

# ANNEXATION APPLICATION

Updated: March, 2023



## CONTACT INFORMATION

Applicant's Name	Charles R. Hager V, P.E.	Property Owner	SM McCarty Lane 46 LLC and AV McCarty Lane GP 46 LLC
Company	LJA Engineering, Inc.	Company	
Applicant's Mailing Address	7500 Rialto Blvd, Bldg 2, Ste 100, Austin, TX 78735	Owner's Mailing Address	1801 Lavaca Street, Suite 116 Austin, Texas. 78701-1341
Applicant's Phone #	(512) 439-4700	Owner's Phone #	512-757-5336
Applicant's Email	chager@LJA.com	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: Mixed Retail/Commercial & Townhome

Proposed Zoning: CM and CD-4

Reason for Annexation / Other Considerations: Required for utility service and for proposed zoning.

## 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/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

PROPERTY OWNER AUTHORIZATION

**Shravan Parsi**

(owner name) on behalf of

SM McCarty Lane 46 LLC and AV McCarty Lane GP 46 LLC

(company if applicable; address and phone number)

am/are the rightful owner of the property located at

**2516 S. Old Bastrop Hwy, San Marcos, TX**

(address)

I hereby authorize **Charles R. Hager V, P.E.**

(agent name) on behalf of

**LJA Engineering, Inc.**

(agent company) to file this application as

**Annexation & Rezoning**

(application type) and, if necessary, to deal with

the Responsible Official / Department on my behalf throughout the process.

Signature of Owner



Date

**6-18-24**

Printed Name Title

**Shravan Parsi, Manager**

Signature of Agent



Date

**6-27-2024**

Printed Name Title

**Charles R Hager V, P.E., Senior Project Manager**

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:** SM McCarty Lane 46 LLC and AV McCarty Lane GP 46 LLC

**Property:** BEING A 46.29 ACRE TRACT OF LAND (AND 1/2 OF THE ADJACENT ROW), LOCATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474 SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A CALLED 54.360 ACRE TRACT OF LAND CONVEYED TO REED CARR AND PATRICIA M. CARR, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE REED AND PATRICIA CARR REVOCABLE TRUST, DESCRIBED AND RECORDED IN VOL. 2359, PG.218 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.)  
&  
BEING A 0.5244 OF AN ACRE (22,841 SQUARE FEET) TRACT OF LAND, LOCATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474 SITUATED IN HAYS COUNTY, TEXAS, AND BEING ALL OF THE REMAINDER OF A CALLED 228.51 ACRE TRACT OF LAND CONVEYED TO ALEX FORSHAGE, JR., DESCRIBED AND RECORDED IN VOL. 133, PG. 404 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.)

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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:



By: SM McCarty Lane 46 LLC and AV McCarty Lane GP 46 LLC

Name: Shravan Parsi

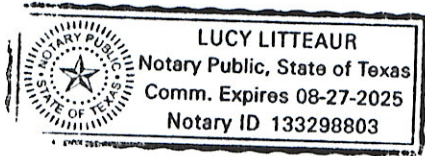
Title: Manager

ACKNOWLEDGMENT

STATE OF Tx §

COUNTY OF Trouis §

This instrument was acknowledged before me on June 14<sup>th</sup>, 2024 by Lucy Litteaur, Notary Public of Texas in such capacity on behalf of said entity.



Lucy Litteaur  
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

  X   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):

X By: SM McCarty Lane 46 LLC and  
AV McCarty Lane GP 46 LLC

Name: Shravan Parsi

Title: Managaer

Date: 6-18-24

[OR]

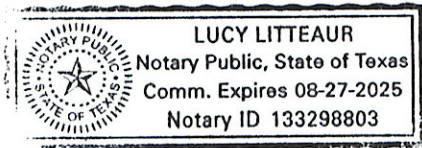
**ACKNOWLEDGMENT**

STATE OF Tx                   §§

COUNTY OF Trouis           §§

This instrument was acknowledged before me on June 19<sup>th</sup>, 2024 by Lucy Litteaur

Lucy Litteaur  
Notary Public, State of Texas



Case No. \_\_\_\_\_ (to be inserted by City Staff)

July 16, 2024

San Marcos Development Services Department  
City of San Marcos  
Planning and Development Services  
630 East Hopkins Street  
San Marcos, Texas 78666

Re. 50.62-Acre Annexation Request No. AN-24-07  
Summary Letter  
2516 South Old Bastrop Hwy  
San Marcos, Hays County, Texas 78666  
LJA Project No. A634-0405

Dear Development Services Department,

LJA Engineering, Inc. (LJA) is providing this summary letter to accompany the subject annexation request (AN-24-07) for the approximately 45.75-acre tract (and surrounding ROW) within the City of San Marcos Extra-Territorial Jurisdiction (ETJ). The proposed annexation is requested to obtain City water and sewer service for the future residential and commercial development contemplated on the subject tract. Additionally, the annexation request is being made to accompany the related zoning applications for this tract to obtain *Character District 4* (CD-4) Zoning on 36.39 acres (ZC-24-06) and *Commercial* (CM) Zoning on 9.90 acres (ZC-24-07).

The future project is contemplating a residential development with rentable living units and a community commercial area to support the growing McCarty Lane region of the City of San Marcos.

The subject tract is listed as Hays County Property ID R18916 and is out of the A0474 Cyrus Wickson Survey, Abstract No. 474, Hays County, Texas. The tract is located between East McCarty Lane and South Old Bastrop Highway. The tract is currently vacant with various agricultural and utility improvements along surrounding Right-of-Way (ROW). The tract does not contain any waterways, creeks, or tributaries. The site is not located within the Edward's Aquifer Recharge, Contributing, or Verification Zones according to TCEQ maps. The tract is not located within a FEMA floodplain according to FEMA FIRM 48209C0479F for Hays County, effective on September 2, 2005. There are no wetlands on site per a San Marcos Environmental Assessment performed by Horizon Environmental dated November 9, 2023. There are nearby City of San Marcos utilities available for water and wastewater; however, annexation is required to obtain service.

We appreciate your review of this application and request. If you have any questions, or need any additional information, please do not hesitate to call us at 512.439.4700 or email at [chager@lja.com](mailto:chager@lja.com).

Sincerely,



Charles R. Hager, P.E.  
Senior Project Manager  
LJA Engineering, Inc.



