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Hays County
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Samantha Breland, Deputy
Liz G. Gonzalez, County Clerk
Hays County

CORRECTION TO RECORDED DEVELOPMENT AGREEMENT

Date: *October 26, 2012*

Original Instrument: Development Agreement between Craddock Avenue Partners, L.L.C. and the City of San Marcos.

Recording Information: Volume 3922, Page 660 of the Official Public Records of Hays County, Texas.

Correction: The Original Instrument omitted Exhibit A and, instead, included an extra Exhibit B. This instrument provides the omitted Exhibit A and removes the extra Exhibit B.

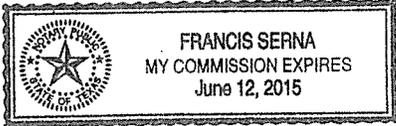
Affiant, on oath, swears that the following statements are true and within the personal knowledge of Affiant:

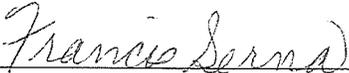
1. My name is Matthew Lewis. I am over the age of 18 years and I am otherwise competent to make this Affidavit. I am the Director of the Development Services Department of the City of San Marcos, Texas, 630 East Hopkins Street, San Marcos, Texas 78666.
2. I have personal knowledge of the facts relevant to the correction of the Original Instrument. At the time of filing of the Original Instrument, I was the Assistant Director of the Department of Development Services for the City of San Marcos and managed the City's Planning Department.
3. The Planning Department was responsible for the preparation of the Original Instrument and I am familiar with the property description of the property subject to the Original Instrument. The property description should have been attached as Exhibit A, but was inadvertently omitted and, instead, two Exhibit B's were attached to the Original Instrument. This instrument provides the Exhibit A intended to be attached to the Original Instrument and excludes a duplicate Exhibit B.
4. The Original Instrument does not transfer real property or an interest in real property and is, thus, not an instrument of conveyance subject to Tex. Prop. Code §5.028..



Matthew Lewis

SWORN TO AN SUBSCRIBED before me on October *26*, 2012 by Matthew Lewis, Director of Development Services for the City of San Marcos, in such capacity, on behalf of said municipality.





Notary Public, State of Texas

RESOLUTION NO. 2009-166R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS. APPROVING A DEVELOPMENT AGREEMENT SUBMITTED BY CRADDOCK AVENUE PARTNERS, LLC, FOR THE BUIE TRACT PROPERTY, A 148.774 ACRE, MORE OR LESS, TRACT OF LAND LOCATED ALONG THE CRADDOCK ROAD EXTENSION AND THE CONFLUENCE OF THE WONDER WORLD DRIVE EXTENSION; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. Craddock Avenue Partners, LLC ("Developer") is interested in constructing a mixed use development on a portion of the Buie Tract consistent with existing and adjacent land uses.
2. In order to develop the property in an economically feasible manner, and in an effort to protect sensitive environmental features the City staff and the Developer propose that the attached agreement be approved.
3. The proposed agreement permits more dense development along the Craddock Avenue extension in exchange for much less density in those areas of the property that lie over sensitive environmental features.

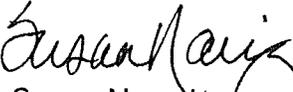
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Development Agreement submitted by Craddock Area Partners, LLC hereby approved..

PART 2. The City Manager, Rick Menchaca, is authorized to execute the development agreement.

PART 3. This Resolution is in full force and effect from and immediately after its enactment.

ADOPTED on the 1st day of December 2009.


Susan Narvaiz
Mayor

Attest:


Sherry Mashburn
City Clerk

STATE OF TEXAS

§

DEVELOPMENT AGREEMENT

COUNTY OF HAYS §

§

REGARDING THE BUIE TRACT PROPERTY

This is a DEVELOPMENT AGREEMENT by and between the CITY OF SAN MARCOS ("City") and CRADDOCK AVENUE PARTNERS, LLC ("Owner"), whether one or more.

A. PURPOSE AND CONSIDERATION

WHEREAS, the purpose of this Agreement is to establish the basic land uses and parameters and specific design criteria expected for the land uses proposed when the property is finally developed and to provide the Owner with certain vesting of the basic mixed use development plan.

WHEREAS, Developer is owner of that certain tract of land in San Marcos, Texas as shown on Exhibit "A", attached hereto (the "Property"), and

WHEREAS, Developer is in the process of constructing a mixed use development project on the Property (the "Property"), and

WHEREAS, City and Owner desire to create a mixed use development on a portion of the Property that will be compatible with other existing and adjacent proposed land uses in a manner that provides an economic boost to the area, and,

WHEREAS, the Owner and City desire the Property to be developed in a manner that is advantageous to both the Owner and the City; and,

WHEREAS, the Owner and City desire the portions of the property currently located outside of the City limits retain that status until such time that the property develops.

WHEREAS, the Owner has requested that the City provide an acknowledgement and general approval of the plan for a phased mixed used development on the Property in the form of this Agreement. See Exhibit "B" Plan.

NOW THEREFORE, for and in consideration of the promises and the mutual agreements set forth herein, the City and Owner hereby agree as follows:

B. GENERAL REQUIREMENTS

Development of the Property must meet the following requirements:

1. Buildings in the Phase 1 MU tract must be brought to the street edge of Craddock Street and contain ground floor retail or office.
2. Buildings in the Phase 1 MF-12 tract facing Craddock Street must be a minimum of 3 stories.
3. Provide for the clustering of the majority of the development in Phase 1 along each side of Craddock Street.
4. Provide for the possible allocation of unused density and impervious cover from Phase 1 to Phases 2 and 3.
5. Protect and preserve the sensitive natural features discovered on the property.
6. Maintain the existing creeks in their natural undisturbed condition.
7. Maintain the existing "Hill Country" aesthetics by preserving over 50% of the property in its natural, undisturbed condition or for use as very, very low density rural residential.
8. This Agreement shall govern the Development of the Property and shall be binding on Developer, its successors and assigns. Upon execution, this Agreement shall be recorded in the Official Records of Hays County, Texas.

C. GENERAL TERMS AND CONDITIONS

1. **Property Description:** The Property is herein defined as the Buie Tract. Property is described as shown on Exhibit "A".
2. **Density Allocation:**
 - a. **Permitted Project Density:** 459 Lots/Units (Based on an overall Project Density of 3 Lots/Units per Acre)

- b. **Phase 1 Density:** 453 Lots/Units (138 existing Lots/Units currently allowed for Phase 1, 315 Lots/Units allocated from Phase 3)
 - c. **Phase 2 Density:** Any remaining Lots/Units not utilized for Phase 1 development would be allocated to Phase 2.
 - d. **Phase 3 Density:** 4 Lots/Units remaining after allocation
 - e. **Permitted Clustered Density:** The allocation of the clustered density to Phase 1 and Phase 2 shall be subject to the maximum density limits per parcel of the base zoning classifications. (i.e. 12 upa in MF-12 area, 5.5 upa in MU area)
3. **Impervious Cover Allocation**
- a. **Permitted Project Impervious Cover:** 30.63 Acres (Based on an overall Project Impervious Cover of 20%). Total permitted project impervious cover may be clustered onto Phase 1 of the project. Remaining permitted project impervious cover may be allocated for use in Phases 2 and 3.
 - b. **Phase 3 Impervious Cover:** Phase 3 impervious cover shall not exceed 6% of the Phase 3 area.
4. **Public and Private Parkland / Buffer Zone Dedication :**
- a. **Required project parkland:** Dedication to occur with the initial Phase 1 final plat.
 - b. **5 acre tract of land dedicated for buffer area to the Franklin Square Home Owner's Association:** Dedication shall occur prior to consideration of the initial Phase 1 final plat. 5 acre tract to be owned and maintained by the Franklin Square Home Owner's Association.
5. **Annexation**
- a. **Continuation of Extraterritorial Jurisdiction Status:** The City hereby guarantees the extraterritorial jurisdiction status of Phases 2 and 3 of the property to the extent provided by the Texas Local Government Code.

- b. **Triggers for Annexation:** A request for annexation of Phases 2 and 3 shall occur concurrent with the platting of each particular phase.

6. **Environmental Issues**

- a. **Environmental Protection of Significant Recharge Features:** The parties agree that Craddock Avenue Partners, LLC will enter into an agreement with a private company or organization approved by the City of San Marcos for the purpose of securing the identified significant natural recharge features on the site. Said agreement shall occur prior to initiation of development on Phase 1.

