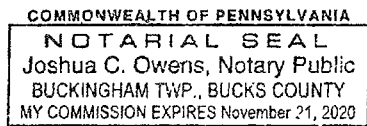


FURTHER AFFIANT SAYETH NOT.



ROHAN PATEL, AFFIANT

SWORN AND SUBSCRIBED TO BEFORE ME by Rohan Patel on the 6th day of August, 2020.

  
Notary Public State of Pennsylvania

# EXHIBIT B





**Legend**

- Property Boundary
- Tracts

**FIGURE 1**

GIGAFACTORY  
PROPERTY BOUNDARY  
PARCELS AND TRACTS

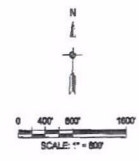
0 320 640 1,280 1,920 2,560  
Feet

1 inch = 640 feet



**Jacobs**





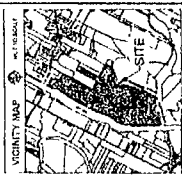
LEGEND  
- - - - - PROPERTY BOUNDARY  
HORNSBY BEND UTILITY CO INC WATER  
CON WITHIN PROPERTY BOUNDARY

DETAILED MAP  
GIGAFACTORY TEXAS  
WATER, WASTEWATER, AND RECLAIMED WATER  
CONNECTIONS TO CITY OF AUSTIN

EX-188T  
**B-2a**

CRP0009



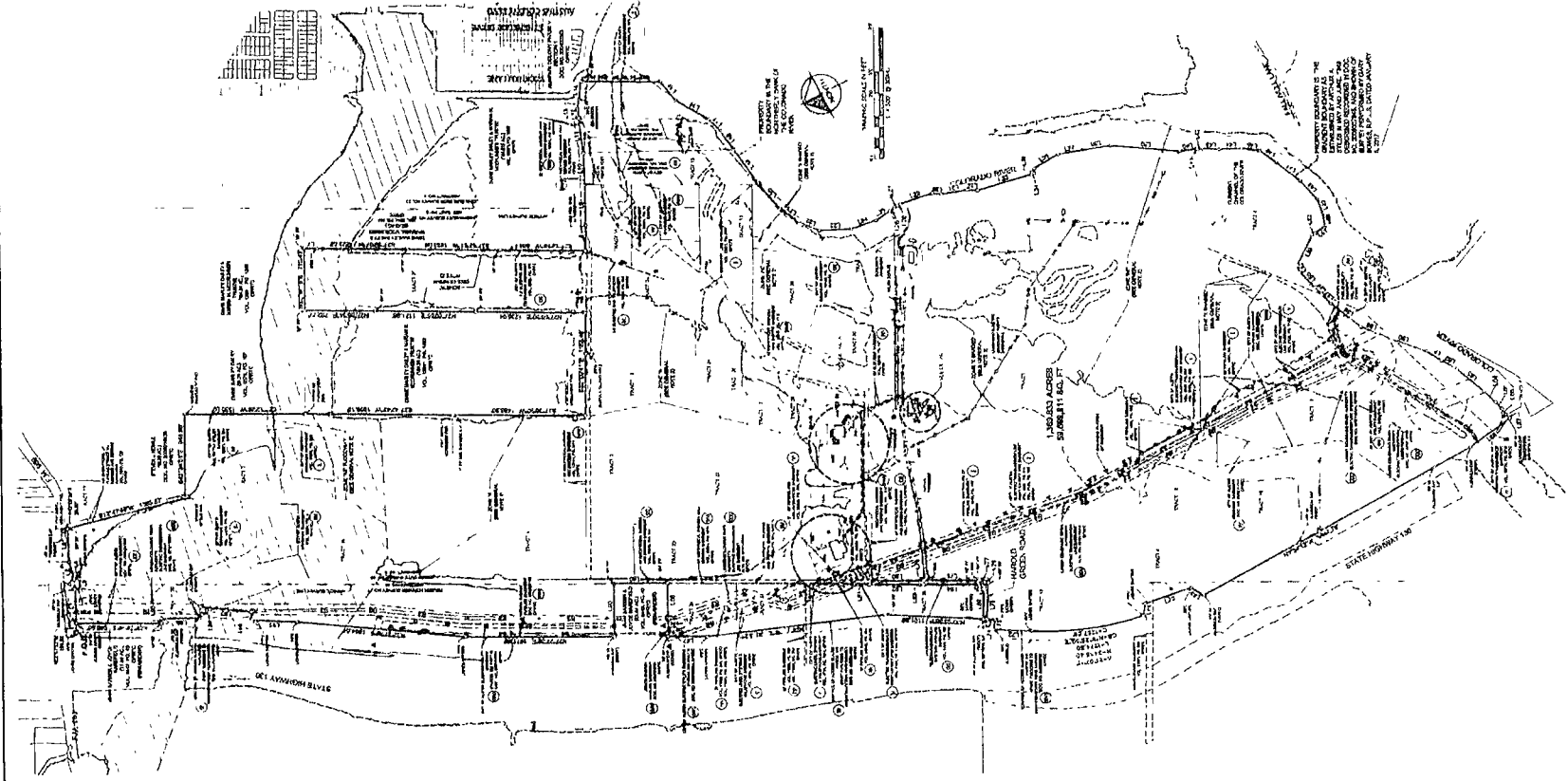
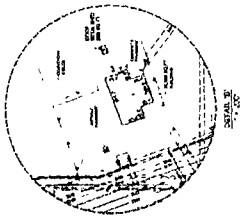


**LEGEND**

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**LINE TYPE LEGEND**

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**ALTANSPS LAND TITLE SURVEY**  
**PARCEL 1: 1369.833 ACRES**  
 Reuben Hornsby Survey No. 17 Abstract No. 15, Inc. Joseph  
 Duff Survey No. 20 Abstract No. 9 and the John Buleston  
 Survey No. 23, Abstract No. 5  
 Dallas County, Texas

**Kimley»Horn**  
 2000 W. 10th Street, Suite 100  
 Fort Worth, Texas 76102  
 Phone: (817) 335-1111  
 Fax: (817) 335-1112  
 Email: info@kimleyhorn.com  
 Website: www.kimleyhorn.com

DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

[illegible]

1. The first step in the process of the investigation is the identification of the problem. This involves a thorough review of the available information and a clear definition of the issue at hand. The next step is to gather data, which can be done through various methods such as interviews, surveys, and experiments. Once the data is collected, it is analyzed to identify patterns and trends. This analysis leads to the formulation of hypotheses, which are then tested through further investigation. The final step is to draw conclusions based on the results of the investigation and to recommend appropriate actions to address the problem.

GENERAL NOTE:

<sup>1</sup> The survey was performed utilizing the earlier, non-pilot procedure by Lisa Auer in "Influencing Company Culture: The 360-Degree Feedback," *Journal of Management Development*, 2000, Vol. 20, No. 1, pp. 1-10. The survey reflects only those assessment and recommendations of trained respondents. Recommendations are not shared with the public sectors. The survey may play a support in additional group and organizational level efforts to form a new environment.

[illegible]

<sup>2</sup> The SURVEY database ACCESS and administration manual files are used by the Operations System (OS), Gamma™ and TIPS™ (TIPS®) (EAC 82) as well as many of the Gamma Foundation's broader (GAPS) post processing "to account and determine" results apply to combined GAPS to SURFACE water body of "000100". The use of these measurements is U.S. Survey.

6. For Axiom 29, Gershon (1998) has a 'Socratic' interpretation: 'The term "intercultural" implies a deeper interest "the way of potentially enriching" different communities and perhaps we "diverge" in the process of conducting business "not to let their subjects "beliefs, attitudes, and rights change" will be more to the society and even to the substance of "intercultural" or "cross-cultural" business'.

2. A Physics Training Report was not provided by the member of the Theater per A. "ANSP's Catalogue Table A Same B's". This

Exodus has been made up of abstracts, mainly of those data concerning the prevalence of HIV infection (reported) in relation to any variety of anthropological factors. For information regarding any other address or location, please contact the appropriate agency for travel. In writing, please, the location of local offices may be provided and related by e-mail.

8. *Distance from the last road, where hunters were common, to the survey*

g. "is a change 'from rest'" (Shapere 1971) is an example of a *pragmatic* response to the question.

SUBJECTS CERTIFICATION


2. Text: Text editing  
 3. Transformation: \*  
 4. Application: the image is transformed

This is to certify that the study of the effect of the various  $\alpha$  values on the  $\beta$  values were made in accordance with the NCE Laboratory Standard Guided Measurements for a "ANPD" type X-ray films jointly established and adopted by A, A<sup>2</sup> and A<sup>3</sup> and inclusion Ratio 3.4(A) (a) (A) and 3.5 (A) (a) (A) and 3.6 (A) (a) (A) and 3.7 (A) (a) (A) and 3.8 (A) (a) (A) and 3.9 (A) (a) (A) and 4.0 (A) (a) (A) and 4.1 (A) (a) (A) and 4.2 (A) (a) (A) and 4.3 (A) (a) (A) and 4.4 (A) (a) (A) and 4.5 (A) (a) (A) and 4.6 (A) (a) (A) and 4.7 (A) (a) (A) and 4.8 (A) (a) (A) and 4.9 (A) (a) (A) and 5.0 (A) (a) (A) and 5.1 (A) (a) (A) and 5.2 (A) (a) (A) and 5.3 (A) (a) (A) and 5.4 (A) (a) (A) and 5.5 (A) (a) (A) and 5.6 (A) (a) (A) and 5.7 (A) (a) (A) and 5.8 (A) (a) (A) and 5.9 (A) (a) (A) and 6.0 (A) (a) (A) and 6.1 (A) (a) (A) and 6.2 (A) (a) (A) and 6.3 (A) (a) (A) and 6.4 (A) (a) (A) and 6.5 (A) (a) (A) and 6.6 (A) (a) (A) and 6.7 (A) (a) (A) and 6.8 (A) (a) (A) and 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Survey Date: 08/04/2025

11/11/11



  
 JOHN F. KENNEDY  
 Congressmen Professional Ltd. & Successors Inc. 912  
 Washington and Madison Ave. NYC

RE: 1975 Jeep 4x4, 2400 cc.  
Gas engine, 1964 Ford, 4  
M. 210-341-210.  
and 1975 Ford Mustang coupe

ALTA/NSPS LAND TITLE  
PARCEL 1 1369 833 A

Reuben Hornaby Survey No. 17 Abstract  
Daly Survey No. 20 Abstract No. 9 and  
Survey No. 33 Abstract No. 8