New ... Title Co.  
G.L. NBT-41542623

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**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN**

THE STATE OF TEXAS §  
COUNTY OF HAYS §

§ KNOW ALL PERSONS BY THESE PRESENTS:  
§

That SMR46 LLC, a Delaware limited liability company ("Grantor"), and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by the parties listed below (collectively, "Grantee"), the receipt and sufficiency of which are hereby acknowledged and confessed and the further consideration of the execution and delivery by Grantee of one certain promissory note of even date herewith in the principal amount of FIVE MILLION SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$5,600,000.00) payable to the order of ANNE C. FELAN, as Trustee of the REED AND PATRICIA CARR REVOCABLE TRUST u/t/a dated November 24, 2003 ("First-Lien Note"), and the execution and delivery by Grantee of a second-lien note of even date payable to the order of SMR46 LLC, LLC, a Delaware limited liability company, in the principal amount of TWO MILLION SIX HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$2,650,000.00) ("Second-Lien Note"). The First-Lien Note is secured by the first and superior vendor's lien against, and superior title to, the Property retained in this deed, for the benefit of ANNE C. FELAN, as Trustee of the REED AND PATRICIA CARR REVOCABLE TRUST u/t/a dated November 24, 2003 ("First and Superior Vendor's Lien"). The First-Lien Note is also secured by a first-lien Deed of Trust of even date to Douglas A. Booth, Trustee of the first-lien Deed of Trust, of even date from Grantee to the benefit of ANNE C. FELAN, as Trustee of the Reed and Patricia Carr Revocable Trust u/t/a dated November 24, 2003 ("First-Lien Deed of Trust"). The Second-Lien Note is secured by a second and inferior vendor's lien against, and superior title to, the Property retained in this deed, for the benefit of SMR46, LLC, a Delaware limited liability company, ("Second and Inferior Vendor's Lien") and is also secured by a second-lien Deed of Trust of even date from Grantee to Brittan D. Johnson ("Second-Lien Deed of Trust"), as Trustee of the Second-Lien Deed of Trust, and subject to the exceptions, liens, encumbrances, terms and provisions to conveyance and warranty hereinafter set forth and described, Grantor has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee in the following percentages, as tenants-in-common:

AV MCCARTY LANE GP 46, LLC, a Texas limited liability company, an undivided 10.0% interest; and

SM MCCARTY LANE 46, LLC, a Texas limited liability company, an undivided 90.0% interest

all of the real property ("Land") situated in Hays County, Texas, described on Exhibit A, which is attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, privileges, mineral rights, water rights, development rights, easements, tenements, hereditaments, and appurtenances thereon or in anywise appertaining thereto, and together with all buildings and improvements located thereon and all rights, titles, and interests of Grantor in and to any alleys, strips, or gores adjoining the Land, and any easements, rights-of-way or other interests in, on, under, or to any land, highway, street, road, right-of-way, or avenue, open or proposed, in, on, under, across, in front of, abutting, or adjoining the Land (all of the foregoing properties, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements, and interests being hereinafter collectively referred to as the "Property").



This conveyance is made and accepted subject and subordinate to those encumbrances and exceptions (the "*Permitted Encumbrances*") set forth on *Exhibit B*, which is attached hereto and made a part hereof for all purposes, but only to the extent that they affect or relate to the Property.

TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, except as to the reservations from and exceptions to conveyance and warranty contained herein, by, through, or under Grantor, but not otherwise.

The First and Superior Vendor's Lien against and superior title to the Property retained in this deed is transferred to ANNE C. FELAN, as Trustee of the REED AND PATRICIA CARR REVOCABLE TRUST u/t/a dated November 24, 2003 for the benefit of the holders of the First-Lien Note, to secure Grantee's payment of the First-Lien Note. The Second and Inferior Vendor's Lien retained in this deed is transferred to SMR 46, LLC, a Delaware limited liability company, for the benefit of the holders of the Second-Lien Note, to secure Grantee's payment of the Second-Lien Note. If Grantee defaults in payment of the First-Lien Note or the Second-Lien Note or in observance of any covenant or condition of any instrument securing their payment, both ANNE C. FELAN, as Trustee of the Reed and Patricia Carr Revocable Trust u/t/a dated November 24, 2003 and SMR46 LLC, a Delaware limited liability company, will have the independent right to foreclose the vendor's lien. However, as between the two parties holding the vendor's liens retained in this deed, the rights, title, and interest of SMR46 LLC, a Delaware limited liability company, are subordinate to the rights, title, and interest of ANNE C. FELAN, as Trustee of the Reed and Patricia Carr Revocable Trust u/t/a dated November 24, 2003. Cancellation of the First-Lien Note and release of the liens securing it will release the liens securing the First and Superior Vendor's Lien and First-Lien Deed of Trust, without specific reference to them or the joinder of ANNE C. FELAN, as Trustee of the Reed and Patricia Carr Revocable Trust u/t/a dated November 24, 2003. Grantor assigns to Grantee all funds on deposit for payment of taxes and insurance premiums.

*[Remainder of Page Intentionally Left Blank; Signature Page Follows]*

IN WITNESS WHEREOF, this Special Warranty Deed with Vendor's Lien has been acknowledged hereinafter set forth, but made effective as of this \_\_\_\_ day of April, 2024.

**GRANTOR:**

**SMR46 LLC,**  
a Delaware limited liability company

By: PSM  
Name: Shravan Paris  
Title: owner

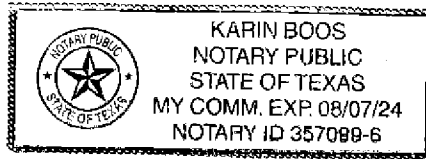
THE STATE OF TEXAS §  
COUNTY OF Comal §

This instrument was acknowledged before me on this 31 day of May, 2024, by Shravan Paris, Manager of SMR46 LLC, a Delaware limited liability company, on behalf of said limited liability company.

*[Handwritten Signature]*

**AFTER RECORDING, RETURN TO:**

AV McCarty Lane GP 46 LLC and SM McCarty Lane 46 LLC  
1801 Lavaca Street, Suite 116  
Austin, Texas 78701



**Exhibit A**  
Legal Description

**Tract 1:**

**FIELD NOTE DESCRIPTION**  
**46.29 ACRES (2,016,536 SQUARE FEET)**

**BEING A 46.29 ACRE (2,016,536 SQUARE FEET) TRACT OF LAND, LOCATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474 SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A CALLED 55.360 ACRE TRACT OF LAND CONVEYED TO REED CARR AND PATRICIA M. CARR, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE REED AND PATRICIA CARR REVOCABLE TRUST, DESCRIBED AND RECORDED IN VOL. 2359, PG. 218 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 46.29 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A 1/2-INCH IRON ROD WITH CAP STAMPED "LAI" FOUND FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND A REMAINDER OF A CALLED 73.753 ACRE TRACT OF LAND CONVEYED TO JAMES K. WISE REAL ESTATE, INC. O.P.R.H.C.TX DESCRIBED AND RECORDED IN VOL. 1206, PG. 535 O.P.R.H.C.TX. BEING SITUATED ON THE SOUTHEAST RIGHT-OF-WAY LINE OF FM 110 ALSO KNOWN AS McCARTY LANE (220-FOOT RIGHT-OF-WAY) AS RECORDED IN VOL. 4207, PG. 697 O.P.R.H.C.TX., VOL. 4215, PG. 334 O.P.R.H.C.TX. AND VOL. 3934, PG. 447 O.P.R.H.C.TX. WITH GRID COORDINATE VALUES OF NORTH: 13,850,863.51' AND EAST: 2,301,450.56';**