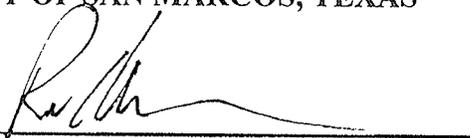
D. **MISCELLANEOUS PROVISIONS**

1. **Actions Performable.** The City and the Owner agree that all actions to be performed under this Agreement are performable in Hays County, Texas.
2. **Governing Law.** The City and Owner agree that this Agreement has been made under the laws of the State of Texas in effect on this date, and that any interpretation of this Agreement at a future date shall be made under the laws of the State of Texas.
3. **Severability.** If a provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void; but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.
4. **Complete Agreement.** This Agreement represents a complete agreement of the parties and supersedes all prior written and oral matters related to this agreement. Any amendment to this Agreement must be in writing and signed by all parties.
5. **Exhibits.** All exhibits attached to this Agreement are incorporated by reference and expressly made part of this Agreement as if copied verbatim.

6. Notice. All notices, requests or other communications required or permitted by this Agreement shall be in writing and shall be sent by (i) telecopy, with the original delivered by hand or overnight carrier, (ii) by overnight courier or hand delivery, or (iii) certified mail, postage prepaid, return receipt requested, and addressed to the parties at the following addresses:
7. Force Majeure. Owner and the City agree that the obligations of each party shall be subject to force majeure events such as natural calamity, fire or strike.
8. Assignment. This Agreement may be assigned by the Owner only with the prior written approval of the City.
9. Signature Warranty Clause. The signatories to this Agreement represent and warrant that they have the authority to execute this Agreement on behalf of the City and Owner, respectively.
10. Liability. Owner agrees to hold the City harmless from any failure on behalf of the City if, for any reason, the City fails to or is unable to honor all of the provisions of the Agreement.

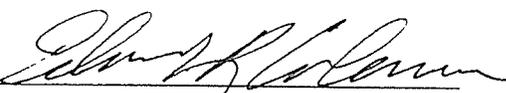
SIGNED as of this 24 day of Nov, 2009.

CITY OF SAN MARCOS, TEXAS

By: 

City Manager

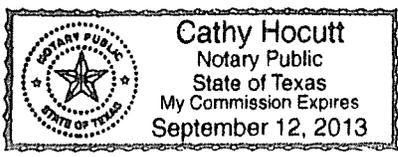
OWNER: CRADDOCK AVENUE PARTNERS, LLC.

By: 

Edward R. Coleman, Member / Managing Member
Craddock Avenue Partners, LLC

State of Texas
County of Travis

SWORN TO AND SUBSCRIBED before me on Nov. 24, 2009 (date) by
Edward R Coleman known to me, or proved to me by photo identification, to be the person
who executed this instrument.



Cathy Hocutt

Notary Public, State of Texas

Waterloo Surveyors Inc.

Office: 512-481-9602
Fax: 512-330-1621
Page 1 of 3

Thomas P. Dixon
R.P.L.S. 4324
J11420

EXHIBIT "A"

January 2, 2007

FIELD NOTES

FIELD NOTES FOR 174.27 ACRES OF LAND, MORE OR LESS, OUT OF THE J. WILLMS SURVEY, R. H. WILLIAMS SURVEY AND THE T. J. CHAMBERS SURVEY, IN HAYS COUNTY, TEXAS, SAME BEING OUT OF AND PART OF THAT CERTAIN 232.1 ACRES OF LAND CONVEYED TO MILTON DANIEL BUIE PROPERTY PARTNERSHIP BY WARRANTY DEED DATED JUNE 29, 1983, RECORDED IN VOLUME 399, PAGE 326, HAYS COUNTY, DEED RECORDS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING at fence corner post at the common N.W. corner of that certain 326.30 acre tract of land recorded in Volume 1922, Page 338, Deed Records, Hays County, Texas, same being at the S.W. corner of said 232.1 acre tract for the S.W. corner hereof;

THENCE the following three (3) courses and distances as fenced on the ground along the common east line of that certain 114.00 acre tract conveyed to Marion H. Wills recorded in Volume 1658, Page 162, Deed Records, Hays County, Texas, and the west line of said 232.1 acre tract:

1. N43°54'24"E for a distance of 400.19 feet to an iron rod found;
2. N44°02'00"E for a distance of 224.34 feet to an iron rod found;
3. N44°00'29"E for a distance of 801.57 feet to an iron rod set at a corner fence post at the N.W. corner of said 232.1 acre tract for the N.W. corner hereof;

THENCE S45°42'24"E along a wire fence for a distance of 761.13 feet to a fence corner post at the S.W. corner of that certain 67.41 acres of land recorded in Document No. 3027150, Official Public Records, Hays County, Texas, for a corner hereof;

THENCE the following three (3) courses and distances along the common south line of said 67.41 acre tract and the north line of said 232.1 acre tract:

1. S46°14'15"E for a distance of 765.55 feet to an iron rod found;
2. S46°54'15"E for a distance of 49.96 feet to an iron rod found;
3. S46°53'34"E for a distance of 118.75 feet to an iron rod found at the S.E. corner of said 67.41 acre tract for a corner hereof;

THENCE the following five (5) courses and distances along the east line of said 67.41 acre tract and the west line of said 232.1 acre tract:

1. N44°11'49"E for a distance of 77.79 feet to an iron rod found;
2. N44°16'23"E for a distance of 65.04 feet to an iron rod found;
3. N44°14'45"E for a distance of 65.09 feet to an iron rod found;
4. N44°13'16"E for a distance of 74.93 feet to an iron rod found;
5. N44°10'17"E for a distance of 80.95 feet to an iron rod set at a fence corner post at the S.W. corner of that certain 44.93 acres of land conveyed to S.D.C. Franklin Street Partnerships, LTD., recorded in Volume 1502, Page 108, Official Public Records, Hays County, Texas, same being at the S.W. corner of Lot 20, Block "G", Bishop Crossing Subdivision Section Two, a subdivision in Hays County, Texas, according to the map or plat thereof, recorded in Volume 12, Page 229, Plat Records, Hays County, Texas, for a corner hereof;

THENCE the following twenty (20) courses and distances crossing said 232.1 acre tract along the common south line of said 44.93 acre tract and the south line of Block "G", Bishop Crossing Subdivision Section Two:

1. S45°39'31"E for a distance of 70.53 feet to an iron rod found;
2. S45°39'31"E for a distance of 48.28 feet to an iron rod found;
3. S29°31'05"E for a distance of 12.30 feet to an iron rod found;
4. S29°31'05"E for a distance of 47.68 feet to an iron rod set;
5. S57°42'50"E for a distance of 26.68 feet to an iron rod found;
6. S57°42'50"E for a distance of 75.63 feet to an iron rod found;
7. S57°42'50"E for a distance of 66.51 feet to an iron rod found;
8. S57°42'50"E for a distance of 66.54 feet to an iron rod found;

P.O. Box 160176
Austin, Texas 78716-0176

Waterloo Surveyors Inc.

Office: 512-481-9602
Fax: 512-330-1621
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J11420
January 2, 2007

EXHIBIT "A"

FIELD NOTES

9. S57°42'50"E for a distance of 66.64 feet to an iron rod found;
10. S57°42'50"E for a distance of 66.65 feet to an iron rod found;
11. S57°42'50"E for a distance of 185.26 feet to an iron rod found;
12. S57°42'50"E for a distance of 63.35 feet to an iron rod found;
13. S57°42'50"E for a distance of 48.83 feet to an iron rod set;
14. S58°58'40"E for a distance of 9.12 feet to an iron rod found;
15. S58°58'40"E for a distance of 63.31 feet to an iron rod found;
16. S58°58'40"E for a distance of 63.46 feet to an iron rod found;
17. S58°58'40"E for a distance of 63.20 feet to an iron rod found;
18. S54°04'46"E for a distance of 63.28 feet to an iron rod found;
19. S54°04'46"E for a distance of 63.28 feet to an iron rod found;
20. S54°04'46"E for a distance of 78.39 feet to an iron rod found at the S.E. corner of Lot 3, Block "G", Bishop Crossing Subdivision Section Two, and the S.W. corner of Lot 1, Block "G", Bishop Crossing Subdivision Section One, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 9, Page 261, Plat Records of Hays County, Texas;

THENCE the following eleven (11) courses and distances along the south and east line of said Bishop Crossing Subdivision Section One:

