

HUSCH BLACKWELL

Nikelle S. Meade
Partner

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Austin, Texas 78701
Direct/Mobile: 512.992.6001
nikelle.meade@huschblackwell.com

December 4, 2023

VIA EMAIL – sdunlop@manortx.gov

Scott Dunlop, Director
Development Services Department
City of Manor
105 E. Eggleston Street
Manor, Texas 78653

Re: Request for ETJ Exchange – Blue Bluff Project; 148.053-acre Property at Southwest and Southeast Corners of Blue Bluff Road and Old Highway 20, Travis County, Texas (TCAD ID: 0234500801)

Dear Mr. Dunlop:

This letter is regarding the Blue Bluff project located at the corner of Blue Bluff Road and Old Hwy 20 in Travis County, Texas (the “Property”). As you know, as a part of the proposed development and to allow for the orderly development of the Property, we are working with both City of Manor and City of Austin to achieve an exchange of ETJ between the two municipalities. Under the proposal, City of Austin would transfer 13.791 acres of ETJ to City of Manor, and City of Manor would in turn transfer 6.609 acres of ETJ to City of Austin. A map showing the properties to be transferred by and to each city is attached to this letter as Attachment 1, and legal descriptions of each of the areas are attached here in Attachment 2.

Relatedly, the developer of the Property is also seeking an exchange of wastewater service between the two cities so that City of Manor may serve the project; and on June 7, 2023, the Manor City Council considered and approved a deposit agreement in order to begin work on both the wastewater jurisdiction transfer and the ETJ exchange. For reference, the approved Deposit Agreement is attached here as Attachment 3.

As the next step in the process of the ETJ exchange, City of Austin has requested that City of Manor formally request the exchange and deliver said request to City of Austin staff. As such, by this letter we are requesting that an item be placed on the Council agenda authorizing the Manor City Manager or his designee to make this request to Austin. Once this request from Manor is received by Austin, the parties will begin working on the interlocal agreements that will establish the details of the ETJ exchange.

We appreciate your consideration of this request, and please let us know if any additional information is needed from us. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Nikelle Meade". The signature is written in a cursive style with a large, prominent initial "N".

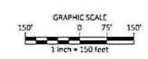
Nikelle Meade

Attachments:

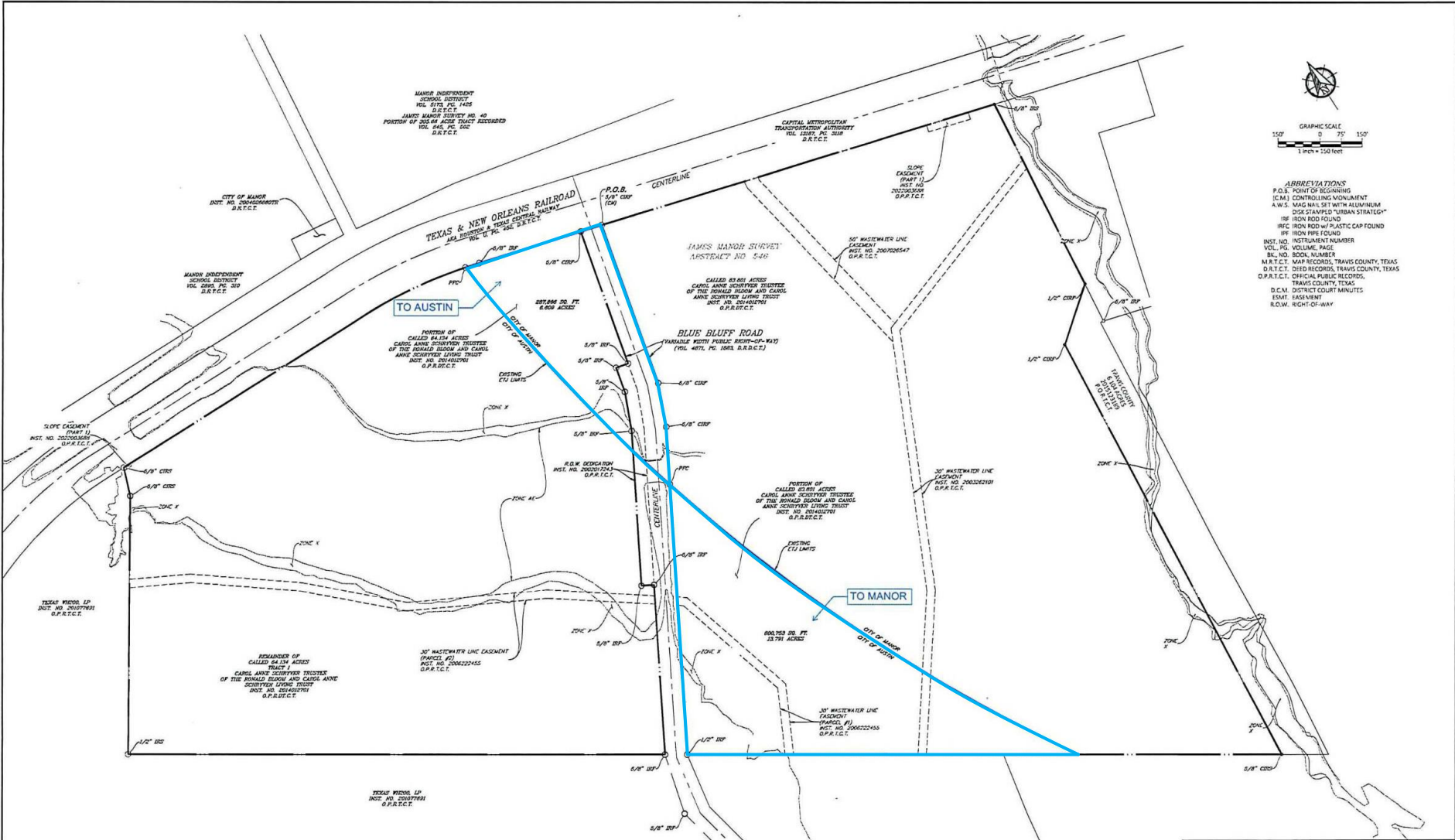
Attachment 1 – Map showing both transfers

