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&ZSR S M.LEGAL DEPT

Bk Vol 210 PR2
05012918 DPR 2683 653

**DEED DEDICATING DRAINAGE AND PUBLIC
UTILITY EASEMENT**

Date: October 9, 2001

Grantor: Capital Foresight, Limited Partnership C/O Naty Saidoff

Grantor's Mailing Address (including county): 2980 Beverly Glen Circle, Ste 201
Bel Air, California 90077

Grantee: City of San Marcos

Grantee's Mailing Address (including county): 630 E. Hopkins, San Marcos, Hays County,
Texas 78666

Consideration: Ten Dollars (\$10.00) and other valuable consideration.

Property: see attached field note description and plat

Grantor, for the consideration, grants, sells and conveys an easement in the property for public utility and drainage purposes to Grantee, to have and to hold it to Grantee, Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors to warrant and forever defend this easement to Grantee and Grantee's successors and assigns against every person whomever lawfully claiming or to claim the same or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

Executed this the 10th day of October, 2001.

Grantor: Capital Foresight, Limited Partnership

By: Natam Saidoff

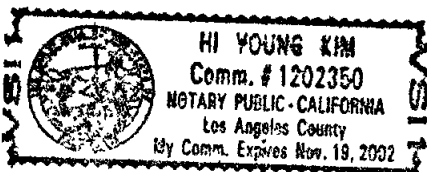
Naty Saidoff
printed name, title

STATE OF CALIFORNIA

COUNTY OF Los Angeles

This instrument was acknowledged before me on the 10th day of October,
by HI YOUNG KIM, NOTARY PUBLIC on behalf of NATY SAIDOFF.

Notary Seal



Hi Young Kim
Notary Public, State of California LA county.

DESCRIPTION OF 2.51 ACRES, MORE OR LESS, OF LAND AREA IN THE J.M. VERAMENDI SURVEY NO. 1, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT DESCRIBED AS 121.52 ACRES IN A DEED FROM JASBA GMBH TO CAPITAL FORESIGHT LIMITED PARTNERSHIP DATED AUGUST 7, 1997 AND RECORDED IN VOLUME 1336, PAGE 595 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with a plastic cap stamped "Byrn Survey" in the southwest line of the Capital Foresight 121.52 acre tract and the common north corner of that tract described as 9.438 acres in a deed from Joe Bob Millican et al to KBLB Partners dated November 1, 1996 and recorded in Volume 1266, Page 132 of the Hays County Official Public Records and the east corner of that tract described in a deed from Tereso Tobias et ux to Ermelinda Tobias Villegas et vir dated July 28, 1988 and recorded in Volume 743, Page 856 of the Hays County Real Property Records;

THENCE leaving the PLACE OF BEGINNING and the KBLB Partners tract with the common southwest line of the Capital Foresight 121.52 acre tract and the northeast line of the Tobias tract, as shown on that plat numbered 24426-01-16-c dated July 25, 2001 as prepared for Naty Saidoff by Byrn & Associates, Inc. of San Marcos, Texas, N 45° 24' 26" W 0.07 feet to a calculated point;

THENCE leaving the southwest line of the Capital Foresight 121.52 acre tract and entering the Capital Foresight 121.52 acre tract, the following thirteen courses:

1. N 44° 08' 00" E 749.65 feet to a ½" iron rod set for the beginning of a left-breaking curve,
2. with a left-breaking curve having the following characteristics: central angle = 19° 58' 13", radius = 1310.00 feet, arc length = 456.60 feet and a chord which bears N 34° 08' 53" E 454.29 feet to a ½" iron rod set,
3. N 24° 09' 47" E 503.72 feet to a ½" iron rod set for the north corner of this description,
4. S 54° 55' 14" E 463.52 feet to a ½" iron rod set for an angle point, pass at 61.11 feet a ½" iron rod set,
5. S 61° 02' 31" E 258.97 feet to a ½" iron rod set for an angle point,
6. S 72° 55' 11" E 345.71 feet to a ½" iron rod set in the northwest line of an existing 25 foot public utility easement recorded in Volume 1427, Page 915 of the Hays County Official Public Records for the east corner of this description,
7. with the northwest line of the 25 foot public utility

- easement, S 44° 09' 03" W 28.08 feet to a ½" iron rod set,
8. leaving the northwest line of the 25 foot public utility easement, N 72° 55' 11" W 335.53 feet to a ½" iron rod set for an angle point,
 9. N 61° 02' 31" W 262.91 feet to a ½" iron rod set for an angle point,
 10. N 54° 55' 14" W 398.93 feet to a ½" iron rod set for the for an interior corner of this description,
 11. S 24° 09' 47" W 466.69 feet to a ½' iron rod set for the beginning of a right-breaking curve,
 12. with a right-breaking curve having the following characteristics: central angle = 19° 58' 13", radius = 1370.00 feet, arc length = 477.51 feet and a chord which bears S 34° 08' 53" W 475.10 feet to a ½" iron rod set, and
 13. S 44° 08' 00" W 750.14 feet to a ½" iron rod found with a plastic cap stamped "Byrn Survey" in the common southwest line of the Capital Foresight 121.52 acre tract and the northeast line of the KBLB 9.438 acre tract for the west corner of Lot 1, Block 1, San Marcos Outlet Park recorded in Volume 9, Page 399 of the Hays County Plat Records, pass at 250.14 feet a ½" iron rod found with a plastic cap stamped "Byrn Survey" at the north corner of Lot 1, Block 1, San Marcos Outlet Park;