1. S39°29'06"E for a distance of 124.59 feet to an iron rod set;
2. S39°29'06"E for a distance of 10.25 feet to an iron rod set;
3. S24°34'26"E for a distance of 64.34 feet to an iron rod set;
4. S47°23'16"E for a distance of 3.17 feet to an iron rod found;
5. S47°23'16"E for a distance of 112.74 feet to an iron rod set;
6. S32°44'36"E for a distance of 199.83 feet to an 80d Nail found;
7. S04°15'45"E for a distance of 88.44 feet to an iron rod found;
8. S04°00'41"E for a distance of 254.35 feet to an iron rod found;
9. N85°54'06"E for a distance of 102.50 feet to an iron rod found;
10. N86°15'21"E for a distance of 474.21 feet to a punch hole found;
11. N04°03'14"W, crossing a 70' wide extension of said 44.93 acre tract as shown on Bishop Crossing Subdivision Section One subdivision plat, noted as the remaining portion of said 44.93 acre tract, and in all a distance of 353.50 feet to an iron rod found on the curving south R.O.W. of Bishop Street at the S.W. corner of that certain 0.78 acres of land conveyed to the City of San Marcos for road purposes recorded in Document No. 00023125, Official Public Records, Hays County, Texas;

THENCE the following two (2) courses and distances along the common south line of Bishop Street and the south line of said 0.78 acre tract:

1. 205.62 feet along the arc of the curving R.O.W., curving to the right with a radius of 1365.00 feet and having a chord which bears S54°34'25"E for a distance of 205.42 feet to an iron rod found at the point of tangency of said curve, from which point an iron rod found on the north R.O.W. of Bishop Street bears N39°39'16"E at a distance of 70.00 feet;
2. S50°13'10"E for a distance of 248.18 feet to an iron rod found at the point of curvature of a curve curving to the right with a radius of 25.00 feet, said iron rod also being the common S.E. corner of said 0.78 acre tract and the S.W. corner of that certain 0.87 acres of land conveyed to the City of San Marcos for road purposes recorded in Document No. 00023125, Official Public Records, Hays County, Texas;

THENCE the following five (5) courses and distances along the south line of said 0.87 acre tract and the south line of Bishop Street:

1. 41.56 feet along the arc of said curve with a chord which bears S02°55'23"E for a distance of 36.94 feet to an iron rod found at the end of this curve;
2. S53°10'34"E for a distance of 70.74 feet to an iron rod found at the point of a non-tangent curve curving to the right with a radius of 25.00 feet;

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EXHIBIT "A"

FIELD NOTES

3. 37.73 feet along the arc of said curve with a chord which bears N87°56'44"E for a distance of 34.25 to an iron rod found at the point of a compound curve curving to the right with a radius of 2965.00 feet;
4. 182.53 feet along the arc of said curve with a chord which bears S46°45'44"E for a distance of 182.51 feet to an iron rod set at the point of tangency of said curve;
5. S45°08'49"E for a distance of 33.94 feet to a PK set in concrete at the intersection of west R.O.W. of Franklin Street for a corner hereof;

THENCE the following two (2) courses and distances along the west R.O.W. of Franklin Street and the east line of said 232.1 acre tract:

1. S45°00'38"W for a distance of 1155.74 feet to an iron rod found;
2. S45°19'35"W for a distance of 394.63 feet to an iron rod set at a corner fence point at the most easterly, S.E. corner of said 232.1 acre tract;

THENCE the following twenty-three (23) courses and distances along the south line of said 232.1 acre tract as fenced on the ground:

1. N55°48'45"W for a distance of 786.65 feet to an iron rod found;
2. N55°42'41"W for a distance of 50.06 feet to an iron rod set;
3. S58°26'11"W for a distance of 43.88 feet to a found iron rod;
4. S58°26'58"W for a distance of 425.99 feet to a fence post;
5. N53°28'52"W for a distance of 95.55 feet to a fence post;
6. S88°05'37"W for a distance of 470.04 feet to a fence post;
7. N47°05'02"W for a distance of 103.02 feet to an iron rod set;
8. N45°25'14"W for a distance of 549.36 feet to a fence post;
9. N45°24'02"W for a distance of 345.10 feet to an iron rod set;
10. N45°42'20"W for a distance of 82.85 feet to an iron rod found;
11. N45°34'46"W for a distance of 366.14 feet to an iron rod found;
12. N43°48'49"W for a distance of 204.34 feet to an iron rod set;
13. N42°54'31"W for a distance of 291.41 feet to an iron rod found;
14. N42°49'55"W for a distance of 159.54 feet to a fence post;
15. N35°46'40"W for a distance of 69.36 feet to a nail found in a 9" Oak tree
16. N34°01'51"W for a distance of 71.64 feet to an iron rod found;
17. N33°52'51"W for a distance of 94.24 feet to a fence post;
18. N44°35'24"W for a distance of 313.63 feet to a fence post;
19. N40°06'53"W for a distance of 85.50 feet to a 60d nail found in Oak tree
20. N49°08'32"W for a distance of 25.61 feet to a fence post;
21. N47°58'05"W for a distance of 95.83 feet to a fence post;
22. N45°23'40"W for a distance of 265.09 feet to a fence post;
23. N47°31'25"W for a distance of 89.25 to the **POINT OF BEGINNING**, containing 174.27 acres of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.

Thomas P. Dixon R.P.L.S. 4324

P.O. Box 160176
Austin, Texas 78716-0176

GENERAL WARRANTY DEED

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.

DATE: June 29, 2007

GRANTOR: BUIE PROPERTIES, LTD.

**GRANTOR'S MAILING ADDRESS:
(INCLUDING COUNTY):** 1128 West San Antonio
San Marcos, Hays County, Texas 78666

GRANTEE: CRADDOCK AVENUE PARTNERS, L.L.C.

**GRANTEE'S MAILING ADDRESS
(INCLUDING COUNTY):** 1208 West Avenue
Austin, Travis County, Texas 78701

CONSIDERATION:

TEN DOLLARS and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

THAT CERTAIN TRACT OF LAND CONSISTING OF 174.27 ACRES OF LAND, MORE OR LESS, OUT OF THE J. WILLIAMS SURVEY, R. H. WILLIAMS SURVEY AND THE T. J. CHAMBERS SURVEY, IN HAYS COUNTY, TEXAS, SAME BEING OUT OF AND PART OF THAT CERTAIN 232.1 ACRES OF LAND CONVEYED TO MILTON DANIEL BUIE PROPERTY PARTNERSHIP BY WARRANTY DEED DATED JUNE 29, 1983, RECORDED IN VOLUME 399, PAGE 326, HAYS COUNTY, DEED RECORDS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN FOR ALL PURPOSES.

RESERVATION FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record, including the following:

- a. Transmission line easement recorded in Volume 112, Page 304, of the Deed Records of Hays County, Texas;

b. Transmission line easement recorded in Volume 119, Page 443, of the Deed Records of Hays County, Texas;

c. Transmission line easement recorded in Volume 342, Page 463, of the Deed Records of Hays County, Texas;

This deed is also subject to the electric lines traversing the subject property, as shown per survey dated January 2, 2007, by Thomas P. Dixon, R.P.L.S. No. 4324.

GRANTOR HAS EXECUTED AND DELIVERED THIS GENERAL WARRANTY DEED AND HAS CONVEYED THE PROPERTY AND GRANTEE HAS RECEIVED AND ACCEPTED THIS GENERAL WARRANTY DEED AND HAS PURCHASED THE PROPERTY "AS IS", "WHERE IS", AND "WITH ALL FAULTS" AND WITHOUT REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WRITTEN OR ORAL. WITHOUT LIMITATION ON THE FOREGOING, GRANTEE, BY ACCEPTANCE OF THIS DEED, ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS, OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING, OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY, OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE ACREAGE, WATER, SOIL, OR GEOLOGY; (B) THE INCOME TO BE DERIVED FROM THE PROPERTY; (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON; (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES, OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, INCLUDING WITHOUT LIMITATION, ANY ENVIRONMENTAL PROTECTION, POLLUTION, OR LOTS USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS; (E) THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY, OF ANY HAZARDOUS OR TOXIC MATERIALS; (F) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY; (G) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY; (H) THE STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY; (I) THE EFFECTIVENESS AND VALIDITY OF ANY REGULATORY PERMIT, LICENSE, OR APPROVAL; OR (J) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, EXCEPT THE WARRANTY OF TITLE EXPRESSLY SET FORTH HEREIN.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors,

administrators, 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.

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

BUIE PROPERTIES, LTD.