Attachment 2 – Metes and Bounds Descriptions of transfer areas


Attachment 3 – Approved Deposit Agreement



- ABBREVIATIONS**
- P.O.B. POINT OF BEGINNING
 - C.M.1 CONTROLLING MONUMENT
 - A.W.S. MAG NAIL SET WITH ALUMINUM DISC STAMPED "URBAN STRATEGY"
 - IRF IRON ROD FOUND
 - IRPC IRON ROD w/ PLASTIC CAP FOUND
 - IRP IRON PIPE FOUND
 - INST. NO. INSTRUMENT NUMBER
 - VOL. PG. VOLUME, PAGE
 - B.C. NO. BOOK NUMBER
 - M.R.T.C. MAP RECORDS, TRAVIS COUNTY, TEXAS
 - D.R.T.C.T. DISED RECORDS, TRAVIS COUNTY, TEXAS
 - O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
 - D.C.M. DISTRICT COURT MINUTES
 - ESMT. EASEMENT
 - R.O.W. RIGHT-OF-WAY



URBAN STRATEGY, INC. 4322 MAIN STREET, DALLAS, TEXAS 75226
 TEL: 972.991.1111 FAX: 972.991.1112
 WWW.URBANSTRATEGY.US
 DATE: 11/11/2015 10:30 AM
 PROJECT: 1501010001


URBAN STRATEGY
 4322 Main Street, Dallas, Texas 75226
 Tel: 972.991.1111 Fax: 972.991.1112
 www.urbanstrategy.us

OVERALL ETJ BOUNDARY EXHIBIT

To be transferred to Manor

EXHIBIT A

BEING a portion of a called 83.801 Acre (3,655,514 square feet) tract of land situated in the James Manor Survey, Abstract Number 1280, Travis County, Texas; being a portion of a tract of land described in Special Warranty Deed to Carol Anne Schryver, Trustee of the Ronald Bloom and Carol Anne Schryver Living Trust Tract 2, recorded in Instrument Number 2014012701, Official Public Records, Travis County, Texas (O.P.R.T.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of that tract of land conveyed to Heart of Manor L.P., by deed recorded in Instrument No. 200737703, O.P.R.T.C.T., same being the southwest corner of said Schryver Living Trust, Tract 2, and also being in the easterly line of Blue Bluff Road (a variable width public right-of-way, Volume 4871, Page 1883, along with a right-of-way dedication recorded in Instrument No. 2002017243, O.P.R.T.C.T.);

THENCE North 23 degrees 41 minutes 58 seconds East, along the easterly right-of-way line of said Blue Bluff Road, a distance of 969.86 feet to a point for corner, from which a 5/8 inch iron rod found for reference bears North 23 degrees 41 minutes 58 seconds East, a distance of 207.17 feet, and being the beginning of a non-tangent curve to the left, having a radius of 6169.06 feet, a central angle of 16 degrees 16 minutes 41 seconds, and a chord bearing and distance of South 28 degrees 55 minutes 47 seconds East, 1746.79 feet;

THENCE, departing the easterly right-of-way line of said Blue Bluff Road, over and across said Schryver Living Trust, Tract 2, with said curve to the left, an arc distance of 1752.68 feet to a point for corner, being on the northeast line of said Heart of Manor L.P. tract;

THENCE North 62 degrees 34 minutes 31 seconds West, along the northeast line of said Heart of Manor L.P. tract, a distance of 1391.16 feet to the **POINT OF BEGINNING**, and containing 600,753 square feet or 13.791 acres of land.

