

DONATION DEED

STATE OF TEXAS §
 §
COUNTY OF HAYS §

RATHGEBER INVESTMENT COMPANY LTD, donates, grants and conveys to the City of Dripping Springs, Texas, the following described real property in Hays County, Texas, together with all improvements located thereon (herein the "Property"), to wit:

300 acres, more or less, in Hays County, Texas, described on Exhibit A attached hereto and incorporated herein.

This donation and conveyance is expressly made and accepted subject to all valid and existing easements, restrictions, reservations, covenants and conditions relating to the Property to the extent that same are valid and enforceable against the Property, as may be shown by instruments filed for record in the office of the county clerk of Hays County, Texas.

TO HAVE AND TO HOLD said Property together with all and singular the rights and appurtenances thereto and anywise belonging, subject to the terms, conditions and restrictions set out herein, unto grantee and its successors and assigns forever; and grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular title to the Property unto said grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under grantor.

Grantor conveys the Property to grantee for the following purposes and subject to the conditions and restrictions set out herein.

1. The Property shall be used for park and open space purposes.
2. Walking trails with appropriate trailheads and signage may be constructed on the Property.
3. The Property may be used for naturalist led walks and talks, stargazing programs, mountain biking, hiking, birdwatching and kayaking.
4. The Property may be used to construct primitive and group campgrounds with overnight camping limited.
5. A parking lot and a nature interpretive center may be constructed on the Property in the area generally located on the side of the Property next to the public school.
6. Access shall be provided through adjoining public streets. No roads shall be constructed on the Property except those necessary to allow access by authorized vehicles for emergency access, maintenance purposes, and temporary loading and unloading of supplies and equipment.

- 7. Grantor shall contract with grantee to provide a wildlife management plan and services on the Property for a period of 20 years from the date of this conveyance.
- 8. The property shall be named Rathgeber Natural Resource Park.

Real property taxes having been prorated to the date of this Deed, the payment of real property taxes, including any rollback taxes, as assumed by granting.

Executed the 9th day of December, 2020.

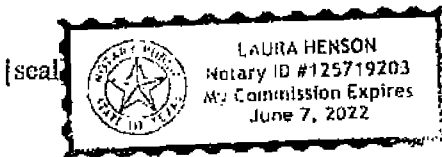
Rathgeber Investment Company Limited

A Texas Limited Partnership by:
Rathgeber Investment G.P., Inc.,
A Texas Corporation, its General Partner

Edward R. Rathgeber
By: Edward R. Rathgeber

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on December 9th, 2020 by Edward R. Rathgeber, President of Rathgeber Investment G.P., Inc.

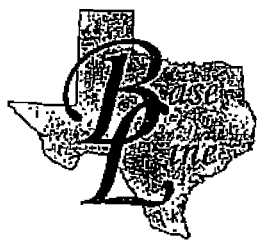


Laura Henson
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

Laura Mueller, City Attorney
City of Dripping Springs
511 Mercer St., P.O. Box 384
Dripping Springs, TX 78620

EXHIBIT "A"



Land Surveyors, Inc.

8333 Cross Park Drive

Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873.9743

METES AND BOUNDS DESCRIPTION

BEING 300.00 ACRES OF LAND OUT OF THE FOLLOWING FOUR SURVEYS: THE EDWARD BROWN SURVEY NO. 136, ABSTRACT NO. 44, THE MARCUS RAPER SURVEY NO. 37, ABSTRACT NO. 394, THE MARCUS RAPER SURVEY NO. 60, ABSTRACT NO. 383, AND THE W.R. WOOD SURVEY, ABSTRACT NO. 567, ALL IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF A 1326.17 ACRE REMAINDER OF A 1364.31 ACRE TRACT OF LAND CONVEYED TO RATHGEBER INVESTMENT COMPANY, LTD, BY INSTRUMENT OF RECORD IN DOCUMENT NO. 04015659 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rebar found in a rock mound for an angle point in the westerly line of said 1326.17 acre remainder of a 1364.31 acre tract, the northeast corner of a 29.78 acre tract of land conveyed to John L. Hill, Jr. by instrument of record in Document No. 04017397 of the Official Public Records of Hays County, Texas, and being in the east line of a 1051.23 acre tract of land conveyed to Melinda Hill Perrin, et. al, by deed of record in Volume 1619, Page 471 of the Official Public Records of Hays County, Texas;