By: [Signature]

Printed Name: DAVID M. BUIE

Title: GENERAL PARTNER

By: [Signature]

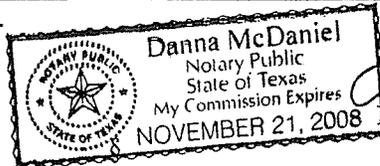
Dorys E. Boggus Buie, Limited Partner
by Larry O. Rasco, Court Appointed Guardian

Printed Name: LARRY O. RASCO

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF TEXAS §
COUNTY OF Travis §

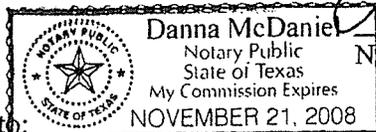
This instrument was acknowledged before me on the 29 day of June, 2007 by David M. Buie, for the consideration and in the capacity therein stated.



[Signature]
Notary Public - State of Texas

STATE OF TEXAS §
COUNTY OF Travis §

This instrument was acknowledged before me on the 29 day of June, 2007 by Larry O. Rasco, Court Appointed Guardian for Dorys E. Boggus Buie, Limited Partner, for the consideration and in the capacity therein stated.



[Signature]
Notary Public - State of Texas

After recording return to:

NO. 11446-C

CITY OF SAN MARCOS, TEXAS	§	IN THE COUNTY COURT
VS.	§	AT LAW NUMBER 2
CRADDOCK AVENUE PARTNERS, LLC	§ § §	HAYS COUNTY, TEXAS

AGREED FINAL JUDGMENT OF CONDEMNATION

On May 1, 2008, the above matter was heard before Ronnie Beasley, David Esparza, and Don Rains, Special Commissioners and freeholders of Hays County, Texas, duly appointed by the Judge of the County Court at Law of Hays County, Texas, upon the application and petition of THE CITY OF SAN MARCOS, TEXAS, as Plaintiff, heretofore filed in this court, praying for the condemnation of certain parcels of land required for the public purpose of providing for the transportation needs of the citizens of the City and of persons traveling through the City, of the following Defendant: CRADDOCK AVENUE PARTNERS, LLC. Said land being condemned is located in Hays County, Texas, and is more particularly described in the field notes attached hereto and marked Exhibit "A", incorporated herein by reference for all purposes as if fully set out herein.

The Special Commissioners, having taken the oath required by law, set a place and time for hearing the parties herein, and having given notice, and the Defendants having been duly and properly served with notice of the time of the hearing and the place of meeting, or having accepted service by executing a Waiver of Service, all as required by law, and all parties having either appeared in person or by their attorneys, or having elected not to appear, those appearing having announced ready for trial, all matters involved in said condemnation were submitted to the Special Commissioners; and at the appointed time and place, the pleadings and evidence of

all parties concerned having been considered and heard by the Special Commissioners, and the parties having announced that they agreed, subject to approval of the City Council of Plaintiff, upon the amount of compensation to be awarded Defendant, the Commissioners made their award and filed the same on June 16, 2008, with this Court.

On this day, Plaintiff THE CITY OF SAN MARCOS, TEXAS, and Defendant CRADDOCK AVENUE PARTNERS, LLC, appeared in person and by their attorneys and announced that all matters in dispute had been resolved, that the City Council of Plaintiff approved the settlement, and asked the court to enter this Agreed Final Judgment of Condemnation. After hearing evidence and the argument of counsel, the court finds that all prerequisites have been duly satisfied, that the court has jurisdiction of this case, and that Plaintiff is entitled to condemn and Defendant should recover damages as set out below.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Defendant CRADDOCK AVENUE PARTNERS, LLC, recover from Plaintiff THE CITY OF SAN MARCOS, TEXAS, the sum of THREE HUNDRED SEVENTY THOUSAND SIX HUNDRED SIXTY AND NO/100 DOLLARS (\$370,660.00), and that THE CITY OF SAN MARCOS, TEXAS, within twenty-one (21) days following the signing of this judgment by the Court, shall issue a check to Condemnees' counsel, Reynolds Shelton, payable to Barron & Adler, Trustee as Trustee for CRADDOCK AVENUE PARTNERS, LLC in the amount of THREE HUNDRED SEVENTY THOUSAND SIX HUNDRED SIXTY AND NO/100 DOLLARS (\$370,660.00). Said sum shall not bear interest if paid within the time provided above; but if not so timely paid, shall thereafter, beginning on the 22d day after the date of signing of this judgment, bear interest until paid at the rate for judgments in condemnation cases.

IT IS FURTHER THE JUDGMENT OF THIS COURT that Plaintiff, THE CITY OF SAN MARCOS, TEXAS have judgment against Defendant for fee simple title to that 18.1443 acres of land, referred to as Parcel 6, described in the attached Exhibit "A," including title to all improvements thereon, if any, for the public purpose of laying out, opening, constructing, reconstructing, maintaining and operating a highway, an extension of Wonder World Drive, to be known as F.M. Highway 3407, and the same is hereby divested out of the above-named Defendant in this cause, and said fee simple title is hereby vested in THE CITY OF SAN MARCOS, TEXAS.

IT IS FURTHER THE JUDGMENT OF THIS COURT that Plaintiff, THE CITY OF SAN MARCOS, TEXAS have judgment against Defendant for permanent easements and rights of way for said purpose on, over, under and across, two tracts of land, the first being that 0.1722 acre of land referred to as Parcel 6E Part 1, and the second tract being that 0.2499 acre of land referred to as Parcel 6E Part 2, said Parcels 6E Part 1 and Part 2 being described in the attached Exhibit "A," including title to all improvements thereon, if any, and such temporary construction easements, if any, as may be described in Exhibit "A" hereto, such temporary easements to be used and occupied only during construction, and upon completion of construction shall automatically revert to Defendant fee and clear of any right, title, or interest in Plaintiff; and the easements and rights of way, and temporary construction easements, if any, are hereby divested out of the above-named Defendant in this cause, and said easements and rights of way, and temporary easements, if any, are hereby vested in THE CITY OF SAN MARCOS, TEXAS.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant shall not have access across the "Access Denial Line," as shown on Exhibit "A" hereto, to the highway facility from the remainder of Defendant's property.

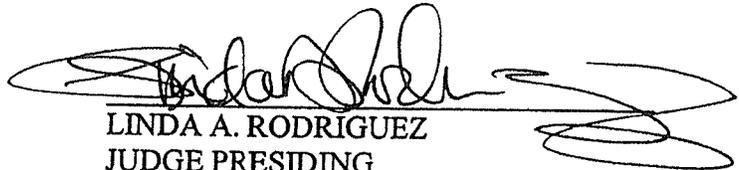
IT IS FURTHER THE JUDGMENT OF THIS COURT that there shall be reserved to Defendant: all groundwater rights, oil, gas and other minerals in, on and under said property, easements and rights-of-way, provided however, that Defendant shall not be permitted to drill, explore or operate for minerals on the surface of said properties but will be permitted to extract oil and other minerals from and under the property by directional drilling or other means so long as the use by Plaintiff and the public of the properties and easements for the public purpose aforesaid is not disturbed; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that a Writ of Possession issue in favor of the Plaintiff, THE CITY OF SAN MARCOS, TEXAS.

IT IS FURTHER ORDERED that all costs of court incurred in this case be taxed against Plaintiff, which costs have been paid.

All relief not expressly granted herein is denied.

Signed this 25 day of June, 2008.

