

ANNEXATION APPLICATION

Updated: March, 2023



CONTACT INFORMATION

Applicant's Name		Property Owner	
Company		Company	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Is the property adjacent to city limits: ☐ YES ☐ NO

Is the property proposing to connect to City utilities: ☐ YES, WATER ☐ YES, WASTE WATER ☐ NO

Is the property subject to an approved development or other agreement: ☐ YES ☐ NO

Proposed Use: _____ Proposed Zoning: _____

Reason for Annexation / Other Considerations: _____

AUTHORIZATION

By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,800 Technology Fee \$15 **TOTAL COST \$1,815**

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, Bryan Lee, Manager (owner name) on behalf of
La Cima Commercial LP (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
RR 12 West of W. Centerpoint Road (address).

I hereby authorize Doug Goss (agent name) on behalf of
NDA (agent company) to file this application for
Annexation and Zoning (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:

Bryan Lee

Date:

3-7-2024

Printed Name, Title:

Bryan Lee, Manager

Signature of Agent:

[Signature]

Date:

3/7/2024

Printed Name, Title:

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

OWNER'S CONSENT TO ANNEXATION OF LAND

Date:

City: City of San Marcos, Texas, a home rule municipal corporation

Owner: La Cima Commercial LP

Property: 7.5 Ac La Cima PEC Substation

Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

OWNER: Bryan Lee

By: La Cima Commercial, LP

Name: Bryan Lee

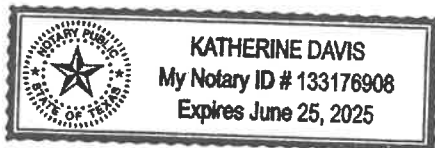
Title: Manager

ACKNOWLEDGMENT

STATE OF Texas §

COUNTY OF Tarrant §

This instrument was acknowledged before me on April 16, 2024 by
Bryan Lee, Manager of La Cima Commercial, LP in such
capacity on behalf of said entity.



Katherine Davis
Notary Public, State of TEXAS

DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

 Out of City Utility Connection of Extension Application

 Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

~~OWNER (individual):~~

~~_____~~

~~Date: _____~~

OWNER (Entity):

By: *Bryan Lee*

La Cima Commercial, LP

Name: _____

Title: Bryan Lee,
Manager

Date: 4-16-2024

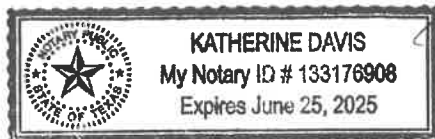
[OR]

ACKNOWLEDGMENT

STATE OF Texas §

COUNTY OF Texas §

This instrument was acknowledged before me on April 16, 2024 by Bryan Lee, Manager of La Cima Commercial, LP in such capacity on behalf of said entity.



Katherine Davis
Notary Public, State of Texas

Case No. _____ (to be inserted by City Staff)

**PEDERNALES ELECTRIC COOPERATIVE
HAYS COUNTY, TEXAS
7.500 ACRE TRACT**

EXHIBIT "A"

BEING a 7.500 acre tract of land lying in the John Williams Survey, Abstract 490 and in the John Maximillion Jr. Survey No. 15, Abstract 299, Hays County, Texas, same being a portion of a 31.079 acre tract of land described as Exhibit "B" and recorded in document number 17016156, Official Public Records of Hays County, Texas, same also being described by a drawing (7.500 Acres.dwg dated February 28, 2024) attached to and made part hereof and more particularly described as follows:

BEGINNING at a 5/8" iron rod found with Texas Department of Transportation Type III aluminum disk (Northing: 13,877,093.77, Easting: 2,288,535.22) in the southwest right-of-way line of R.M. Highway 12 (varying width right-of-way) for the north corner of the aforementioned 31.079 acre tract, the south corner of a 0.0458 of an acre tract of land as described and recorded in document number 16006618, Official Public Records of Hays County, Texas, a west corner of a 0.464 of an acre tract of land as described and recorded in volume 4264, page 511, Official Public Records of Hays County, Texas, the east corner of a 4.337 acre tract of land described as "Tract One" and recorded in volume 1080, page 874, Official Public Records of Hays County, Texas, and the north corner of the herein described 7.500 acre tract, from which a 1/2" iron rod found in the northwest line of said 4.337 acre tract bears N81°37'38"W a distance of 122.24 feet;

THENCE along the southwest right-of-way line of the aforementioned R.M. Highway 12, a northeast line of the aforementioned 31.079 acre tract and a southwest line of the aforementioned 0.464 of an acre tract, S66°44'02"E a distance of 147.44 feet (S66°44'02"E – 147.44') to a 5/8" iron rod found with Texas Department of Transportation Type III aluminum disk for an interior corner of said 0.464 of an acre tract and an east corner of the herein described 7.500 acre tract;

