

STATE OF TEXAS  
COUNTY OF AUSTIN

Land Description  
176.325 Acres

**BEING** a tract or parcel containing 176.325 acres of land situated in the S.F. Austin Survey, Abstract No. 7, the Thomas Westall Survey, Abstract No. 99, and the Thomas Westall Survey, Abstract No. 100, Austin County, Texas and being composed of the following tracts: (1) Part of that land described as 82.08 acres in Deed dated May 12, 1969 from Leon Phillips to James Robert Phillips, recorded in Volume 310, Page 136, Austin County Deed Records, and (2) Part of that land described as 34.19 acres in Deed dated September 27, 1961 from Rosa Phillips to W.G. Phillips, et ux, recorded in Volume 261, Page 310, Austin County Deed Records, and (3) Part of that land described as 34.19 acres in Deed dated November 24, 1963 from Addye Belle Kubricht to Leon Phillips, et ux, recorded in Volume 271, Page 233, Austin County Deed Records, and (4) Part of that land described as 34.19 acres in Deed dated September 27, 1961 from Rosa Phillips to Leon Phillips, et ux, recorded in Volume 261, Page 135, Austin County Deed Records. Said 176.325 acre tract being described more particularly by metes and bounds as follows:

**BEGINNING** at a point on the Southerly bank of the Brazos River for the most Northerly corner of the original 82.08 acre tract and the most Northerly corner of the herein described 176.325 acre tract and from said point a ½" iron rod set for reference at a fence corner bears S 45° 02' 49" W a distance of 200.00 feet, said point also being the East corner of the Margaret Daryani 73.118 acre tract as described in Volume 559, Page 73, Official Records;

**THENCE** along the Southerly bank of the Brazos River, S 42° 12' 56" E a distance of 468.52 feet to a point for an Easterly corner of the herein described tract and being the North corner of a 1.000 acre tract conveyed to Michael Twardowski by deed recorded in Volume 774, Page 832, Official Records;

**THENCE** leaving said river and along the Northwest line of the Twardowski 1.00 acre tract, S 45° 02' 34" W, at 48.00 feet passing a ½" iron rod found for reference, in all a total distance of 293.34 feet to a ½" iron rod found at a fence corner for the West corner of said 1.00 acre tract and being an interior corner of the herein described tract;

**THENCE** continuing along the Southwest line of said 1.00 acre tract, S 44° 48' 37" E a distance of 139.02 feet to a ½" iron rod found for the South corner of said 1.00 acre tract and being the West corner of Lot 87 of the Lazy River Subdivision as recorded in Volume 310, Page 136, Deed Records, also being the North corner of Lot 88 of this same subdivision;

**THENCE** along the Northwest and Southwest line of said Lazy River Subdivision, the following calls:

- S 44° 53' 30" W a distance of 1897.51 to an angle point, and
- S 45° 00' 00" W (Basis of Bearings - Record Adjoining Plat Call) a distance of 3597.00 feet to a ½" iron rod set for the West corner of said subdivision and being an interior corner of the herein described tract, and
- S 45° 30' 00" E a distance of 537.22 feet to a ½" iron rod set for corner on the West right of way line of Lazy River Drive;

**THENCE** along the Southwest and Northwest lines of Lazy River Drive, the following calls:

- S 44° 25' 00" W 40.00 feet to a ½" iron rod set for corner, and
- S 45° 04' 57" E 699.30 feet to a ½" iron rod set for an Easterly exterior corner of the herein described tract, and
- S 45° 01' 30" W 910.37 feet to a ½" iron rod set for the Southeast corner of the herein described tract at the point where said line of Lazy River Drive intersects the Northerly line of Bartlett Road;

**THENCE** along the Northerly line of Bartlett Road, the following calls:


- N 72° 20' 44" W 877.84 feet to a ½" iron rod set for angle point, and
- N 72° 08' 54" W 1462.09 feet to a ½" iron rod found for a South corner of the Daryani 73.118 acre tract and being the Southwest corner of the herein described tract;

**THENCE** along the Southeast boundary of the Daryani 73.118 acre tract, the following calls:

- N 44° 11' 01" E 21.46 feet to a ½" iron rod found for corner, and
- N 44° 15' 14" W 288.27 feet to a ½" iron rod found for corner, and
- N 44° 29' 33" E 1300.13 feet to a ½" iron rod found for angle point, and
- N 44° 46' 37" E 1669.17 feet to a ½" iron rod set for corner, and
- S 45° 32' 02" E 516.60 feet to a ¾" pipe found for corner, and
- N 45° 02' 49" E 4826.69 feet to the **POINT OF BEGINNING**, containing 176.325 acres of land of which 83.719 acres being in the S.F. Austin Survey, 52.195 acres in the T. Westall Survey, A - 99 and 40.411 acres being in the T. Westall Survey, Abstract No. 100.