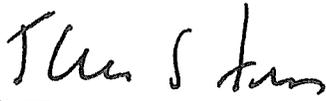


LINDA A. RODRIGUEZ
JUDGE PRESIDING
County Court at Law, No. 2
Hays County, Texas

APPROVED AS TO FORM AND CONTENT:

LAW OFFICE OF JAMES S. FROST
113 West Gonzales Street
Seguin, Texas 78155
830-303-0404
830-303-8584 (fax)

By:



JAMES S. FROST
State Bar No. 07489500
ATTORNEYS FOR PLAINTIFF

BARRON & ADLER, LLP
808 Nueces Street
Austin, Texas 78701
512-478-4995
512-478-6022 (facsimile)

By:



REYNOLDS M. SHELTON
State Bar Card No. 18209300
ATTORNEYS FOR DEFENDANT

EXHIBIT A

County: Hays
Parcel No.: 6
Highway: F.M. Hwy. 3407 (Wonder World Drive)
Project Limits: From: F.M. Hwy. 12
To: FM Hwy 2439
CSJ: 3379-01-010

PROPERTY DESCRIPTION FOR PARCEL 6

DESCRIPTION OF 18.1443 ACRES OF LAND OUT OF JOHN WILLIAMS SURVEY, ABSTRACT 471, AND IN THE THOMAS CHAMBERS SURVEY, ABSTRACT 2, IN HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT 232.1 ACRE TRACT DESCRIBED IN A DEED TO MILTON DANIEL BUIE PROPERTIES PARTNERSHIP, OF RECORD IN VOLUME 399, PAGE 326, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS; SAID 18.1443 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap set at the point of beginning of an Access Denial Line, 100.00 feet left of Engineer's Centerline Station 80+28.71, having Texas State Plane (South Central Zone NAD83 (93) HARN) coordinates of N=13,874,023.27, E=2,291,809.54, being in the proposed northeast right-of-way (ROW) line of F.M. Hwy. 3407 (Wonder World Drive), same also being the north corner of this tract, same being in the northwest line of said Buie tract and in the southeast line of a tract described in a deed to Marion H. Wills (Tract A), of record in Volume 629, Page 186, Real Property Records, Hays County, Texas, from said point a 12" Elm tree in the northwest line of said Buie tract and the southeast line of said Wills tract bears N43°27'54"E 399.75 feet;

THENCE, with the northeast line of this tract, through the interior of said Buie tract, same being the proposed northeast ROW line of F.M. Hwy. 3407 (Wonder World Drive), the follow seven courses:

1. along said Access Denial Line S19°37'39"E 156.28 feet to a 1/2" iron rod with TxDOT aluminum cap set at 100.00 feet left of Engineer's Centerline Station 81+84.99;
2. along said Access Denial Line with an arc of a curve to the left 598.91 feet, through a central angle of 09°13'30", having a radius of 3719.72 feet, and whose chord bears

- S24°14'24"E 598.26 feet to a 1/2" iron rod with TxDOT aluminum cap set at 100.00 feet left of Engineer's Centerline Station 88+00.00;
3. along said Access Denial Line S38°22'34"E 98.33 feet to a 1/2" iron rod with a TxDOT aluminum cap set 115.00 feet left of Engineer's Centerline Station 89+00.00;
 4. along said Access Denial Line with an arc of a curve to the left 96.99 feet, through a central angle of 01°30'00", having a radius of 3704.72 feet, whose chord bears S31°06'09"E 96.99 feet to a 1/2" iron rod with a TxDOT aluminum cap set 115.00 feet left of Engineer's Centerline Station 90+00.00;
 5. along said Access Denial Line S23°49'45"E 98.33 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet left of Engineer's Centerline Station 91+00.00;
 6. along said Access Denial Line with an arc of a curve to the left 1448.89 feet, through a central angle of 22°19'04", having a radius of 3719.72 feet, and whose chord bears S44°30'41"E 1439.75 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet left of Engineer's Centerline Station 105+87.85; and
 7. along said Access Denial Line S55°40'13"E 1269.52 feet to a 1/2" iron rod with a TxDOT aluminum cap set at the end of said Access Denial Line, 100.00 feet left of Engineer's Centerline Station 118+57.37, same also being the east corner of this tract, same being in the southeast line of said Buie tract and in the north line of a tract described in a deed to C & G Development, Inc., in Volume 1360, Page 92, Official Public Records, Hays County, Texas, from said point a fence corner post found at an angle point in the southeast line of said Buie tract and in the north line of said C & G tract bears N57°49'15"E 316.34 feet;

THENCE, with the south line of this tract, same being the southeast line of said Buie tract and the north line of said C & G tract, the following three courses:

8. S57°49'15"W 154.49 feet to a fence corner post found at 41.69 feet right of Engineer's Centerline Station 117+95.79;
9. N54°11'44"W 95.74 feet to a fence corner post found at 39.22 feet right of Engineer's Centerline Station 117+00.09; and
10. S87°32'28"W 424.87 feet to a 1/2" iron rod with a TxDOT aluminum cap set at the point of beginning of an Access Denial Line, 293.66 feet right of Engineer's Centerline Station 113+59.83, being in the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), same also being the southwest corner of this tract, from said point a fence corner post found at the south corner of said Buie tract and at an angle point in the north line of said C & G tract bears S87°32'28"W 44.90 feet;

THENCE, with the southwest line of this tract, through the interior of said Buie tract, same being the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), the following four courses:

11. along said Access Denial Line N34°16'30"E 193.66 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet right of Engineer's Centerline Station 113+59.64;
12. along said Access Denial Line N55°40'13"W 771.79 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet right of Engineer's Centerline Station 105+87.85;
13. along said Access Denial Line with an arc of a curve to the right 1175.91 feet, through a central angle of 17°11'19", having a radius of 3919.72 feet, whose chord bears N47°04'34"W 1171.50 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet right of Engineer's Centerline Station 94+41.94; and
14. along said Access Denial Line S52°13'12"W 57.77 feet to a 1/2" iron rod with a TxDOT aluminum cap set at the end of said Access Denial Line, 160.14 feet right of Engineer's Centerline Station 94+41.23, same being in the southwest line of said Buie tract and the northeast line of said C & G tract;

THENCE, continuing with the southwest line of this tract, same being the southwest line of said Buie tract and the northeast line of said C & G tract, the following three courses:

15. N43°21'10"W 159.46 feet to a 6" live oak tree found at 174.49 feet right of Engineer's Centerline Station 92+89.27;
16. N36°37'05"W 69.14 feet to a 10" live oak tree found at 175.61 feet right of Engineer's Centerline Station 92+23.17; and
17. N34°24'06"W 71.94 feet to a 1/2" iron rod with a TxDOT aluminum cap set at the point of beginning of an Access Denial Line, 175.25 feet right of Engineer's Centerline Station 91+54.39, same being in the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), from said point an elm stump found at an angle point in the southwest line of said Buie tract and in the northeast line of said C & G tract bears N34°24'06"W 94.37 feet;

THENCE, and continuing with the southwest line of this tract, through the interior of said Buie tract, same being the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), the following seven courses:

18. along said Access Denial Line N55°58'36"E 75.25 feet to a 1/2" iron rod with a TxDOT aluminum cap set at 100.00 feet right of Engineer's Centerline Station 91+54.57;
19. along said Access Denial Line with an arc of a curve to the right 466.48 feet, through a central angle of 06°49'07", having a radius of 3919.72 feet, whose chord bears

