

Control Number: 51166



Item Number: 1

Addendum StartPage: 0

PUC DOCKET NO. _____ AUG 1 3 2020

PETITION BY COLORADO RIVER PROJECT, LLC.	§ 8	BEFORE THE
FOR EXPEDITED RELEASE	\$ §	PUBLIC UTILITY COMMISSION CLERK
FROM CCN NO. 11978 AND CCN NO. 20650 NOW HELD BY	8 §	
SWWC UTILITIES, INC. d/b/a HORNSBY BEND UTILITY	§ §	OF TEXAS

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:

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 60th 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. 179 1500

iscotta fsc. legal

Franklin Scott Conway LLP

405 West 14th 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 13th 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

PUC DOCKET NO. ----

PETITION BY COLORADO	§
RIVER PROJECT, LLC	§ PUBLIC UTILITY COMMISSION
FOR EXPEDITED RELEASE	§
FROM WATER CCNNO. 11978	§
AND SEWER CCN NO. 20650	§
HELD BY SWWC UTILITIES, INC.	§
D/B/A HORNSBY BEND UTILITY	§

AFFIDAVIT OF ROHAN PATEL IN SUPPORT OF PETITION FOR EXPEDITED RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541

REFORE THE TEVAS

STATE OF Pennsylvania COUNTY OF BUCKS

BEFORE ME, the undersigned notary, personally appeared Rohan Patel, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

- 1. "My name is Rohan Patel. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.
- I am the Rohan Patel an authorized representative of the Colorado River Project, LLC, ("Petitioner") the Petitioner in the above-captioned matter. Colorado River Project, LLC has authorized the filing of its Petition for Expedited Release from the water and sewer Certificates of Convenience and Necessity No. 11978 and No. 20650 ("Petition") currently held by SWWC Utilities, Inc. d/b/a Hornsby Bend Utility ("Hornsby") pursuant to Texas Water Code § 13.2541.
- 3. Petitioner owns approximately 2,122.27 acres of land, a portion of which appears to be located within the boundaries of water and sewer Certificates of Convenience and Necessity No. 11978 and No. 20650 issued to Hornsby. This property is located in Travis County, Texas. Exhibit B attached to Petition are true and correct copies of the maps identifying the property's location. Exhibit C attached to Petition are true and correct copy of the deed demonstrating ownership of the property.
- 4. The property in question is not receiving water or sewer service from Hornsby or any other water or sewer service provider. The property has not requested water or sewer service from Hornsby or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the property.
- 5. I request that the Public Utility Commission on Texas release this property from water CCN No.11978 and sewer CCN No. 20650."

FURTHER AFFIANT SAYETH NOT.