Kimley-H

001 NEW Line 4 Q, Suite 200  
861 Avenue Texas 78771 PH# 512-85373

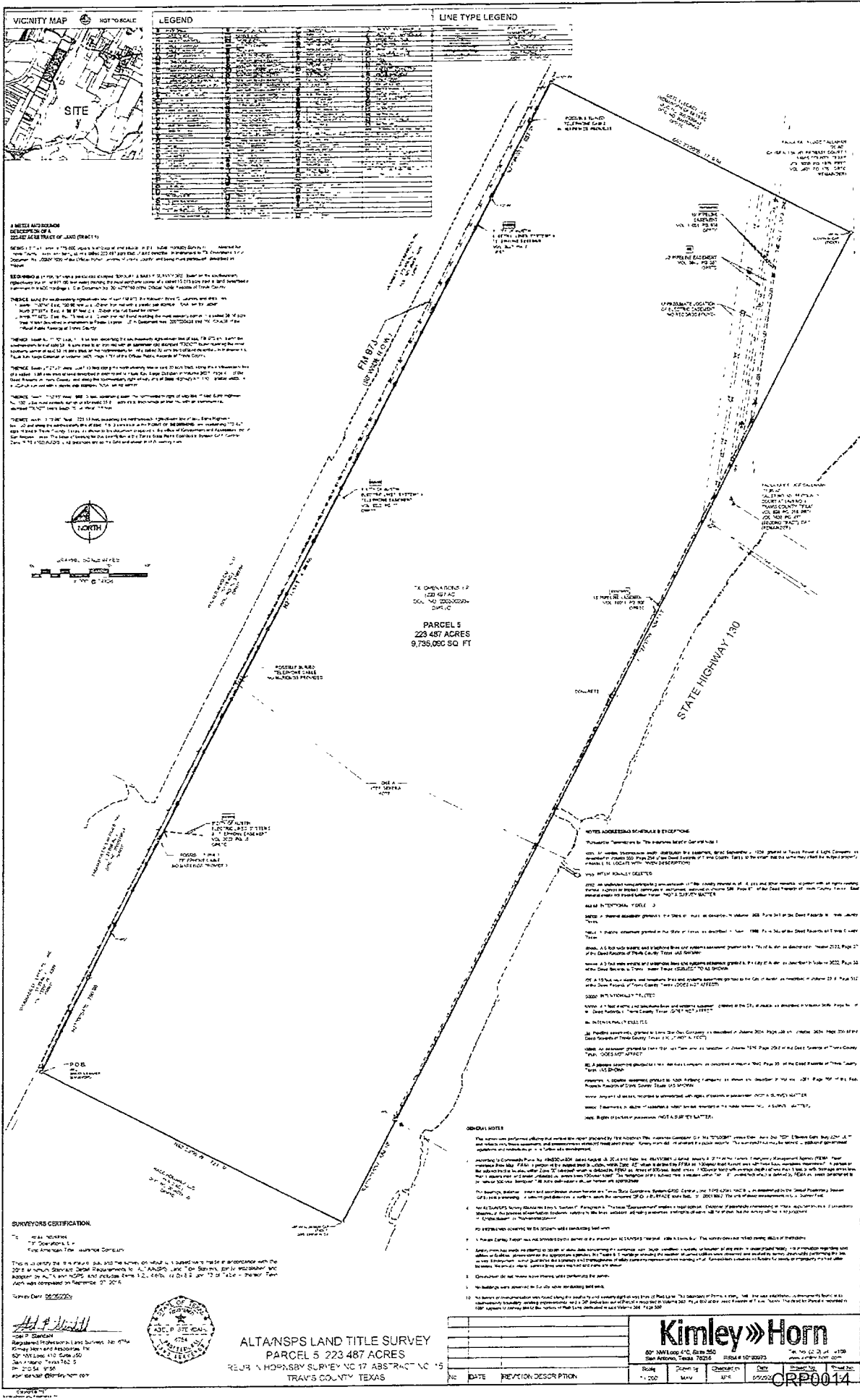
DATE	REVISION DESCRIPTION	DESIGNED BY	CHECKED BY	DATE
		AS	APG	CRP00

## Kimley»Horn

101 New Lane, 4 Q, Suite 200 Tel: 604-732-5151  
145 Ardmore, Vernon, BC V1T 7T7 Fax: 604-732-5152  
www.kimley-horn.com

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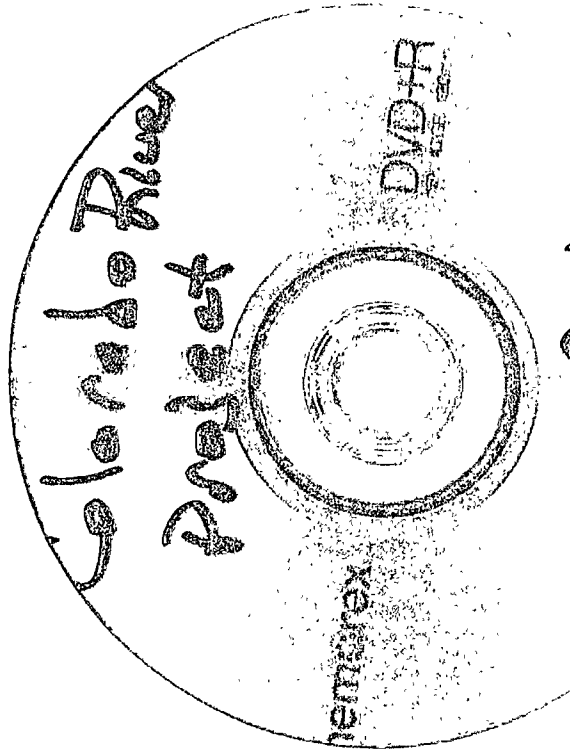












Giga factor V

# EXHIBIT C

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

Aug 03, 2020 04:39 PM Fee: \$ 170 00

2020135719

\*Electronically Recorded\*

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

THAT TXI OPERATIONS, LP, a Delaware limited partnership (which, because of a scrivener's error, acquired title to Parcel 1, Tracts 18 and 41 described on Exhibit A-1 attached hereto as TXI Operations, LP, incorrectly described as a Texas limited partnership) ("Grantor"), whose mailing address is 2710 Wycliff Road, Raleigh, North Carolina 27607, Attention: General Counsel, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid in cash to Grantor by the Grantee herein named, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto COLORADO RIVER PROJECT, LLC, a Delaware limited liability company ("Grantee"), whose mailing address is 901 Page Avenue, Fremont, California 94538, Attention: General Counsel, that certain real property situated in the County of Travis, State of Texas, more particularly described on Exhibit A-1 attached hereto and made a part hereof for all purposes, together with all oil, gas, and other minerals in or under the surface thereof, and all executory leasing rights with respect thereto, all improvements thereon and all appurtenances relating thereto ("Property").

TO HAVE AND TO HOLD the Property subject only to the Permitted Exceptions (defined below), together with all and singular the rights and appurtenances thereto and in any wise belonging unto the said Grantee, its legal representatives, successors and assigns, forever; and Grantor does hereby bind itself, its legal representatives and successors, to Warrant and Forever Defend all and singular the Property subject to the Permitted Exceptions unto the said Grantee, its legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

For the same consideration, Grantor hereby GRANTS, BARGAINS, SELLS and CONVEYS, to Grantee, all of Grantor's right, title and interest, if any, in and to (i) all privileges, easements, licenses, rights-of-way and interests appurtenant to the Property, (ii) all streets, alleys, right of way or easements adjacent to the Property, all strips or pieces of land adjacent to the Property, (iii) all strips or pieces of land abutting, bounding, or adjacent to the Property, and (iv) all utility lines and facilities located upon, within or adjacent to the Property.

This conveyance is made and delivered subject to (i) those matters of title (the "Permitted Exceptions") set forth on Exhibit F attached hereto and incorporated herein by reference, but only to the extent the same, in fact, do exist and are applicable to the Property, (ii) all standby fees, taxes and assessments by any taxing authority for the current and all subsequent years, not yet due and payable, and all liens securing the payment of any of the foregoing, and (iii) the following restrictive covenants.

The following covenants shall run with title to the Property and bind Grantee, Grantee's successors, and assigns:

1. Park Recognition: In the event of any dedication of public parkland within the Property, subject to approval by the City of Austin, Grantee shall endeavor to cooperate with Martin Marietta (hereinafter defined) (a) to identify a portion of the public parkland to be named after Martin Marietta (such as by way of example only an amphitheater, playground or other improved park area); and (b) to construct and maintain permanent signage reasonably approved by Martin Marietta displaying to the public the name "Martin Marietta Materials, Inc." in the named area. The foregoing notwithstanding, Grantee has no obligation to dedicate any public parkland nor any obligation to expend any resources, financial or otherwise in performing such covenant.

2. Land Use Restriction: Grantee shall not use the Property or any portion thereof, from and after the first anniversary date of this Deed, for the (i) mining, excavation or extraction of sand, gravel, overburden, dolomite, limestone, sandstone, boulders, stones or rocks suitable for use in building, construction and road making (including concrete, asphalt, roadbeds, railroad ballast or other use), (ii) resale yard for aggregates, (iii) operation of an asphalt plant or asphalt-related business, (iv) operation of a concrete block plant, or (v) operation of a concrete batch plant (including both ready-mix plants and central-mix plants). The foregoing notwithstanding, the prohibition in item (i) shall not apply to grading, reclamation, extraction and excavation performed by Grantee, Grantee's contractors, agents or other affiliates in preparation for, or in connection with, construction, future development, expansion and other similar activities on the Property, and the prohibition in item (v) shall not apply to Grantor's, or Grantor's successors' or assigns', operations within the boundaries of the Property under the terms and conditions of the Plant Lease (as defined in the PSA).

By acceptance of this deed, Grantee assumes and agrees to pay and indemnifies and agrees to hold Grantor harmless from and against all ad valorem taxes relating to the Property, for the current and all subsequent years.

By its acceptance of this Deed, Grantee further covenants and agrees on behalf of itself and successors in title to the Property not to sue Grantor or Grantor's officers, agents, employees, attorneys, directors, shareholders or affiliates or their heirs, legal representatives, successors or assigns (the "Released Parties") for or with respect to, and fully releases Released Parties from, any and all costs, expenses, claims, demands, damages, actions, causes of action, or liabilities which Grantee or its successors and assigns may now have or may in the future have directly or indirectly resulting from the presence of Hazardous Materials on the Property on or before the date of this Deed but not resulting from the presence, storage or release of Hazardous Materials on the Property after the date of this Deed. The term "Applicable Environmental Laws" means applicable laws pertaining to health or the environment, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§9601 et seq.) and the Texas Solid Waste Disposal Act (Texas Health and Safety Code §§ 361.001 et seq.). The terms "Hazardous Materials" means those substances regulated under any Applicable Environmental Laws.

EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES OF GRANTOR AND MARTIN MARIETTA MATERIALS, INC. ("MARTIN MARIETTA") EXPRESSLY SET FORTH IN SECTION 2.13 OF THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN MARTIN MARIETTA, GRANTOR, AND GRANTEE PURSUANT TO WHICH THIS DEED IS DELIVERED (THE "PSA"), AND EXCEPT AS TO THE WARRANTY OF TITLE AS EXPRESSLY SET FORTH ABOVE IN THIS DEED, THE PROPERTY IS SOLD "AS IS," "WHERE IS," AND "WITH ALL FAULTS." GRANTOR MAKES NO WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, ITS PHYSICAL CONDITION, INCOME TO BE DERIVED THEREFROM OR EXPENSES TO BE INCURRED WITH RESPECT THERETO, OR WITH RESPECT TO THE COMPLIANCE OF THE PROPERTY WITH APPLICABLE LAWS, RULES, ORDINANCES OR REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH AND/OR THE ENVIRONMENT) AND GRANTEE EXPRESSLY WAIVES THE RIGHT TO ASSERT ANY CLAIMS WITH RESPECT TO ANY SUCH MATTERS AND RELEASES GRANTOR FROM ANY LIABILITY WITH RESPECT THERETO.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed to be effective as of the 31<sup>st</sup> day of July, 2020.