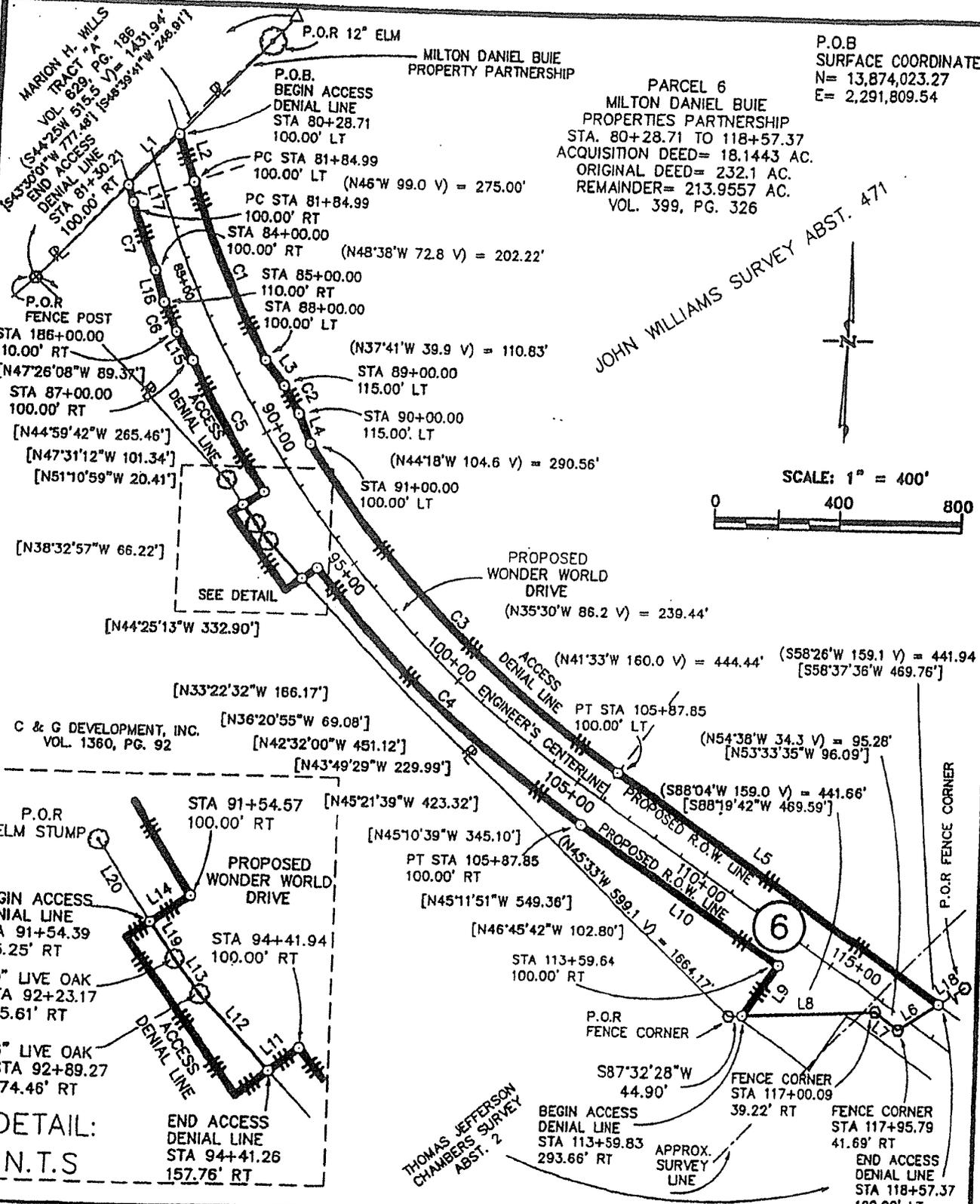
- N30°45'43"W 466.20 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet right of Engineer's Centerline Station 87+00.00;
20. along said Access Denial Line N32°09'40"W 103.23 feet to a 1/2" iron rod with a TxDOT aluminum cap set at 110.00 feet right of Engineer's Centerline Station 186+00.00;
21. along said Access Denial Line with an arc of a curve to the right 102.88 feet, through a central angle of 01°30'00", having a radius of 3929.72 feet, whose chord bears N25°06'09"W 102.88 feet to a 1/2" iron rod with a TxDOT aluminum cap set 110.00 feet right of Engineer's Centerline Station 85+00.00;
22. along said Access Denial Line N18°02'39"W 103.23 feet to a 1/2" iron rod with a TxDOT aluminum cap set at 100.00 feet right of Engineer's Centerline Station 84+00.00;
23. along said Access Denial Line with an arc of a curve to the right 220.64 feet, through a central angle of 03°13'31", having a radius of 3919.72 feet, whose chord bears N21°14'24"W 220.61 feet to a 1/2" iron rod with a TxDOT aluminum cap set 100.00 feet right of Engineer's Centerline Station 81+84.99; and
24. along said Access Denial Line N19°37'40"W 54.78 feet to a 1/2" iron rod with a TxDOT aluminum cap set at the end of said Access Denial Line, 100.00 feet right of Engineer's Centerline Station 81+30.21, same also being in the west corner of this tract, and being in the northwest line of said Buie tract and in the southeast line of said Wills (Tract A), from said point a fence corner post found at the southwest corner of said Buie tract, same being an angle point in the southeast line of said Wills tract, and the north corner of said C & G tract, bears S43°27'54"W 399.33 feet;
25. THENCE, with the northwest line of this tract, same being the northwest line of said Buie tract and the southeast line of said Wills (Tract A) N43°27'54"E 224.28 feet to the POINT OF BEGINNING and containing 18.1443 acres of land within these metes and bounds, more or less.

All bearings are based on the Texas State Plane Coordinate System, South Central Zone, NAD83(93).HARN. All distances and coordinates were adjusted to surface using a combined scale factor of 1.000128.

SURVEYED BY:
McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Drive, Suite 6 Austin, Texas 78731
(512) 451-8591



Judith J. McGray 9-6-2002
Judith J. McGray, Reg. Professional Land Surveyor No. 2093 Date
Note: There is a plat to accompany this description. De02061P6 Revised 8/22/06 JPM

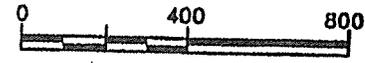


P.O.B
SURFACE COORDINATE
N = 13,874,023.27
E = 2,291,809.54

PARCEL 6
MILTON DANIEL BUIE
PROPERTIES PARTNERSHIP
STA. 80+28.71 TO 118+57.37
ACQUISITION DEED = 18.1443 AC.
ORIGINAL DEED = 232.1 AC.
REMAINDER = 213.9557 AC.
VOL. 399, PG. 326

JOHN WILLIAMS SURVEY ABST. 471

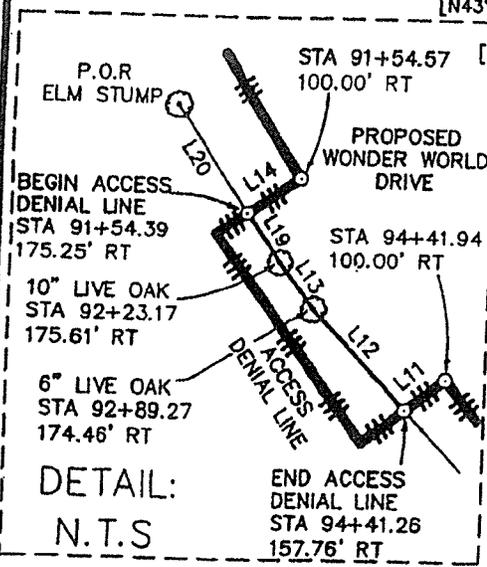
SCALE: 1" = 400'



MARION H. MILLS
TRACT #7
VOL. 829, PG. 186
[S44°25'W 515.5 V] = 1431.94'
[S45°30'W 777.48 V] = 1846.39
[S46°39'41"W 246.91 V]

P.O.R. FENCE POST
STA 186+00.00
110.00' RT
[N47°26'08"W 89.37']
STA 87+00.00
100.00' RT
[N44°59'42"W 265.46']
[N47°31'12"W 101.34']
[N51°10'59"W 20.41']
[N38°32'57"W 66.22']

C & G DEVELOPMENT, INC.
VOL. 1360, PG. 92



McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #B
AUSTIN, TEXAS 78731
(512) 451-8591

PLAT OF 18.1443 AC. OUT OF THE JOHN WILLIAMS SURVEY ABST. 471 AND THE THOMAS JEFFERSON CHAMBERS SURVEY ABST. 2, BEING A PORTION OF A 232.1 AC. TRACT DESCRIBED IN A DEED TO MILTON DANIEL BUIE PROPERTY PARTNERSHIP, VOL. 399, PG. 326, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS

HAYS COUNTY
F.M. HWY 3407
WONDER WORLD DR.
PARCEL 6
PAGE 5 OF 8
SEPT. 8, 2002
CSJ 3379-01-010

LINE TABLE		
LINE	LENGTH	BEARING
L1	224.28	N43°27'54"E
L2	156.28	S19°37'39"E
L3	98.33	S38°22'34"E
L4	98.33	S23°49'45"E
L5	1269.52	S55°40'13"E
L6	154.49	S57°49'15"W
L7	95.74	N54°11'44"W
L8	424.87	S87°32'28"W
L9	193.66	N34°16'30"E
L10	771.79	N55°40'13"W
L11	57.77	S52°13'12"W
L12	159.46	N43°21'10"W
L13	69.14	N36°37'05"W
L14	75.25	N55°58'36"E
L15	103.23	N32°09'40"W
L16	103.23	N18°02'39"W
L17	54.78	N19°37'40"W
L18	316.34	N57°49'15"E
L19	71.94	N34°24'06"W
L20	94.37	N34°24'06"W

NOTES:

- 1) REMAINDER CALCULATED FROM DEEDS AVAILABLE AT THIS TIME.
- 2) BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83(93) HARN. ALL DISTANCES AND COORDINATES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000128.
- 3) ACCESS WILL BE PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE PROPERTY ADJACENT TO PROPOSED WONDER WORLD DRIVE.

LEGEND

- 1/2" IRON ROD WITH TXDOT ALUM. CAP SET
- ⊙ TREE SIZE & TYPE NOTED
- △ CALCULATED POINT
- FENCE POST
- ℓ PROPERTY LINE
- P.O.B POINT OF BEGINNING
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- P.O.R POINT OF REFERENCE
- RECORD INFORMATION
- (XXX) VOL. 399, PG. 326
- {XXX} VOL. 1360, PG. 92
- {XXX} VOL. 629, PG. 186
- ≡≡≡ ACCESS DENIAL LINE

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	598.91	3719.72	9°13'30"	300.10	S24°14'24"E	598.26
C2	96.99	3704.72	1°30'00"	48.50	S31°06'09"E	96.99
C3	1448.89	3719.72	22°19'04"	733.75	S44°30'41"E	1439.75
C4	1175.91	3919.72	17°11'19"	592.40	N47°04'34"W	1171.50
C5	466.48	3919.72	6°49'07"	233.51	N30°45'43"W	466.20
C6	102.88	3929.72	1°30'00"	51.44	N25°06'09"W	102.88
C7	220.64	3919.72	3°13'31"	110.35	N21°14'24"W	220.61

SURVEYED BY: McGRAY & McGRAY LAND SURVEYORS, INC.
3301 HANCOCK DR., STE 6, AUSTIN, TX 78731 512/451-8591

Judith J. McGray
JUDITH J. McGRAY, REG. PROF. LAND SURVEYOR NO. 2093 DATE 9-6-2002
SURVEYED ON GROUND UNDER MY DIRECT SUPERVISION



McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

PLAT OF 18.1443 AC. OUT OF THE JOHN WILLIAMS SURVEY ABST. 471 AND THE THOMAS JEFFERSON CHAMBERS SURVEY ABST. 2, BEING A PORTION OF A 232.1 AC. TRACT DESCRIBED IN A DEED TO MILTON DANIEL BUIE PROPERTY PARTNERSHIP, VOL. 399, PG. 326, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS

HAYS COUNTY
F.M. HWY 3407
WONDER WORLD DR.
PARCEL 6
PAGE 6 OF 6
SEPT. 8, 2002
CSJ 3379-01-010

EXHIBIT A

County: Hays
Parcel No.: 6E Part 1 and Part 2
Highway: F.M. Hwy. 3407 (Wonder World Drive)
Project Limits: From: F.M. Hwy. 12
To: FM Hwy 2439
CSJ: 3379-01-010

PROPERTY DESCRIPTION FOR PARCEL 6E PART 1 AND PART 2

DESCRIPTION OF TWO TRACTS OF LAND: PART 1 BEING 0.1722 OF ONE ACRE OF LAND OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT 471 IN HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT 232.1 ACRE TRACT DESCRIBED IN A DEED TO MILTON DANIEL BUIE PROPERTIES PARTNERSHIP, OF RECORD IN VOLUME 399, PAGE 326, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS, AND PART 2 BEING 0.2499 OF ONE ACRE OF LAND OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT 471, IN HAYS COUNTY, TEXAS, SAME BEING A PORTION OF SAID 232.1 ACRE TRACT DESCRIBED IN SAID DEED TO MILTON DANIEL BUIE PROPERTIES PARTNERSHIP, OF RECORD IN VOLUME 399, PAGE 326, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS; SAID TWO TRACTS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1:

BEGINNING at a 1/2" iron rod with TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap set at 100.00 feet right of Engineer's Centerline Station 85+35.48, having Texas State Plane (South Central Zone NAD83 (93) HARN) coordinates of N=13,873,471.93, E=2,291,800.76, same being in the proposed southwest right-of-way (ROW) line of F.M. Hwy. 3407 (Wonder World Drive), same also being the north corner of this tract, from which point a 1/2" iron rod with TxDOT aluminum cap set at 100.00 feet right of Engineer's Centerline Station 81+30.21, same being in the northwest line of said Buie tract and in the southeast line of a tract described in a deed to Marion H. Wills (Tract A) of record in Volume 629, Page 186, Real Property Records, Hays County, Texas, bears, with the arc of a curve to the right 36.50 feet, through a central angle of 00°31'56", having a radius of 3929.72 and whose chord bears N24°37'07"W 36.50 feet, N18°02'39"W 103.23 feet, with an arc of a curve to the right 220.64 feet, through a central angle of 3°13'31", and having a radius of 3919.72 feet, and whose chord bears N21°14'24"W 220.61 feet, N19°37'40"W 54.78 feet, from said 1/2" iron rod with TxDOT aluminum cap set at station 81+30.21 a fence corner post found

at the west corner of said Buie Tract, same being an angle point in the southeast line of said Wills (Tract A), and being the north corner of a tract described in a deed to C & G Development, Inc., of record in Volume 1360, Page 92, Official Public Records, Hays County, Texas, bears $S43^{\circ}27'34''W$ 399.33 feet, from said 1/2" iron rod with TxDOT aluminum cap set at Engineer's Station 81+30.21 a 12" Elm tree found in the northwest line of said Buie tract and the southeast line of said Wills (Tract A), bears $N43^{\circ}27'54''E$ 624.03 feet;

1. THENCE, with the northeast line of this tract, through the interior of said Buie tract, same being the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), with an arc of a curve to the left 62.17 feet, through a central angle of $00^{\circ}54'23''$, having a radius of 3929.72, and whose chord bears $S25^{\circ}20'17''E$ 62.17 feet, to a 1/2" iron rod with TxDOT aluminum cap set at 110.00 feet right of Engineer's Centerline Station 85+95.91, same being the east corner of this tract;
2. THENCE, with the southeast line of this tract, through the interior of said Buie tract, $S28^{\circ}11'36''W$ 131.68 feet to a 1/2" iron rod with TxDOT aluminum cap set at 217.25 feet right of Engineer's Centerline Station 86+69.18 same being the south corner of this tract;
3. THENCE, with the southwest line of this tract, through the interior of said Buie tract, $N61^{\circ}48'26''W$ 50.00 feet to a 1/2" iron rod with TxDOT aluminum cap set at 246.08 feet right of Engineer's Centerline Station 86+30.66 same being the west corner of this tract;
4. THENCE, with the northwest line of this tract, through the interior of said Buie tract, $N28^{\circ}11'36''E$ 168.63 feet to the POINT OF BEGINNING and containing 0.1722 of one acre within these metes and bounds, more or less.

PART 2:

BEGINNING at a 1/2" iron rod with TxDOT aluminum cap set at 100.00 feet right of Engineer's Centerline Station 112+41.40, having Texas State Plane (South Central Zone NAD83 (93) HARN) coordinates of $N=13,871,520.04$, $E=2,293,694.79$, same being in the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), same also being the north corner of this tract, from said point a 1/2" iron rod with TxDOT aluminum cap set 293.66 feet right of Engineer's Centerline Station 113+59.83, same being in the southeast line of said Buie tract and in the north line of a tract described in a deed to C & G Development, Inc., of record in Volume 1360, Page 92, Official Public Records, Hays County, Texas, bears $S55^{\circ}40'13''E$ 118.24 feet, $S34^{\circ}16'30''W$ 193.66 feet, from said 1/2" iron rod found with TxDOT aluminum cap set at Engineer's Centerline Station 113+59.83 a fence corner post found at an angle point in the southeast line of said Buie Tract and the north line of said C & G tract bears $S87^{\circ}32'28''W$ 44.90 feet. from said 1/2" iron rod with TxDOT aluminum cap set at Engineer's

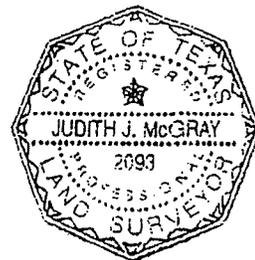
August 22, 2006

Centerline Station 113+59.83 a fence corner post found at an angle point in the southeast line of said Buie tract and the north line of said C & G tract bears N87°32'28"E 424.87 feet, S54°11'44"E 95.74 feet and N57°49'15"W 470.83 feet;

1. THENCE, with the northeast line of this tract, through the interior of said Buie tract, same being in the proposed southwest ROW line of F.M. Hwy. 3407 (Wonder World Drive), S55°40'13"E 80.41 feet at a 1/2" iron rod with TxDOT aluminum cap set at 100.00 feet right of Engineer's Centerline Station 113+21.81, same being the east corner of this tract;
2. THENCE, with the southeast line of this tract, through the interior of said Buie tract, S55°28'25"W 159.67 feet to a 1/2" iron rod with a TxDOT aluminum cap set 248.92 feet right of Engineer's Centerline Station 112+64.22, same being the south corner of this tract;
3. THENCE, with the southwest line of this tract, through the interior of said Buie tract, N34°31'35"W 75.00 feet to a 1/2" iron rod with a TxDOT aluminum cap set 221.87 feet right of Engineer's Centerline Station 111+94.27, same being the west corner of this tract;
4. THENCE, with the northwest line of this tract, through the interior of said Buie tract, N55°28'25"E 130.66 feet to the POINT OF BEGINNING and containing 0.2499 of one acre of land within these metes and bounds, more or less.