This document was prepared under 22 Texas Administrative Code §138.95, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This metes and bounds description is accompanied by an exhibit of even date.

David A. Minton
Date 8/28/23

David A. Minton
Registered Professional Land Surveyor
Texas Registration No. 6233
Urban Strategy
TBPLS Firm No. 10194610

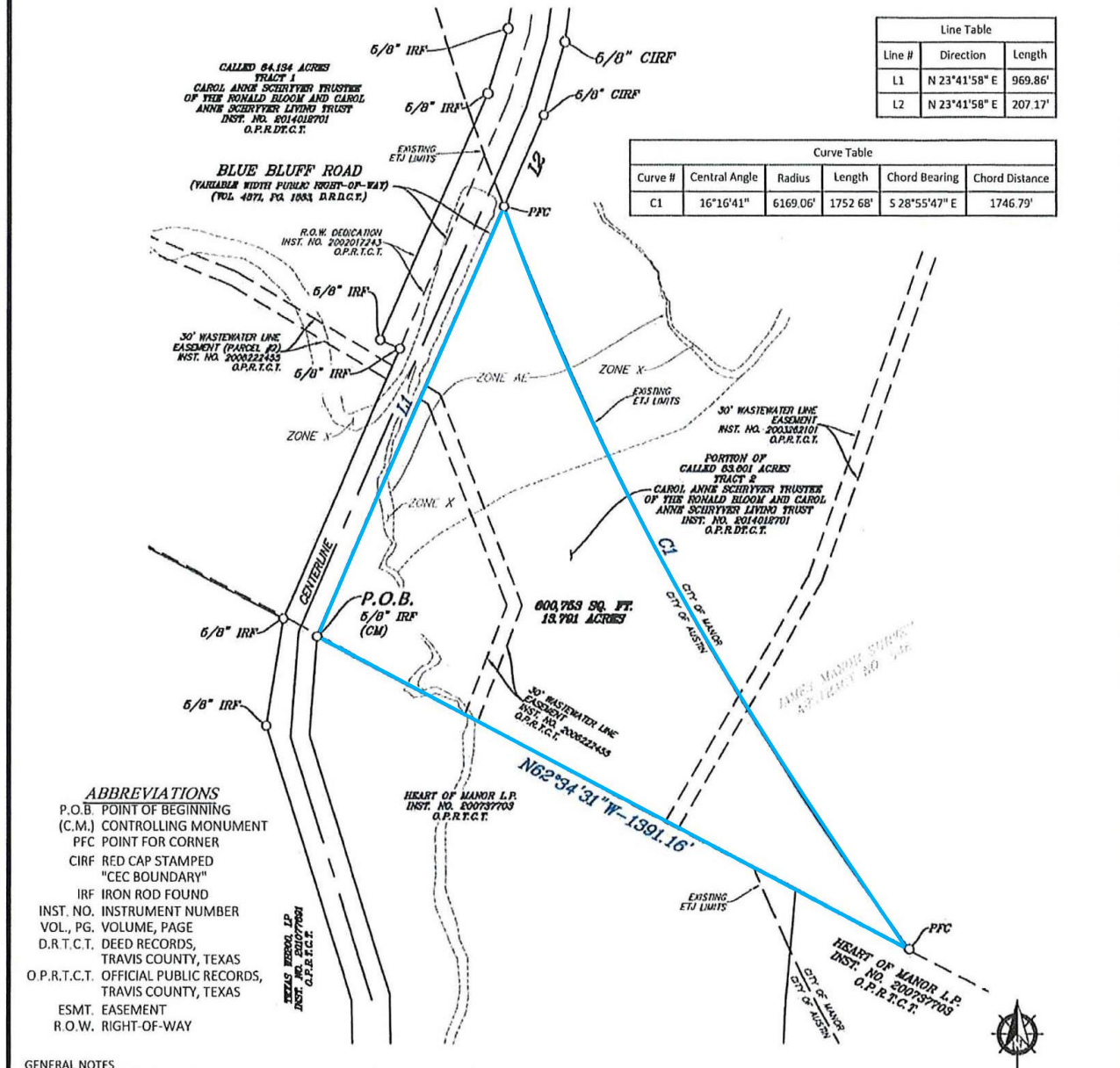


LAST MODIFIED ON: 8/25/2023 2:34 PM
PLOTTED ON: 8/28/2023 8:08 AM



ETJ BOUNDARY SURVEY		
13.791 ACRES / 600,753 SQUARE FEET KNOWN AS: OLD HWY 20, MANOR, TEXAS LOCATED: OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 546 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS		
ISSUE DATE 07/25/2023	PROJECT NO 233009.2	PAGE 1 OF 2