Notes:

- (1) All found monuments were called for by the record deed or adjoining deeds.
- (2) Survey plat to accompany this description

  
\_\_\_\_\_  
Darrell D. Rau  
Registered Professional Land Surveyor  
Registration No. 4173

Date: January 09, 2006



EXHIBIT " A "

# FRANK

SURVEYING COMPANY INC

2205 Walnut Street - Columbus, TX 78934

Ph: 979.732.3114 - Fax: 979.732.5271

www.franksurveying.com

AUSTIN COUNTY, TEXAS  
THOMAS WESTALL SURVEY, ABSTRACT NO. 100  
THOMAS WESTALL SURVEY, ABSTRACT NO. 99  
STEPHEN F. AUSTIN SURVEY, ABSTRACT NO. 7

DESCRIPTION OF A 131.825 ACRE TRACT OF LAND OUT OF THE THOMAS WESTALL SURVEY, ABSTRACT NO. 100, THE THOMAS WESTALL SURVEY, ABSTRACT NO. 99 AND THE STEPHEN F. AUSTIN SURVEY, ABSTRACT NO. 7, AUSTIN COUNTY, TEXAS AND BEING THAT PROPERTY AS THE APPARENT INTENT AND VAGUELY SHOWN ON "EXHIBIT A" ON A GENERAL WARRANTY DEED DATED MARCH 12, 2011 FROM LEONARD KOPP TO SANDRA MANOR TRUST, RECORDED IN CLERK FILE NO. 111477, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT ORIGINALLY CALLED 176.325 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED JULY 18, 2007 FROM JAMES ROBERT PHILLIPS, ET UX TO STRATEGIC TRANSFORMATIONS, INC., RECORDED IN CLERK FILE NO. 074467, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 131.825 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found (Grid Coordinates: N 13,844,424.81 E 2,899,529.73) for the called Westerly corner of the said parent 176.325 acre tract, being also the most Westerly corner of the herein described 131.825 acre tract, being also a common Interior corner of a called 73.118 acre tract described in a deed dated March 6, 1987 from Mervin L. Holland, et ux to Margaret Daryani, recorded in Volume 559, Page 73, Austin County Official Records;

THENCE North 42° 39' 31" East (called North 44° 29' 33" East) with a Southeast line of said 73.118 acre tract, being the common Northwest line of the herein described tract a distance of 1300.85 feet (called 1300.13') to a 5/8 inch iron rod found for corner;

THENCE North 42° 52' 51" East (called North 45° 18' 10" East) continuing with said Southeast line of said 73.118 acre tract, being the common Northwest line of the herein described tract a distance of 1119.27 feet (called 1118.80') to a 5/8 inch iron rod found for corner;

THENCE North 42° 52' 13" East (called North 45° 17' 10" East) continuing with said Southeast line of said 73.118 acre tract, being the common Northwest line of the herein described tract a distance of 551.54 feet (called 551.90') to a 5/8 inch iron rod found for an interior corner of said 73.118 acre tract, being a common Northerly corner of the herein described tract, from said corner a 1/2 inch iron rod found bears South 51° 46' 17" West a distance of 1.10 feet;

THENCE South 47° 14' 52" East (called South 45° 32' 02" East) with the Southwest line of said 73.118 acre tract, being a common Northeast line of the herein described tract a distance of 536.86 feet (called 536.60') to a 3/4 inch iron pipe found for the Southerly corner of said 73.118 acre tract, being a common interior corner of the herein described tract;

THENCE North 43° 09' 49" East (called North 45° 02' 49" East) with the Southeast line of said 73.118 acre tract, being a common Northwest line of said called 176.325 acre tract a distance of 1325.32 feet to a 5/8 inch iron rod set w/cap for the most Northerly Northwest corner of the herein described 131.825 acre tract, from said corner a 3/8 inch iron rod found w/cap for a reference corner to the most Northerly corner of said parent 176.325 acre tract bears North 43° 09' 49" East a distance of 3301.17 feet;

THENCE across the said 176.325 acre parent tract and being that apparent intent of division line of the herein described 131.825 acre tract as vaguely shown in Clerk File No. 095941, Austin County Official Records and in Austin County District Court Case No. 2009V-0058, the following:

- North 89° 00' 25" East a distance of 221.28 feet to a 5/8 inch iron rod set w/cap;
- South 32° 06' 35" East a distance of 34.49 feet to a 5/8 inch iron rod set w/cap;
- North 74° 42' 43" East a distance of 138.77 feet to a 5/8 inch iron rod set w/cap;
- South 80° 32' 22" East a distance of 74.31 feet to a 5/8 inch iron rod set w/cap;
- South 52° 50' 14" East a distance of 43.58 feet to a 5/8 inch iron rod set w/cap;
- South 79° 18' 29" East a distance of 143.07 feet to a 5/8 inch iron rod set w/cap;
- South 30° 26' 07" East a distance of 36.99 feet to a 5/8 inch iron rod set w/cap;
- South 55° 42' 41" East a distance of 50.89 feet to a 5/8 inch iron rod set w/cap;
- South 19° 31' 26" East a distance of 40.44 feet to a 5/8 inch iron rod set w/cap in the Northwest line of Lazy River Subdivision, as per plat recorded in Volume 310, Page 136, Austin County Deed Records for the most Northerly Northeast corner of the herein described 131.825 acre tract, from said corner a 1/2 inch iron rod found bears North 43° 06' 53" East a distance of 372.24 feet;