THENCE along a southeast line of the aforementioned 31.079 acre tract and a northwest line of the aforementioned 0.464 of an acre tract, S23°05'26"W a distance of 19.99 feet to a 5/8" iron rod found with Texas Department of Transportation Type III aluminum disk in a southwest right-of-way line of the aforementioned R.M. Highway 12 for an interior corner of said 31.079 acre tract, a west corner of said 0.464 of an acre tract;

THENCE leaving the southwest right-of-way line of the aforementioned R.M. Highway 12, S23°05'26"W a distance of 46.36 feet a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for an interior corner of the herein described 7.500 acre tract;

THENCE S46°22'49"E a distance of 310.56 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for an east corner of the herein described 7.500 acre tract, from which a 5/8" iron rod found with Texas Department of Transportation Type III aluminum disk in the southwest right-of-way line of the aforementioned R.M. Highway 12 and a northeast line of the aforementioned 31.079 acre tract for the east corner of the aforementioned 0.464 of an acre tract bears N78°45'57"E a distance of 310.95 feet;

THENCE S43°23'46"W a distance of 694.58 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in a southwest line of the aforementioned 31.0179 acre tract and the northeast line of Lot 1 of the La Cima Fire Station Plat as described and recorded in document number 21021091, Plat Records of Hays County, Texas, for the south corner of the herein described 7.500 acre tract, from which a 1/2" iron rod found with plastic cap stamped "BCG" bears S40°23'45"E a distance of 181.93 feet (Record – S40°23'45"E);

**PEDERNALES ELECTRIC COOPERATIVE
HAYS COUNTY, TEXAS
7.500 ACRE TRACT**

THENCE along a southwest line of the aforementioned 31.079 acre tract and the northeast line of the aforementioned Lot 1, N40°23'45"W a distance of 263.02 feet (Record – N40°23'45"W) to a 1/2" iron rod found with plastic cap strapped "BCG" for an interior corner of said 31.079 acre tract, the north corner of said Lot 1 and an interior corner of the herein described 7.500 acre tract;

THENCE along a southeast line of the aforementioned 31.079 acre tract and the northwest line of the aforementioned Lot 1, S48°50'54"W a distance of 109.33 feet (Record – S48°50'54"W – 109.93') to a 1/2" iron rod found for an angle corner of said 31.079 acre tract, an angle corner of the aforementioned 4.337 acre tract and an angle corner of the herein described 7.500 acre tract;

THENCE along a west line of the aforementioned 31.079 acre tract and the east line of the aforementioned 4.337 acre tract, N01°39'13"W a distance of 282.80 feet (Record – N01°39'13"W – 282.80') to a 1/2" iron rod found for the west corner of said 31.079 acre tract and an interior corner of said 4.337 acre tract and the west corner of the herein described 7.500 acre tract;

THENCE along the northwest line of the aforementioned 31.079 acre tract and a southeast line of the aforementioned 4.337 acre tract, N43°23'46"E a distance of 587.87 feet (Record – N43°23'46"E – 587.88') to the **PLACE OF BEGINNING** and containing 7.500 acres of land.

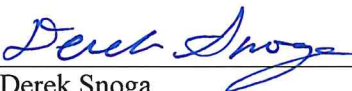
The bearing basis for this survey and noted coordinates is Grid North, Texas State Plane Coordinate System, NAD 1983(HARN), South Central Zone (4204) Epoch: 2010. All noted distances are Surface (Scale Factor: 1.00012).

THE STATE OF TEXAS X
 X **KNOWN TO ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR X

I, Derek Snoga, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in January of 2024.

Date 28th day of February 2024 A.D.





Derek Snoga
Registered Professional Land Surveyor
No. 6511 - State of Texas

LINE	BEARING	DISTANCE	RECORD BEARING	RECORD DISTANCE	RECORD SOURCE
L1	N81°37'38"W	122.24'			
L2	S66°44'02"E	147.44'	S66°44'02"E	147.44'	"1"
L3	S23°05'26"W	19.99'			
L4	S23°05'26"W	46.36'			
L5	S40°23'45"E	181.93'	S40°23'45"E		"1"
L6	S48°50'54"W	109.33'	S48°50'54"W	109.93'	"1"