THENCE North 28°53'35" East (record - North 29°21'37" East), along the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract and the east line of said 1051.23 acre tract, a distance of 4426.12 feet (record - 4426.39 feet) to a 1/2" iron rebar found for the northeast corner of the 1051.23 acre tract, the western terminus of a Boundary Line Agreement between E.E. Townes Trust No. 2 and Vincent Taylor, et. ux, of record in Volume 485, Page 183 of the Real Property Records of Hays County, Texas, and being an angle point in the southerly line of a 40.19 acre tract of land conveyed to Virginia Taylor Buckley by instrument of record in Document No. 9921334 of the Official Public Records of Hays County, Texas;

THENCE North 28°46'13" East (record - North 29°14'52" East), along the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract, the southerly line of said 40.19 acre tract, and with the line of said Boundary Line Agreement, a distance of 397.73 feet (record - 397.82 feet) to a 1/2" iron rebar found for the northwest corner of the 1326.17 acre remainder of a 1364.31 acre tract;

THENCE along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the southerly line of the 40.19 acre tract, and with the line of the Boundary Line Agreement the following two (2) courses:

1. South 78°48'02" East a distance of 520.05 feet (record - South 78°20'35" East a distance of 519.97 feet) to a 1/2" iron rebar found;
2. North 85°12'10" East a distance of 688.50 feet (record - North 85°40'23" East a distance of 688.69 feet) to a 1/2" iron rebar found for the southeast corner of the 40.19 acre tract and the

southwest corner of a 26.09 acre tract of land conveyed to William B. Mitchell and Mary G. Mitchell by instrument of record in Volume 1692, Page 322 of the Official Public Records of Hays County, Texas, therein described as "Tract 5-A";

THENCE along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the south line of said 26.09 acre "Tract 5-A", and with the line of the Boundary Line Agreement the following eight (8) courses:

1. North 49°37'48" East a distance of 76.94 feet (record - North 50°04'03" East a distance of 76.94 feet) to a calculated point;
2. North 78°16'50" East a distance of 65.19 feet (record - North 78°43'49" East a distance of 65.26 feet) to a calculated point;
3. North 69°27'49" East a distance of 68.59 feet (record - North 69°57'08" East a distance of 68.57 feet) to a 5/8" iron rebar found;
4. South 69°09'54" East a distance of 107.08 feet (record - South 68°39'38" East a distance of 106.96 feet) to a 1/2" iron rebar found;
5. North 82°00'08" East a distance of 22.08 feet (record - North 82°30'24" East a distance of 22.08 feet) to a calculated point;
6. North 88°08'24" East a distance of 38.20 feet (record - North 89°21'51" East a distance of 37.80 feet) to a fence post found for corner;
7. South 84°59'10" East a distance of 41.12 feet (record - South 85°16'32" East a distance of 41.46 feet) to a calculated point;
8. South 77°07'43" East a distance of 186.40 feet (record - South 76°37'27" East a distance of 186.40 feet) to a calculated point;

THENCE South 71°53'47" East (record - South 71°26'15" East), along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the south line of said 26.09 acre "Tract 5-A", the south line of a 26.09 acre tract of land conveyed to William B. Mitchell and Mary G. Mitchell by instrument of record in Volume 1692, Page 322 of the Official Public Records of Hays County, Texas, therein described as "Tract 5-B"; and with the line of the Boundary Line Agreement, a distance of 247.82 feet (record - 248.11 feet) to a 13 inch Live Oak tree at a fence post for an angle point in the north line of the remainder of a 1364.31 acre tract and the south line of said 26.09 acre "Tract 5-B";