GRANTOR:

TXI OPERATIONS, LP, a Delaware limited liability company

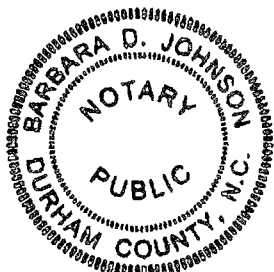
By: Roselyn R. Bar  
Roselyn R. Bar  
Authorized Representative

STATE OF NORTH CAROLINA §

COUNTY OF WAKE §

I, Barbara D. Johnson, a Notary Public of Durham County, North Carolina, certify that Roselyn R. Bar, personally came before me this day and acknowledged that she is the Authorized Representative of TXI Operations, LP, and that he/she, as authorized representative, being authorized to do so, executed the foregoing on behalf of the limited partnership.

Witness my hand and official seal, this the 28<sup>th</sup> day of July, 2020.



(Official Seal)

Barbara D. Johnson  
Signature of Notary

Notary Public: Barbara D. Johnson  
Notary printed or typed name

My Commission expires: March 17, 2024

GRANTEE:

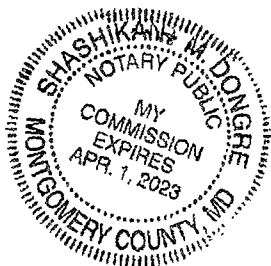
COLORADO RIVER PROJECT, LLC, a Delaware  
limited liability company

By: [Signature]  
Name: Rohan Patel  
Title: Assistant Secretary

STATE OF Maryland )  
 ) ss:  
COUNTY OF Montgomery County

This instrument was acknowledged and executed before me this 27<sup>th</sup> day of July, 2020, by Rohan Patel, Assistant Secretary of Colorado River Project, a Delaware limited liability company, on behalf of said company.

[Signature]  
Notary Public



SHASHIKANT M. DONGHE  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires: My Commission Expires April 1, 2023



Exhibit A-1

To Special Warranty Deed  
Legal Description of Property

PARCEL 1:

Being a 1369.833 acre tract, more or less, out of the Reuben Hornsby Survey No. 17, Abstract No. 15, Joseph Duty Survey No. 16, Abstract No. 9, and the John Burleson Survey No. 33, Abstract No. 5, all in Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "A" attached hereto and made a part hereof. The said tract herein being further described as follows:

TRACT 1: Being all of that certain tract or parcel of land containing 353.08 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated May 31, 1995 recorded in Volume 12448, Page 737 of the Real Property Records of Travis County, Texas.

TRACT 2: Being all of that certain tract or parcel of land containing 65.12 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated May 31, 1995 recorded in Volume 12448, Page 737 of the Real Property Records of Travis County, Texas.

TRACT 3: Being all of that certain tract or parcel of land containing 102.188 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and described in deed dated June 10, 1997 recorded in Volume 12953, Page 2001 of the Real Property Records of Travis County, Texas.

TRACT 3A: Easement Estate for the benefit of the above described Tract 3 created by that certain Warranty Deed dated October 23, 1981, recorded in Volume 7617, Page 136 of the Deed Records of Travis County, Texas, being over and across that certain 1.615 acre tract of land, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and described in deed dated June 10, 1997 recorded in Volume 12953, Page 2001 of the Real Property Records of Travis County, Texas.

TRACT 4: Being all of that certain tract or parcel of land containing 29.008 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and described in deed dated June 10, 1997 recorded in Volume 12953, Page 2001 of the Real Property Records of Travis County, Texas.

TRACT 5: Being all of that certain tract or parcel of land containing 10.743 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5, Travis County, Texas, and described in deed dated June 10, 1997 recorded in Volume 12953, Page 2001 of the Real Property Records of Travis County, Texas.

TRACT 6: INTENTIONALLY DELETED

{W0988747.8}

TRACT 7: Being all of that certain tract or parcel of land containing 85.957 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being more particularly described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that 6.727 acre portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "G-1" attached hereto and made a part hereof, and SAVE AND EXCEPT that portion west of SH 130.

TRACT 8: Being all of that certain tract or parcel of land containing 41.043 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being more particularly described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas, and SAVE AND EXCEPT that portion west of SH 130.

TRACT 9: INTENTIONALLY DELETED

TRACT 10: Being all of that certain tract or parcel of land containing 33.214 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being more particularly described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 11: INTENTIONALLY DELETED

TRACT 12: Being all of that certain tract or parcel of land containing 22.911 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed recorded in Volume 5705, Page 1658 of the Real Property Records of Travis County, Texas.

TRACT 13: Being all of that certain tract or parcel of land containing 19.253 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated November 4, 1998 recorded in Volume 13304, Page 3306 of the Real Property Records of Travis County, Texas.

TRACT 14: Being all of that certain tract or parcel of land containing 4.591 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated November 4, 1998 recorded in Volume 13304, Page 3306 of the Real Property Records of Travis County, Texas.

TRACT 15: Being all of that certain tract or parcel of land containing 16.931 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated November 4, 1998 recorded in Volume 13304, Page 3306 of the Real Property Records of Travis County, Texas.

TRACT 16: Being all of that certain tract or parcel of land containing 52.487 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated December 20, 1997 recorded in Volume 13088, Page 429 of the Real Property Records of Travis County, Texas.

TRACT 17: Being all of that certain tract or parcel of land containing 6.605 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated December 20, 1997 recorded in Volume 13088, Page 421 of the Real Property Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 18: Being all of that certain tract or parcel of land containing 194.824 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated January 14, 2005 recorded under Document No. 2005007841 of the Official Public Records of Travis County, Texas.

TRACT 19: INTENTIONALLY DELETED

TRACT 20: Being all of that certain tract or parcel of land containing 51.32 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated June 6, 1996 recorded in Volume 12703, Page 411 of the Real Property Records of Travis County, Texas.

TRACT 21: Being all of that certain tract or parcel of land containing 5.411 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5, Travis County, Texas, and being described by deed dated December 20, 1997 recorded in Volume 13088, Page 421 of the Real Property Records of Travis County, Texas.

TRACT 22: Being all of that certain tract or parcel of land containing 22.967 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated August 15, 1986 recorded in Volume 9872, Page 77 of the Real Property Records of Travis County, Texas.

TRACT 23: Being all of that certain tract or parcel of land containing 14.272 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 24: Being all of that certain tract or parcel of land containing 21.100 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 25: Being all of that certain tract or parcel of land containing 30.531 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated June 26, 1989 recorded in Volume 10967, Page 1219 of the Real Property Records of Travis County, Texas.

TRACT 26: Being all of that certain tract or parcel of land containing 32.738 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9 and John Burleson Survey No. 33, Abstract No. 5, Travis County, Texas, and being a portion of that tract conveyed by deed dated June 1, 1996 recorded in Volume 13170, Page 656 of the Real Property Records of Travis County, Texas.

TRACT 27: Being all of that certain tract or parcel of land containing 8.051 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 28: Being all of that certain tract or parcel of land containing 9.744 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 29: Being all of that certain tract or parcel of land containing 9.752 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 30: Being all of that certain tract or parcel of land containing 15.981 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 31: Being all of that certain tract or parcel of land containing 19.127 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9 and John Burleson Survey No. 33, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 32: Being all of that certain tract or parcel of land containing 45.874 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being a portion of that tract conveyed by deed dated June 1, 1996 recorded in Volume 13170, Page 656 of the Real Property Records of Travis County, Texas.

TRACT 33: Being all of that certain tract or parcel of land containing 13.853 acres, more or less, situated in the John Burleson Survey No. 33, Abstract No. 5, Travis County, Texas, and being a portion of that tract conveyed by deed dated December 12, 1994 recorded in Volume 12326, Page 1149 of the Real Property Records of Travis County, Texas.

TRACT 34: Being all of that certain tract or parcel of land containing 10.274 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas.

TRACT 35: Being all of that certain tract or parcel of land containing 9.825 acres, more or less, situated in the Joseph Duty Survey No. 16, Travis County, Texas, and being a portion of that tract conveyed by deed dated June 1, 1996 recorded in Volume 13170, Page 656 of the Real Property Records of Travis County, Texas.

TRACT 36: Being all of that certain 44.586 acre tract, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being part of that tract being described as "Tract 2" in a deed to TXI Industries, Inc. dated December 2, 1994, recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 37: Being all of that certain tract or parcel of land containing 15.959 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 38: Being all of that certain tract or parcel of land containing 15.946 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1154 of the Real Property Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 39: Being all of that certain tract or parcel of land containing 115.751 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, described as a 101.697 and 14.054 acre tracts in deed to TXI Operations, LP dated December 1, 1999 recorded under Document No. 1999148757 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 40: INTENTIONALLY DELETED

TRACT 41: Being all of that certain tract or parcel of land containing 33.35 acres, more or less, situated in the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described by deed dated January 14, 2005 recorded under Document No. 2005007845 of the Official Public Records of Travis County, Texas.

PARCEL 2:

Being all of that certain tract or parcel of land containing 442.935 acres and 0.093 acre, more or less, situated in the Reuben Hornsby Survey, Abstract Number 15 and the Joseph Duty Survey, Abstract No. 9 and the in Travis County, Texas, being more particularly described by metes and bounds shown on Exhibit "B" attached hereto and made a part hereof, and being comprised of the following Tracts 1 through 9:

TRACT 1: Being all of that certain tract or parcel of land containing 49.994 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being "Tract 1" described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas.

TRACT 2: Being all of that certain tract or parcel of land containing 85.957 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being "Tract 2" described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that 6.727 acre portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 3: Being all of that certain tract or parcel of land containing 41.043 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being "Tract 3" described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas; AND SAVE AND EXCEPT that portion east of SH 130.

TRACT 4: Being all of that certain tract or parcel of land containing 55.299 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being "Tract 5" described in deed dated October 7, 1999 recorded under Document No. 1999129526 of the Official Public Records of Travis County, Texas; SAVE AND EXCEPT that 2.6735 portion conveyed to the State of Texas by deed dated March 19, 2013 and recorded under Document No. 2013079493 of the Official Public Records of Travis County, Texas.

TRACT 5: Being all of that certain tract or parcel of land containing 39.355 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being

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described in deed dated December 8, 1999 recorded under Document No. 1999152526 of the Official Public Records of Travis County, Texas.

TRACT 6: Being all of that certain tract or parcel of land containing 67.418 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 16, Abstract No. 9, Travis County, Texas, and being described as "Tract B" in deed dated January 14, 2005 recorded under Document No. 2005007841 of the Official Public Records of Travis County, Texas.