ROHAN PATEL, AFFIANT

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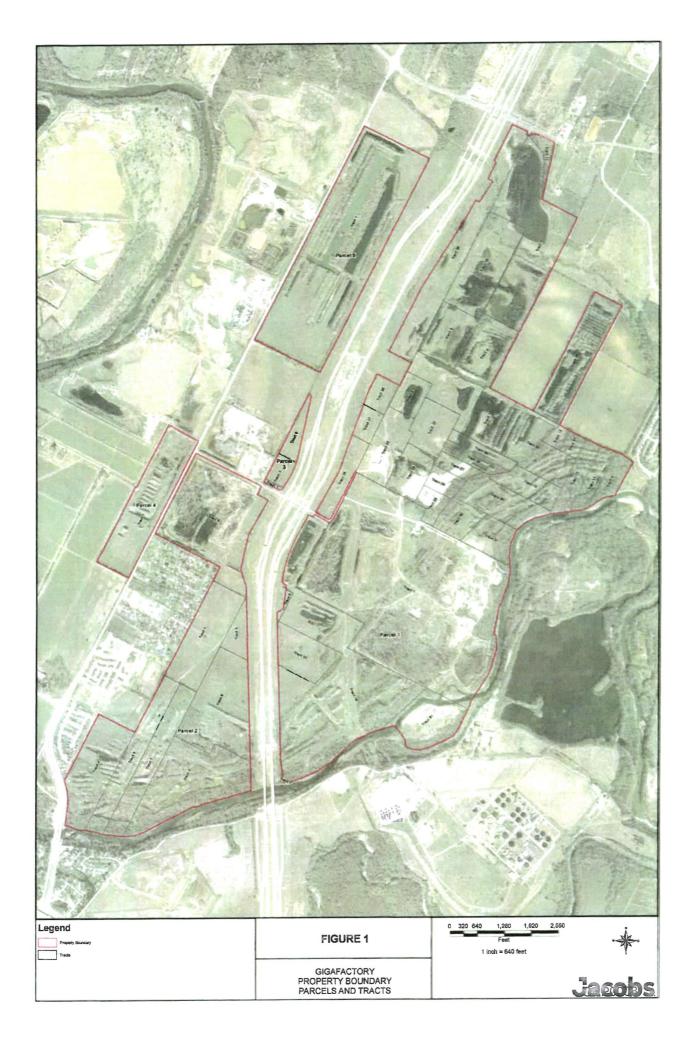
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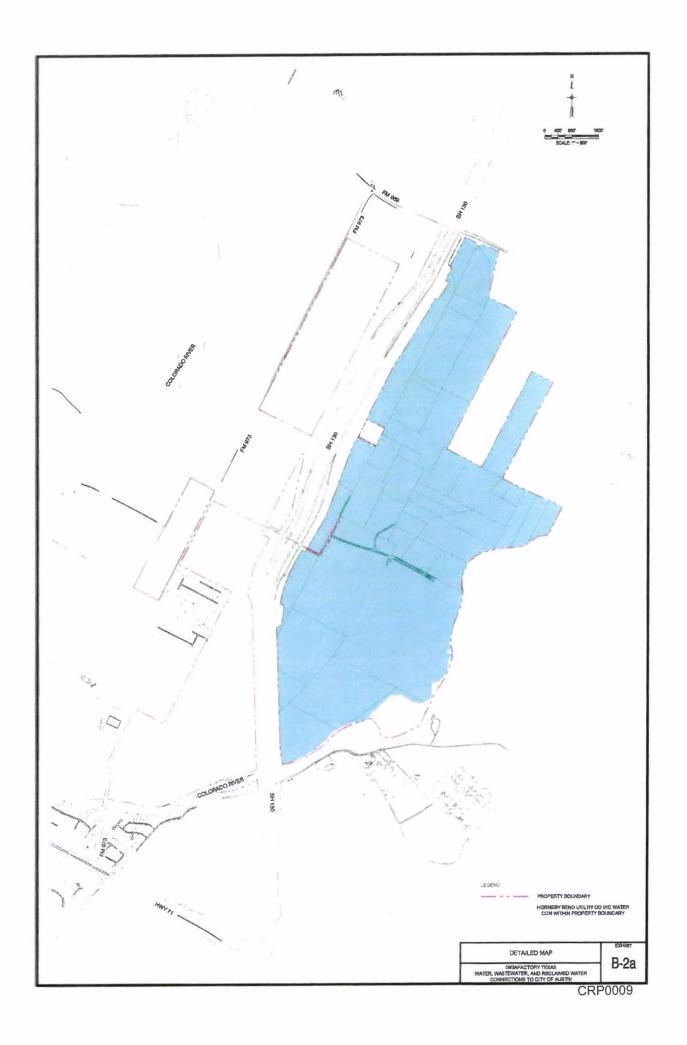
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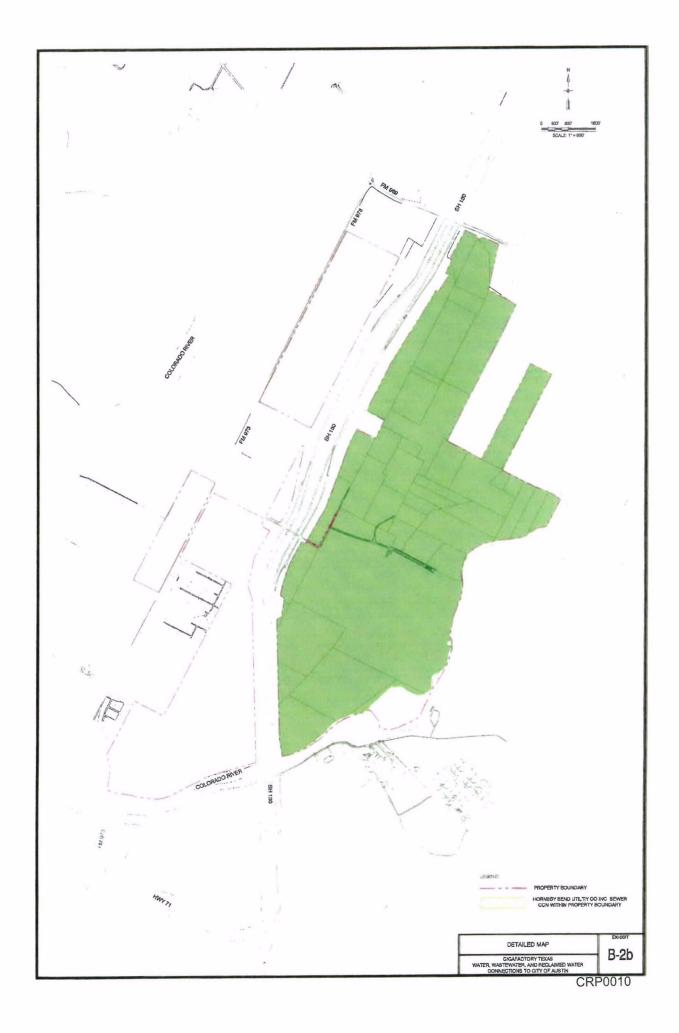
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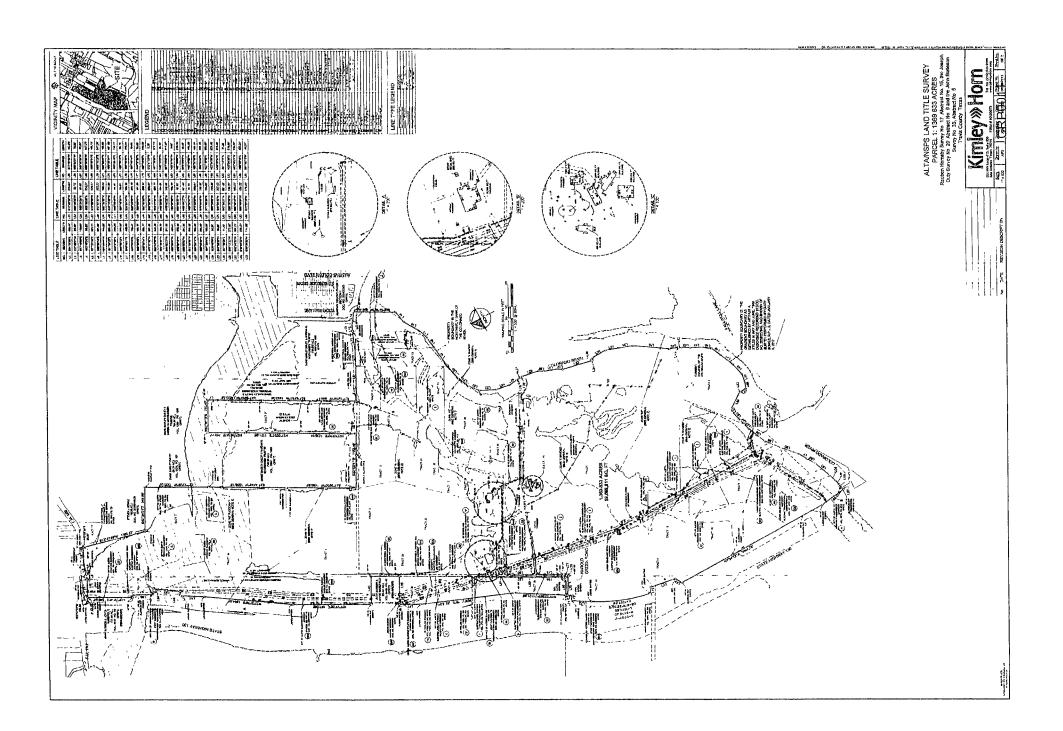
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Joshua C. Owens, Notary Public
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MY COMMISSION EXPIRES November 21, 2020