THENCE South 43° 06' 53" West (called South 45° 00' 00" West) with the Northwest line of Lazy River Subdivision and at 2344.07 feet passing a 1/2 inch iron rod found for the Northerly corner of Lot 161 of said Lazy River Subdivision and continuing for a total distance of 2675.92 feet to a 5/8 inch iron rod set w/cap for the Westerly corner of said Lazy River Subdivision, being a common interior corner of the herein described tract, from which a 3/8 inch iron rod found w/cap bears North 68° 12' 01" East a distance of 1.66 feet;

THENCE South 47° 28' 07" East (called South 45° 35' East) with the Southwest line of said Lazy River Subdivision a distance of 537.22 feet (called 537.22') to a point for corner in the Northwest line of Lazy River Drive (40' right of way per plat), from which a 1/2 inch iron rod found w/cap bears South 84° 26' 24" East a distance of 0.59 feet;

THENCE South 42° 31' 53" West (called South 44° 25' West) with the Northwest line of Lazy River Drive a distance of 40.00 feet (called 40.00') to a point in the Southwest line of said Lazy River Drive, from which a 1/2 inch iron rod found w/cap bears South 86° 36' 39" East a distance of 0.73 feet;

THENCE South 47° 28' 07" East (called South 45° 35' East) continuing with the Southwest line of said Lazy River Drive a distance of 99.77 feet (called 99.77') to a 5/8 inch iron rod set w/cap for corner;

THENCE South 46° 49' 07" East (called South 44° 56' East) continuing with the Southwest line of said Lazy River Drive a distance of 599.22 feet (called 599.22') to a 5/8 inch iron rod set w/cap for the Easterly corner of the herein described tract, from said corner a 1/2 inch iron rod found w/cap bears North 64° 38' 11" East a distance of 2.48 feet;

THENCE South 43° 08' 23" West (called South 45° 01' 30" West) with the Northwest line of said Lazy River Drive a distance of 910.37 feet (called 910.37') to a 5/8 inch iron rod set w/cap at the corner intersection of Lazy River Drive and Bartlett Road for the most Southerly corner of the herein described tract, from said corner a 1/2 inch iron rod found w/cap bears North 76° 58' 15" East a distance of 1.76 feet;

THENCE North 74° 11' 14" West (called North 72° 20' 44" West) with the Northeast line of Bartlett Road, being the common called Southwest line of said 176.325 acre tract a distance of 876.40 feet (called 877.84') to a 1/2 inch iron rod found for corner;

THENCE North 74° 01' 12" West (called North 72° 08' 54" West) with the Northeast line of Bartlett Road, being the common called Southwest line of said 176.325 acre tract a distance of 1462.10 feet (called 1462.09') to a 1/2 inch iron rod found for corner, being a common Southeast corner of said 73.118 acre tract;

THENCE North 43° 10' 54" East (called North 44° 11' 01" East) departing said Bartlett Road and being a common Southeast line of said 73.118 acre tract a distance of 21.20 feet (called 21.46') to a 1/2 inch iron rod found for an interior corner of said 131.825 acre tract, being a common Southeast corner of said 73.118 acre tract;

THENCE North 46° 14' 45" West (called North 44° 15' 14" West) with the Southwest line of said 176.325 acre tract, being a common Northeast line of said 73.118 acre tract a distance of 289.57 feet (called 288.27') to the POINT OF BEGINNING, containing 131.825 acres of land, more or less.

- Bearing Basis: Texas Lambert Grid, Texas South Central Zone, NAD 83/CORS 96 (EPOCH: 2002)
- All distances are surface values, to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99989233.
- Any reference to a 5/8" iron rod set w/cap is a 5/8" iron rebar 24" inches long and set with a 2" aluminum cap stamped "Frank Surveying Co - RPLS 5953".

This metes and bound description and plat attached hereto represent an on-the-ground survey made under my supervision during April 6<sup>th</sup> through April 11<sup>th</sup>, 2011.

Matthew W. Loessin  
Registered Professional Land Surveyor No. 5953  
Frank Surveying Co., Inc.  
Project No. 1104073  
Word File: 1104073 - 131.825 acre m & b.docx  
ACAD File: 1104073.dwg

Date: 04/15/2011



*Matthew*

FILED

STATE OF TEXAS

COUNTY OF AUSTIN

EXHIBIT "A"

11 APR 26 PM 1:46

I certify that this instrument was filed on this date and time stamped by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS. PAGE 2 OF 2

Page 2 of 2

*Carrie Gregor*

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

Carrie Gregor, County Clerk  
Austin County, Texas

111690

4