TRACT 7: Being all of that certain tract or parcel of land containing 39.462 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being described in deed dated July 12, 2006 recorded under Document No. 2006133198 of the Official Public Records of Travis County, Texas.

TRACT 8: Being all of that certain tract or parcel of land containing 50.388 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, and being described in deed dated December 2, 1994 recorded in Volume 12326, Page 1109 of the Real Property Records of Travis County, Texas; SAVE AND EXCEPT that portion conveyed to the State of Texas by deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas.

TRACT 9: A 50 foot wide ingress and egress easement for the benefit the above described 39.355 acres in Tract 5 created by that certain Nonexclusive Access Easement dated December 8, 1999, recorded under Document No. 1999152527 of the Official Public Records of Travis County, Texas, now being a portion of Lot 36, Block I, PRADO RANCH SUBDIVISION PHASE 2, a subdivision in Travis County, Texas according to the map or plat of record under Document No. 201800114 of the Official Public Records of Travis County, Texas.

TRACT 10: Being all of that certain tract or parcel of land containing 83.838 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, Travis County, Texas, and being described in deed dated June 1, 1996 in Volume 13170, Page 656 of the Real Property Records of Travis County, Texas.

PARCEL 3:

Being all of that certain tract or parcel of land containing 18.082 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "C" attached hereto and made a part hereof.

PARCEL 4:

Being all of that certain tract or parcel of land containing 67.935 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "D" attached hereto and made a part hereof.

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PARCEL 5:

Being all of that certain tract or parcel of land containing 223.487 acres, more or less, situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas, Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "E" attached hereto and made a part hereof.

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CRP0031



## Exhibit A

Kimley-Horn and Associates, Inc.  
 TBPLS Firm No. 10193973  
 801 NW Loop 410, Suite 350  
 San Antonio, Texas 78216

**A METES AND BOUNDS  
 DESCRIPTION OF A  
 1,369.833 ACRE TRACT OF LAND**

BEING a 1,369.833 acre tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 16, the Joseph Duty Survey No. 20, Abstract No. 9 and the John Bartleson Survey No. 33, Abstract No. 5, Travis County, Texas; and being all of the following twenty-eight (28) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

1. Called 353.08 acres in Volume 12448, Page 737 and Volume 13170, Page 656;
2. Called 85.12 acres in Volume 12448, Page 737 and Volume 13170, Page 656;
3. Called 102.188 acres in Volume 12593, Page 2601;
4. Called 29.068 acres in Volume 12593, Page 2601;
5. Called 10.743 acres in Volume 12593, Page 2601;
6. Called 22.811 acres in Volume 5705, Page 1658 and Volume 13170, Page 656;
7. Called 19.253 acres in Volume 13304, Page 3308;
8. Called 4.591 acres in Volume 13304, Page 3308;
9. Called 18.931 acres in Volume 13304, Page 3308;
10. Called 52.487 acres in Volume 13088, Page 429;
11. Called 194.924 acres in Document Number 2005007841;
12. Called 51.32 acres in Volume 12703, Page 411 and Volume 13170, Page 656;
13. Called 5.411 acres in Volume 13088, Page 421;
14. Called 22.967 acres in Volume 6872, Page 77 and Volume 13170, Page 656;
15. Called 14.272 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
16. Called 21.160 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
17. Called 30.531 acres in Volume 10987, Page 1219 and Volume 13170, Page 656;
18. Called 32.738 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
19. Called 8.051 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
20. Called 9.744 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
21. Called 9.752 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
22. Called 15.981 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
23. Called 18.127 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
24. Called 45.874 acres in Volume 12270, Page 1633 and Volume 13170, Page 656;
25. Called 13.853 acres in Volume 12326, Page 1149 and Volume 13170, Page 656;
26. Called 10.274 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
27. Called 9.825 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
28. Called 33.35 acres in Document Number 2005007845;

Said 1,369.833 acre tract also being portions of the following eight (8) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

1. Called 85.957 acres in Document Number 1999128528;
2. Called 41.043 acres in Document Number 1999128526;
3. Called 33.214 acres in Document Number 1999128526;
4. Called 8.606 acres in Volume 13088, Page 421;
5. Called 44.588 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
6. Called 15.958 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
7. Called 15.948 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
8. Called 115.751 acres in Document Number 1999148757;

Said 1,369.833 acre tract being more particularly described as follows:

**BEGINNING** at an iron rod with an aluminum cap stamped "TXDOT" found on the southerly right-of-way line of FM 989 (variable width) marking the most northeasterly corner of a called 11.65 acre tract of land described as Tract 3-S in instrument to Jean Barber and Joyce Barefield in Volume 8442, Page 43 of the Official Public

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CRP0032

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 TBPLS Firm No. 10103973  
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 San Antonio, Texas 78216

Records of Travis County; from which an iron rod with a plastic cap stamped "JONES CARTER" at the intersection of the southerly line of said FM 989 and the easterly right-of-way line of State Highway No. 130 (variable width) bears North 63°57'22" West, 106.52 feet;

THENCE, along the southerly right-of-way line of said FM 989, the following six (6) courses and distances:

1. South 64°08'59" East, 395.42 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
2. South 22°48'01" West, 61.03 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
3. South 67°10'59" East, 109.89 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
4. North 22°49'01" East, 60.53 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
5. South 77°32'19" East, 201.71 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
6. South 65°00'13" East, 381.86 feet to a 3/8-inch iron rod found for corner on the westerly line of a called 19.89 acre tract of land described in instrument to Steven J. Howle in Document No. 2005018438 of the Official Public Records of Travis County, from which a 4-inch by 4-inch concrete monument found marking the most northwesterly corner of said 19.89 acre tract bears North 13°05'39" East, 39.50 feet;

THENCE, along the westerly and southerly lines of said 19.89 acre tract, the following two (2) courses and distances:

1. South 12°47'46" West, 1365.57 feet to a stone with an "X" cut for corner;
2. South 82°34'51" East, 946.88 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner on the westerly line of a called 69.21 acre tract of land described in instrument to Diane Marley Dailey in Volume 9576, Page 107 of the Official Public Records of Travis County;

THENCE, South 27°12'28" West, 1350.59 feet along the westerly line of said 69.21 acre tract to a punch hole in a stone found marking the southwest corner of said 69.21 acre tract, same being the most westerly northwest corner of a called 184.24 acre tract of land described as Exhibit A in instrument to Diane Marley Dailey & Marian M. McCrummen in Volume 12881, Page 1852 of the Official Public Records of Travis County;

THENCE, along the westerly, southerly and easterly lines of said 184.24 acre tract, the following seven (7) courses and distances:

1. South 27°42'43" West, 1858.18 feet to a 4-inch by 4-inch concrete monument found for corner, from which, a 1-inch iron pipe found bears North 48°38' West, 0.4 feet;
2. South 27°38'50" West, 1488.90 feet to a 4-inch by 4-inch concrete monument found for corner;
3. South 62°09'41" East, 1158.48 feet to a 60D nail in a fence post found for corner;
4. North 27°53'30" East, 1236.04 feet to a 5/8-inch iron rod found for corner;
5. North 27°50'58" East, 1121.88 feet to a 5/8-inch iron rod found for corner;
6. North 27°55'34" East, 792.77 feet to a 5/8-inch iron rod found for corner;
7. South 62°39'18" East, 710.43 feet to a 1/2-inch iron rod found marking the most northerly corner of a called 32.43 acre tract of land described in instrument to Diane Marley Dailey & Marian M. McCrummen in Volume 3744, Page 354 of the Official Public Records of Travis County;

THENCE, departing the southerly line of said 184.24 acre tract and along the westerly and southerly lines of said 32.43 acre tract, the following four (4) courses and distances:

1. South 27°43'48" West, 143.25 feet to a 1/2-inch iron rod found for corner;
2. South 27°59'07" West, 1023.02 feet to a 1/2-inch iron rod found for corner;
3. South 27°57'01" West, 1033.05 feet to a 1/2-inch iron rod found for corner;
4. South 27°52'59" West, 958.47 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the southwest corner of said 32.43 acre tract;

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CRP0033

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THENCE, South 81°08'22" East, 289.28 feet along the southerly line of said 32.43 acre tract to a 60D nail in a fence post found for corner;

THENCE, South 63°21'38" East, continuing along the southerly line of said 32.43 acre tract, at a distance of 164 feet pass the most southerly corner of said 32.43 acre tract, same being the southwesterly corner of a called 154.910 acre tract of land described as Exhibit B in instrument to Diane Marley Dailey & Marian M. McCrummen in Volume 12861, Page 1852 of the Official Public Records of Travis County, continuing along the southerly line of said 154.910 acre tract for a total distance of 456.80 feet to a 60D nail in a fence post found for corner;

THENCE, continuing along the southerly line of said 154.910 acre tract, the following four (4) courses and distances:

1. South 64°22'13" East, 376.25 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. South 70°16'11" East, 400.69 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
3. South 66°24'38" East, 108.41 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
4. South 53°33'05" East, 105.78 feet to an iron rod with a plastic cap stamped "SA GARZA ENGINEERS" found marking the southwesterly corner of Lot 50, Block D of Austin's Colony Phase V, Section 1 recorded in Document No. 200400243 of the Official Public Records of Travis County;

THENCE, South 55°33'54" East, 208.77 feet along the southerly line of said Lot 50 to a 5/8-inch iron rod found marking the most northwesterly corner of Lot 51 of said Austin's Colony;

THENCE, South 28°04'38" West, 899.08 feet along the westerly line of said Lot 51 to the northerly bank of the Colorado River;

THENCE, with the northerly bank of the Colorado River, the following twenty-four (24) bearings and distances:

1. South 78°51'22" West, 288.24 feet to a point for corner;
2. South 58°47'07" West, 424.29 feet to a point for corner;
3. South 73°13'30" West, 179.76 feet to a point for corner;
4. South 84°09'01" West, 271.86 feet to a point for corner;
5. South 82°52'57" West, 480.41 feet to a point for corner;
6. South 78°20'09" West, 373.33 feet to a point for corner;
7. South 63°37'07" West, 251.02 feet to a point for corner;
8. South 51°02'52" West, 259.58 feet to a point for corner;
9. South 24°20'18" West, 359.49 feet to a point for corner;
10. South 8°32'39" West, 360.58 feet to a point for corner;
11. South 7°28'58" East, 185.35 feet to a point for corner;
12. South 8°40'20" East, 84.28 feet to a point for corner;
13. South 1°25'32" West, 36.80 feet to a point for corner;
14. South 7°58'28" East, 41.48 feet to a point for corner;
15. South 8°13'32" West, 373.87 feet to a point for corner;
16. South 32°03'32" West, 107.28 feet to a point for corner;
17. South 18°04'32" West, 293.47 feet to a point for corner;
18. South 30°29'32" West, 111.88 feet to a point for corner;
19. South 10°55'32" West, 634.84 feet to a point for corner;
20. South 2°38'32" West, 30.70 feet to a point for corner;
21. South 59°24'28" East, 57.09 feet to a point for corner;
22. South 3°36'28" East, 310.37 feet to a point for corner;

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23. South 16°26'32" West, 278.47 feet to a point for corner;
24. South 17°57'32" West, 322.37 feet to a point for corner;