EXHIBIT A

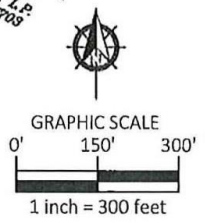


Line Table		
Line #	Direction	Length
L1	N 23°41'58" E	969.86'
L2	N 23°41'58" E	207.17'

Curve Table					
Curve #	Central Angle	Radius	Length	Chord Bearing	Chord Distance
C1	16°16'41"	6169.06'	1752.68'	S 28°55'47" E	1746.79'

- ABBREVIATIONS**
- P.O.B. POINT OF BEGINNING
 - (C.M.) CONTROLLING MONUMENT
 - P.F.C. POINT FOR CORNER
 - CIRF RED CAP STAMPED "CEC BOUNDARY"
 - IRF IRON ROD FOUND
 - INST. NO. INSTRUMENT NUMBER
 - VOL., PG. VOLUME, PAGE
 - D.R.T.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS
 - O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
 - ESMT. EASEMENT
 - R.O.W. RIGHT-OF-WAY

- GENERAL NOTES**
1. THE BASIS OF BEARING SHOWN HEREON IS BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION OF 2011.
 2. THIS EXHIBIT IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION OF EVEN DATE.
 3. NOT ALL LOT LINES OUTSIDE OF THE BOUNDARY OF THE SUBJECT PROPERTY SHOWN HEREON HAVE BEEN SURVEYED AND ARE SHOWN AS GRAPHICAL DEPICTION BASED ON RECORDED INFORMATION AND TAX MAPS.
 4. ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48453C0480 J DATED AUGUST 18, 2014 PREPARED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAVIS COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE AE AND X BY GRAPHICAL PLOTTING.
 5. THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



URBAN STRATEGY
 1100 E. Campbell, Suite 210
 Richardson, Texas 75081
 Firm Registration #F-10191610, 214.396.2339
 www.urbanstrategy.us

ETJ BOUNDARY SURVEY

13.791 ACRES / 600,753 SQUARE FEET

KNOWN AS:
 OLD HWY 20, MANOR, TEXAS

LOCATED:
 OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 546
 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

ISSUE DATE: 07/25/2023 PROJECT NO: 233009 2 SCALE: 1 inch = 300 feet PAGE 2 OF 2

LAST MODIFIED ON: 8/28/2023 8:51 AM
 PLOTTED ON: 8/28/2023 9:21 AM

To be transferred to Austin

EXHIBIT B

BEING a portion of a 64.134 Acre (2,793,680 square feet) tract of land situated in the James Manor Survey, Abstract Number 1280, Travis County, Texas; said 64.134 acre tract being a portion of that certain tract of land described in Special Warranty Deed to Carol Anne Schryver, Trustee of the Ronald Bloom and Carol Anne Schryver Living Trust, Tract 1, recorded in Instrument Number 2014012701, Official Public Records, Travis County, Texas (O.P.R.T.C.T.), and being a portion of Blue Bluff Road, (a variable width public right-of-way, Volume 4871, Page 1883, along with a portion of a Right-of-Way (R.O.W.) dedication recorded in Instrument No. 2002017243, O.P.R.T.C.T.); and being more particularly described as follows:

BEGINNING at an 5/8 inch iron rod with red plastic cap stamped 'CEC Boundary' found for the northwest corner of an 83.801 acre tract of land described to said Carol Anne Schryver and Ronald Bloom Living Trust, Tract 2, and being at the intersection of the southerly right-of-way line of the Texas & New Orleans Railroad, (formerly known as Houston & Texas Central Railway), as recorded in Volume U, Page 452, Deed Records, Travis County, Texas (D.R.T.C.T.), and the easterly right-of-way line of said Blue Bluff Road;

THENCE with the said easterly right-of-way line of Blue Bluff Road, the following bearings and distances:

South 07 degrees 46 minutes 57seconds West, a distance of 601.24 feet to a 5/8 inch iron rod found for corner;

South 16 degrees 50 minutes 57seconds West, a distance of 159.12 feet to a 5/8 inch iron rod found for corner;

South 23 degrees 41 minutes 58seconds West, a distance of 207.17 feet to a point for corner, at the beginning of a non-tangent curve to the right, having a radius of 5,877.55 feet, a central angle of 10 degrees 24 minutes 38 seconds, and a chord bearing and distance of North 15 degrees 44 minutes 58 seconds West, 1,066.47 feet;

THENCE, departing the easterly R.O.W. line of said Blue Bluff Road, over and across said Schryver Living Trust, Tract 1, and said Blue Bluff Road the following bearings and distances:

With said curve to the right, an arc distance of 1,067.94 feet to a point for corner in the southerly R.O.W. line of said Texas & New Orleans Railroad, being the beginning of a non-tangent curve to the right, having a radius of 1,661.85 feet, a central angle of 01 degrees 46 minutes 30 seconds, and a chord bearing and distance of South 80 degrees 29 minutes 31 seconds East, 51.49 feet;

THENCE with the southerly right-of-way line of said Texas & New Orleans Railroad, the following courses:

With said curve to the right, an arc distance of 51.49 feet to a 5/8 inch iron rod found for corner;

South 79 degrees 52 minutes 43 seconds East, passing a 5/8 inch iron rod with cap stamped Stamped "CEC Boundary" found for reference for the northeast corner of said Schryver Living Trust, Tract 1, at a distance of 378.12 feet, and continuing a total distance of 456.61 feet to the POINT OF BEGINNING and containing 287,866 Square Feet, or 6.609 acres of land, more or less.

This document was prepared under 22 Texas Administrative Code §138.95, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This metes and bounds description is accompanied by an exhibit of even date.

David A. Minton 8/28/23
Date

David A. Minton
Registered Professional Land Surveyor
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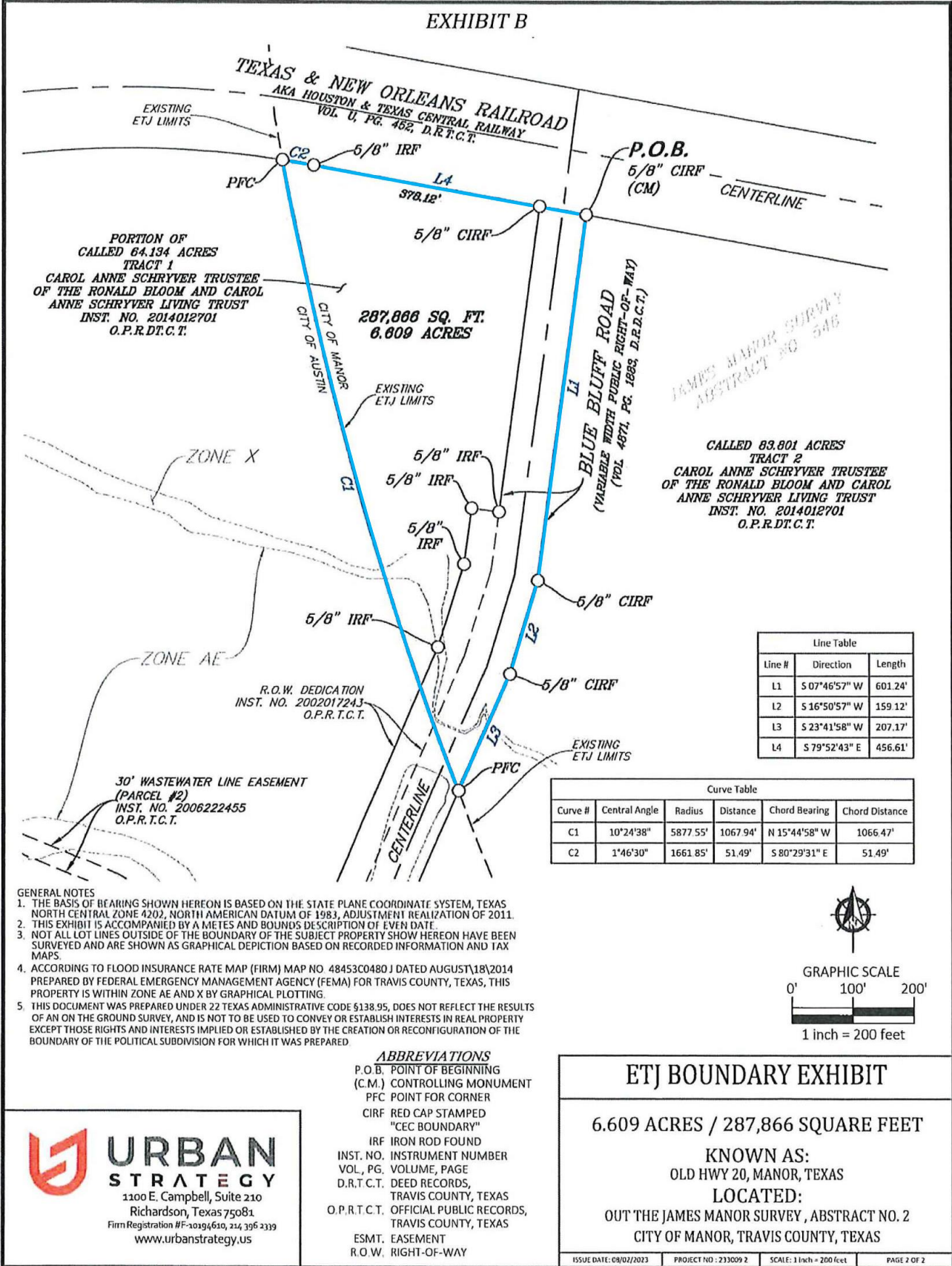