**THENCE SOUTH 46° 22' 27" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A CALLED 73.753 ACRE TRACT, AND LOT 1, BLOCK A OF THE ACE RELOCATION SUBDIVISION RECORDED IN VOL. 18, PG. 113 O.P.R.H.C.TX., A DISTANCE OF 1,339.76 FEET TO A POINT FOR THE EASTERN MOST CORNER OF SAID 46.29 ACRE TRACT, AND SITUATED ON THE NORTHWEST RIGHT-OF-WAY LINE OF SAID OLD BASTROP ROAD (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOL. 1231, PG. 684 O.P.R.H.C.TX., FROM SAID POINT A 1/2-INCH IRON ROD (BENT) BEARS NORTH 46° 22' 27" WEST, A DISTANCE OF 1.02 FEET;**

**THENCE SOUTH 52° 28' 14" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID OLD BASTROP ROAD, A DISTANCE OF 195.99 FEET TO A 1/2-INCH IRON ROD FOUND FOR A POINT OF CURVATURE TO THE LEFT OF THE HEREIN DESCRIBED TRACT;**

**THENCE CONTINUING ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID OLD BASTROP ROAD, WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,040.00 FEET, AN ARC LENGTH OF 193.10 FEET, A DELTA ANGLE OF 10° 38' 17", AND A CHORD BEARING AND DISTANCE OF SOUTH 47° 09' 05" WEST, 192.82 FEET TO A 1/2-INCH IRON ROD FOUND FOR A POINT OF REVERSE CURVATURE TO THE RIGHT OF THE HEREIN DESCRIBED TRACT;**

**THENCE CONTINUING ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE**

TRACT AND SAID OLD BASTROP ROAD, WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 9.01 FEET, A DELTA ANGLE OF 00° 32' 16", AND A CHORD BEARING AND DISTANCE OF SOUTH 43° 06' 06" WEST, 9.01 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND THE REMAINDER OF A CALLED 5.00 ACRE TRACT OF LAND CONVEYED TO RAUL ESPINOZA AND ROSA ESPINOZA DESCRIBED AND RECORDED IN DOCUMENT NO. 708998 O.P.R.H.C.TX.;

**THENCE** NORTH 46° 22' 27" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 5.00 ACRE TRACT, A DISTANCE OF 418.48 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 5.00 ACRE TRACT;

**THENCE** SOUTH 52° 30' 17" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 5.00 ACRE TRACT, A CALLED 2.508 ACRE TRACT OF LAND CONVEYED TO DAVID S. ALVARADO DESCRIBED AND RECORDED IN DOCUMENT NO. 23013014 O.P.R.H.C.TX., A CALLED 2.49 ACRE TRACT OF LAND CONVEYED TO HOUSING CORPORATION OF ETA TAU CHAPTER OF SIGMA NU FRATERNITY DESCRIBED AND RECORDED IN DOCUMENT NO. 16015558 O.P.R.H.C.TX. AND A CALLED 9.93 ACRE TRACT OF LAND CONVEYED TO SMHA OPERATING PUBLIC FACILITY CORPORATION DESCRIBED AND RECORDED IN DOCUMENT NO. 21046618 O.P.R.H.C.TX., A DISTANCE OF 1,437.16 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND LOT 2 OF THE SALINAS ESTATES SUBDIVISION RECORDED IN VOL. 17, PG. 41 O.P.R.H.C.TX., CONVEYED TO MJ CROCKER CO. LLC DESCRIBED AND RECORDED IN DOCUMENT NO. 19013550 O.P.R.H.C.TX, SITUATED ON THE NORTHWEST LINE OF SAID 9.93 ACRE TRACT;

**THENCE** NORTH 46° 25' 00" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND LOT 2 OF SAID SALINAS ESTATES SUBDIVISION, LOT 1 OF SAID SALINAS ESTATES SUBDIVISION CONVEYED TO SEGUNDA IGLESIA BAUTISTA DESCRIBED AND RECORDED IN DOCUMENT NO. 13011611 O.P.R.H.C.TX AND THE REMAINDER OF A CALLED 228.51 ACRE TRACT OF LAND CONVEYED TO ALEX FORSHAGE, JR. DESCRIBED AND RECORDED IN VOL. 133, PG. 404 O.P.R.H.C.TX, A DISTANCE OF 573.90 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR THE COMMON CORNER OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 228.51 ACRE TRACT, SAME BEING SITUATED ON THE SOUTHEAST LINE OF A REMAINDER OF A CALLED 10 ACRE TRACT OF LAND CONVEYED TO JUDITH M. TELFORD AND BILLY H. TELFORD DESCRIBED AND RECORDED IN VOL. 214, PG. 195 O.P.R.H.C.TX.;

**THENCE** NORTH 43° 20' 34" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT, A DISTANCE OF 179.13 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT;

**THENCE** NORTH 46° 39' 26" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT, A DISTANCE OF 542.80 FEET TO 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID 46.29 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT AND SITUATED ON THE SOUTHEAST LINE OF A CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS, LLC DESCRIBED AND RECORDED IN DOCUMENT NO. 16003058 O.P.R.H.C.TX, FROM WHICH A 1/2-INCH IRON ROD WITH YELLOW CAP (ILLEGIBLE) WAS FOUND BEARING SOUTH 44° 06' 34" WEST, A DISTANCE OF 756.80 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER OF A 10 ACRE TRACT, SITUATED ON THE SOUTHEAST LINE OF SAID 6.26 ACRE TRACT AND SITUATED ON THE NORTHEAST RIGHT-OF-WAY LINE OF RATTLER ROAD (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN DOCUMENT NO. 90002041 O.P.R.H.C.TX.;

**THENCE** NORTH 44° 06' 34" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID 6.26 ACRE TRACT, A DISTANCE OF 237.19 FEET TO A POINT FOR COMMON CORNER OF 46.29 ACRE TRACT AND SAID 6.26 ACRE TRACT AND SITUATED ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID FM 110 (166-FOOT RIGHT-OF-WAY), FOR A POINT OF CURVATURE TO THE LEFT OF THE HEREIN DESCRIBED TRACT, FROM SAID POINT A 1/2-INCH IRON ROD WITH ORANGE CAP STAMPED "BAKER" WAS FOUND BEARING SOUTH 62° 58' 11" WEST, A DISTANCE OF 0.85 FEET, ALSO FROM SAID POINT A 1/2-INCH IRON ROD WITH ORANGE CAP STAMPED "BAKER" ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,728.00', AN ARC LENGTH OF 1,014.90', A DELTA ANGLE OF 33°39'05", AND A CHORD BEARING AND DISTANCE OF SOUTH 78°34'56" WEST 1,000.37 FEET TO THE NORTHWEST CORNER OF SAID 6.26 ACRE TRACT AND AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID FM 110 AND THE RIGHT-OF-WAY LINE OF SAID EAST McCARTY LANE;

**THENCE** ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID FM 110, WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,728.00', AN ARC LENGTH OF 54.33 FEET, A DELTA ANGLE OF 01° 48' 05", AND A CHORD BEARING AND DISTANCE OF NORTH 60° 51' 22" EAST, 54.33 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED (ILLEGIBLE) FOUND FOR THE BEGINNING OF A JOG IN SAID SOUTHEAST RIGHT-OF-WAY LINE OF SAID FM 110;