THENCE, South 32°33'32" West, 792.23 feet departing the northerly bank of the Colorado River and crossing open water, being the current river channel, to the approximate gradient boundary as established by Arthur A. Siles in May and June of 1849 described in instrument recorded in Document No. 2005007845 of the Official Public Records of Travis County, and shown on the survey prepared by Gary Bowes, R.P.L.S., dated January 5, 2017;

THENCE, with said gradient boundary, the following fifteen (15) courses and distances:

1. South 18°15'32" West, 184.88 feet to a point for corner;
2. South 54°33'45" West, 14.42 feet to a point for corner;
3. South 21°12'38" West, 54.99 feet to a point for corner;
4. South 20°24'38" West, 180.48 feet to a point for corner;
5. South 25°20'38" West, 266.18 feet to a point for corner;
6. South 35°00'38" West, 191.08 feet to a point for corner;
7. South 63°20'38" West, 230.38 feet to a point for corner;
8. South 85°23'38" West, 345.07 feet to a point for corner;
9. South 74°43'38" West, 285.17 feet to a point for corner;
10. North 83°23'22" West, 164.86 feet to a point for corner;
11. North 70°42'22" West, 149.99 feet to a point for corner;
12. North 8°07'22" West, 125.76 feet to a point for corner;
13. North 2°09'22" West, 37.00 feet to a point for corner;
14. North 36°43'22" West, 391.48 feet to a point for corner;
15. North 82°28'28" West, 84.13 feet to a point on the aforesaid northerly bank of the Colorado River;

THENCE, continuing with said northerly bank of the Colorado River, the following thirteen (13) courses and distances:

1. South 72°23'05" West, 240.80 feet to a point for corner;
2. South 75°54'59" West, 102.42 feet to a point for corner;
3. South 71°48'25" West, 154.02 feet to a point for corner;
4. South 86°39'02" West, 430.28 feet to a point for corner;
5. South 49°58'40" West, 207.43 feet to a point for corner;
6. South 47°30'21" West, 581.89 feet to a point for corner;
7. South 58°05'38" West, 189.24 feet to a point for corner;
8. South 55°02'40" West, 188.23 feet to a point for corner;
9. South 88°49'50" West, 424.29 feet to a point for corner;
10. South 70°27'25" West, 178.42 feet to a point for corner;
11. South 73°49'49" West, 803.81 feet to a point for corner;
12. South 85°20'01" West, 78.92 feet to a point for corner;
13. South 89°02'33" West, 60.84 feet to a 1/2-inch iron rod with a plastic cap stamped "64A" set on the easterly right-of-way line of aforesaid State Highway No. 130; from which an iron rod with an aluminum cap stamped "TXDOT" found bears North 15°07' West, 9.0 feet;

THENCE, along the easterly right-of-way line of said State Highway No. 130, the following nine (9) courses and distances:

1. North 8°38'56" West, 547.77 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
2. North 1°34'12" West, at a distance of 489.86 feet pass an iron rod with an aluminum cap stamped "LSI" found, at a distance of 1967.98 feet pass an iron rod with an aluminum cap stamped "TXDOT" found, at a distance of 2230.03 feet, pass an iron rod with an aluminum cap stamped "TXDOT" found, in all a total of 3467.78 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;

Austin Green — 1,369.533 Acres  
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 San Antonio, Texas 78216

3. North 59°15'31" East, 166.13 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
4. North 8°13'32" East, 647.24 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
5. North 62°29'43" West, 138.98 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
6. in a northeasterly direction, along a non-tangent curve to the right having a central angle of 21°07'11", a radius of 3458.40 feet, a chord bearing and distance of North 19°25'58" East, 1287.58 feet, and a total arc length of 1274.80 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for a point of tangency;
7. North 29°59'34" East, 421.85 feet to an iron rod with a plastic cap found for corner;
8. South 80°38'48" East, 116.17 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
9. North 28°20'48" East, 83.70 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner at the intersection of the easterly right-of-way line of said State Highway No. 130 with and the southerly right-of-way line of Harold Green Road (variable width);

THENCE, along the right-of-way of Harold Green Road, the following twelve (12) courses and distances:

1. South 60°42'34" East, 418.84 feet to a 5/8-inch iron rod found for corner;
2. North 27°40'14" East, 39.80 feet to a 3/8-inch iron pipe found for corner;
3. North 49°37'28" East, 86.82 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
4. North 27°18'26" East, 819.33 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
5. North 62°41'34" West, 5.00 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
6. North 27°18'28" East, 817.71 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
7. North 82°19'50" West, 38.99 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
8. South 27°18'28" West, 817.87 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
9. North 62°41'34" West, 5.00 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
10. South 27°18'28" West, 819.33 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
11. South 73°18'26" West, 89.45 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
12. North 69°40'52" West, 340.20 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner at the intersection of the northerly right-of-way line of said Harold Green Road with the easterly right-of-way line of said State Highway No. 130;

THENCE, along the easterly right-of-way line of said State Highway No. 130, the following three (3) courses and distances:

1. North 30°02'55" East, 1101.85 feet to a 1/2-inch iron rod found for corner;
2. North 26°27'38" East, 2012.21 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
3. North 27°27'38" East, 444.44 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner on the southerly line of a called 83.54 acre tract of land described in instrument to Jean Barber and Joyce Barefield in Volume 8442, Page 43 of the Official Public Records of Travis County;

THENCE, departing the easterly right-of-way line of said State Highway No. 130, along the southerly easterly and northerly lines of said 83.54 acre tract, the following three (3) courses and distances:

1. South 62°34'45" East, 807.45 feet to a 3/4-inch iron rod found for corner;
2. North 27°18'12" East, 801.87 feet to a 1/2-inch iron pipe for corner;

Austin Green - 1,369.833 Acres  
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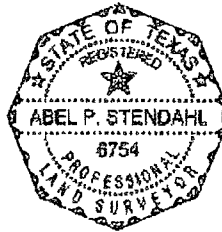
3. North 62°34'38" West, 805.48 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner on the easterly right-of-way line of said State Highway No. 130;

THENCE, along the easterly right-of-way line of said State Highway No. 130, the following eight (8) courses and distances:

1. North 27°27'38" East, 1871.88 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
2. North 32°27'38" East, 1894.54 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
3. North 29°37'24" East, 516.35 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
4. South 61°16'21" East, 91.28 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
5. North 33°24'55" East, 576.88 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
6. North 61°16'21" West, 126.36 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
7. North 26°30'48" East, 430.24 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
8. North 81°18'21" West, 66.31 feet to a 1/2-inch iron rod found marking the southeasterly corner of aforesaid 11.85 acre tract;

THENCE, North 27°28'10" East, 956.85 feet, departing the easterly right-of-way line of said State Highway No. 130 and along the easterly line of said 11.85 acre tract to the POINT OF BEGINNING, and containing 1389.833 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Plane 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 1.00018982. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

  
Abel P. Stendahl  
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Austin Green - 1,389.833 Acres  
Job No. 063897013 - July 23, 2020 - Page 6 of 6

{W0988747.8}

CRP0037

## Exhibit B

### Parcel 2A

Kimley-Horn and Associates, Inc.  
TBPLS Firm No. 10193973  
601 NW Loop 410, Suite 350  
San Antonio, Texas 78216

#### A METES AND BOUNDS DESCRIPTION OF A 442.835 ACRE TRACT OF LAND

BEING a 442.835 acre (19,294,231 square feet) tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 20, Abstract No. 9, Travis County, Texas; and being all of the following five (5) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

1. Called 49.994 acres in Document No. 1999128526;
2. Called 39.355 acres in Document No. 1999128526;
3. Called 67.418 acres in Document No. 2005007841;
4. Called 39.462 acres in Document No. 2008133188;
5. Called 83.636 acres in Volume 11855, Page 872 and Volume 13170, Page 656;

Said 442.835 acre tract also being portions of the following four (4) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

1. Called 85.957 acres in Document No. 1999128526;
2. Called 41.043 acres in Document No. 1999128526;
3. Called 55.289 acres in Document No. 1999128526;
4. Called 50.386 acres in Volume 12328, Page 1109 and Volume 13170, Page 656;

Said 442.835 acre tract being more particularly described as follows:

BEGINNING at an iron rod with an aluminum cap stamped "TXDOT" found at the intersection of the westerly right-of-way line of State Highway No. 130 (variable width) with the southerly right-of-way line of Harold Green Road (variable width);

THENCE, along the westerly right-of-way line of said State Highway No. 130, the following four (4) courses and distances:

1. South 29°59'36" West, 808.45 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
2. South 12°45'03" West, 649.05 feet to an iron rod with an aluminum cap stamped "TXDOT" found for corner;
3. South 18°15'01" East, 401.50 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
4. South 1°34'16" East, 4789.40 feet to a point for corner on the northern bank of the Colorado River;

THENCE, departing the westerly right-of-way line of said State Highway No. 130 and with the northern bank of the Colorado River, the following twenty (20) courses and distances:

1. South 73°31'28" West, 518.69 feet to a point for corner;
2. South 75°14'31" West, 517.84 feet to a point for corner;
3. South 70°35'25" West, 289.36 feet to a point for corner;
4. South 81°59'00" West, 118.76 feet to a point for corner;
5. South 63°21'53" West, 277.05 feet to a point for corner;
6. South 49°47'45" West, 47.81 feet to a point for corner;
7. South 84°44'13" West, 353.84 feet to a point for corner;
8. South 62°39'56" West, 628.76 feet to a point for corner;
9. South 72°28'58" West, 283.05 feet to a point for corner;
10. South 85°13'01" West, 191.18 feet to a point for corner;
11. North 89°48'26" West, 82.76 feet to a point for corner;

Austin Green -- 442.835 Acres  
Job No. 053097013 -- July 29, 2020 -- Page 1 of 3

{W0988747.8}

CRP0038

Kimley-Horn and Associates, Inc.  
TBPLS Firm No. 10193973  
601 NW Loop 410, Suite 350  
San Antonio, Texas 78216

12. North 83°17'22" West, 141.53 feet to a point for corner;
13. North 83°16'02" West, 332.32 feet to a point for corner;
14. North 72°17'22" West, 159.02 feet to a point for corner;
15. North 80°26'20" West, 189.38 feet to a point for corner;
16. North 79°57'31" West, 91.37 feet to a point for corner;
17. South 85°51'23" West, 89.91 feet to a point for corner;
18. North 78°28'17" West, 123.83 feet to a point for corner;
19. North 88°17'42" West, 159.20 feet to a point for corner;
20. North 78°19'58" West, 132.28 feet to a point for corner on the easterly right-of-way line of FM 973 (200 feet wide at this point);

THENCE, along the easterly right-of-way line of said FM 973, the following two (2) courses and distances:

1. North 8°50'09" East, 337.42 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for a point of curvature;
2. in a northwesterly direction, along a tangent curve to the left having a central angle of 29°27'12", a radius of 1422.44 feet, a chord bearing and distance of North 5°35'23" West, 723.19 feet, and a total arc length of 731.22 feet to a Type II DDOT monument found marking the most southerly corner of Lot 77, Block T of Hornsby Glen Subdivision Phase One, plat of which recorded in Document No. 200800276 of the Official Public Records of Travis County;