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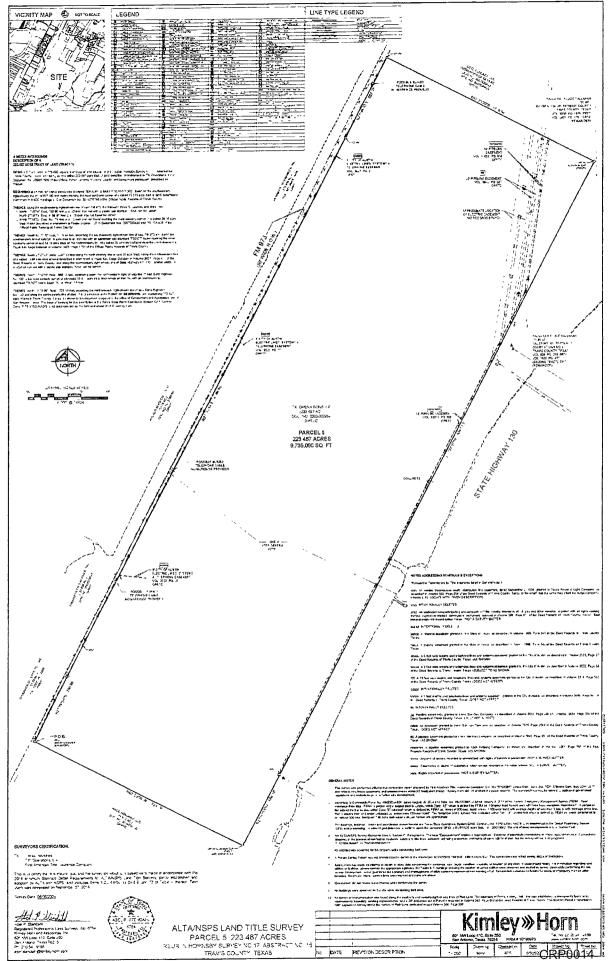
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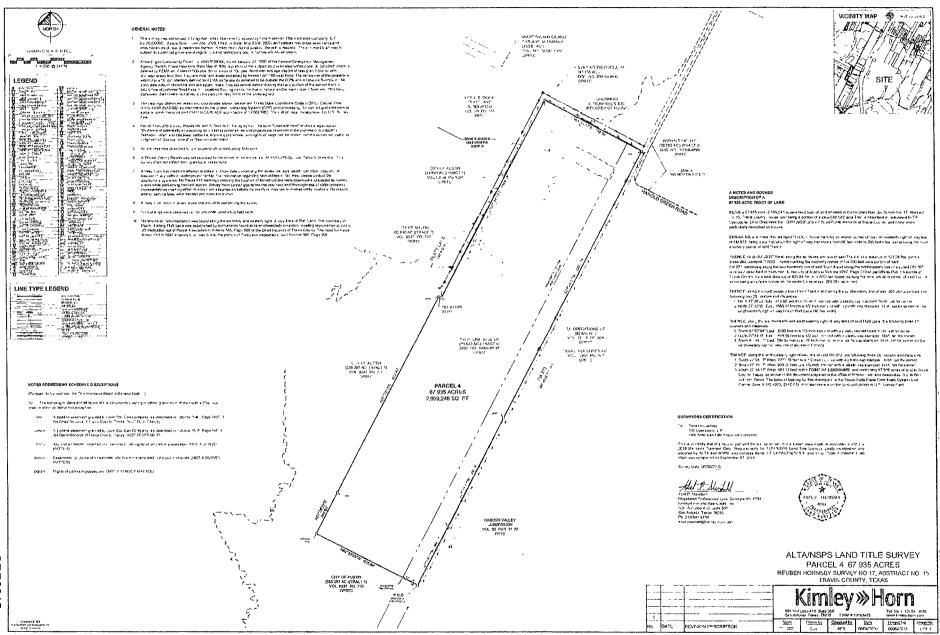
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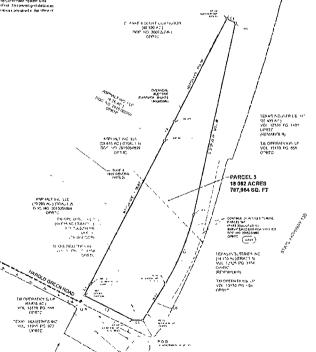
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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR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

SPECIAL WARRANTY DEED

THAT TXI OPERATIONS, LP, a Delaware limited partnership (which, because of a scriveners 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). 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.

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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]

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IN WITNESS WHEREOF, effective as of the 3151 day of July, 2	Grantor has executed this Special Warranty Deed to be 020.
	GRANTOR:
	TXI OPERATIONS, LP, a Delaware limited liability company
	By: Roselyn R. Bar Authorized Representative
STATE OF NORTH CAROLINA	§ 8
COUNTY OF WAKE	§ §
that Roselyn R. Bar, personally can Authorized Reprentative of TXI Opera authorized to do so, executed the foreg	a Notary Public of Durham County, North Carolina, certify ne before me this day and acknowledged that she is the ations, LP, and that he/she, as authorized representative, being oing on behalf of the limited partnership. Seal, this the 284 day of July, 2020.
Official Seal)	Signature of Notary Notary Public: Barbara D. Johnson Notary printed or typed name

My Commission expires: March 17, 2024

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GR	Δ	N	ΓF	F.

COLORADO RIVER PROJECT, LLC, a Delaware limited liability company

By: Rohan

litle: Assistant :

STATE OF <u>Maryland</u>)

COUNTY OF Montgomery Count)

This instrument was acknowledged and executed before me this 27 day of Nohan Pake! Assign t Secretary of

Colorado River Project, a Delaware limited liability company, on behalf of said company.

Notary Public

SHASHIKANT M. DUNGHE

VOTARY PUBLIC STATE OF MARYLAND

ION Expires: My Commission Expires April 1, 2023

My Commission Expires:_

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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

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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.

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- 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.

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- 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.

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- 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.

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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.

Exhibit A

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

A METES AND BOUNDS DESCRIPTION OF A 1,369.833 ACRETRACT OF LAND

BERIG 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 Barteson Survey No. 33, Abstract No. 5, Travis County, Texas, and being all of the following oventy-eight (28) tracts, all of which are conveyed to Texas Industries, Inc. and to TXI Operations L.P.:

- Called 353.08 acres to Volume 12448, Page 737 and Volume 13170, Page 856; Called 85.12 acres in Volume 12448, Page 737 and Volume 13170, Page 856;
- Called 102.188 acras in Volume 12883, Page 2001;
- Called 29.008 acres in Volume 12593, Page 2001;
- Called 10.743 acres in Volume 12593, Page 2001;
- Called 22.911 acres in Volume 5705, Page 1656 and Volume 13170, Page 856;
- Called 19.253 acres in Volume 13364 , Page 3308;
- Called 4.591 zeres in Volume 13304, Page 3306;
- Called 16.931 acres in Volume 13384, Page 3308; 10. Called 52.487 acres in Volume 13088, Page 429;
- 11. Called 194.924 acres in DocumentNumber 2005007841;
- 12. Called 51.32 agres 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 9872 Page 77 and Volume 13170, Page 656;
- 15. Called 14.272 acres in Volume 12328, Page 1154 and Volume 13170, Page 658;
- 16. Called 21.160 acres in Volume 12326, Page 1154 and Volume 13170, Page 856;
- 17. Called 30.531 acres in Volume 10067, Page 1219 and Volume 13170, Page 856;
- 18 Galled 32,738 acres in Volume 12320, Page 1164 and Volume 13170, Page 656;
- 19. Called 8.051 acres in Volume 12326, Page 1154 and Volume 13170, Page 658;
- 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 856; 22. Called 15.981 acres in Volume 12326, Page 1154 and Volume 13170, Page 858;
- 23. Called 19.127 acres in Volume 12328, Page 1154 and Volume 13170, Page 659;
- 24. Called 45.874 acres in Volume 12270, Page 1633 and Volume 13170, Page 658; 25. Called 13.853 acres in Volume 12326, Page 1149 and Volume 13170, Page 656,
- 28. Called 10.274 acres in Volume 12320, Page 1164 and Volume 13170, Page 856; 27. Called 9.825 acres in Volume 12328, Page 1154 and Volume 13170, Page 656; 28. Called 33.35 acres in DocumentNumber 2005007845;