Pg. 3 of 3

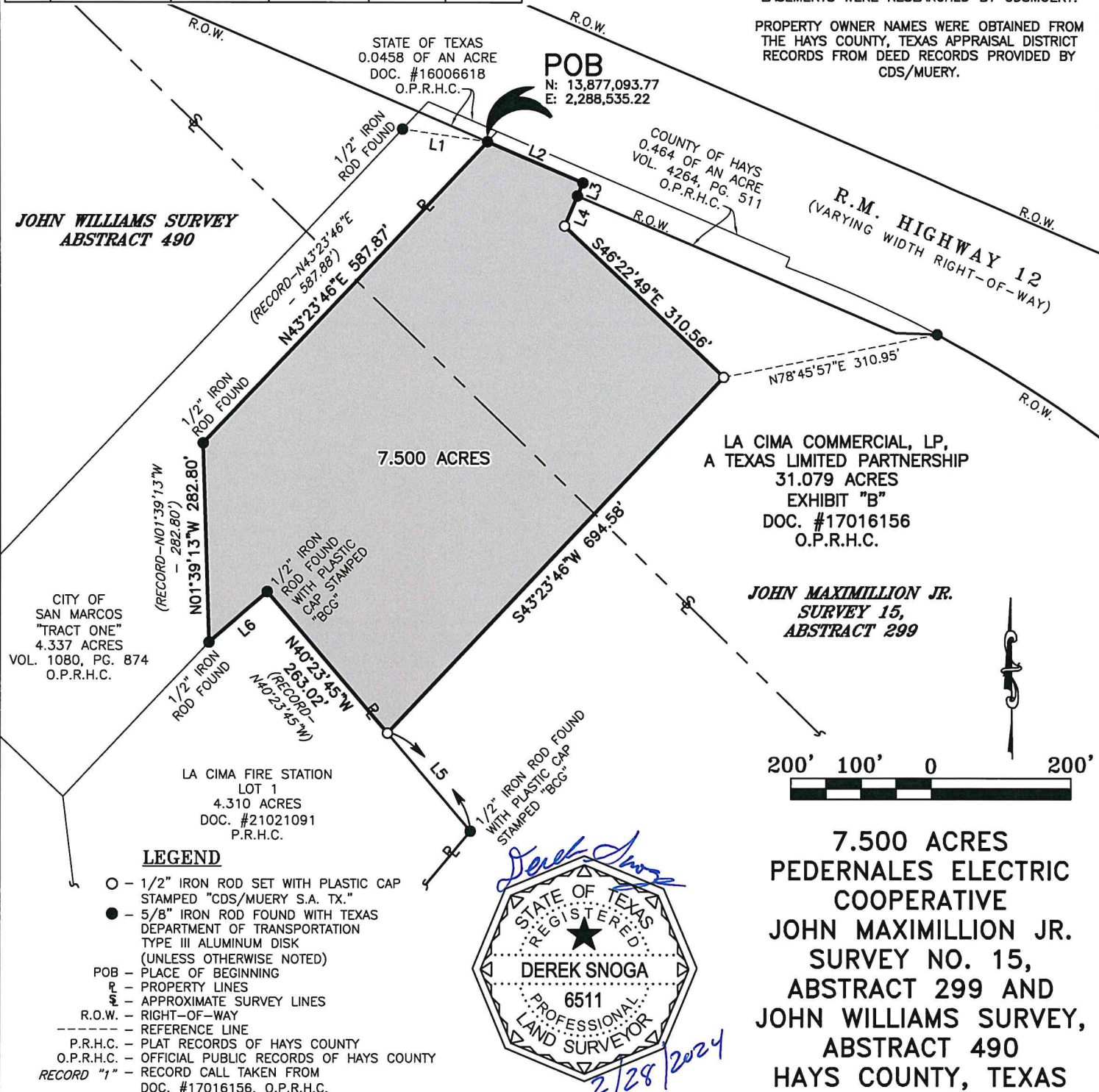
LEGAL DESC. 7.500 ACRES.docx
CDS JOB NO. 124016

BEARING BASIS: GRID NORTH
COORDINATE SYSTEM: TEXAS STATE PLANE,
NAD83(2011), EPOCH:2010
TEXAS SOUTH CENTRAL ZONE (4204)

ALL DISTANCES SHOWN ARE SURFACE.
(GRID X 1.00012 = SURFACE)

THIS EXHIBIT REPRESENTS A BOUNDARY SURVEY
ONLY. EASEMENTS SHOWN HEREON ARE FOR
REFERENCE PURPOSES ONLY. NO ADDITIONAL
EASEMENTS WERE RESEARCHED BY CDSMUERY.

PROPERTY OWNER NAMES WERE OBTAINED FROM
THE HAYS COUNTY, TEXAS APPRAISAL DISTRICT
RECORDS FROM DEED RECORDS PROVIDED BY
CDS/MUERY.



FIELD NOTE DESCRIPTION

DESCRIPTION OF 0.413 ACRE (17,980 SQUARE FEET) OF LAND BEING OUT OF THE JOHN MAXIMILIAN JR. SURVEY NO. 15, ABSTRACT 299, HAYS COUNTY, TEXAS, SAID BEING A PORTION OF A CALLED 0.464 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO COUNTY OF HAYS, RECORDED IN VOLUME 4264, PAGE 511, OFFICIAL PUBLIC RECORD RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), AND ALSO BEING A PORTION OF THE EXISTING RIGHT-OF-WAY OF STATE HIGHWAY RANCH TO MARKET ROAD 12 (R.M. 12), A VARIABLE WIDTH RIGHT-OF-WAY, SAID 0.413 ACRE TRACT AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. AND SHOWN ON THE ACCOMPANYING SKETCHES, BEING MORE PARTICULARLY DESCRIBED BY THE METES AND BOUNDS AS FOLLOWS;

COMMENCING at a 1/2-inch iron rod with an aluminum cap stamped "TXDOT" found, for the most southerly southwest corner of said 0.464 acre tract, same being an interior ell corner of the remainder of a called 31.079 acre tract of land, described in a deed to La Cima Commercial, LP, recorded in Document No. 17016156, O.P.R.H.C.TX.,

THENCE, N 23° 05' 26" E, with the common line of said 0.464 acre tract and remainder of a said 31.079 acre tract, a distance of **19.99 feet** to a 1/2-inch iron rod with an aluminum cap stamped "TXDOT" found, for an interior ell corner of said 0.464 acre tract, same being the **POINT OF BEGINNING** and the southeast corner of the tract described herein;

THENCE, N 66° 44' 02" W, continuing with the common line of said 0.464 acre tract and remainder of a said 31.079 acre tract, a distance of **147.44 feet** to a 1/2-inch iron rod with an aluminum cap stamped "TXDOT" found, for the northeast corner of the remainder of a called 4.337 acre tract of land, described as Tract 1 in a deed to City of San Marcos, recorded in Volume 1080, Page 874, O.P.R.H.C.TX., same being southwest corner of remainder of a said 31.079 acre tract and of the tract described herein;

THENCE, over and across the existing right-of-way of said R.M. 12 and the said 0.464 acre tract, the following three (3) courses and distances;

1. **N 23° 15' 58" E**, a distance of **121.95 feet** to a calculated point, for the northwest corner of the tract described herein,
2. **S 66° 44' 02" E**, a distance of **147.44 feet** to a calculated point, for the northeast corner of the tract described herein,
3. **S 23° 15' 58" W**, a distance of **121.95 feet** to the **POINT OF BEGINNING**, and containing 0.413 acre (17,980 square feet) of land.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Distances shown hereon are based on surface measurements, to convert surface distances to grid, multiple by the combined scale factor. The combined scale factor for this project is 0.999875.

BOWMAN WORD FILE: FN 2896

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HAYS §

That I, Daniel Cogburn, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a series of surveys made on the ground during March 2024, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 9th day of May 2024 A.D.