THENCE, North 27°34'28" East, 1766.31 feet, departing the easterly right-of-way line of said FM 973 and along the easterly line of said Hornsby Glen Subdivision and along the easterly line of Lot 38, Block I of Prado Ranch Subdivision Phase 2, a Small Lot Subdivision, plat of which recorded in Document No. 201600114 of the Official Public Records of Travis County, to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking an interior corner on the southerly line of said Prado Ranch;

THENCE, South 82°35'31" East, 953.08 feet along the southerly line of said Prado Ranch to an iron rod with a plastic cap stamped "BROOKS BAKER" found marking the most southerly corner of said Prado Ranch;

THENCE, North 27°52'09" East, 830.61 feet along the easterly line of said Prado Ranch and along the easterly line of a called 73.843 acre tract of land described in instrument to Project Royal, LP in Document No. 2018037414 of the Official Public Records of Travis County, to a punch hole in a stone found for corner;

THENCE, North 27°04'38" East, 660.72 feet, continuing along the easterly line of said 73.843 acre tract to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;

THENCE, North 27°16'11" East, 2488.49 feet, continuing along the easterly line of said 73.843 acre tract, along the easterly line of a called 1 acre tract of land described in instrument to Conrad Bering in Document No. 2005122840 of the Official Public Records of Travis County, the easterly line of a called 12.394 acre tract of land described in instrument to Conrad Bering, III and Bernadine F. Bering in Document No. 2004055727 of the Official Public Records of Travis County, the easterly line of Green Grove Subdivision, plat of which recorded in Volume 58, Page 95 of the Plat Records of Travis County, and the easterly line of Garden Valley Subdivision, plat of which recorded in Volume 82, Pages 21-22 of the Plat Records of Travis County to an iron rod with a plastic cap stamped "JONES CARTER" found for corner;

THENCE, continuing along the easterly line of said Garden Valley Subdivision, the following five (5) courses and distances:

Austin Green - 442.835 Acres  
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{W0988747.8}

CRP0039



Kimley-Horn and Associates, Inc.  
TBPLS Firm No. 10193973  
801 NW Loop 410, Suite 350  
San Antonio, Texas 78216


1. North 36°55'28" East, 4.04 feet to a an iron rod with a plastic cap stamped "JONES CARTER" found for corner;
2. North 25°50'17" East, 18.98 feet to a 1/2-inch iron rod found for corner;
3. North 27°11'12" East, 110.08 feet to a 1/2-inch iron rod found for corner;
4. North 27°07'48" East, 110.16 feet to a 1/2-inch iron rod found for corner;
5. North 27°20'05" East, 114.61 feet to a 5/8-inch iron rod found marking the most easterly corner of said Garden Valley Subdivision;

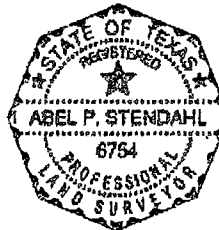
THENCE, North 82°40'56" West, 1729.82 feet along the northerly line of said Garden Valley Subdivision to a 1/2-inch iron rod found on the easterly right-of-way line of aforesaid FM 973 (80 feet wide at this point);

THENCE, North 27°23'32" East, 2115.19 feet along the easterly right-of-way line of said FM 973 to a 1/2-inch iron rod with a plastic cap stamped "KHA" set at the intersection of the easterly right-of-way line of said FM 973 with the southerly right-of-way line of aforesaid Harold Green Road;

THENCE, along the southerly right-of-way line of said Harold Green Road, the following four (4) courses and distances:

1. South 83°00'18" East, 1879.47 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. South 48°55'40" East, 37.77 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
3. South 27°11'17" West, 207.82 feet to a 1/2-inch iron rod found for corner;
4. South 60°00'30" East, 291.78 feet to the POINT OF BEGINNING and containing 442.935 acres of land in Travis County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Grid, Central Zone (FIPS 4203) (NAD83). 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 1.00018982. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

  
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Austin Green - 442.935 Acres  
Job No. 063087013 - July 23, 2020 - Page 3 of 3

{W0988747.8}

CRP0040

## Exhibit B

### Parcel 2B

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

BEING a 0.093 acre (4,033 square feet) tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas; being a portion of a called 55.299 acre tract of land described in instrument to TXI Operations, LP recorded in Document No. 1999124797 of the Official Public Records of Travis County; and being more particularly described as follows:

COMMENCING at a Type II TXDOT monument found on the easterly right-of-way line of FM 973 (200 feet wide at this point) marking the southern-most corner of Lot 77, Block T of Hornsby Glen Subdivision Phase One, plat of which recorded in Document No. 200800276 of the Official Public Records of Travis County;

THENCE, South 27°34'28" West, 303.71 feet departing the easterly right-of-way line and crossing said FM 973 to a 1/2-inch iron rod with a plastic cap stamped "KHA" set on the westerly right-of-way line of said FM 973 marking the southeast corner of a tract of land described in instrument to Travis County recorded in Document No. 2018180189 of the Official Public Records of Travis County for the POINT OF BEGINNING of the herein described tract;

THENCE, in a southeasterly direction, along the westerly right-of-way line of said FM 973, and along a non-tangent curve to the right, a central angle of 8°26'51", a radius of 900.00 feet, a chord bearing and distance of South 2°14'12" East, 148.23 feet, and a total arc length of 148.40 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set at the intersection of the westerly right-of-way line of said FM 973 with the northerly right-of-way line of the original route of FM 973 (100 feet wide);

THENCE, in a northwesterly direction, along the northerly right-of-way line of said original route of FM 973, and along a non-tangent curve to the left, a central angle of 7°10'54", a radius of 622.94 feet, a chord bearing and distance of North 43°14'04" West, 78.03 feet, and a total arc length of 78.08 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the south corner of aforesaid Travis County tract;

THENCE, North 27°34'28" East, 102.87 feet departing the northerly right-of-way line of said original route of FM 973 and along the southeast line of said Travis County tract to the POINT OF BEGINNING, and containing 0.093 acre of land in Travis County, Texas as shown in the document saved in the office of Kinley-Horn and Associates, Inc. in San Antonio, Texas.

*Abel P. Stendahl* 712342020  
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## Exhibit C

Kirley-Horn and Associates, Inc.  
TSP/LS Firm No. 10193973  
601 NW Loop 410, Suite 350  
San Antonio, Texas 78216

### A METES AND BOUNDS DESCRIPTION OF AN 18.082 ACRE TRACT

BEING an 18.082 acre (787,664 square feet) tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas; portions of the following three (3) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

1. Called 32.403 acres in Volume 12326, Page 1109 and Volume 13170, Page 656;
2. Called 143.135 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;
3. Called 44.586 acres in Volume 12326, Page 1154 and Volume 13170, Page 656;

Said 18.082 acre tract being more particularly described as follows:

BEGINNING at an iron rod with an aluminum cap stamped "TXDOT" found at the easterly end of a cut-back corner at the intersection of the westerly right-of-way line of State Highway No. 130 (variable width) with the northerly right-of-way line of Harold Green Road (variable width);

THENCE, North 87°36'46" West, 71.60 feet to an illegible aluminum cap found marking the westerly end of said cutback corner;

THENCE, North 62°35'50" West, 399.88 feet along the northerly right-of-way line of said Harold Green Road to an iron rod with a plastic cap stamped "JONES CARTER" found on the easterly line of a called 29.293 acre tract 2 described in Instrument to Asphalt Inc. LLC in Document No. 2015054699 of the Official Public Records of Travis County;

THENCE, North 27°23'18" East, 94.62 feet, departing the northerly right-of-way line of said Harold Green Road, along the easterly line of said Tract 2 to an iron rod with an aluminum cap stamped "SAM INC" found for corner;

THENCE, North 27°24'19" East, 1198.87 feet, continuing along the easterly line of said Tract 2 and along the easterly line of a called 23.815 acre Tract 1 described in said instrument to Asphalt Inc. LLC to a 1/2-inch iron rod found marking the most easterly corner of said Tract 1, same being the most southerly corner of a called 6.26 acre tract of land described in instrument to Asphalt Inc. LLC in Document No. 2015192760 of the Official Public Records of Travis County;

THENCE, North 26°56'38" East, 160.04 feet along the easterly line of said 6.26 acre tract to a 1/2-inch iron rod found marking the most easterly corner of said 6.26 acre tract, same being the most southerly corner of a called 40.320 acre tract of land described in instrument to Clarke, & Scott Covington in Document No. 2007227493 of the Official Public Records of Travis County;

THENCE, North 27°24'49" East, 854.56 feet along the easterly line of said 40.320 acre tract to an iron rod with an aluminum cap stamped "TXDOT" found on the westerly right-of-way line of aforesaid State Highway no. 130;

Austin Green - 18.082 Acres  
Job No. 063697013 - August 3, 2018 - Page 1 of 2


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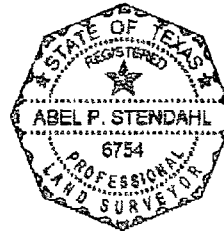
CRP0042

Kimley-Horn and Associates, Inc.  
T&E/LS Firm No. 10193973  
601 NW Loop 410, Suite 350  
San Antonio, Texas 78216

THENCE, departing the easterly line of said 40.320 acre tract and along the westerly right-of-way line of said State Highway No. 130, the following four (4) courses and distances:

1. South 62°02'12" East, 70.20 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. South 12°38'23" West, 1453.28 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for a point of curvature;
3. in a southwesterly direction, along a non-tangent curve to the right having a central angle of 17°35'55", a radius of 1813.45 feet, a chord bearing and distance of South 22°24'04" West, 554.82 feet, and a total arc length of 557.01 feet to an iron rod with an aluminum cap stamped "TXDOT" found for a point of tangency;
4. South 31°31'55" West, 319.93 feet to the POINT OF BEGINNING and containing 18.0823 acres or 787664 square feet of land in Travis County, Texas. The basis of bearing for this description is the Texas State Plane 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 1.00019962. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

  
7/23/2020  
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Austin Green - 16.082 Acres  
Job No. 053897013 - August 3, 2018 - Page 2 of 2

{W0988747.8}

CRP0043

## Exhibit D

Kinley-Horn and Associates, Inc.  
 TSP/LS Firm No. 10193973  
 801 NW Loop 410, Suite 350  
 San Antonio, Texas 78215

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

BEING a 57.935 acre (2,559,245 square feet) tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas; and being a portion of a called 69.542 acre Tract 4 described in Instrument to TKI Operations, LP in Document No. 1999129526 of the Official Public Records of Travis County; and being more particularly described as follows:

**BEGINNING** at a brass disk stamped "TXDOT" found marking an interior corner of the northwesterly right-of-way line of FM 973, being a point at which the right-of-way transitions from 80 feet wide to 200 feet wide, same being the most southerly corner of said Tract 4;

**THENCE**, North 62°53'55" West, along the southwesterly line of said Tract 4, at a distance of 121.28 feet pass a brass disk stamped "TXDOT" found marking the northerly corner of the 200 feet wide portion of said FM 973, continuing along the southwesterly line of said Tract 4 and along the northeasterly line of a called 285.287 acre tract described in Instrument to the City of Austin in Volume 9247, Page 710 of the Official Public Records of Travis County, for a total distance of 835.84 feet to a 60D nail found marking the most westerly corner of said Tract 4, same being an interior corner on the easterly line of said 285.287 acre tract;

**THENCE**, along the northwesterly line of said Tract 4 and along the southeasterly line of said 285.287 acre tract, the following two (2) courses and distances:

1. North 27°38'22" East, 340.69 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. North 27°30'13" East, 1533.47 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner on the southwesterly right-of-way line of said Platt Lane (48 feet wide);

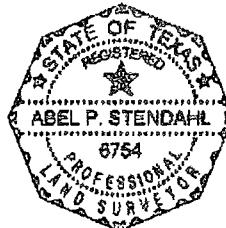
**THENCE**, along the southwesterly and southeasterly right-of-way lines of said Platt Lane, the following three (3) courses and distances:

1. South 61°47'04" East, 20.00 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. North 27°42'13" East, 1548.58 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
3. South 61°44'17" East, 739.95 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner on the northwesterly right-of-way line of the road FM 973;

**THENCE**, along the northwesterly right-of-way line of said FM 973, the following three (3) courses and distances:

1. South 27°24'17" West, 2221.75 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. South 27°15'17" West, 840.05 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
3. South 27°15'17" West, 484.17 feet to the POINT OF BEGINNING, said containing 57.935 acres of land in Travis County, Texas, as shown in the document prepared in the office of Kinley-Horn and Associates, Inc. in San Antonio, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Grid, Central Zone (FIPS 4203) (NAD83). All distances are in the Grid and shown in U.S. Survey Feet.

*Abel P. Stendaahl*  
 7/23/2020  
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## Exhibit E

Kimley-Horn and Associates, Inc.  
 TBPLS Firm No. 10193973  
 601 NW Loop 410, Suite 350  
 San Antonio, Texas 78216

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

BEING a 223.487 acre (9,735,090 square feet) tract of land situated in the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas; and being all or a called 223.497 acre tract of land described in instrument to TXI Operations, LP in Document No. 2005402939 of the Official Public Records of Travis County; and being more particularly described as follows:

**BEGINNING** at an iron rod with a plastic cap stamped "BROOKS & BAKER SURVEYORS" found on the southeasterly right-of-way line of FM 973 (84 feet wide) marking the most northerly corner of a called 15.613 acre tract of land described in instrument to NACC Holdings LLC in Document No. 2014026760 of the Official Public Records of Travis County;

**THENCE**, along the southeasterly right-of-way line of said FM 973, the following three (3) courses and distances:


1. North 27°40'54" East, 750.98 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;
2. North 27°35'54" East, 4106.85 feet to a 1/2-inch iron rod found for corner;
3. North 27°46'03" East, 637.35 feet to a 1/2-inch iron rod found marking the most westerly corner of a called 58.16 acre tract of land described in instrument to Foster Legacy, LLC in Document No. 2007030438 and 2007030439 of the Official Public Records of Travis County;

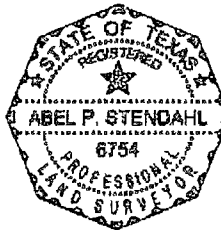
**THENCE**, South 63°23'20" East, 1719.94 feet, departing the southeasterly right-of-way line of said FM 973 and along the southwesterly line of said 58.16 acre tract to an iron rod with an aluminum cap stamped "TXDOT" found marking the most southerly corner of said 58.16 acre tract on the northwesterly line of a called 20 acre tract of land described in instrument to Paula Kay Kluge Callahan in Volume 5401, Page 1767 of the Official Public Records of Travis County;

**THENCE**, South 27°27'37" West, 5047.13 feet along the northwesterly line of said 20 acre tract, along the northwesterly line of a called 21.85 acre tract of land described in instrument to Paula Kay Kluge Callahan in Volume 3638, Page 477 of the Deed Records of Travis County, and along the northwesterly right-of-way line of State Highway No. 130 (variable width) to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;

**THENCE**, South 27°52'15" West, 585.10 feet, continuing along the northwesterly right-of-way line of said State Highway No. 130 to the most easterly corner of a called 15.613 acre tract; from which an iron rod with an aluminum cap stamped "TXDOT" bears South 25°36" West, 2.8 feet;

**THENCE**, North 63°23'08" West, 1723.19 feet, departing the northwesterly right-of-way line of said State Highway No. 130 and along the southeasterly line of said 15.613 acre tract to the POINT OF BEGINNING, and containing 223.487 acre of land in Travis County, Texas, as shown in the document prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Grid, Central Zone (FIPS 4253) (NAD83). All distances are in the Grid and shown in U.S. Survey Feet.

  
 7/23/2020  
 Abel P. Stendahl  
 Registered Professional Land Surveyor No. 6754  
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{W0988747.8}

CRP0045

Exhibit F

To Special Warranty Deed  
Permitted Exceptions

**THE FOLLOWING RESTRICTIVE COVENANTS:**

Volume 2392, Page 86 of the Deed Records (PARCEL 1, TRACT 39); and

Volume 7618, Page 244 of the Deed Records (PARCEL 1, TRACT 3A).

**THE FOLLOWING APPLY(IES) TO PARCEL 1**

- a. INTENTIONALLY DELETED
- b. INTENTIONALLY DELETED
- c. INTENTIONALLY DELETED
- d. INTENTIONALLY DELETED
- e. INTENTIONALLY DELETED
- f. INTENTIONALLY DELETED
- g. INTENTIONALLY DELETED
- h. INTENTIONALLY DELETED
- i. INTENTIONALLY DELETED
- j. An undivided non-participating one-half (1/2) royalty interest in all oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded in Volume 2392, Page 86 of the Deed Records of Travis County, Texas. (TRACT 39)
- k. A pipe line easement granted to Lone Star Gas Company, dated November 16, 1964, as described in Volume 2932, Page 585 of the Deed Records of Travis County, Texas. (TRACT 1)
- l. A pipeline easement granted to Lone Star Gas Company, as described in Volume 2940, Page 1907 of the Deed Records of Travis County, Texas, and being affected by Partial Release recorded under Document No. 2000013887 of the Official Public Records of Travis County, Texas. (TRACTS 7, 8, 10, 18 AND 25)
- m. Pipeline easements granted to Lone Star Gas Company, as described in Volume 3426, Page 1613, Volume 3426, Page 1615 and Volume 3426, Page 1617 of the Deed Records of Travis County, Texas. (TRACTS 36, 37 AND 38)

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- n. Pipeline easement granted to Lone Star Gas Company, as described in Volume 3617, Page 1905 of the Deed Records of Travis County, Texas. (TRACTS 36, 37 AND 38)
- o. A pipeline easement granted to Lone Star Gas Company, as described in Volume 3618, Page 340 of the Real Property Records of Travis County, Texas, and as affected by Partial Release of Easement recorded under Document No. 2000013887 of the Official Public records of Travis County, Texas. (TRACTS 7, 8, 10, 18 AND 25)
- p. A pipeline easement granted to Lone Star Gas Company, as described in Volume 3627, Page 940 of the Deed Records of Travis County, Texas. (TRACT 38)
- q. Electric and telephone easement granted to the City of Austin, dated September 12, 1973, recorded in Volume 4734, Page 1881 of the Real Property records of Travis County, Texas, as shown on survey of Parcel 1 dated July 23, 2020, prepared by Abel P. Stendahl, Registered Professional Surveyor No. 6754 (the "Parcel 1 Survey"). (TRACTS 37 AND 38)
- r. Electric and telephone easements granted to the City of Austin, recorded in Volume 4734, Page 1887 and Volume 4734, Page 1914 of the Real Property records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 36, 37 AND 38)
- s. Electric and telephone line easement granted to the City of Austin by instrument dated February 26, 1975, recorded in Volume 5147, Page 479 of the Deed Records of Travis County, Texas. (TRACTS 3, 3A, 4, 5, 13, 14 AND 15)
- t. An electric transmission line right of way and easement awarded to the City of Austin by Judgment entered in Cause No. 1025 in the County Court at Law Number No 1025, in Travis County, Texas a certified copy of which is recorded in Volume 6167, Page 808 of the Deed Records of Travis County, Texas. Said Judgment modified by amended Final Judgment, a certified copy of which is recorded in Volume 6178, Page 173 of the Deed Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 1)
- u. An electric transmission line easement awarded to the City of Austin by Judgment dated October 10, 1980, described in Volume 7122, Page 1145 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 25)
- v. An electric transmission line easement, granted to the City of Austin, as described in Volume 7122, Page 1153 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)
- w. An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, reserved by Marian Marley McCrummen and Diane Marley Dailey in deed dated October 23, 1981, recorded in Volume 7617, Page 136 of the Deed Records of Travis County, Texas.



(TRACT 3)

- x. An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, reserved by Marian Marley McCrummen and Diane Marley Dailey in deed dated October 23, 1981, recorded in Volume 7618, Page 244 of the Deed Records of Travis County, Texas. (TRACT 3A)
- y. An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, reserved by Marian Marley McCrummen and Diane Marley Dailey in deed dated October 23, 1981, recorded in Volume 7617, Page 143 of the Deed Records of Travis County, Texas. (TRACTS 4 AND 5)
- z. An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, reserved in deed recorded in Volume 7637, Page 406 of the Deed Records of Travis County, Texas. (TRACT 12)
- aa. An 85 foot wide public utility easement, granted to the City of Austin, as described in Volume 8915, Page 87 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)
- bb. Electric and telephone easement, granted to the City of Austin, dated March 18, 1985, recorded in Volume 9083, Page 604 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 32)
- cc. Electric and telephone easement, granted to the City of Austin, dated March 18, 1985, recorded in Volume 9083, Page 606 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 20)
- dd. An underground telecommunication systems and lines easement granted to the Southwestern Bell Telephone Company, dated September 13, 1985, as described in Volume 9453, Page 132 of the Deed Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 1)
- ee. A 30 foot public utility easement, granted to the City of Austin, as described in Volume 9495, Page 787 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)
- ff. All oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded in Volume 10967, Page 1219 of the Real Property Records of Travis County, Texas. (TRACT 25)
- gg. INTENTIONALLY DELETED
- hh. A 20 foot pipeline easement granted to Koch Refining Company, as described in Volume 11023, Page 686 of the Real Property Records of Travis County, Texas,

and as amended in Volume 11051, Page 786 of the Real Property Records of Travis County, Texas, and as amended under Document No. 2011054916 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 36, 37 AND 38)

ii. A pipeline easement granted to Koch Refining Company, as described in Volume 11031, Page 366 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)

jj. A pipeline right-of-way easement granted to Koch Refining Company, by instrument dated September 12, 1989, as described in Volume 11043, Page 496 of the Real Property Records of Travis County, Texas, and being amended under Document No. 2011047792 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 1)

kk. A pipeline right-of-way easement granted to Koch Refining Company, by instrument dated September 12, 1989, as described in Volume 11043, Page 504 of the Real Property Records of Travis County, Texas, and being assigned to Flint Hills Resources Corpus Christi, LLC by instrument recorded under Document No(s). 2011042154 and 2011147986 of the Official Public Records of Travis County, Texas, and being amended under Document No. 2011047791 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 25)

ll. INTENTIONALLY DELETED

mm. INTENTIONALLY DELETED

nn. A 50 foot by 50 foot dehydration facilities, measuring facilities, cathodic protection equipment and aerial markers easement, granted to Enserch Corporation, as described in Volume 12640, Page 575 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 25)

oo. A roadway easement granted to Enserch Corporation, as described in Volume 12640, Page 581 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 25)

pp. Electric distribution line or system, telecommunication systems and equipment or other services and systems easement, granted to Bluebonnet Electric Cooperative, Inc., as described in Volume 12643, Page 447 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 25, 36, 37, 38 AND 39)

qq. Drainage easement granted to the City of Austin by instrument dated February 21, 1996, recorded in Volume 12647, Page 12 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 1, 24, 25 AND 29)

rr. A 100 foot electric transmission easement, granted to the City of Austin, by

instrument dated August 2, 1996, as described in Volume 12774, Page 1712 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 7)