THENCE with the common southwest line of the Capital Foresight 121.52 acre tract and the northeast line of the KBLB 9.438 acre tract, N 45° 24' 26" W 59.93 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 2.51 acres, more or less, of land area as prepared from public record and a survey made on the ground on July 25, 2001 by Byrn & Associates, Inc. of San Marcos, Texas. All ½" iron rods set are capped with a plastic cap stamped "Byrn Survey". The Bearing Basis for this description is the northwest line of Lot 1, Block 1, San Marcos Outlet Park, the record bearing being (S 44° 08' 00" W).

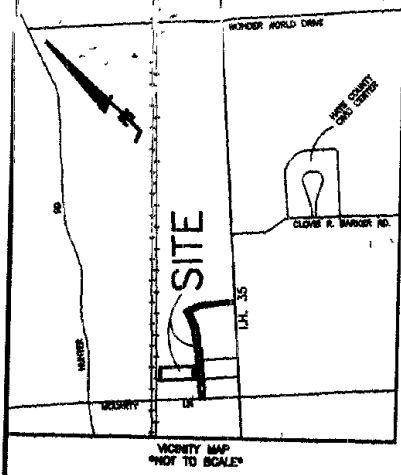


Kyle Smith, R.P.L.S. #5307

CLIENT: Saidoff, N.
DATE: July 25, 2001
SURVEY: Veramendi, JM No. 1
COUNTY: Hays, Texas
JOB NO.: 24426-01-16
FND2.51

SURVEYOR'S NOTES

1. FENCES MEANDER
2. BEARINGS, DISTANCES, AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION
3. SIGNALS ARE REQUIRED FOR THIS LOT AND SHALL BE INSTALLED AT THE TIME OF CONSTRUCTION
4. ACCORDING TO SCALING FROM THE F.E.M.A. FLOOD INSURANCE RATE MAP NO. 482000227 E REVISED MARCH 2, 2000, A PORTION OF THIS TRACT LIES WITHIN THE 100-YEAR FLOODPLAIN OF STREAM CC-8435



- LEGEND**
- HAYS COUNTY PLAT RECORDS
 - HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
 - 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "BYRN SURVEY"
 - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
 - 1/2" IRON ROD FOUND
 - CALCULATED POINT
 - BREAK IN SCALE

- TERESO TOBIAS et ux, TO PABLO H. VASQUEZ et ux (2.10 ACRES) JUNE 27, 1980
- SANTOS CALDERON et ux TO GUMESINDO RAMIREZ, JR. et ux (2.10 ACRES) FEB 11, 1985
- GUMESINDO RAMIREZ, SR. et ux et alias TO GUMESINDO RAMIREZ, JR. et ux (0.50 ACRES) NOV 1, 1994
- TERESO TOBIAS et ux, TO PABLO F. TOBIAS et ux DEC 12, 1985
- TERESO TOBIAS et ux, TO ERMELINDE TOBIAS VILLEGAS et vr (1 ACRE ±) MARCH 31, 1986
- TERESO TOBIAS et ux, TO ERMELINDE TOBIAS VILLEGAS et vr JULY 28, 1988
- KELD PARTNERS TO CAPITAL FORESIGHT (0.75 ACRES ACCESS AGREEMENT)
- JOE BOB MILLIGAN et al KELD PARTNERS (8.436 ± ACRES) NOV 1, 1996
- JASBA GIBEN TO CAPITAL FORESIGHT LIMITED PARTNERSHIP MAR. 7 1997 (121.52 ACRES)