Said 1,309.833 acre tractalso being postions 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 DocumentNumber 1999 129520;
- 2. Called 41.043 agres in DocumentNumber 1888 128526.
- 3. Called 33.214 agres in Document Humber 1999 129526;
- Called 3.214 acres in Volume 13098, Page 421;
 Called 44.588 acres in Volume 12928, Page 1154 and Volume 13170, Page 856;
- Called 15.959 acres in Volume 12326, Page 1154 and Volume 13170, Page 556;
- Called 15.968 acres in Volume 12326, Page 1 154 and Volume 13170, Page 858; Called 15.951 acres in DocumentNumber 1999148757;

Said 1,389.833 acre tract being more particularly described as follows:

BEGRHING at an iron rod with an aluminum cap stamped "TXDOT" found on the southerly right of way line of PM 989 (variable width) marking the most northeastery corner of a called 11.65 acre tract of land described as Tract3-5 in instruments Jean Barber and Joyce Barefield in Volume 8442, Page 43 of the Official Public

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Kimley-Hom and Associates, Inc. TBPLS Firm No. 10193973 601 NW Loop 410, Suite 350 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 969, the following six (8) courses and distances:

- 1. South 64°08'59' East, 395.42 feet to an iron rod with an eluminum cap stamped "TXDOT" found for
- 2. South 22°49'01" West, 61.03 feet to an iron rod with a plastic capatemped "JONES CARTER" found
- 3. South 67*10'59" East, 109.99 feet to an iron rod with a pleastic cap stamped "JONES CARTER" found
- 4. North 22°49'01' East, 60.53 feet to an iron rod with a pleate explanation and "AONES CARTER" found for
- 5. South 77132119* East, 201.71 (see to an iron rod with an aluminum cap stampad "TXDOT" found for corner:
- 6. South 65'00'13" East, 381.86 feet to a 3/8-iron rod found for comer on the westerly line of a called 19.89 acre tract of land described in Instrument to Steven J. Howle in Document No. 2005016438 of the Official Public Records of Travis County, from which a 4-inch by 4-inch concrete monument found marking the most northwesterfy comer 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:

- South 12'47'48" West, 1965.57 feetto a atone with an "X" cut for corner;
 South 62'34'51" East, 946.98 feet to a 1/2-inch iron rod with a plastic cap stemped "KHA" zat for corner on the westerly line of a called 69.21 agretract 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 feetalong the westerly line of said 69.21 acre track to a punch hole in a stone found marking the southwesterly comer of said 69.21 acre track, same being the most westerly northwestcomer of a called 184.24 acre tract of land described as Exhibit Ain instrument to Diane Markey Dailey & Marian M. McCrummen in Volume 12861, Page 1852 of the Official Public Records of Travis County;

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

- South 27*42*3" 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;
- South 27"38"50" West, 1488.90 feet to a 4-inch by 4-inch concrete monument found for comer;
- South 62'09'41" East, 1158.48 feet to a 80D nall in a fence postfound for corner,
- North 27°53'30' East, 1238.04 feet to a 5/8-inchiron rod found for comer,
- 5. North 27°50'56' East, 1121.88 feetto a 5/8-inchiron rod found for comer,
- North 27°55'34" East, 792.77 feet to a 5/8-inch iron rod found for corner,
- South 62'39'18" East, 710.43 feet to a 1/2-inchiron rod found marking the most northerly corner of a called 32.43 acretract of land described in instrumentto Diane Marley Dailey & Marian M. McCrum reen 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 27'43'46" West, 143.25 feet to a 1/2-inch front of found for corner;
- South 27'59'07" West, 1023.02 feet to a 1/2-inch iron md found for corner:
- South 27°57'01" West, 1033.05 feet to a 1/2-inch fron rod found for corner;
- 4. South 27*52'59" West, 958.47 feetto a 1/2-inch iron rod with a pleatic cap stamped "KHA" set marking the southwesterly corner of said 32.43 agre tract;

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THENCE, South 81°08'22' East, 289.20 feet along the southerly line of said 32.43 acre tract to a 600 nail in a fence postfound for corner,

THENCE, South 63°21'38° East, continuing along the southerly line of said 32.43 acretract, at a distance of 164 feetpass the most southerly corner of said 32.43 acre tract, same being the southwesterly comer 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 transfor a total distance of 456.80 feet to a 60D nail in a fence postfound for comer.

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

- 1. South 64*22'13" East, 376.25 feet to a 1/2-inchiron rod with a plastic cap atamped "KHA" set for
- 2. South 70°16'11" East, 400.09 (ect to a 1/2-inch from rod with a plastic cap stamped "KHA" set for corner:
- 3. South 65°24'35" East, 109.41 feet to a 1/2-inchitron rod with a plastic cap stamped "KHA" set for comer:
- 4. South \$3"33'05" East, 105.76 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 Documentillo. 200400243 of the Official Public Records of Travis County;

THENCE, South \$5°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 comer of Lot 5 t of said Augin's Colony.

THENCE, South 28°04'38' West, 890.08 feet along the westerly line of said Lot 51 to the northerly bank of the Colorado River;

THEMCE, 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,
- South 56°47'07'West, 424.29 feet to a point for comer.
- South 73° 13'30" West, 179.76 feet to a point for corner;
- South 84'09'01" West, 271.88 feet to a point for comer, South 82'52'57' West, 480.41 feet to a point for comer,
- South 76'20'09" West, 373.33 feet to a point for corner,
- South 83*37'07" West, 251.02 feet to a point for comer,
- South 61'02'52" West, 269.58 feet to a point for corner, South 24'20'18" West, 359.49 feet to a point for comer,
- 10. South 8°32'39" West, 300.58 feet to a point for corner; 11. South 7°28'56" East, 165.35 feet to a point for comer;
- 12. South 8°40'20" East, 84.28 feet to a point for corner,
- 13. South 1*25'32" West, 38.60 feet to a point for comer,
- 14. South 7*58'28" East, 41.40 feet to a point for comer,
- 15. South 9*13'32' West, 373.87 feet to a point for corner;
- 16. South 32*03'32" West, 107.29 feetto a point for comer,
- 17. South 18'04'32" West, 293.47 feetto a pointforcomer;
- 18. South 30°29'32" West, 111.99 feet to a point for comer,
- 19. South 10°55'32" West, 634.84 feet to a point for comer,
- 20. South 2°38'32"West, 30.70 feet to a point for comer.
- 21. South 59°24'28" East, 57.09 fact to a point for comer,
- 22. South 3'36'28" East, 310.37 feet to a point for comer;