- ss.** Electric utility easement granted to the City of Austin by instrument dated April 23, 1997, recorded in Volume 12921, Page 524 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 3)
- tt.** Drainage easement granted to the City of Austin by instrument dated May 8, 1997, recorded in Volume 12932, Page 520 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 3 AND 5)
- uu.** Drainage easement granted to the City of Austin by instrument dated October 2, 1998, recorded in Volume 13294, Page 4 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 16)
- vv.** Drainage easement granted to the City of Austin by instrument dated October 2, 1998, recorded in Volume 13294, Page 11 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 21)
- ww.** Reciprocal ingress and egress easement granted to TXI Operations, LP, et al, by instrument dated November 4, 1998, as described in Volume 13304, Page 3314 of the Real Property Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 1, 2, 12, 14, 23, 24, 25, 27, 28, 29, 32 AND 35)
- xx.** Drainage easement granted to the City of Austin by instrument dated October 15, 1999, recorded under Document No. 1999126250 of the Official Public Records of Travis County, Texas, as shown on the Survey. (TRACT 15)
- yy.** A varied width drainage easement granted to the City of Austin, by instrument dated March 21, 2000, as described under Document No. 2000041514 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 10)
- zz.** A portion of a drainage easement, granted to the City of Austin, as shown and described under Document No. 2002020226 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 39)
- aaa.** A 135.098 acre drainage easement, granted to the City of Austin, as shown and described under Document No. 2004222994 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)
- bbb.** Access limitation as set out in deed dated December 8, 2004 and recorded under Document No. 2005005797 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 18)
- ccc.** Electric utility easements granted to the City of Austin by instrument recorded under Document No. 2005163684 of the Official Public Records of Travis County,

Texas, as shown on the Parcel 1 Survey. (TRACTS 38 AND 39)

- ddd.** A pipeline Easement granted to Atmos Energy Corporation, as described under Document No. 2005206101 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 38)
- eee.** A pipeline easement granted to Atmos Energy Corporation, as shown and described under Document No. 2005206102 of the Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACT 39)
- fff.** Access limitation as set out in deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 10, 17, 36, 37, 38 AND 39)
- ggg.** Electrical transmission line easement granted to LCRA Transmission Services Corporation, by Agreed Final Judgment dated July 10, 2012, as described under Document No. 2012113094 of Official Public Records of Travis County, Texas, as shown on the Parcel 1 Survey. (TRACTS 1, 10, 18, 25, 36, 37, 38 AND 39).
- hhh.** Electrical easement granted to Bluebonnet Cooperative, Inc. by instrument dated June 9, 2011, as described under Document No. 2012116800 of Official Public Records of Travis County, Texas. (TRACT 1)
- iii.** INTENTIONALLY DELETED

**THE FOLLOWING APPLY(IES) TO PARCEL 2:**

- jjj.** INTENTIONALLY DELETED
- kkk.** INTENTIONALLY DELETED
- lll.** INTENTIONALLY DELETED
- mmm.** INTENTIONALLY DELETED
- nnn.** INTENTIONALLY DELETED
- ooo.** INTENTIONALLY DELETED
- ppp.** INTENTIONALLY DELETED
- qqq.** INTENTIONALLY DELETED
- rrr.** INTENTIONALLY DELETED
- sss.** An undivided non-participating one-half (1/2) royalty interest in all oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded in Volume 2392, Page 86 of the Deed Records of Travis County, Texas. (TRACT 7)

- ttt.** INTENTIONALLY DELETED
- uuu.** INTENTIONALLY DELETED
- vvv.** INTENTIONALLY DELETED
- www.** A 30 foot wide public utility easement granted to the City of Austin, as described in Volume 8876, Page 818 of the Real Property Records of Travis County, Texas, as shown on survey of Parcel 2 dated July 23, 2020, prepared by Abel P. Stendahl, Registered Professional Land Surveyor No. 6754 (the "Parcel 2 Survey"). (TRACT 7)
- xxx.** A 30 foot public utility easement granted to the City of Austin, by instrument dated January 29, 1985, as described in Volume 9069, Page 524 of the Real Property Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 5)
- yyy.** INTENTIONALLY DELETED
- zzz.** A 100 foot electric transmission easement, granted to the City of Austin, by instrument recorded in Volume 12774, Page 1712 of the Real Property Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 2)
- aaaa.** A 100 foot electric transmission easement and slope easements, granted to the City of Austin, by instrument dated November 15, 1996, as described in Volume 12821, Page 833 of the Real Property Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 5)
- bbbb.** A 100 foot wide electric transmission easement, granted to the City of Austin, as shown and described in Volume 12823, Page 2779 of the Real Property Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 7)
- cccc.** INTENTIONALLY DELETED
- dddd.** INTENTIONALLY DELETED
- eeee.** A varied width drainage easement granted to the City of Austin, by instrument dated March 21, 2000, as described under Document No. 2000041514 of the Official Public Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACTS 2 AND 4)
- ffff.** A 10.671 acre drainage easement, granted to the City of Austin, by instrument dated January 25, 2002, as described under Document No. 2002020227 of the Official Public Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 5)
- gggg.** A drainage easement granted to the City of Austin, as shown and described under Document No. 2004052271 of the Official Public Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 7)

**hhhh.** Access limitation as set out in deed dated December 8, 2004 and recorded under Document No. 2005005797 of the Official Public Records of Travis County, Texas. (TRACT 6)

**iiii.** Access limitation as set out in deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public Records of Travis County, Texas, as shown on the Parcel 2 Survey. (TRACT 8)

**jjjj.** INTENTIONALLY DELETED

**THE FOLLOWING APPLY(IES) TO PARCEL 3:**

**kkkk.** INTENTIONALLY DELETED

**llll.** INTENTIONALLY DELETED

**mmmm.** INTENTIONALLY DELETED

**nnnn.** INTENTIONALLY DELETED

**oooo.** INTENTIONALLY DELETED

**pppp.** INTENTIONALLY DELETED

**qqqq.** INTENTIONALLY DELETED

**rrrr.** INTENTIONALLY DELETED

**ssss.** INTENTIONALLY DELETED

**tttt.** INTENTIONALLY DELETED

**uuuu.** Access limitation as set out in deed dated November 21, 2005 and recorded under Document No. 2005234865 of the Official Public records of Travis County, Texas, as shown on survey of Parcel 3 dated July 23, 2020, prepared by Abel P. Stendahl, Registered Professional Land Surveyor No. 6754.

**THE FOLLOWING APPLY(IES) TO PARCEL 4:**

**vvvv.** INTENTIONALLY DELETED

**wwww.** INTENTIONALLY DELETED

**THE FOLLOWING APPLY(IES) TO PARCEL 5:**

**xxxx.** INTENTIONALLY DELETED

**yyyy.** INTENTIONALLY DELETED

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- zzzz.** An undivided non-participating one-sixteenth (1/16th) royalty interest in all oil, gas and other minerals, together with all rights relating thereto, express or implied, conveyed in instrument recorded in Volume 589, Page 637 of the Deed Records of Travis County, Texas.
- aaaaa.** INTENTIONALLY DELETED
- bbbbb.** INTENTIONALLY DELETED
- cccc.** INTENTIONALLY DELETED
- ddddd.** A 5 foot wide electric and telephone lines and systems easement granted to the City of Austin, as described in Volume 2022, Page 27 of the Deed Records of Travis County, Texas, as shown on survey of Parcel 3 dated July 23, 2020, prepared by Abel P. Stendahl, Registered Professional Land Surveyor No. 6754 (the "Parcel 5 Survey").
- eeeee.** A 5 foot wide electric and telephone lines and systems easement granted to the City of Austin, as described in Volume 2022, Page 35 of the Deed Records of Travis County, Texas, as shown on the Parcel 5 Survey.
- ffff.** INTENTIONALLY DELETED
- ggggg.** INTENTIONALLY DELETED
- hhhhh.** INTENTIONALLY DELETED
- iiii.** INTENTIONALLY DELETED
- jjjj.** INTENTIONALLY DELETED
- kkkkk.** INTENTIONALLY DELETED
- llll.** A pipeline easement granted to Lone Star Gas Company, as described in Volume 3940, Page 357 of the Deed Records of Travis County, Texas, as shown on the Parcel 5 Survey.
- mmmmm.** A pipeline easement granted to Koch Refining Company, as shown and described in Volume 11051, Page 608 of the Real Property Records of Travis County, Texas, as shown on the Parcel 5 Survey.

THE FOLLOWING APPLY(IES) TO ALL PARCELS UNLESS OTHERWISE SPECIFIED:

- nnnnn.** Terms, conditions and stipulations contained in that certain Lease Agreement of even date herewith by and between Martin Marietta Materials, Inc., a North Carolina corporation, as Tenant and Colorado River Project, LLC, a Delaware limited liability company, as Landlord, as evidence by Memorandum of Lease to be recorded in the Official Public Records of Travis County, Texas.

- ooooo. INTENTIONALLY DELETED
- ppppp. INTENTIONALLY DELETED
- qqqqq. Public utility easement granted to the City of Austin, by instrument dated May 2, 1984, recorded in Volume 8876, Page 820 of the Real Property Records of Travis County, Texas, as shown on the Parcel 2 Survey. (PARCEL 2 - TRACT 2)
- rrrrr. Public utility easement granted to the City of Austin, by instrument dated May 2, 1984, recorded in Volume 8876, Page 822 of the Real Property Records of Travis County, Texas. (PARCEL 2 - TRACT 2)
- sssss. INTENTIONALLY DELETED
- ttttt. Overhead electric easement traversing through the property as shown on Parcel 2 Survey. (PARCEL 2 - TRACTS 1 AND 3)

11-GF# 202000867 JPB  
RETURN TO: HERITAGE TITLE  
401 CONGRESS, SUITE 1500  
AUSTIN, TEXAS 78701