ETJ BOUNDARY EXHIBIT	
6.609 ACRES / 287,866 SQUARE FEET	
KNOWN AS: OLD HWY 20, MANOR, TEXAS	
LOCATED: OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 2 CITY OF MANOR, TRAVIS COUNTY, TEXAS	
ISSUE DATE: 08/02/2023	PROJECT NO.: 233009.2
PAGE 1 OF 2	



LAST MODIFIED ON: 8/28/2023 8:02 AM
PLOTTED ON: 8/28/2023 8:37 AM

EXHIBIT B



GENERAL NOTES

1. THE BASIS OF BEARING SHOWN HEREON IS BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION OF 2011.
2. THIS EXHIBIT IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION OF EVEN DATE.
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4. ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48453C0480 J DATED AUGUST 18, 2014 PREPARED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAVIS COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE AE AND X BY GRAPHICAL PLOTTING.
5. THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ABBREVIATIONS

- P.O.B. POINT OF BEGINNING
- (C.M.) CONTROLLING MONUMENT
- P.F.C. POINT FOR CORNER
- CIRF RED CAP STAMPED "CEC BOUNDARY"
- IRF IRON ROD FOUND
- INST. NO. INSTRUMENT NUMBER
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- D.R.T.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS
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ETJ BOUNDARY EXHIBIT

6.609 ACRES / 287,866 SQUARE FEET

KNOWN AS:
OLD HWY 20, MANOR, TEXAS

LOCATED:
OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 2
CITY OF MANOR, TRAVIS COUNTY, TEXAS

LAST MODIFIED ON: 8/28/2023 8:50 AM
PLOTTED ON: 8/28/2023 9:19 AM

**CITY OF MANOR, TEXAS DEPOSIT AGREEMENT FOR THE
PROPOSED WATER AND SEWER SERVICE TRANSFER AND AN EXCHANGE OF
EXTRA-TERRITORIAL JURISDICTION FOR THE
BLUE BLUFF PROJECT**

THIS DEPOSIT AGREEMENT (this “Agreement”) is made and entered into as of June 7, 2023, by and between the **CITY OF MANOR, TEXAS** (the “City”) and **PLACEMKR, LLC**, a Texas limited liability company (including its Designated Successors and Assigns, the “Developer”), as the authorized agent for the owner of the property (the “Owner”) (the City and Developer collectively referred to as the “Parties”), with said property being generally as described in the attached “**Exhibit A**” (the “Property”).

WHEREAS, the City is the holder of a water Certificate of Convenience and Necessity (“CCN”), No. 10947 (pending Final Order Docket No. 54363), which includes a portion of the Property within its boundaries; and

WHEREAS, Austin Water is the holder of water CCN No. 11322, which includes a portion of the Property within its boundaries; and

WHEREAS, the City is the holder of sewer CCN No. 20378, which includes a portion of the Property within its boundaries; and

WHEREAS, Austin Water is the holder of sewer CCN No. 20636, which includes a portion of the Property within its boundaries; and

WHEREAS, the Developer intends to develop the Property within the extraterritorial jurisdiction of the City of Austin and desires to transfer the Property to the Austin Water CCN; and

WHEREAS, the Developer is coordinating with Austin Water to obtain water and wastewater service to the Property; and

WHEREAS, the Parties anticipate there to be an exchange of the Extra-Territorial Jurisdiction covering portions of the Property between the City and the City of Austin pursuant to future action by the cities’ respective City Councils (the “ETJ Transfer”); and

WHEREAS, the Developer is coordinating with the City and the City of Austin on the release of the sewer CCN;

WHEREAS, the Developer has agreed to advance moneys to be used by the City Manager of the City (the “City Manager”) to pay costs and expenses associated with retaining the Consultants (herein defined) to assist the City with the execution of a Water and Sewer Service Area Transfer Agreement with Austin Water and the ETJ Transfer (the “Transfer Agreement”) and approval by the Public Utility Commission of said Transfer Agreement and of the ETJ Transfer by the respective cities; and

WHEREAS, the Owner has signed an agent designation letter authorizing the Developer to act on its behalf and sign this Agreement; and

WHEREAS, the Parties hereto wish to enter into the Agreement to define the terms and conditions under which moneys will be advanced by and reimbursed to the Developer.