THENCE along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the south line of said 26.09 acre "Tract 5-B", and with the line of the Boundary Line Agreement the following six (6) courses:

1. South 64°20'24" East a distance of 73.25 feet (record - South 64°07'22" East a distance of 72.96 feet) to a fence post found for corner;
2. South 59°42'02" East a distance of 101.24 feet (record - South 59°14'45" East a distance of 102.03 feet) to a 13 inch Live Oak tree at a fence post;

3. South 54°29'00" East a distance of 156.96 feet (record - South 53°42'02" East a distance of 156.98 feet) to a fence post found for corner;
4. South 50°38'28" East a distance of 110.55 feet (record - South 50°25'14" East a distance of 110.56 feet) to a 23 inch Live Oak tree at a fence post;
5. South 77°38'44" East a distance of 134.79 feet (record - South 77°15'16" East a distance of 133.89 feet) to a fence post found for corner;
6. South 31°50'06" East a distance of 42.15 feet (record - South 32°00'36" East a distance of 41.96 feet) to a 1/2" iron rebar found for the southeast corner of the 26.09 acre "Tract 5-B" and the southwest corner of a 24.743 acre tract of land conveyed to William B. Mitchell and Mary G. Mitchell by instrument of record in Volume 1692, Page 322 of the Official Public Records of Hays County, Texas, therein described as "Tract 6-A";

THENCE along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the south line of said 24.743 acre "Tract 6-A", and with the line of the Boundary Line Agreement the following four (4) courses:

1. South 25°02'53" East a distance of 45.82 feet (record - South 23°52'10" East a distance of 46.47 feet) to a fence post found for corner;
2. South 44°37'25" East a distance of 275.09 feet (record - South 44°24'33" East a distance of 274.22 feet) to a 12 inch Live Oak tree at a fence post;
3. South 47°59'02" East a distance of 128.82 feet (record - South 47°10'37" East a distance of 129.23 feet) to a fence post found for corner;
4. South 63°18'11" East a distance of 142.27 feet (record - South 63°03'46" East a distance of 142.40 feet) to a fence post found for corner;

THENCE South 67°03'37" East (record - South 66°33'39" East), along the north line of the 1326.17 acre remainder of a 1364.31 acre tract, the south line of said 24.743 acre "Tract 6-A", the south line of a 24.743 acre tract of land conveyed to William B. Mitchell and Mary G. Mitchell by instrument of record in Volume 1692, Page 322 of the Official Public Records of Hays County, Texas, therein described as "Tract 6-B"; and with the line of the Boundary Line Agreement, a distance of 707.15 feet (record - 707.42 feet) to a 60d nail found in a fence post for the northeast corner of the remainder of a 1364.31 acre tract, the southeast corner of the 24.743 acre "Tract 6-B", and being in the west line of a 323.554 acre tract of land conveyed to William B. Mitchell and Mary G. Mitchell by instrument of record in Volume 1514, Page 326 of the Official Public Records of Hays County, Texas,

THENCE South 30°09'38" West (record - South 30°37'25" West), along the easterly line of the 1326.17 acre remainder of a 1364.31 acre tract, the west line of said 323.544 acre tract, and with the line of the Boundary Line Agreement, a distance of 446.82 feet (record - 446.87 feet) to a 1/2" iron rebar found with plastic cap for the eastern terminus of the Boundary Line Agreement;

THENCE South 29°26'30" West (record - South 29°55'29" West) along the easterly line of the 1326.17 acre remainder of a 1364.31 acre tract and the west line of the 323.544 acre tract a distance of 376.65 feet to a calculated point from which a cotton spindle found for an angle point in the

easterly line of the 1326.17 acre remainder of a 1364.31 acre tract, and the west line of the 323.544 acre tract bears South 29°26'30" West (record - South 29°55'29" West) a distance of 214.87 feet;