**THENCE SOUTH 30° 01' 29" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID FM 110, A DISTANCE OF 27.01 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED (ILLEGIBLE) FOUND FOR THE END OF A JOG IN SAID SOUTHEAST RIGHT-OF-WAY OF SAID FM 110 (220-FOOT RIGHT-OF-WAY AT THIS POINT);**

**THENCE NORTH 59° 58' 31" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID FM 110, A DISTANCE OF 1,193.53 FEET TO A 1/2-INCH IRON ROD WITH RED CAP (ILLEGIBLE) FOUND FOR COMMON CORNER OF 46.29 ACRE TRACT AND SAID FM 110, FOR A POINT OF CURVATURE TO THE RIGHT OF THE HEREIN DESCRIBED TRACT;**

**THENCE ALONG THE COMMON BOUNDARY LINE OF SAID 46.29 ACRE TRACT AND SAID FM 110, WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,535.00 FEET, AN ARC LENGTH OF 227.00 FEET, A DELTA ANGLE OF 08° 28' 23", AND A CHORD BEARING AND DISTANCE OF NORTH 64° 12' 42" EAST, 226.79 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 46.29 OF AN ACRE (2,016,536 SQUARE FEET) OF LAND, MORE OR LESS.**

**Exhibit A**  
Legal Description

**Tract 2:**

**FIELD NOTE DESCRIPTION**  
**0.5244 ACRES (22,841 SQUARE FEET)**

**BEING** A 0.5244 OF AN ACRE (22,841 SQUARE FEET) TRACT OF LAND, LOCATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474 SITUATED IN HAYS COUNTY, TEXAS, AND BEING ALL OF THE REMAINDER OF A CALLED 228.51 ACRE TRACT OF LAND CONVEYED TO ALEX FORSHAGE, JR., DESCRIBED AND RECORDED IN VOL. 133, PG. 404 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 0.5244 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 1/2-INCH IRON ROD WITH ILLEGIBLE YELLOW CAP FOUND FOR THE SOUTHWEST CORNER OF THE REMAINDER OF A CALLED 10 ACRE TRACT OF LAND CONVEYED TO JUDITH M. TELFORD AND BILLY H. TELFORD AND RECORDED IN VOL. 214, PG. 195 O.P.R.H.C.TX., ON THE NORTHEASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF RATTLER ROAD (R.O.W. VARIES);

**THENCE** ALONG THE COMMON LINE OF SAID REMAINDER OF A CALLED 10 ACRE TRACT AND SAID RATTLER ROAD, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH 46° 05' 19" EAST, A DISTANCE OF 283.91 FEET TO AN ANGLE POINT;
2. SOUTH 46° 03' 25" EAST, A DISTANCE OF 208.21 FEET TO AN ANGLE POINT;
3. SOUTH 45° 11' 32" EAST, A DISTANCE OF 60.86 FEET TO A COMMON CORNER OF SAID REMAINDER OF A CALLED 10 ACRE TRACT AND SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT WITH GRID COORDINATE VALUES OF NORTH: 13,849,066.80' AND EAST: 2,299,858.00';

**THENCE** NORTH 43° 20' 34" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND SAID REMAINDER OF A CALLED 10 ACRE TRACT, A DISTANCE OF 584.19 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND THE REMAINDER OF A CALLED 55.360 ACRE TRACT OF LAND CONVEYED TO REED CARR AND PATRICIA M. CARR, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE REED AND PATRICIA CARR REVOCABLE TRUST, DESCRIBED AND RECORDED IN VOL. 2359, PG.218 O.P.R.H.C.TX.;

**THENCE** SOUTH 46° 25' 00" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND SAID REMAINDER OF A CALLED 55.360 ACRE TRACT, A DISTANCE OF 36.71 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND LOT 1 OF SALINAS ESTATES SUBDIVISION AS RECORDED IN VOLUME 17, PAGE 41 O.P.R.H.C.TX. CONVEYED TO SEGUNDA IGLESIA BAUTISTA AS RECORDED IN DOC. NO.13011611 O.P.R.H.C.TX.;

THENCE SOUTH 42° 52' 24" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND SAID LOT 1, A DISTANCE OF 584.24 FEET TO A POINT FOR CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT, ON THE NORTHEASTERLY R.O.W. LINE OF SAID RATTLER ROAD, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 46° 17' 07" EAST, A DISTANCE OF 0.49 FEET;

THENCE ALONG THE COMMON LINE OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND SAID RATTLER ROAD, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. NORTH 46° 17' 07" WEST, A DISTANCE OF 22.96 FEET TO POINT OF CURVATURE TO THE LEFT;
2. ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,031.00 FEET, AT AN ARC LENGTH OF 17.43 FEET PASSING A 1/2-INCH IRON ROD WITH ILLEGIBLE YELLOW CAP FOUND, CONTINUING FOR AN OVERALL ARC LENGTH OF 18.53 FEET, A DELTA ANGLE OF 00° 31' 22", AND A CHORD BEARING AND DISTANCE OF NORTH 46° 32' 48" WEST, 18.53 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.5244 OF AN ACRE (22,841 SQUARE FEET) OF LAND, MORE OR LESS.



**Exhibit B**  
Permitted Encumbrances

All presently recorded and validly existing oil and gas leases, mineral interests, and easements outstanding in persons other than Grantor, and other instruments, other than encumbrances against and conveyances of the surface fee estate, that affect the Property; taxes for 2024, as prorated between Grantor and Grantee, and subsequent years, which Grantee assumes and agrees to pay, and subsequent taxes and assessments by any taxing authority for prior years due to Grantee's change in land usage or ownership from the date of this deed forward, which Grantee also assumes and agrees to pay; and any areas of the Property encroached upon by fences, gates, overhead electric lines, power poles, and guy wires, as shown on surveys of the Property by LJA Surveying, Inc.

**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.

24020985 DEED  
06/04/2024 08:26:04 AM Total Fees: \$61.00

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



**AFFIDAVIT CORRECTING RECORDED INSTRUMENT  
NON MATERIAL ERROR**

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**TO THE COUNTY CLERK:**

**PLEASE INDEX THIS INSTRUMENT UNDER THE NAMES OF THE PARTIES  
TO THE INSTRUMENT BEING CORRECTED:**

**GRANTOR: SMR46 LLC, a Delaware limited liability company**  
**GRANTEE: AV MCCARTY LANE GP 46, LLC a Texas limited liability company, an undivided 10.0% interest and SM MCCARTY LANE 46, LLC a Texas limited liability company, an undivided 90.0% interest**

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Current Date: June 6, 2024  
GF No: NBT-4154-2023  
Title Company: New Braunfels Title Company  
Affiant: Karin Boos

Description of Original Instrument which is being corrected (include type of instrument, date, parties and recording information):

Type of Instrument: Special Warranty Deed with Vendor's Lien  
Date of Instrument: \_\_\_\_ day of April, 2024  
Parties to the Instrument: SMR46 LLC, a Delaware limited liability company and AV MCCARTY LANE GP 46, LLC a Texas limited liability company, an undivided 10.0% interest and SM MCCARTY LANE 46, LLC a Texas limited liability company, an undivided 90.0% interest

Instrument Recording Information: Document No. 24020985

Affiant on oath swears that the following statements are true and within the personal knowledge of Affiant:

1. I am over the age of eighteen (18) years and am otherwise competent to make this Affidavit.
2. I have personal knowledge of the facts relevant to the correction of the above referenced Original Instrument because of the following facts (describe facts indicating personal knowledge below):

I am the escrow officer who closed the transaction and I have reviewed the Public Records in connection with the real Estate transaction.

- 3. I am making this Affidavit as a correction instrument pursuant to Section 5.028 of the Texas Property Code, with regard to the following error in the Original Instrument (describe error below):

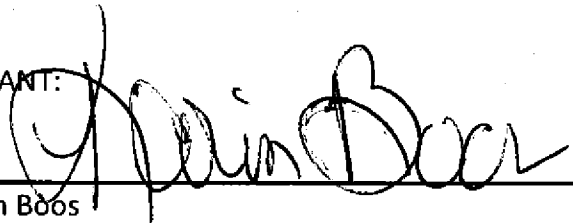
The effective date was omitted from the deed

- 4. The Original Instrument should correctly read as follows: (Insert corrected language below):

IN WITNESS WHEREOF, this Special Warranty Deed with Vendor's Lien has been acknowledgment hereinafter set forth, but made effective as of this 31<sup>st</sup> day of May 2024.

- 5. I have sent a copy of this Affidavit by first class mail or by email to each party to the Original Instrument, in accordance with Section 5.028 (d) (2) of the Texas Property Code. The evidence of said notice is attached to this Affidavit as required by Section 5.028 (d) (1) of the Texas Property Code.

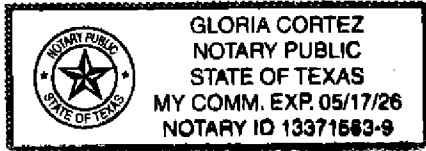
AFFIANT:

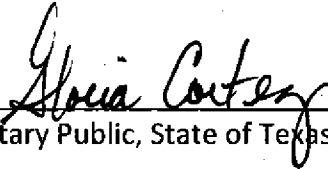
  
 \_\_\_\_\_  
 Karin Boos

STATE OF TEXAS §

COUNTY OF COMAL §

SWORN TO AND SUBSCRIBED before me on this 6<sup>th</sup> DAY OF June, 2024, by Karin Boos, to certify which witness my hand and seal of office.




  
 \_\_\_\_\_  
 Notary Public, State of Texas

**AFFIDAVIT OF NOTICE**

**THIS DOCUMENT MUST BE ATTACHED TO THE  
AFFIDAVIT CORRECTING RECORDED INSTRUMENT BEFORE IT IS FILED**

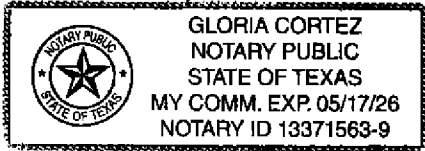
I certify that on or before the date shown below, a true copy of the attached Affidavit Correcting Recorded Instrument was sent by first class mail or by email to each party to the Original Instrument.

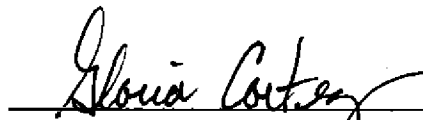
  
Karin Boos

STATE OF TEXAS §

COUNTY OF Comal §

SWORN TO AND SUBSCRIBED before me on this 6th day of June, 2024, by Karin Boos, to certify which witness my hand and seal of office.



  
Notary Public, State of Texas

**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.

24021519 AFFIDAVIT  
06/06/2024 03:37:28 PM Total Fees: \$33.00

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



**FIELD NOTE DESCRIPTION**  
**51.00 ACRES (2,221,373 SQUARE FEET)**

**BEING** A 51.00 ACRE (2,221,373 SQUARE FEET) TRACT OF LAND, LOCATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474 SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A CALLED 54.360 ACRE TRACT OF LAND CONVEYED TO REED CARR AND PATRICIA M. CARR, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE REED AND PATRICIA CARR REVOCABLE TRUST, DESCRIBED AND RECORDED IN VOL. 2359, PG. 218 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), AND THE REMIANDER OF A CALLED 228.51 ACRE TRAT OF LAND CONVEYED TO ALEX FORSHAGE, JR. DESCRIBED AND RECORDED IN VOL. 133, PG. 404 O.P.R.H.C.TX., SAID 51.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1/2-INCH IRON ROD WITH CAP STAMPED "LAI" FOUND FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND THE REMAINDER OF A CALLED 73.753 ACRE TRACT OF LAND CONVEYED TO JAMES K. WISE REAL ESTATE, INC. DESCRIBED AND RECORDED IN VOL. 1206, PG. 535 O.P.R.H.C.TX. BEING SITUATED ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 110 ALSO KNOWN AS McCARTY LANE (VARIABLE WIDTH RIGHT-OF-WAY) WITH GRID COORDINATE VALUES OF NORTH: 13,850,863.51' AND EAST: 2,301,450.56';

**THENCE** SOUTH 46° 22' 27" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A CALLED 73.753 ACRE TRACT, AT A DISTANCE OF 523.65 FEET PASSING A 1/2-INCH IRON ROD FOUND FOR CORNER OF LOT 1B, BLOCK A OF THE ACE RELOCATION SUBDIVISION RECORDED IN VOL. 18, PG. 113 O.P.R.H.C.TX., AT A DISTANCE OF 1,338.74 FEET PASSING A 1/2-INCH IROD ROUND (BENT) FOUND, FOR AN OVERALL DISTANCE OF 1,339.76 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF OLD BASTROP ROAD (VARIABLE WIDTH R.O.W.);

**THENCE** SOUTH 52° 28' 14" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND THE NORTHWESTERLY R.O.W. OF SAID OLD BASTROP ROAD, A DISTANCE OF 195.99 FEET TO A 1/2-INCH IRON ROD FOUND FOR A POINT OF CURVATURE TO THE LEFT;

**THENCE** CONTINUING ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND THE NORTHWESTERLY R.O.W. OF SAID OLD BASTROP ROAD, WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,040.00 FEET, AN ARC LENGTH 67.29 FEET, A DELTA ANGLE OF 03° 42' 26" AND A CHORD BEARING AND DISTANCE OF SOUTH 50° 37' 01" WEST 67.28 FEET TO A POINT OF TANGENCY;

**THENCE** SOUTH 36° 50' 47" EAST, OVER AND ACROSS SAID R.O.W. OF OLD BASTROP ROAD, A DISTANCE OF 80.26 FEET TO A POINT OF CURVATURE TO THE LEFT, ON THE SOUTHEASTERLY R.O.W. OF SAID OLD BASTROP ROAD;

**THENCE** ALONG THE SOUTHEASTERLY R.O.W. OF SAID OLD BASTROP ROAD, AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 110.75 FEET, A DELTA ANGLE OF 06° 36' 36", AND A CHORD BEARING AND DISTANCE OF SOUTH 45° 05' 30" WEST, 110.69 FEET, TO A POINT OF REVERSE CURVATURE TO THE RIGHT;

**THENCE** CONTINUING ALONG THE SOUTHEASTERLY R.O.W. OF SAID OLD BASTROP ROAD, AND SAID REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 1,040.00 FEET, AN ARC LENGTH OF 10.75 FEET, A DELTA ANGLE OF 00° 35' 32", AND A CHORD BEARING AND DISTANCE OF SOUTH 43° 05' 19" WEST, 10.75 FEET, TO A POINT OF TANGENCY;

**THENCE** NORTH 46° 22' 27" WEST, OVER AND ACROSS SAID R.O.W. OF OLD BASTROP ROAD, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND A REMAINDER OF A CALLED 5.00 ACRE TRACT CONVEYED TO RAUL ESPINOZA AND ROSA ESPINOZA, RECORDED IN DOCUMENT NO. 708998 O.P.R.H.C.TX., ON THE NORTHWESTERLY R.O.W. LINE OF SAID OLD BASTROP ROAD;

**THENCE** NORTH 46° 22' 27" WEST, ALONG THE COMMON LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A CALLED 5.00 ACRE TRACT, FOR A DISTANCE OF 418.18 TO A 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "LJA SURVEYING" SET FOR COMMON CONER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER A CALLED 5.00 ACRE TRACT;

**THENCE** SOUTH 52° 30' 17" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A CALLED 5.00 ACRE TRACT, A CALLED 2.508 ACRE TRACT OF LAND CONVEYED TO DAVID S. ALVARADO DESCRIBED AND RECORDED IN DOCUMENT NO. 23013014 O.P.R.H.C.TX., A CALLED 2.49 ACRE TRACT OF LAND CONVEYED TO HOUSING CORPORATION OF ETA TAU CHAPTER OF SIGMA NU FRATERNITY DESCRIBED AND RECORDED IN DOCUMENT NO. 16015558 O.P.R.H.C.TX. AND A CALLED 9.93 ACRE TRACT OF LAND CONVEYED TO SMHA OPERATING PUBLIC FACILITY CORPORATION DESCRIBED AND RECORDED IN DOCUMENT NO. 21046618 O.P.R.H.C.TX., A DISTANCE OF 1,437.16 FEET TO A 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND LOT 2 OF THE SALINAS ESTATES SUBDIVISION RECORDED IN VOL. 17, PG. 41 O.P.R.H.C.TX., CONVEYED TO MJ CROCKER CO. LLC DESCRIBED AND RECORDED IN DOCUMENT NO. 19013550 O.P.R.H.C.TX, AND SITUATED ON THE NORTHWEST LINE OF SAID 9.93 ACRE TRACT;

**THENCE** NORTH 46° 25' 00" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT, LOT 2 OF SAID SALINAS ESTATES SUBDIVISION, AND LOT 1 OF SAID SALINAS ESTATES SUBDIVISION CONVEYED TO SEGUNDA IGLESIA BAUTISTA DESCRIBED AND RECORDED IN DOCUMENT NO. 13011611 O.P.R.H.C.TX., A DISTANCE OF 537.20 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEYING" SET FOR THE COMMON CORNER OF LOT 1 OF SAID SALINAS ESTATES SUBDIVISION, AND SIAD REMAINDER OF A CALLED 228.51 ACRE TRACT, SAME BEING SITUATED ON THE SOUTHWESTERLY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT;

**THENCE** SOUTH 42° 52' 24" WEST, ALONG THE COMMON BOUNDARY LINE OF LOT 1 OF SAID SALINAS ESTATES SUBDIVISION AND SAID REMAINDER OF A CALLED 228.51 ACRE TRACT, A DISTANCE OF 584.24 FEET TO A POINT FOR CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT, AND LOT 1 OF SAID SALINAS ESTATES SUBDIVISION, ON THE NORTHEASTERLY R.O.W. LINE OF RATTLER ROAD (VARIABLE WIDTH R.O.W.), FROM SAID POINT A 1/2-INCH IRON ROD FOUND BEARS SOUTH 46° 17' 07" EAST, A DISTANCE OF 0.49 FEET;

**THENCE** SOUTH 42° 52' 24" WEST, OVER AND ACROSS SAID R.O.W. OF RATTLER ROAD, A DISTANCE OF 81.19 FEET TO A POINT FOR CORNER ON THE SOUTHWESTERLY R.O.W. LINE OF SAID RATTLER ROAD.;

**THENCE** NORTH 46° 06' 15" WEST, ALONG THE SOUTHWESTERLY R.O.W OF SAID RATTLER ROAD AND SAID LOT 1, A DISTANCE OF 42.16 FEET TO A POINT FOR CORNER;



**THENCE** NORTH 43° 20' 34" EAST, OVER AND ACROSS SAID R.O.W. OF RATTLER ROAD, A DISTANCE OF 80.96 FEET TO A POINT FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT, AND A REMAINDER OF A CALLED 10 ACRE TRACT OF LAND CONVEYED TO JUDITH M. TELFORD AND BILLY H. TELFORD, AS RECORDED IN VOLUME 214, PAGE 195 O.P.R.H.C.TX., ON THE NORTHEASTERLY R.O.W. LINE OF SAID RATTLER ROAD, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 46° 17' 07" EAST, A DISTANCE OF 0.49 FEET;

**THENCE** NORTH 43° 20' 34" EAST, ALONG THE COMMON LINE OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT AND SAID REMAINDER OF A CALLED 10 ACRE TRACT, A DISTANCE OF 584.19 FEET TO A POINT FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 228.51 ACRE TRACT, SAID REMAINDER OF A CALLED 10 ACRE TRACT, AND SAID REMAINDER OF A CALLED 54.360 ACRE TRACT;

**THENCE** NORTH 43° 20' 34" EAST, ALONG THE COMMON LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT, A DISTANCE OF 179.13 FEET TO A 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT;

**THENCE** NORTH 46° 39' 26" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT, A DISTANCE OF 542.80 FEET TO A 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "LJA SURVEYING" SET FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID REMAINDER OF A 10 ACRE TRACT AND SITUATED ON THE SOUTHEASTERLY LINE OF A CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS, LLC DESCRIBED AND RECORDED IN DOCUMENT NO. 16003058 O.P.R.H.C.TX, FROM WHICH A 1/2-INCH IRON ROD WITH YELLOW CAP (ILLEGIBLE) WAS FOUND BEARING SOUTH 44° 06' 34" WEST, A DISTANCE OF 756.80 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER OF A 10 ACRE TRACT, SITUATED ON THE SOUTHEASTERLY LINE OF SAID 6.26 ACRE TRACT AND SITUATED ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID RATTLER ROAD;

**THENCE** NORTH 44° 06' 34" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID 6.26 ACRE TRACT, A DISTANCE OF 237.19 FEET TO A POINT FOR COMMON CORNER OF SAID REMAINDER OF A CALLED 54.360 ACRE TRACT AND SAID 6.26 ACRE TRACT AND ON THE SOUTHEASTERLY R.O.W. LINE OF SAID FM 110, FOR A POINT OF CURVATURE TO THE LEFT, FROM WHICH A 1/2-INCH IRON ROD WITH ORANGE CAP STAMPED "BAKER" WAS FOUND BEARS SOUTH 62° 58' 11" WEST, A DISTANCE OF 0.85 FEET.

**THENCE** ALONG THE COMMON LINE OF THE SOUTHEASTERLY R.O.W. OF SAID FM 110 AND SAID REMAINDER OF A CALLED 54.360 ACRE TRACT, AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,728.00 FEET, AN ARC LENGTH OF 54.33 FEET, A DELTA ANGLE OF 01° 48' 05", AND A CHORD BEARING AND DISTANCE OF NORTH 60° 51' 22" EAST, 54.33 FEET, TO A 1/2-INCH IRON ROD WITH CAP FOUND FOR A POINT OF TANGENCY;

**THENCE** SOUTH 30° 01' 29" EAST, ALONG THE COMMON LINE OF THE SOUTHEASTERLY R.O.W. OF SAID FM 110 AND SAID REMAINDER OF A CALLED 54.360 ACRE TRACT, A DISTANCE OF 27.01 FEET TO A 1/2-INCH IRON ROD WITH CAP FOUND FOR CORNER;

**THENCE** NORTH 59° 58' 31" EAST, ALONG THE COMMON LINE OF THE SOUTHEASTERLY R.O.W. OF SAID FM 110 AND SAID REMAINDER OF A CALLED 54.360 ACRE TRACT, A DISTANCE OF 621.13 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 30° 01' 29" WEST, OVER AND ACROSS THE R.O.W. OF SAID FM 110, A DISTANCE OF 220.00 FEET TO A POINT ON THE NORTHWESTERLY R.O.W. LINE OF SAID FM 110;

**THENCE** NORTH 59° 58' 31" EAST, ALONG THE NORTHWESTERLY R.O.W. LINE OF SAID FM 110, A DISTANCE OF 572.40 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "LAI" FOUND FOR A POINT OF CURVATURE TO THE RIGHT;

**THENCE** ALONG THE NORTHWESTERLY R.O.W. LINE OF SAID FM 110 AND SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,755.00 FEET, AN ARC LENGTH OF 159.05 FEET, A DELTA ANGLE OF 05° 11' 33", AND A CHORD BEARING AND DISTANCE OF NORTH 62° 34' 17" EAST, 159.00 FEET, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "LAI" FOUND FOR A POINT OF TANGENCY;

**THENCE** SOUTH 46° 22' 27" EAST, OVER AND ACROSS THE R.O.W. OF SAID FM, A DISTANCE OF 239.23 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 51.00 ACRES (2,221,373 SQUARE FEET) OF LAND, MORE OR LESS.

THIS SURVEYOR'S FIELD NOTE DESCRIPTION IS BEING SUBMITTED ALONG WITH A PLAT OF THE HEREON DESCRIBED TRACT.

BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) EPOCH 2010.00. COORDINATES SHOWN HEREIN ARE IN GRID VALUES, AND MAY BE CONVERTED TO SURFACE BY DIVIDING BY A SURFACE FACTOR OF 0.999870017. DISTANCES ARE IN U.S. SURVEY FEET DISPLAYED IN SURFACE VALUES.

SURVEY REVISION: 7/17/2024 – ADDRESSING COMMENTS FROM THE CITY OF SAN MARCOS, TX



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JACOB GOEBEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6734  
LJA SURVEYING, INC.  
9830 COLONNADE BOULEVARD SUITE 300  
SAN ANTONIO, TX 78230  
(210) 503-2700  
TBPELS NO. 10194382

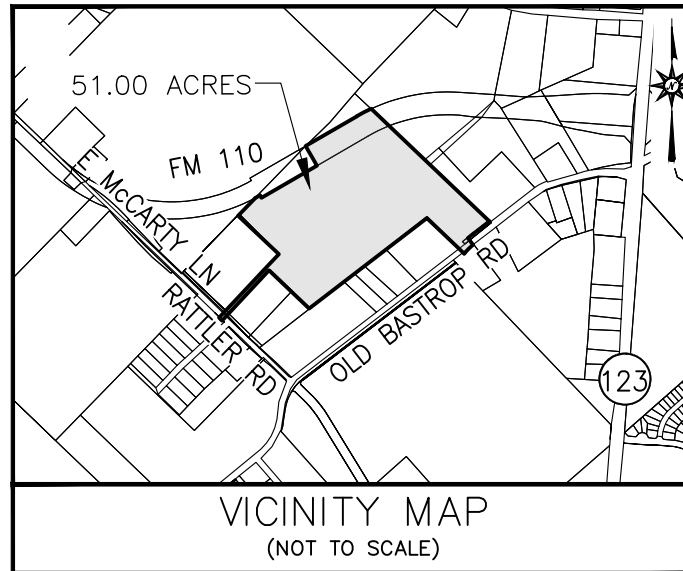
APRIL 12, 2024

Curve Table					
Curve #	Radius	Arc Length	Delta	Chord Bearing	Chord Distance
C1	1,040.00	67.29'	3°42'26"	S50° 37' 01"W	67.28'
C2	960.00	110.75'	6°36'36"	S45° 05' 30"W	110.69'
C3	1,040.00	10.75'	0°35'32"	S43° 05' 19"W	10.75'
C4	1,728.00	54.33'	1°48'05"	N60° 51' 22"E	54.33'
C5	1,755.00	159.05'	5°11'33"	N62° 34' 17"E	159.00'

Line Table		
Line #	Bearing	Distance
L1	S36° 50' 47"E	80.26'
L2	N46° 22' 27"W	80.00'
L3	S42° 52' 24"W	81.19'
L4	N46° 06' 15"W	42.16'
L5	N43° 20' 34"E	80.96'
L6	S30° 01' 29"E	27.01'

### LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 5/8" IRON ROD W/ CAP STAMPED "LJA SURVEYING"
- ANNEXATION LINE
- P — PROPERTY LINE
- Z — LANDHOOK LINE
- DEDICATED R.O.W. LINE
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS HAYS COUNTY TEXAS
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



*Jacob Goebel*

Jacob Goebel  
Registered Professional Land Surveyor No. 6734

Date: April 12, 2024

NOTE :

- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) EPOCH 2010.00. COORDINATES SHOWN ARE IN SURFACE VALUES, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SURFACE FACTOR OF 0.999870017. DISTANCES SHOWN ARE IN U.S. SURVEY FEET DISPLAYED IN SURFACE VALUES.
- SURVEY OBSERVATIONS WERE MADE ON THE GROUND USING A COMBINATION OF RTK AND STATIC NETWORKS.
- SURVEY REVISION: 7/17/2024 ADDRESSING COMMENTS FROM THE CITY OF SAN MARCOS, TEXAS.