NOW THEREFORE, the Parties, for mutual consideration, agree as follows:

SECTION 1. DEPOSITS. The Developer shall deposit with the City the amount of \$20,000.00 (the "Moneys") to the City Manager within five (5) business days after this Agreement is executed and delivered by the City, which Moneys shall be used by the City exclusively to pay costs generally described in Section 2 hereof. If the Moneys are not deposited in accordance with this Section 1, the City shall not proceed with seeking execution and approval of the Transfer Agreement. The City will notify the Developer if the costs generally described in Section 2 exceed or are expected to exceed \$20,000.00. The City will draw from the deposit for the Consultants fees and other fees related to the execution and approval of the Transfer Agreement (the "Consultants Deposit"). Whenever the account for the Consultants Deposit reaches a balance below \$2,000.00, the Developer shall deposit an additional \$5,000.00 within five (5) business days of notification by the City Manager (the "Additional Moneys"). If the Additional Moneys are not deposited in accordance with this Section 1, the City shall not proceed with the execution and approval of the Transfer Agreement. The City Manager shall cause all Moneys received from the Developer to be deposited into a separate account maintained by or at the direction of the City Manager and the Office of the City Director of Finance. All interest or other amounts earned on Moneys (if any) in such account shall be held in such account for the payment of Project Costs or otherwise applied as set forth in Section 3 hereof.

SECTION 2. USE OF MONEYS ON DEPOSIT. The City has engaged or will engage consultants, including but not limited to engineers and attorneys (collectively, "Consultants"). The Consultants will assist the City with execution and approval of the Transfer Agreement. The Consultants will be responsible to, and will act as consultants to, the City in connection with the execution and approval of the Transfer Agreement. The City Manager will use the Moneys to pay costs and expenses of the Consultants that are associated with or incidental to execution and approval of the Transfer Agreement (collectively, "Project Costs"). The scope of work and terms and conditions of the agreements for the Consultants are, or will be, set forth in agreements on file in the City Manager's office. The City Manager may also use the Moneys for other direct City expenses relating to the execution and approval of the Transfer Agreement. The City Manager shall maintain records of the payment of all Project Costs and keep such records on file and available for inspection and review by the Developer in the City Manager's office upon request by Developer. If the Developer objects to any portion of an invoice, the City and the Owner agree in good faith to attempt to resolve the dispute within a reasonable period of time.

SECTION 3. UNEXPENDED MONEYS. If proceedings for execution and approval of the Transfer Agreement are unsuccessful and are terminated or abandoned prior to the issuance of approval by the PUC, the City Manager shall transfer to the Developer all Moneys, including any interest earnings thereon, then on deposit in the account established and maintained pursuant to Section 1, exclusive of Moneys necessary to pay Project Costs or portions thereof that (i) have

been actually incurred and (ii) are due and owing as of the date of such termination or abandonment. Upon the successful approval by the PUC and resolution of the ETJ Exchange by the respective cities, the City shall return unexpended Moneys, and the interest thereon, if any, to Developer.

SECTION 4. RESERVED RIGHTS. This Agreement does not in any way create an obligation or commitment that the City will execute any agreements, and the City expressly reserves the right to terminate or abandon the proceedings at any time, if in the City's sole discretion, it deems such termination or abandonment to be in the best interest of the City.

SECTION 5. BINDING EFFECT. This Agreement shall be binding on the successors and assigns of the Parties hereto.

[signature pages follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the date above written.

CITY OF MANOR, TEXAS, a municipal corporation

By: Scott Moore

Name: Scott Moore

Title: City Manager

DEVELOPER:

PLACEMKR, LLC,
a Texas limited liability company

By: Chris Cortese

Name: Christopher Cortese

Title: Manager

Exhibit A:
Description of the Property

TRACT 1:

BEING A 64.134 ACRE TRACT OF LAND OUT OF THE JAMES MANOR 1280 ACRE ORIGINAL SURVEY IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REAL PROPERTY CONVEYED TO CAROL ANNE SCHRYVER, TRUSTEE OF THE RONALD BLOOM AND CAROL ANNE SCHRYVER LIVING TRUST, PER DEED RECORDED AS DOCUMENT NO. 2014012701 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 64.134 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD (200 FOOT WIDE RIGHT-OF-WAY), AND AT THE MOST NORTHWESTERLY CORNER OF THE TRACT CONVEYED TO TEXAS WH200, LP, PER DEED RECORDED AS DOCUMENT NO. 2010177691, O.P.R.T.C.T., FOR THE NORTHWEST CORNER AND POINT OF BEGINNING HEREOF;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1. N84°52'28"E, A DISTANCE OF 980.75 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP AT THE BEGINNING OF A 1,661.85 FOOT RADIUS CURVE TO THE RIGHT;*
- 2. EASTERLY ALONG THE ARC OF SAID 1,661.85 FOOT RADIUS CURVE A DISTANCE OF 486.04 FEET THROUGH A CENTRAL ANGLE OF 18°45'26", AND A CHORD BEARING S87°56'27"E AND DISTANCE OF 484.31 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;*
- 3. S79°51'59"E, A DISTANCE OF 378.12 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD (RIGHT-OF-WAY WIDTH VARIES);*