THENCE crossing through the 1326.17 acre remainder of a 1364.31 acre tract, the following twenty (20) courses:

1. North 60°12'00" West a distance of 285.00 feet to a calculated point;
2. North 76°10'25" West a distance of 433.91 feet to a calculated point;
3. North 78°33'39" West a distance of 386.79 feet to a calculated point;
4. South 70°28'22" West a distance of 176.92 feet to a calculated point;
5. South 68°53'59" West a distance of 557.32 feet to a calculated point;
6. South 61°42'57" West a distance of 426.91 feet to a calculated point;
7. South 76°14'43" West a distance of 211.04 feet to a calculated point;
8. South 71°31'27" West a distance of 121.87 feet to a calculated point;
9. South 66°43'14" West a distance of 178.67 feet to a calculated point;
10. South 64°56'19" West a distance of 118.77 feet to a calculated point;
11. South 13°49'53" West a distance of 717.14 feet to a calculated point;
12. South 58°50'23" West a distance of 696.30 feet to a calculated point;
13. South 48°58'49" West a distance of 186.19 feet to a calculated point;
14. South 40°18'36" West a distance of 73.06 feet to a calculated point;
15. South 32°20'36" West a distance of 766.59 feet to a calculated point;
16. South 23°43'54" East a distance of 472.51 feet to a calculated point;
17. South 37°03'55" East a distance of 409.06 feet to a calculated point;
18. South 60°52'22" East a distance of 562.42 feet to a calculated point;
19. South 15°43'57" East a distance of 787.28 feet to a calculated point;
20. South 59°51'43" West a distance of 1450.22 feet to a calculated point in the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract, and being in the easterly line of a 291 & 1/3 acre tract of land conveyed to Cynosure Corporation by deed of record in Volume 258, Page 123 of the Official Public Records of Hays County, Texas, from which a 60d nail found in a rock mound for an angle point in the westerly line of the 1326.17 acre remainder

of a 1364.31 acre tract, and the easterly line of said 291 & 1/3 acre tract bears South 30°08'17" East (record - South 29°39'40" East) a distance of 411.62 feet;

THENCE North 30°08'17" West (record - North 29°39'40" West) along the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract, and the easterly line of the 291 & 1/3 acre tract a distance of 1756.97 feet to a 3/8" iron rebar found for an angle point in the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract, the northeast corner of the 291 & 1/3 acre tract, and the southeast corner of said 29.78 acre tract;

THENCE North 30°03'28" West (record - North 29°36'26" West), along the westerly line of the 1326.17 acre remainder of a 1364.31 acre tract and the easterly line of the 29.78 acre tract, a distance of 930.84 feet (record - 931.41 feet) to the POINT OF BEGINNING.

This parcel contains 300.00 acres of land, more or less, out of the following four surveys: the Edward Brown Survey No. 136, Abstract No. 44, the Marcus Raper Survey No. 37, Abstract No. 394, the Marcus Raper Survey No. 60, Abstract No. 383, and the W.R. Wood Survey, Abstract No. 567, all in Hays County, Texas.

Description prepared from an on-the-ground survey made during January, 2006.

Bearing Basis: Texas State Plane Coordinate System, South Central Zone, NAD 83/93 HARN.

J. Scott Laswell 6/4/08
 J. Scott Laswell Date
 Registered Professional Land Surveyor
 State of Texas No. 5583



Attachments:Baseline\Projects\Headwaters\Dwg\300 Acre Conservation Tract.dwg
 File:Baseline\Projects\Headwaters\Documents\F_Notes\300 ACRE CONSERVATION TRACT.doc

**THE STATE OF TEXAS
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

20058660 DEED
12/17/2020 02:37:51 PM Total Fees: \$50.00

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas