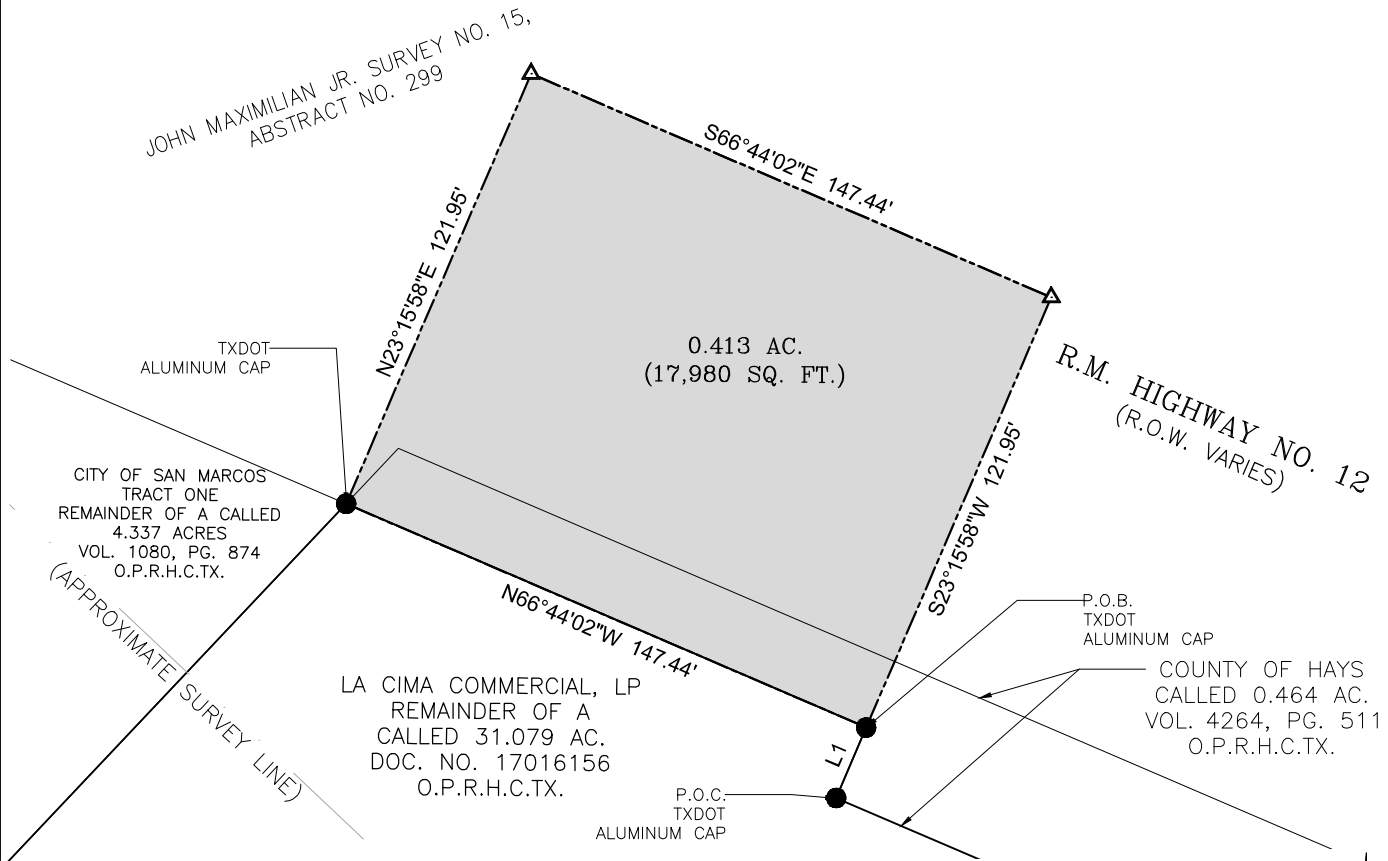
 5/9/2024

Bowman Consulting Group, Ltd.
Austin, Texas 78746

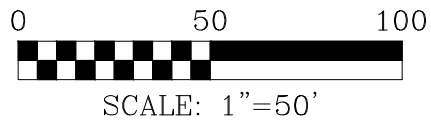
Daniel Cogburn
Registered Professional Land Surveyor
No. 6894 – State of Texas



FILE: \\Tx-aust-fs1-vm\new_projects\005956 - Lazy Oaks Ranch\005956-01-002 (SUR) - Freeman Tract\Survey\Working\PEC Substation\ROW Annexation\005956_La Cima ROW Annexation.dwg
DATE: May 09, 2024 - 11:04am



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N23°05'26\"E	19.99'



LEGEND

- 1/2" IRON ROD FOUND (OR AS NOTED)
- ▲ CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- D.R.H.C.TX. DEED RECORDS OF HAYS COUNTY, TEXAS
- P.R.H.C.TX. PLAT RECORDS OF HAYS COUNTY, TEXAS

NOTES:

- BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
- DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
- THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999875.
- THIS PROJECT WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT;

SHEET 3 OF 3

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
807 Las Cimas Pkwy, Las Cimas II, #350, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

EXHIBIT TO ACCOMPANY
FIELD NOTES DESCRIPTION
FN2896

Corridor Title Co. GF# 17-0590-3

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 DRIVER'S LICENSE NUMBER.

ASSUMPTION GENERAL WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF HAYS §

LAZY OAKS RANCH, LP, a Texas limited liability company (whether one of more, "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration paid by LA CIMA COMMERCIAL, LP, a Texas limited partnership ("Grantee"), and for the further consideration of the partial assumption in the amount of \$4,426,218.71 by Grantee of (i) Grantor's obligations to pay that one certain promissory note dated February 13, 2014, (as amended, modified, renewed, extended, increased and rearranged, the "Note") in the original principal sum of \$16,500,000 executed by Grantor, and payable to the order of GOLDMAN SACHS USA BANK ("Lender"), and (ii) Grantor's obligations to perform the obligations of the maker of the Note under a deed of trust (as amended, modified, renewed, extended, increased and rearranged, the "Deed of Trust") dated February 13, 2014 securing said Note duly recorded in 2014-14003769 of the Official Public Records of Hays County, Texas; the receipt and legal sufficiency of which are hereby acknowledged and confessed; subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee all of those certain lots, tracts or parcels of land situated in Hays County, Texas, and being more particularly described in Exhibit "A" attached hereto and incorporated herein, TOGETHER WITH, all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise appertaining thereto and with all improvements located thereon (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "Property").

For the same consideration recited above, Grantor hereby BARGAINS, SELLS and TRANSFERS, without warranty, express or implied, all interest, if any, of Grantor in (i) strips or gores, if any, between the Property and abutting or immediately adjacent properties, and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or immediately adjacent to the Property.

This conveyance is made subject and subordinate to the lien for current taxes and assessments which are not yet due and payable, which current taxes and assessments are hereby assumed by Grantee, and to all encumbrances, restrictions, conditions, reservations, easements and other matters of record in Hays County, Texas affecting the Property ("Permitted

Encumbrances”), but only to the extent they are valid and subsisting and affect or relate to the Property.

TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances as aforesaid, unto Grantee, and Grantee’s heirs, executors, administrators, personal representatives, successors and assigns, forever; and Grantor does hereby bind Grantor, and Grantor’s successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the Property, subject to the Permitted Encumbrances, unto Grantee, and Grantee’s heirs, executors, administrators, personal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

[Signature Page to Follow]

EXECUTED effective as of the 12 day of May, 2017.