THENCE, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

- 1. S07°47'03"W, A DISTANCE OF 502.07 FEET TO A 1/2-INCH IRON ROD FOUND;*
- 2. N82°31'58"W, A DISTANCE OF 44.58 FEET TO A 1/2-INCH IRON ROD FOUND;*
- 3. S07°45'23"W, A DISTANCE OF 91.84 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;*
- 4. S17°25'23"W, A DISTANCE OF 141.73 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;*
- 5. S23°40'23"W, A DISTANCE OF 556.10 FEET TO A 1/2-INCH IRON ROD FOUND;*
- 6. S66°10'06"E, A DISTANCE OF 44.76 FEET TO A 1/2-INCH IRON ROD FOUND;*
- 7. S23°42'15"W, A DISTANCE OF 608.99 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHERLY COMMON CORNER OF SAID TEXAS WH200, LP TRACT AND OF THE WESTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD;*

THENCE, ALONG THE NORTHERLY LINE OF SAID TEXAS WH200, LP TRACT, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1. N62°34'25"W, A DISTANCE OF 1911.31 FEET TO A 1/2-INCH IRON ROD FOUND AT AN INTERIOR ELL CORNER OF SAID TEXAS WH200, LP TRACT;*
- 2. N27°49'45"E, A DISTANCE OF 925.22 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;*
- 3. N14°20'00"E, A DISTANCE OF 103.86 FEET TO THE POINT OF BEGINNING, AND CONTAINING 64.134 ACRES OF LAND, MORE OR LESS.*

TRACT 2:

BEING A 83.919 ACRE TRACT OF LAND OUT OF THE JAMES MANOR 1280 ACRE ORIGINAL SURVEY, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REAL PROPERTY CONVEYED TO CAROL ANNE SCYRYVER, TRUSTEE OF THE RONALD BLOOM AND CAROL ANNE SCHRYVER LIVING TRUST, PER DEED RECORDED AS DOCUMENT NO. 2014012701 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 83.919 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD (200 FOOT WIDE RIGHT-OF-WAY) AT THE MOST NORTHERLY CORNER OF THE CALLED 6.0 ACRE TRACT CONVEYED TO TRAVIS COUNTY PER DEED RECORDED IN VOLUME 9651, PAGE 384 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), FOR THE NORTHEAST CORNER AND POINT OF BEGINNING HEREOF;

THENCE, ALONG THE WESTERLY LINE OF SAID CALLED 6.0 ACRE TRACT, S00°41'44"W, A DISTANCE OF 720.62 FEET TO A 1/2-INCH IRON ROD WITH "TRAVIS COUNTY SURVEY" CAP FOUND AT THE NORTHERLY COMMON CORNER OF SAID CALLED 6.0 ACRE TRACT AND OF THE CALLED 6.104 ACRE TRACT CONVEYED TO TRAVIS COUNTY PER DEED RECORDED AS DOCUMENT NO. 2015123189, O.P.R.T.C.T.;

THENCE, ALONG THE NORTHERLY AND THEN THE WESTERLY LINE OF SAID CALLED 6.104 ACRE TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. S45°15'06"W, A DISTANCE OF 229.66 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;
2. S00°20'16"E, A DISTANCE OF 1,660.42 FEET TO A 1/2-INCH IRON ROD WITH "TRAVIS COUNTY SURVEY" CAP FOUND ON THE NORTHEASTERLY LINE OF THE TRACT CONVEYED TO HEART OF MANOR, L.P. PER DEED RECORDED AS DOCUMENT NO. 2007037703, O.P.R.T.C.T.;

THENCE, ALONG THE NORTHEASTERLY LINE OF SAID HEART OF MANOR, L.P. TRACT, N62°34'25"W, A DISTANCE OF 2,114.48 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHERLY COMMON CORNER OF SAID HEART OF MANOR, L.P. TRACT AND OF THE EASTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD;

THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. N23°42'04"E, A DISTANCE OF 1177.03 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;
2. N16°51'03"E, A DISTANCE OF 159.12 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP;
3. N07°47'03"E, A DISTANCE OF 601.24 FEET TO A 1/2-INCH IRON ROD SET WITH "CEC BOUNDARY" CAP AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF BLUE BLUFF ROAD;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE TEXAS & NEW ORLEANS RAILROAD, S79°51'59"E, A DISTANCE OF 1460.99 FEET TO THE POINT OF BEGINNING, AND CONTAINING 83.919 ACRES OF LAND, MORE OR LESS.