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- 23. South 10°26'32" West, 278.47 feet to a point for comer,
- 24. South 17*57'32' West, 322.37 feet to a point for comer,

THENCE, South 32°33'32' West, 702.23 feet departing the northerly bank of the Colorado River and crossing open water, being the currentriver channal, to the approximate gradient boundary as established by Arthur A. Sites in May and June of 1949 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 filteen (15) courses and distances:

- 1. South 18°15'32" West, 184.88 feet to a point for comer;
- 2. South 54'33'45" West, 14.42 feet to a point for comer;
- South 21*12'38" West, 54.99 feet to a point for comer;
- 4. South 29'24'38" West, 190.48 feet to a point for comer,
- 5. South 25°20'38" West, 266.18 feet to a point for corner:
- 6. South 36°00'38" West, 191.08 feet to a point for comer,
- South 63°20'38" West, 230.38 feet to a point for comer, 8. South 65*23'38" West, 345.07 feet to a point for comer,
- 9. South 76°43'38" West, 285.17 feet to a point for comer,
- 10. North 83"23'22" West, 184.98 feet to a point for comer,
- 11. North 70°42'22" West, 149.89 feet to a point for corner;
- 12. North 8'07'22" West, 135.70 feet to a point for comer,
- 13. North 2°09'22' West, 37.00 feet to a point for corner;
- 14. North 36*43'22' West, 391.46 feet to a point for corner,
- 15. North 82°29'26' 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 thinseen (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 comer;
- 3. South 71°48'25" West, 154.02 feet to a point for comer,
- South 66'39'02" West, 430.28 feet to a point for comer,
- 5. South 49°58'49" West, 207.43 feet to a point for comer. 8. South 47*30'21" West, 581.89 featto a point for comer,
- 7. South 58*05'36" West, 189.24 feet to a point for comer,
- 8. South 56*02'48" West, 168.23 feet to a point for comer,
- 9. South 66°49'55" 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*4949"West, 103.81 feette a point for corner
- 12. South 95°20'01" West, 78.92 feet to a point for corner;
- 13. South 59°02'33" West, 60.84 feet to a 1/2-inch fron rod with a plastic cap stamped "KHA" set on the easterly right of way line of aforesaid State Highway No. 130; from which an fron red with an aluminum capatamped "TXDOT" found been North 15°07' West, 9.0 feet;

THENCE, along the easterly right-of-way line of said State Highway No. 130, the following nine (6) courses and distances:

- 1. North 8°38'58" West, 547.77 foetto an Iron rod with an eluminum cap stamped "TXDOT" found for
- 2. North 1°34'12" West, at a distance of 489.88 feet pass an iron rod with an aluminum cap stamped "LSF found, at a distance of 1967.98 leat pass on fron rod with an alternature cap stamped "TXDOT" found, at a distance of 2230.03 feet, pass an iron rod with an alternitum cap stamped "TXDOT" found, in all a total of 3467.78 feet to en iron rad with an aluminum cap stemped "TXDOT" found for comer.

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Kimley-Hom and Associates, Inc. TBPLS Firm No. 10193973 601 NW Loop 410, Suite 350 San Antonio, Texas 78218

- 3. North 59°15'31" East, 156.13 feetto enfronted with a plastic cap stemped "JONES CARTER" found
- 4. North 8*13'32" East, \$47,24 feet to an iron rod with a plassic cap stamped "JONES CARTER" found for
- 5. North 52°29'43" West, 138.98 feet to an iron rod with a pleatocap stamped "JONES CARTER" found of farcomer;
- 6. In anortheasterly 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, 1287.59 feet, and a total are length of 1274.80 feet to en iron rod with a plastic cap stemped "JONES CARTER" found for a
- 7. North 29°59'34" East, 421.65 feet to an Iron red with a plastic cap found for corner,
- 8. South 60°38'48" East, 116.17 feet to en iron rod with a plastic cap stamped "JONES CARTER" found forcomer
- 9. North 28°20'48" East, 53.70 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 sald 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 Welve (12) courses and distances:

1. South 80*42*34* East, 418.84 feet to a 5/8-mohitron rod found for corner;

- North 27°40'14' East, 39.80 feet to a 38-inchiron pipe found for comes;
 North 49°37'26' East, 86.82 feet to a 1/2-inchiron nod with a plastic cap stamped "KHA" set for corner,
- 4. North 27° 18'26' East, 619.33 feet to a 1/2-inch from rod with a plastic cap stampad "KHA" set for corner:
- 5. North 62°41'34" West, 5:00 feet to a 1/2-inch fron rod with a plastic cap stampad "KHA" sal for corner;
- 6. North 27° 18'26' East 817.71 feet to a 1/2 inch limb rod with a plastic cap stamped "KHA" set for comer:
- 7. North 92" 1950" West, 39.99 feet to a 1/2-inch from rod with a plastic cap stampad "KHA" set for comer,
- 8. South 27" 18'26" West, 817.87 feet to a 1/2-inch iron rod with a plastic cap stansped "KHA" set for
- 9. North 82*41"34" West, 5.90 feet to a 1/2-inch bon rod with a plantic cap stemped "KHA" set for corner;
- 10. South 27' 18'28" Viest, \$19.33 feet to a 1/2-inch iron rod with a plastic cap stemped "KHA" ast for
- 11. South 73*19'28" West, 69.45 feet to a 1/2-leich kon rockwith a plassic cap stamped "KHA" sail for corner:
- 12. North 80°40'52' West, 340.20 (sectto as iron rad with a plasse cap stamped "JONES CARTER" found for comeratine intersection of the northerly right-of-way lime of said Hamid 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 20°27'38' East, 2012.21 feet to an iron rod with a plusic cap stamped "SONES CARTER" found forcomer
- North 27°27'38' East, 444.44 feette en tren rod with en aluminum cap memped "TXEXIT" found for corner on the southedy 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;

THERCE, departing the easterly right-of-way line of said State Highway No. 130, along the southerly easterly and northerly lines of said 93.54 acre want, the following three (3) courses and distances:

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

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 North 62°34'38' West, 605.46 feet to an Iron rod with an aluminum cap atamped "TXDOT" found for corner on the easterly right-of-way line of said State Highway No. 130;

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

- North 27°27'38" East, 1871.89 feet to an iron rod with a plastic cap stemped "JONES CARTER" found for comer:
- North 32°27"38" East, 1894.54 feet to an iron rod with a plastic cap slamped "JONES CARTER" found for corpor.
- for corner;
 3. North 29°37'24° East, 516.35 feet to an iron rod with a placed cap stamped "JONES CARTER" found for corner;
- South 61°16'21" East, 91.28 feet to an iron rod with a plastic cap stemped "JONES CARTER" found for corner;
- North 33°24'55° East, 576.88 feet to en iron rod with an aluminum cap stamped "TXDOT" found for corner.
- North 61*16/21*West, 126.36 feet to an iron rod with an aluminum cap stamped*TXOOT found for corner;
- North 26°30'48" East, 430.24 featto an iron rad with an aluminum cap stamped "TXDOT" found for corner;
- North 61°16'21' West, 66.31 feet to a 1/2-inch iron rod found marking the southeasterly corner of aforesaid 18.65 acre tract;

THENCE, North 27°28°10° East, 956.95 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 BEGRINING, and containing 1369.833 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 convertigid distances to surface, apply the combined GRID to SURFACE scale factor of 1.00016982. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio,

OF

ABEL P. STENDAHL

6754

7/23/2020

Registered Professional Land Surveyor No. 8754 Kirnley-Hosn and Associates, Inc.