GRANTOR:

GRANTOR:

LAZY OAKS RANCH, LP,
A Texas limited partnership

By: Lazy Oaks GP, LLC,
A Texas limited liability company

By: Bryan W. Lee
Bryan W. Lee, Manager

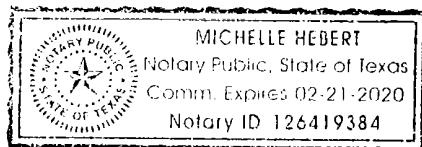
STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was ACKNOWLEDGED before me, on the 12 day of May, 2017, by Bryan W. Lee, Manager of Lazy Oaks GP, LLC, a Texas limited liability company and general partner of Lazy Oaks Ranch, LP, a Texas limited partnership, for the purposes set forth therein on behalf of said limited liability company and partnership.

[S E A L]

Michelle Hebert
Notary Public, State of Texas



Address of Grantee:
303 Colorado, Suite 2300
Suite 2300
Austin, Texas 78701

34.368 Acres
John Williams Survey, A-490 and
Lydia Glasgow Survey No. 14, A-188
Hays County, Texas

EXHIBIT "A"

Job No. 5956-01-001
FN2016(km)
Commercial Tract 1
Page 1 of 3

FIELD NOTES DESCRIPTION

DESCRIPTION OF 34.368 ACRES OF LAND IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 AND THE LYDIA GLASGOW SURVEY NO. 14, ABSTRACT NO. 188, HAYS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 649.592 ACRE TRACT OF LAND DESCRIBED IN THE CORRECTION SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO LAZY OAKS RANCH, LP OF RECORD IN VOLUME 4877, PAGE 632, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 34.368 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. AND SHOWN ON PLAN NO. 3568, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found in the southwest right-of-way line of Wonder World Drive and the intersecting northwest line of that certain called 114 acres, designated as Tract 1 and conveyed in the deed to the Marvin C. Wills Family Trust of record in Volume 3394, Page 424, Official Public Records of Hays County, Texas, at the east corner of the said 649.592 acre tract, same being the south corner of that certain called 6.4500 acre tract of land described in the deed to the City of San Marcos of record in Volume 3100, Page 712, Official Public Records of Hays County, Texas, same being the most northerly northwest corner of that certain called 6.8059 acre tract of land described in the deed to the City of San Marcos of record in Volume 3197, Page 401, Official Public Records of Hays County, Texas, for the east corner and **POINT OF BEGINNING** of the tract described herein;

THENCE S 35°28'03" W, leaving the southwest right-of-way line of Wonder World Drive, with the southeast line of the said 649.592 acre tract and the northwest line of the said 114 acre tract, with the southeast line of the tract described herein, a distance of 1571.35 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set for the south corner of the tract described herein, from which a 6 inch cedar fence corner post found at an angle point in the southeast line of the said 649.592 acre tract, same being an angle point in the northwest line of the said 114 acre tract bears S 35°28'03" W, a distance of 280.29 feet;

THENCE N 42°16'41" W, leaving the northwest line of the said 114 acre tract, crossing the said 649.592 acre tract, with the southwest line of the tract described herein, a distance of 1252.09 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set in the southeast right-of-way line of West Centerpoint Road, a variable width right-of-way described in the deed to Hays County, Texas of record in Volume 5310, Page 161, Official Public Records of Hays County, Texas, for the west corner of the tract described herein, from which a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature in the southeast right-of-way line of West Centerpoint Road bears S 27°17'24" W, a distance of 172.47 feet;

THENCE continuing across the said 649.592 acre tract, with the southeast right-of-way line of West Centerpoint Road and with the northwest line of the tract described herein, the following fourteen (14) courses and distances:

1. N 27°17'24" E, a distance of 89.57 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
2. with the arc of a curve to the right, having a radius of 465.00 feet, an arc distance of 136.70 feet, and a chord which bears N 35°42'42" E, a distance of 136.21 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of compound curvature,
3. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 35.33 feet, and a chord which bears S 85°15'25" E, a distance of 30.91 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
4. N 47°11'53" E, a distance of 60.61 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of non-tangent curvature,