LINE TABLE

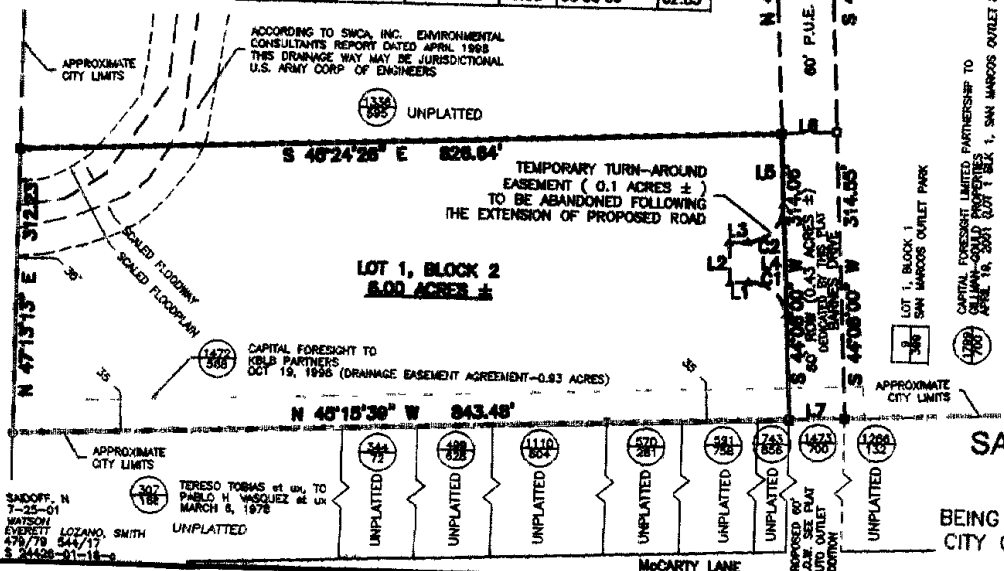
LINE	BEARING	DISTANCE
L1	N 48°52'00" W	20.00'
L2	N 44°08'00" E	44.00'
L3	S 48°52'00" E	20.00'
L4	S 44°08'00" W	124.00'
L5	N 44°08'00" E	78.00'
L6	N 48°52'00" W	80.00'
L7	N 48°24'28" W	80.00'
L8	S 44°08'03" W	28.08'
L9	N 24°08'48" E	28.48'
L10	S 84°58'14" E	81.11'

CURVE TABLE

CURVE	CHORD BRG	CHORD DIST	RADIUS	DELTA ANGLE	ARC
C1	N 00°52'00" W	56.57'	40.00'	90°00'00"	62.83'
C2	N 89°08'00" E	56.57'	40.00'	90°00'00"	62.83'

ACCORDING TO SWCA, INC. ENVIRONMENTAL CONSULTANTS REPORT DATED APRIL 1988 THIS DRAINAGE WAY MAY BE JURISDICTIONAL U.S. ARMY CORP. OF ENGINEERS

MISSOURI, KANSAS, & TEXAS RAILROAD
P.T. POST et ux, TO MISSOURI, KANSAS AND TEXAS RAILWAY COMPANY OCT 11, 1860



STATE OF TEXAS
COUNTY OF HAYS

I, THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED AS LOT 1, BLOCK 2, SAN MARCOS OUTLET PARK, SUBDIVIDE THIS PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, CASSMENTS, AND PUBLIC PLACES SHOWN ON THIS PLAT

CAPITAL FORESIGHT LIMITED PARTNERSHIP
9890 GLOUCESTER DRIVE
BEVERLY HILLS, CA 90210

STATE OF TEXAS
COUNTY OF HAYS

THIS SUBDIVISION PLAT WAS ACKNOWLEDGED BEFORE ME ON _____ BY _____

NOTARY PUBLIC, STATE OF _____

APPROVED AND AUTHORIZED TO BE RECORDED ON _____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAN MARCOS, TEXAS

CHAIRMAN SECRETARY
ROBERT THORNTON _____

APPROVED: _____
DATE _____
RON PATTERSON AIA, ACP
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

DATE _____
DIRECTOR OF PUBLIC WORKS
RICHARD MENDOZA

STATE OF TEXAS
COUNTY OF HAYS

I, LEE CARLISLE, COUNTY CLERK OF HAYS COUNTY, TEXAS, CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON _____ A.M. AND RECORDED ON _____ AT _____ O'CLOCK _____ M., IN THE PLAT RECORDS OF HAYS COUNTY TEXAS IN BOOK _____ AT PAGE _____

LEE CARLISLE
COUNTY CLERK
HAYS COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT TO THE BEST OF MY SKILL AND KNOWLEDGE THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

KYLE SMITH, R.P.L.S. NO. 6307

BYRN ENGINEERS SURVEYORS

1115 HIGHWAY 80 EAST
P.O. BOX 1433
SAN MARCOS, TEXAS 78666
(512) 396-2270

**FINAL PLAT
SAN MARCOS OUTLET PARK
SECTION 2**

BEING IN THE J.M. VERAMENDI SURVEY NO. 1
CITY OF SAN MARCOS, HAYS COUNTY, TEXAS

CLIENT: SADDOFF, N 7-25-01
DATE: WATSON EVERETT
CREATED: LOZANO, SMITH 4/9/78 544/17
NO. 3-2428-01-18-3

RETURN TO: DAVID BISON
P.O. Box 706
WIMBERCEY, TN
78676

Bk Vol Pg
05012918 OPR 2683 657

Filed for Record in:
Hays County
On: May 10, 2005 at 01:34P
Document Number: 05012918
Amount: 22.00
Receipt Number - 124382
By:
Lynn Curry, Deputy

Lee Carlisle, County Clerk
Hays County