569 NW Loop 419, Suite 350 San Antonio, Texas 78218 Ph. 210-541-9166

abal.stendahl@kimley-hom.com

Austin Green - 1,359.833 Acres

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Exhibit B Parcel 2A

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

A METES AND BOUNDS DESCRIPTION OF A 452.835 ACRE TRACT OF LAND

BEING a 442.935 acre (19,294,231 square feet) tract of land situated in the Rauban Homsby Survey No. 17, Abstract No. 15 and the Joseph Duty Survey No. 20, Abstract No. 9, Travis County, Taxes; and being all of the following live (5) tracts, all of which are conveyed to Yexas Industries, Inc. and to TXI Operations LP.:

- Called 49.994 acres in Document No. 1999129526;
- 2. Called 39.355 acres in Document No. 1999129526;
- 3. Called 67.41B ecres in Document No. 2005007841:
- 4. Called 39.462 ecres in Document No. 2006133198:
- Called 83.838 scres in Volume 11955, Page 972 and Volume 13170, Page 656;

Said 442.935 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 ecres in Document No. 1989 129528;
- 2. Called 41.043 acres in Decument No. 1999129526
- 3. Called 55.299 cores in Document No. 1999129526;
- Called 50.366 acres in Volume 12328, Page 1109 and Volume 13170, Page 656;

Seld 442.935 acre tract being more perfoularly described as follows:

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

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

- 1. South 29'59'30" West, 908.45 feat to en iron and with a plastic cap stamped 'JONES CARTER'
- 2. South 12°45'03" West, 849.05 feet to an iron red with an eluminum cap stamped "TXDOT" found for comer.
- 3. South 18°15'01" East, 401.50 feet to an iron rod with a plastic cap stamped "JONES CARTER" found for comer.
- 4. South 1°34' 16' East, 4799.40 faut to a point for corner on the northern bank of the Colorado

THENCE, deporting the wasterly right-of-way line of seld Stels Highway No. 130 and with the northern bank of the Colorado River, the losowing twenty (20) courses and distances:

- South 73*31*28* West, 518.00 feet to a point for comer,
 South 75*10*31* West, 517.84 feet to a point for comer,
- South 70°55′25° West, 259.36 feet to a point for corner,
 South 81°55′00° tVest, 118.76 feet to a point for corner,
- 5. South 63°21'53° West, 277.05 feet to a point for comer;
- 8. South 49"47"45" West, 47.81 feet to a point for comer,
- 7. South 64°44' 13° West, 353.84 feet to a point for comer;
- 8. South 52"39"55" West, 626.76 feet to a point for corner,
- 9. South 72°28'58" West, 203.05 feet to a point for comer,
- 10. South 85°13'01" West, 191, 19 feat to a puint for comer,
- 11. North 69°48'26" West, 62.76 feet to a point for comer;

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- 12. North 83° 17'22" West, 141.53 feet to a point for comer,
- 13. North 83°16'02" West, 332.32 feet to a point for comer,
- 14. North 72*17'22" West, 159.02 feet to a point for comer,
- 15. North 80"26"20" West, 189.38 feet to a point for comer,
- 16. North 79°57'31" Wast, 91.37 feet to a point for comer,
- 17. South 65°51'23" Wast, 69.91 feet to a point for comer,
- 18. North 78*28'17" West, 123.83 feet to a point for comer.
- 19. North 68*17'42" West, 159.20 feet to a point for corner,
- North 76° 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, storig 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:

in a northwesterly direction, slong a langent curve to the left having a central angle of 29*27*12",
a radius of 1422.44 feet, a chard 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 TXDOT monument found marking the most southerly
corner of Lot 77, Block T of Homsby Glan Subdivision Phase One, plat of which recorded in
Document No. 2008/09278 of the Official Public Records of Travis County;

THENCE, North 27°34°26° East, 1766.31 feet, departing the easterly right-of-way line of said FM 973 and along the easterly line of said Hornsby Clen Subdivision and along the easterly line of Lot 38, Block I of Prado Rench Subdivision Phase 2, a Small Lot Subdivision, plat of which recorded in Document No. 2016/00114 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 comer on the southerty line of east Prado Ranch;

THENCE, South 52*35'31" East, 953.08 feet slong the southerly first of said Preso Ranch to an iron rod with a plastic cap stamped 'BROOKS BAKER' found marking the most southerly corner of said Preso Ranch:

THENCE, North 27°52'09' East, 830.61 fest along the easterly line of sald Prodo Rench and along the easterly line of a called 73.843 acre tract of land described in instrument to Project Royal, 1.P in Document No. 2018037414 of the Cificial Public Records of Travis County, to a punch hole in a stone land for broads.

THENCE, North 27°04'38" East, 660.72 feet, cordinaling along the easterly line of said 73.843 acre traction in front of with a plastic cap stamped "JONES CARTER" found for comer;

THERICE, North 27° 16'11" East, 24'98.49 feet, continuing along the easterly line of sald 73.843 sore tract, along the easterly line of a called 1 acre tract of lead described in instrument to Conrad Bering in Document No. 2005/122840 of the Chical Public Records of Travis County, the easterly line of a called 12.394 sore tract of lead described in instrument to Conrad Bering, ill and Bering in Bering in Document No. 2004/055727 of the Official Public Records of Travis County, the easterly line of Green Grove Subdivision, pist of which recorded in Volume 82, Pages 21-22 of the Plat Records of Travis County, and the easterly line of Gardan Valley Subdivision, pist 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

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

Austin Green - 442.835 Acres Job No. 053697013 - July 23, 2620 - Page 2 o13

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

- Sen Antonio, Texas 78216

 1. North 36'55'26" East, 4.04 feet to a an Iron rod with a plastic cap stamped "JONES CARTER" found for comer.
- North 25°50'17" East, 18.98 feet to a 1/2-inch iron rod found for corner;
- North 27"11"12" East, 110.05 feet to a 1/2-inch from rod found for corner;
- North 27°07'48" East, 110.16 feet to a 1/2-inch fron rod found for corner;
- 5. North 27*20*05" East, 114.51 feet to a 5/8-inch iron rod found marking the most easterly comer of seid Gerden Valley Subdivision:

THENCE, North 62'40'55' West, 1723.82 feet along the northerly line of said Garden Vellay Subdivision to a 1/2-inch fron rod found on the cesterly right-of-way line of eforceed FM 973 (60 feet wide at this point);

THENCE, North 27*23'32' East, 2115.19 feet along the esaterty right-of-way line of said FM 973 to a 1/2inch Iron rod with a plastic cap stamped "KHA" set at the intersection of the sastefly right-of-way line of said FM 973 with the southerly right-of-way line of atomsaid Haroti Green Road;

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

- 1. South 53'00'19" East, 1679.47 feet to a 1/2-inch iron rod with a plastic cap stemped "KHA" set for comer,
- 2. South 49°55'40" East, 37.77 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for comer
- 3. South 27°11'17' West, 207.52 feet to a 1/2-brish from rod found for gomer;
- South 60*00*30" East, 281.78 feet to the POINT OF ESCRIPTING and containing 442.936 scress
 of land in Travis County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Gild, Central Zona (FIPS 4203) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet. To convert gold distances to surface, apply the combined GRID to SURFACE scale fector of 1.00019982. This document was prepared in the office of Kimley-Hom and Associates, Inc. In San Antonio, Texas.

abel P. Stendahl

6754

Abal P. Stendani

7/23/2020

Registered Professional Land Surveyor No. 6754

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abel.stendahi@kimlay-horn.com

Austin Breen -- 662,835 Acres Job No. 063087013 - July 25, 2020 - Page 3 o13

Exhibit B

Parcel 2B

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

BEING a 0.093 scre (4,033 square feet) treat of land situated in the Reuben Homsby Survey No. 17, Abstract No. 15, Travis County, Texas; being a portion of a called 55.299 scre tract of land described in instrument to TXI Operations, LP recorded in Document No. 1899124797 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 Gten Subdivision Phase One, plat of which recorded in Document No. 200800276 of the Official Public Records of Travis

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 red with a plastic cap stamped "KHA" set on the westerly right-of-way line of said FM 973 marking the southeast comer 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 wasterly right-of-way line of said Flvf973, and along a THE NUE, in a southeasterly direction, along the westerly right-on-viewer as an Interfact and a non-tangent curve to the right, a central angle of 6°20°51°, a redux of 900.00 feet, a chord bearing and distance of South 2°14°12° East, 148.23 feet, and a total and 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 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);

THERCE, in a nonthwesterly direction, along the northerly right-of-way line of said original route of FM Thereoe, in a northwestery direction, along the northesty against any line of said diagnost object in the 1873, and stong a non-tangent curve to the 1874, a central angle of 7*10"54", a redist of 822.94 feet, a chard bearing and distance of North 43" 1494" West, 78.93 feet, and a total arc length of 78.98 feet to a 1/2-inch fron rod with a plastic cap stamped "KHA" set marking the south corner of aforesaid Travis County tract

THENCE, North 27"34"28" East, 102.97 feet departing the northerly light-of-way line of said original route of FM 973 and along the southeast line of said Travis County tract to the POINT OF BEGRINING, and containing 0.093 acre of land in Travis County, Texas as shown in the document saved in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

7/23/2020

OF

STENDAHL

Registered Professional Land Surveyor No. 8754

Kinkley-Hom and Associates, Inc. ROTHER THOM BY ASSOCIATES, I 801 NW Loop 410, Suite 350 San Artonio, Texas 78218 Ph. 210-641-9168

abel.stendshi@kimley-hom.com

Exhibit C

Kimley-Hom and Associates, but. TEPLS Firm No. 10193973 601 NA Loop 419, Suite 350 San Assonio, Texas 70215

A METES AND BOUNDS DESCRIPTION OF AN 18.082 ACRE TRACT

BEING an 18.082 acre (767,664 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;
- 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 each cutback corner;

THENCE, North 62°35′50° West, 399.88 feet along the northerly right-of-way line of said Narold Green Road to an Iron red 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 northerty 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 comer;

THEMCE, 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 if Travis County:

THEMCE, North 26"56'36" 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 eoutherly 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 = 15.052 Acres Job No. 053597013 = August 3, 2016 - Page 1 of 2

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Kimley-tom and Associates, Inc. TBPLS Firm No. 10193973 601 N.N.Loop 410, Suite 350 San Antonia, Texas 78216

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

- South 62*02*12" East, 70.20 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner.
- 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;
- 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 scres 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.

the D Standahl

7/23/2020

Registered Professional Land Surveyor No. 6754 Kindey-Horn and Associates, Inc.

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

Ph. 210-541-9168 abel.stendah@kimley-horn.com ABEL P. STENDAHL

Austin Green = 16.062 Aures Job No. 063697013 = August 3, 2018 - Page 2 of 2 Exhibit D

Kissay-Hom and Associates, Inc. TBPLS Firm No. 10193973 601 NW Loop 419, Suite 350 San Antonio, Texas 78215

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

BEING a 57.935 zone (2.959,246 square feet) tract of tand studed in the Reusen Hornsby Survey No. 17, Abstract No. 15, Travis County, Texas; and being a portion of a called 69.542 zone Tract 4 described in Instrument to TRI Operations, LP in Document No. 1999128626 of the Official Public Records of Travic County; and being more

BEGINNING at a bress disk atempted TXXXXT found merking an interior corner of the northwesterly right-of-way line of FM 973, being a point etwinich the right-of-way transitions from SC lest wide to 200 feet wide, same being the most southerly corner of sale Tract à;

THENCE, North 62°53°55° West, along the southwesterly line of said Tract 4, at a distance of 121.28 feet pass a breas dick stamped "TXDOT" found marking the northerly comer of the 200 feet wide portion of said FM 973, sonthouring elong the south westerly line or said Tract4 and along the northessistly line of a called 285,227 agre tract sescribed 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 855.83 feet to a 600 mail found marking the most westerly corner of said Tract4, same being an interior comes on the easterly line of said 265,267 acre tract;

THENCE, along the northwesterly line of sale Treet 4 and along the southeasterly line of sale 265.287 acre bact, the following two (2) courses and distances:

- Roma 27'30'22' East, 340.60 feel to a 1/2-lack from red with a plastic cap stamped "10'1A" set for corner;
 Roma 27'30'13' East, 1533.67 feet to a 1/2-lack from rad with a plastic cap stamped "10'1A" set for corner can the coultwesterly right-of-say line of Plantzne (40 feet wise);

THENCE, along the couling stelly and southeastody light-of-waylines of said Plat Lane, the following three (3) courses and distances:

- 1. South 61'97'04" East, 20.09 Sect to a 1/2-inch iron redukto a plactic cap stemped "KHA" set for corner;
- 2. North 27'40'13' East, 1648.56 feet to a 1/2-lack from rad with a places cap atamped "GIA" set to: come
- South 61"45"17" East, 798.95 feet to a 112-leath fron rod with a plattic cop attraped "KHA" set for corner on the northwesterly right-of-way line of ato resald FM 873;

- THEMCE, stong the northwesterly right-of-way line of Eald Ftt 973, the following three (3) courses and distance:

 1. South 27"24"17" West, 2221.FE feet to a 1/2-inchinon-noisest to epicescope element "KNA" set for corner;
 - South 27" 15"17" Word, \$10.05 feet to a Liz-inchine red with episatic cop straged "WIA" not for comer;
 - South 27 15 17 West, 484.17 feet to the POINT OF BEGINNING, 286 containing 57.935 acres of land in Travis County, Texas, as shown in a document prepared in the office of Kissley-Horn and Associates, inc. in San Antonilo, Texas. The basis of beging for this description is the Texas State Plane Coordinate System Grid, Central Zone (FIPS 4203) (NAD183). All distances are on the Grid and shown in LLS. Survey Feet.