34.368 Acres
John Williams Survey, A-490 and
Lydia Glasgow Survey No. 14, A-188
Hays County, Texas

Job No. 5956-01-001
FN2016(km)
Commercial Tract 1
Page 2 of 3

5. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 31.29 feet, an a chord which bears N 10°10'19" E, a distance of 28.19 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency,
6. N 54°59'28" E, a distance of 190.21 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
7. with the arc of a curve to the right, having a radius of 665.00 feet, an arc distance of 379.17 feet, and a chord with bears N 71°19'32" E, a distance of 374.05 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency,
8. N 87°39'35" E, a distance of 120.49 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
9. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 30.60 feet, and a chord which bears S 48°30'55" E, a distance of 27.70 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
10. N 89°31'27" E, a distance of 50.14 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
11. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 32.23 feet, and a chord which bears N 41°29'52" E, a distance of 28.85 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency,
12. N 87°39'35" E, a distance of 3.21 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
13. with the arc of a curve to the left, having a radius of 535.00 feet, an arc distance of 245.36 feet, and a chord which bears N 74°31'16" E, a distance of 243.22 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency, and
14. N 61°22'58" E, a distance of 440.55 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set in the southwest right-of-way line of Wonder World Drive, same being the southwest line of the said 6.4500 acre San Marcos tract and the northeast line of the said 649.592 acre tract, at the northern terminus of the southeast right-of-way line of said West Centerpoint Drive, for an angle point in the northwest line of the tract described herein, from which a 1/2 inch iron rod with plastic cap stamped "BCG" previously set for an angle point in the southwest right-of-way line of said Wonder World Drive and the northeast line of the said 649.592 acre tract bears S 77°54'50" W, a distance of 15.72 feet;

THENCE with the southwest right-of-way line of said Wonder World Drive, with the southwest line of the said 6.4500 acre San Marcos tract and the northeast line of the said 649.592 acre tract, with the northwest and northeast lines of the tract described herein, the following three (3) courses and distances:

1. N 77°54'50" E, a distance of 41.30 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for point of non-tangent curvature, for the north corner of the tract described herein,
2. with the arc of a curve to the right, having a radius of 1809.86 feet, an arc distance of 235.33 feet, and a chord which bears S 23°21'10" E, a distance of 235.16 feet to a TXDOT Type II right-of-way monument found for a point of tangency, and
3. S 19°38'27" E, a distance of 222.43 feet to the **POINT OF BEGINNING** and containing 34.368 acres of land, more or less.

34.368 Acres
John Williams Survey, A-490 and
Lydia Glasgow Survey No. 14, A-188
Hays County, Texas

Job No. 5956-01-001
FN2016(km)
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BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

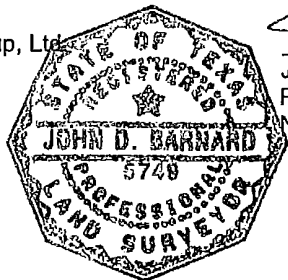
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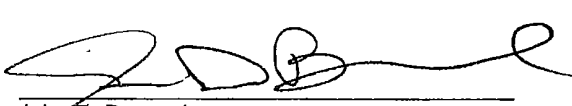
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a series of surveys made on the ground during the months of December 2013 through October 2015 and April 2017 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 20th day of April 2017 A.D.

Bowman Consulting Group, Ltd.
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas

31.079 Acres
John Williams Survey, A-490 and
John Maximilian, Jr. Survey No. 15, A-299
Hays County, Texas

EXHIBIT "B"

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FIELD NOTES DESCRIPTION

DESCRIPTION OF 31.079 ACRES OF LAND IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 AND THE JOHN MAXIMILIAN, JR. SURVEY NO. 15, ABSTRACT NO. 299, HAYS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 649.592 ACRE TRACT OF LAND DESCRIBED IN THE CORRECTION SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO LAZY OAKS RANCH, LP OF RECORD IN VOLUME 4877, PAGE 632, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 31.079 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. AND SHOWN ON PLAN NO. 3569, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found at a re-entrant corner in the southwest right-of-way line of R.M. Highway No. 12 (R.O.W. varies), at the north corner of the said 649.592 acre tract, same being the southwest corner of that certain called 0.464 acre tract described as "Parcel 65" in Exhibit "C" in the Special Warranty Deed to the County of Hays of record in Volume 4264, Page 511, Official Public Records of Hays County, Texas, and being a point in the southeast line of that certain called 4.337 acre tract of land described in the deed to the City of San Marcos of record in Volume 1080, Page 874, Official Public Records of Hays County, Texas, for the north corner and **POINT OF BEGINNING** of the tract described herein, from which a 1/2 inch iron rod found at an angle point in the southwest right-of-way line of said R.M. Highway No. 12, same being the most northerly northeast corner of the said 4.337 acre tract and the northwest corner of the said 0.464 acre tract bears N 43°23'46" E, a distance of 19.84 feet;

THENCE with the southwest right-of-way line of said R.M. Highway No. 12, with the south line of the said 0.464 acre tract and with the northeast line of the said 649.592 acre tract, with the northeast line of the tract described herein, the following four (4) courses and distances:

1. S 66°44'02" E, a distance of 147.44 feet to a 1/2 inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found,
2. S 23°05'26" W, a distance of 19.99 feet to a 1/2 inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found,
3. S 66°45'01" E, a distance of 492.02 feet to a 1/2 inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found, and
4. S 88°03'14" E, a distance of 59.47 feet to a 1/2 inch iron rod with a 1-1/2 inch aluminum cap stamped "Texas Dept of Tran" found for the most easterly corner of said 0.464 acre tract, being in the curving south line of that called 6.4500 acre tract of land described in the Special Warranty Deed to the City of San Marcos, of record in Volume 3100, Page 712, Official Public Records of Hays County, Texas, being in the southerly right-of-way line of Wonder World Drive (R.O.W. width varies);