PAGE 5  
OF 6

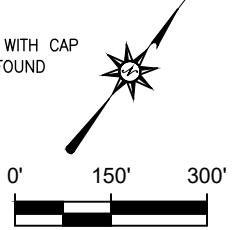
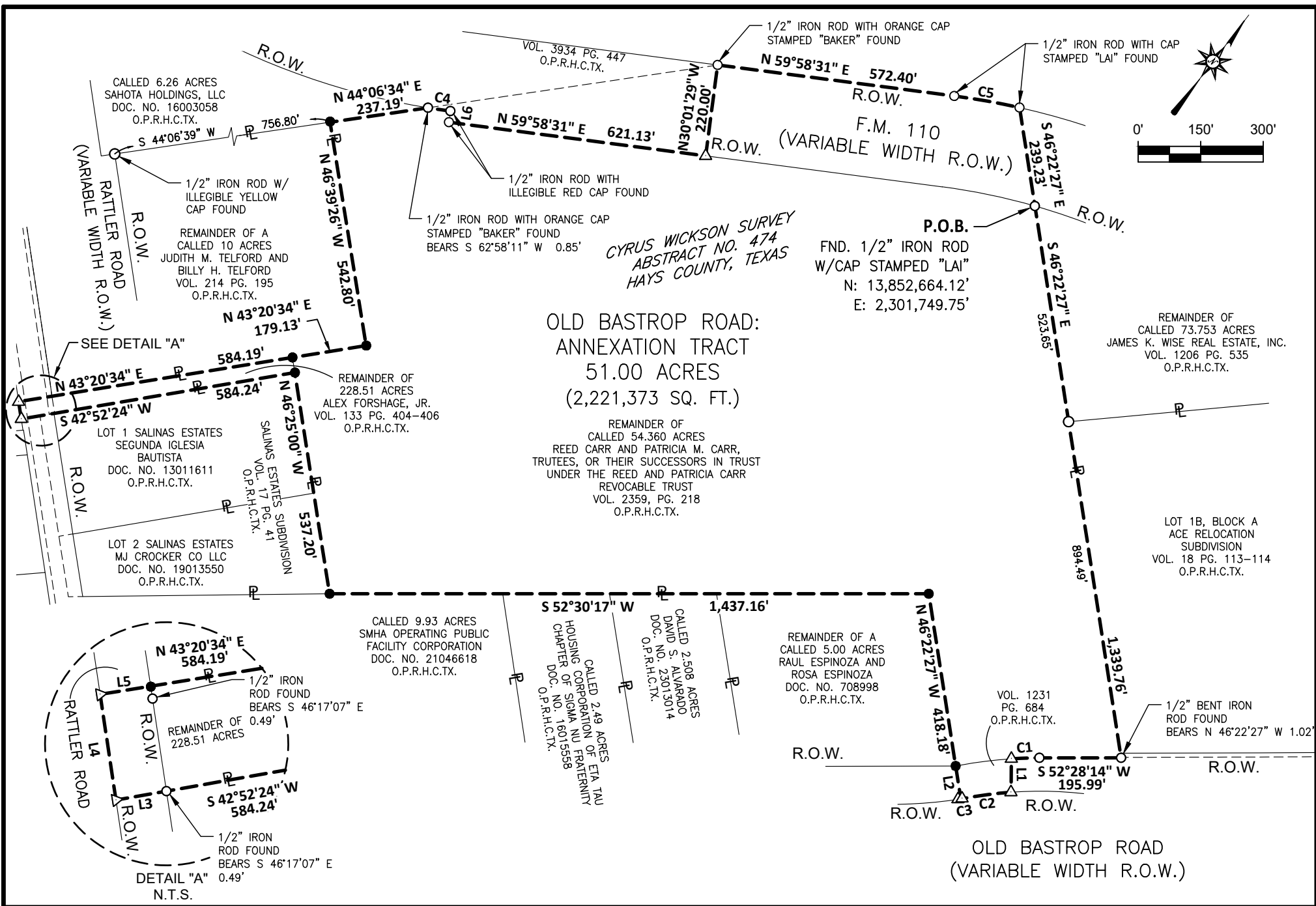
DATE:	4/12/2024
DRWN BY:	BC/RSJ
CHKD BY:	JG
PROJ NO.	LJAS001-A634-0405

2516 SOUTH OLD BASTROP ROAD: ANNEXATION SURVEY  
51.00 ACRES (2,221,373 SQ. FT.)  
CYRUS WICKSON SURVEY, ABSTRACT NO. 474  
HAYS COUNTY, TEXAS

**LJA SURVEYING, INC.**

9830 COLONNADE BLVD.  
SUITE 300  
SAN ANTONIO, TEXAS 78230

PHONE 210-503-2700  
TBPELS FIRM NO. 10194382



**OLD BASTROP ROAD:  
ANNEXATION TRACT  
51.00 ACRES  
(2,221,373 SQ. FT.)**

*CYRUS WICKSON SURVEY  
ABSTRACT NO. 474  
HAYS COUNTY, TEXAS*

REMAINDER OF  
CALLED 54.360 ACRES  
REED CARR AND PATRICIA M. CARR,  
TRUSTEES, OR THEIR SUCCESSORS IN TRUST  
UNDER THE REED AND PATRICIA CARR  
REVOCABLE TRUST  
VOL. 2359, PG. 218  
O.P.R.H.C.TX.

CALLLED 9.93 ACRES  
SMHA OPERATING PUBLIC  
FACILITY CORPORATION  
DOC. NO. 21046618  
O.P.R.H.C.TX.

CALLLED 2.508 ACRES  
DAVID S. ALVARADO  
DOC. NO. 23013014  
O.P.R.H.C.TX.

CALLLED 2.49 ACRES  
HOUSING CORPORATION OF ETA TAU  
CHAPTER OF SIGMA NU FRATERNITY  
DOC. NO. 16015558  
O.P.R.H.C.TX.

REMAINDER OF A  
CALLED 5.00 ACRES  
RAUL ESPINOZA AND  
ROSA ESPINOZA  
DOC. NO. 708998  
O.P.R.H.C.TX.

VOL. 1231  
PG. 684  
O.P.R.H.C.TX.

REMAINDER OF  
CALLED 73.753 ACRES  
JAMES K. WISE REAL ESTATE, INC.  
VOL. 1206 PG. 535  
O.P.R.H.C.TX.

LOT 1B, BLOCK A  
ACE RELOCATION  
SUBDIVISION  
VOL. 18 PG. 113-114  
O.P.R.H.C.TX.

**OLD BASTROP ROAD  
(VARIABLE WIDTH R.O.W.)**

PAGE 6 OF 6	DATE:	4/12/2024
	DRWN BY:	BC/RSJ
	CHKD BY:	JG
	PROJ NO.	LJAS001-A634-0405

**2516 SOUTH OLD BASTROP ROAD: ANNEXATION SURVEY**  
**51.00 ACRES (2,221,373 SQ. FT.)**  
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