ABEL P. STENDAHL

6754

Registered Professional Land Surveyor No. 6754 Kimiley-Horn and Associates, Inc.

EG1 NW Loop 410, Suite 350 San Antonio, Texas 76216

Ph. 218-541-9166 and steen an ignimity how com

Exhibit E

Market Programme (1919) Telepicania (1919) Telepica 601 NW Loop 410, Suite 356 San Antonio, Texas 78216

A METES AND BOUDS DESCRIPTION OF A 223.687 ACRE TRACT OF LAND

BEING a 223.487 acre (9,735,090 squareseet) trantofland situated in the Reuben Homsby Survey No. 17, Abstract No. 15, Travis County, Texas; and being all of a called 223.497 apre-tract of land described in instrument to TXI Operations, LP in Document No. 2005002939 of the Official Public Records of Travis County; and being more particularly described as follows:

BEGINNING IN An Iron rod with a pissbic cap manipad "EROOKS & BAKER SURVEYORS" found on the southeasterly right-of-way line of PM 973 (60 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. 2014/25760 of the Official Public Records of Travis County;

THENCE, along the southeastarly right-of-way line of said FM 978, the following three (3) courses and distances:

- North 27 '9054" East, 759.96 feet to a 1/2-inch tron rod with a please cap stamped '104A' set for corner;
 North 27 '3554" East, 4186.86 feet to a 1/2-inch tron rod found for corner;
- North 27'4603' East, 657.35 feet to a 1/2-inch iron regiound marking the most westerly comer of scalled 58.16 agre tract of land described in instrument to Foster Legacy, LLC in Document Nos. 2007930438 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 FM973 and along the southwesterly line of sets 59.16 acre tract to an fron rod with an atumbrum cop stamped "TXDOT" found marking the most southerly corner of said 56.16 acre tract on the northwesterly the of a called 20 zora tract of land described In instrumentic Paula Kay Houge Caliahan in Volume 5401, Page 1757 of the Official Public Records of Travis

THENCE, South 27°27'37" West, 5047, 13 fast along the northwesterly line of 626 20 acres back, along the northwesterly line of a called 21.65 acre tract of land described in instrument to Pasia Kay Kluge Callahan in Volume 3838, Page 477 of the Oced Resolute of Travis County, and along the northwesterly rig blod way line of State Higheray No. 130 (variable width) to a 1/2-tach fron rod with a plastic acp atempted TURA act for corner;

THERCE, Secta 27°52'85" When, 566.00 feet, continuing along the normalistic right-of-way line of said State Highway No. 130 folke most easterly corner of alones sid 95.643 agre tract; from which an tron rod with an aluminum cap stamped "TADOT" beens South 25°30" West, 2.8 test;

TREMCE, Month 63723.06" Weel, 8723.18 feet, departing the next travely again of way like of sale Sizie Highway No. 130 and along the northeastarly line of said to 613 acro tract to the POINT OF REGISSING, and containing 223.487 ears of land in Travit County, Texas, as shown in the document progress in the office of timiley -tip m and Associates, inc. in San Antonio, Texas. The basis of bearing for this description is the Texas State Frene Coordinate System Grid, Central Zone (FIPS 4288) (NAD'83). All distances are on the Grid and shown in U.S. Survey Feet.

OF

STENDAHL

7723/2020 ADE P. Stendan

Registered Protestional Land Surveyor No. 6754 Kimley-Horn and Associates, inc.

501 NV Lsop 410, Suite 350 San Antonio, Texas 76216

Ph. 210-541-9166 spei.stendahi@gimicy-hwa.com

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)
- 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)
- 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,

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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)
- II. INTENTIONALLY DELETED
- mm. INTENTIONALLY DELETED
- 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

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- 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)
- 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)
- 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)
- 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)
- 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)
- Electric utility easements granted to the City of Austin by instrument recorded under Document No. 2005163684 of the Official Public Records of Travis County,

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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:

iii. INTENTIONALLY DELETED

kkk. INTENTIONALLY DELETED

III. INTENTIONALLY DELETED

mmm. INTENTIONALLY DELETED

nam. 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)

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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)

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

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)

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

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)

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)

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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)

iiii. INTENTIONALLY DELETED

THE FOLLOWING APPLY(IES) TO PARCEL 3:

khkk. INTENTIONALLY DELETED

IIII. INTENTIONALLY DELETED

mmmm. INTENTIONALLY DELETED

nmm. INTENTIONALLY DELETED

oooo. INTENTIONALLY DELETED

pppp. INTENTIONALLY DELETED

qqqq. INTENTIONALLY DELETED

Frr. INTENTIONALLY DELETED

ssss. INTENTIONALLY DELETED

tttt. INTENTIONALLY DELETED

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

www. INTENTIONALLY DELETED

THE FOLLOWING APPLY(IES) TO PARCEL 5:

XXXX. INTENTIONALLY DELETED

yyyy. INTENTIONALLY DELETED

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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.

2222. INTENTIONALLY DELETED

bbbbb. INTENTIONALLY DELETED

cccc. INTENTIONALLY DELETED

adddd. 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.

MM. INTENTIONALLY DELETED

ggggg. INTENTIONALLY DELETED

hhhhh. INTENTIONALLY DELETED

iiiii. INTENTIONALLY DELETED

jijij. INTENTIONALLY DELETED

kkkkk. INTENTIONALLY DELETED

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:

annan. 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.

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ooooo. INTENTIONALLY DELETED

ppppp. INTENTIONALLY DELETED

qqqq. 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)

rrrr. 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)

ssss. INTENTIONALLY DELETED

ttttt. Overhead electric easement traversing through the property as shown on Parcel 2

Survey. (PARCEL 2 - TRACTS 1 AND 3)

11-GF# 20200067 JPB RETURN TO: HERITAGE TITLE 401 CONGRESS, SUITE 1500 AUSTIN, TEXAS 78701