THENCE leaving the southwest right-of-way line of said R.M. Highway No. 12, with the southwest right-of-way line of said Wonder World Drive, continuing with the northeast line of the said 649.592 acre tract, and the southwest line of the said 6.4500 acre tract, continuing with the northeast line of the tract described herein, the following two (2) courses and distances:

1. with the arc of a curve to the right, having a radius of 1822.36 feet, an arc length of 952.77 feet, and a chord which bears S 47°18'28" E, a distance of 941.96 feet to a 60D nail found in concrete fence corner post, and

31.079 Acres
John Williams Survey, A-490 and
John Maximilian, Jr. Survey No. 15, A-299
Hays County, Texas

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2. S 37°24'23" W, a distance of 61.05 feet to a 1/2 inch iron rod with plastic cap stamped "BCG" previously set for the terminus of the northwest right-of-way line of West Centerpoint Road, a variable width right-of-way described in the deed to Hays County, Texas of record in Volume 5310, Page 161, Official Public Records of Hays County, Texas, for the east corner of the tract described herein, from which a 1/2 inch iron rod with plastic cap stamped "BCG" previously set for an angle point in the southwest right-of-way line of said Wonder World Drive and the northeast line of the said 649.592 acre tract bears S 37°24'23" W, a distance of 11.09 feet;

THENCE leaving the southwest right-of-way line of said Wonder World Drive, crossing the said 649.592 acre tract, with the northwest right-of-way line of said West Centerpoint Road, with the southeast line of the tract described herein, the following fourteen (14) courses and distances:

1. S 61°22'58" W, a distance of 51.81 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
2. S 28°37'02" E, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
3. S 61°22'58" W, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
4. N 28°37'02" W, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
5. S 61°22'58" W, a distance of 68.41 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
6. with the arc of a curve to the right, having a radius of 565.00 feet, an arc distance of 270.29 feet, an a chord which bears S 75°05'16" W, a distance of 267.72 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency,
7. S 88°47'34" W, a distance of 195.85 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature,
8. with the arc of a curve to the left, having a radius of 835.00 feet, an arc distance of 9.64 feet, and a chord with bears S 88°27'43" W, a distance of 9.64 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of reverse curvature,
9. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 30.43 feet, and a chord which bears N 48°16'47" W, a distance of 27.58 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for an angle point,
10. S 84°57'29" W, a distance of 50.00 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
11. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 30.29 feet, and a chord which bears S 38°42'12" W, a distance of 27.48 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of reverse curvature,
12. with the arc of a curve to the left, having a radius of 835.00 feet, an arc distance of 389.76 feet, and a chord which bears S 68°43'30" W, a distance of 386.23 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of tangency,
13. S 55°21'10" W, a distance of 399.97 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set for a point of curvature, and

31.079 Acres
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Hays County, Texas

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14. with the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 31.42 feet, and a chord which bears N 79°38'50" W, a distance of 28.28 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set an angle point in the northwest right-of-way line of said West Centerpoint Road;

THENCE leaving the northwest right-of-way line of said West Centerpoint Road, continuing across the said 649.592 acre tract, with the southwest line of the tract described herein, the following five (5) courses and distances:

1. N 34°38'50" W, a distance of 179.37 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set for a point of curvature,
2. with the arc of a curve to the left, having a radius of 630.00 feet, an arc distance of 93.77 feet, an a chord which bears N 38°54'41" W, a distance of 93.69 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set for an angle point,
3. N 39°52'15" E, a distance of 349.74 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set for an angle point,
4. N 40°23'45" W, a distance of 444.95 feet to a 1/2-inch iron rod with a plastic cap stamped "BCG" set for an angle point, and
5. S 48°50'54" W, a distance of 109.33 feet to a 1/2-inch iron rod found at an angle point in the northwest line of the said 649.592 acre tract, same being an angle point in the southeast line of the said 4.337 acre tract ,

THENCE with the northwest line of the said 649.592 acre tract and the southeast line of the said 4.337 acre tract, with the northwest line of the tract described herein, the following two (2) courses and distances:

1. N 01°39'13" W, a distance of 282.80 feet to a 1/2-inch iron rod found at an angle point, and
2. N 43°23'46" E, a distance of 587.88 feet to the **POINT OF BEGINNING** and containing 31.079 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

BOWMAN WORD FILE: FN2017R2(km)


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a series of surveys made on the ground during the months of December 2013 through October 2015 and April 2017 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 24th day of April 2017 A.D.

Bowman Consulting Group,
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas

Bowman Consulting | 1120 S. Capital of Texas Hwy. Building 3, Suite 220 | Austin, TX 78746 | P. 512.327.1180
TBPE Firm No. 14309 | TBPLS Firm No. 101206-00