All bearings are based on the Texas State Plane Coordinate System, South Central Zone, NAD83(93) HARN. All distances and coordinates were adjusted to surface using a combined scale factor of 1.000128.

SURVEYED BY:
McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Drive, Suite 6
Austin, Texas 78731
(512) 451-8591



Judith J. McGray 9-6-2002
Judith J. McGray, Reg. Professional Land Surveyor No. 2093 Date

Note: There is a plat to accompany this description. De02061P6E Part 1 and 2 Revised 8/22/06 JH

GENERAL WARRANTY DEED

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.

DATE:

October 14, 2009

GRANTOR:

CRADDOCK AVENUE PARTNERS, L.L.C.

**GRANTOR'S MAILING ADDRESS:
(INCLUDING COUNTY):**

C/O EDWARD R. COLEMAN
P. O. Box 50324
Austin, Travis County, Texas 78763

GRANTEE:

City of San Marcos

**GRANTEE'S MAILING ADDRESS
(INCLUDING COUNTY):**

630 East Hopkins Street
San Marcos, Hays, County, Texas 78666

CONSIDERATION:

TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

Being a 2.981 acre tract or parcel of land situated in Hays County, Texas, being out of the T. J. Chambers League, Abstract No. 2, and a portion of that tract described as 232.1 acres in a Deed to Milton Daniel Buie Properties Partnership, recorded in Volume 399, Page 326 of the Hays County Deed Records, and being also a portion of a 0.87 acres in a Deed to Properties Partnership, Ltd, recorded in Volume 1723, Page 371 of the Hays County Official Public Records and said 2.981 acre tract being more particularly described by metes and bounds in Exhibit "A" attached hereto;

RESERVATION FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This deed and conveyance is subject to all validly existing and recorded easements, rights-of-way and prescriptive rights, all presently recorded and validly existing instruments other than conveyances of the fee estate, that affect the Property; and the following:

a. Easement for electric transmission and/or distribution line to Texas Power and Light Company recorded in Volume 112, Page 304, Deed Records, Hays County, Texas;

b. Easement for electric transmission and/or distribution line to Texas Power and Light Company recorded in Volume 119, Page 443, Deed Records, Hays County, Texas;

c. Easement for telephone line to San Marcos Telephone Company recorded in Volume 342, Page 463, Deed Records, Hays County, Texas;

d. Terms, conditions and stipulations in the Agreement named Possession and Use Agreement for Transportation Purposes between City of San Marcos, Texas and Craddock Avenue Partners, L.L.C. recorded in Volume 3311, Page 842, Official Public Records, Hays County, Texas;

e. City of San Marcos Request for Out-of-City Utility Extension or Connection recorded in Volume 3732, Page 231, Official Public Records, Hays County, Texas.

Grantor, for the consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, 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.

Taxes for the current year have been prorated to the date hereof and are assumed by the Grantee.

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

CRADDOCK AVENUE PARTNERS, L.L.C.

By: Edward R. Coleman
Edward R. Coleman, Managing Member

THE STATE OF TEXAS §

COUNTY OF TRAVIS §
Hays Co

This instrument was acknowledged before me on the 14th day of Oct., 2009, by EDWARD R. COLEMAN, Managing Member of CRADDOCK AVENUE PARTNERS, L.L.C. in such capacity on behalf of said entity.

Diana Endsley
Notary Public - State of Texas

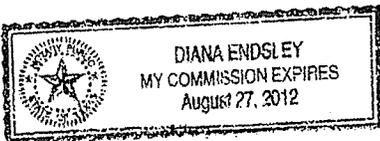


EXHIBIT "A"

COUNTY: HAYS
HIGHWAY: WONDER WORLD DRIVE
CCSJ: 3379-01-010

PARCEL 1
JUNE 12, 2009
Page 1 of 5

PARCEL 1
RIGHT-OF-WAY
DESCRIPTION

BEING A 2.981 ACRE TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY TEXAS, BEING OUT OF T. J. CHAMBERS LEAGUE, ABSTRACT NO. 2, AND A PORTION OF THAT TRACT DESCRIBED AS 232.1 ACRES IN A DEED TO MILTON DANIEL BUIE PROPERTIES PARTNERSHIP, RECORDED IN VOLUME 399, PAGE 326 OF THE HAYS COUNTY DEED RECORDS, AND BEING ALSO A PORTION OF A 0.87 ACRES IN A DEED TO PROPERTIES PARTNERSHIP LTD, RECORDED IN VOLUME 1723, PAGE 371 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 6" cedar post found at an angle point in the south line of said 232.1 acres tract and in the north line of a 501.30 acre tract in a deed to C & G Development, Inc recorded in Volume 1360, Page 092 of the Hays County Official Public Records;

THENCE, N57°51'47"E along the common line of the south line of said 232.1 acres tract and the north line of said 501.30 acres tract, a distance of 152.37 feet to a 5/8 inch iron rod with a TXDOT Aluminum Cap set on the northeast proposed right-of-way line of Wonder World Drive, being located 100 feet left of the Center Line Station 118+57.20;

THENCE, N 57°51'47" E, along the said common line, a distance of 315.85 feet to a calculated point;

THENCE, continuous along the said common line S56°23'25" E, a distance of 410.72 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane, located 39.00 feet left of the Center Line Station 19+02.46, and having Texas Coordinate System Surface Coordinates of No=13871278.581, Ea=2294925.619 (state plane coordinates, South Zone, NAD83 (93) HARN Adjustment, for the northwesterly corner of the tract described herein for the POINT OF BEGINNING;

1.) THENCE, N70°40'12"E, , a distance of 143.90 feet to a 1/2 inch rod with (SAVORY-4598) cap set in the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the left of the tract described herein;

2.) THENCE, along the said curve to the left an arc distance of 402.30 feet, having a radius of 916.00 feet though a central angle of 25°09'49", a chord bearing N58°09'28"E, a chord distance 399.07 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;

3.) THENCE, N45°34'33"E, a distance of 176.40 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the left of the tract described herein;

- 4.) **THENCE**, along the said curve to the left an arc distance of 217.16 feet, having a radius of 916.00 feet though a central angle of $13^{\circ}34'59''$, a chord bearing $N38^{\circ}47'04''E$, a chord distance 216.65 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 5.) **THENCE**, $N31^{\circ}59'34''E$, , a distance of 196.28 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the right of the tract described herein;
- 6.) **THENCE**, along the said curve to the right an arc distance of 343.19 feet, having a radius of 994.00 feet though a central angle of $19^{\circ}46'56''$, a chord bearing $N41^{\circ}53'02''E$, a chord distance 341.49 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 7.) **THENCE**, $N51^{\circ}46'30''E$, into said 0.87 acre tract, a distance of 155.58 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the northerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the left of the tract described herein;
- 8.) **THENCE**, along the said curve to the left an arc distance of 12.64 feet, having a radius of 461.00 feet though a central angle of $01^{\circ}34'16''$, a chord bearing $N50^{\circ}59'22''E$, a chord distance 12.64 feet to a 1/2 inch rod with (SAVORY-4598) cap set in Bishop Lane right-of-way line for an interior corner and the beginning of a curve to the right of the tract described herein;
- 9.) **THENCE**, along Bishop Lane right-of-way line of said curve to the right an arc distance of 21.09 feet, having a radius of 25.00 feet though a central angle of $48^{\circ}20'07''$, a chord bearing $S19^{\circ}57'13''W$, a chord distance 20.47 feet to a 1/2 inch rod with (SAVORY-4598) cap set in Bishop Lane right-of-way line for an interior corner of the tract described herein;
- 10.) **THENCE**, $S53^{\circ}45'18''E$, into said 232.1 acre tract a distance of 70.67 feet to a 1/2 inch rod with (SAVORY-4598) cap set in Bishop Lane right-of-way line for an interior corner and the beginning of a curve to the right of the tract described herein;
- 11.) **THENCE**, along the said curve to the right an arc distance of 10.10 feet, having a radius of 25.00 feet though a central angle of $23^{\circ}10'59''$, a chord bearing $N56^{\circ}02'00''E$, a chord distance 10.03 feet to a 1/2 inch rod with (SAVORY-4598) cap set in Bishop Lane right-of-way line for an interior corner and the beginning of a curve to the left of the tract described herein;
- 12.) **THENCE**, along the said curve to the left an arc distance of 24.18 feet, having a radius of 541.00 feet though a central angle of $02^{\circ}33'40''$, a chord bearing $S50^{\circ}29'40''W$, a chord distance 24.18 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 13.) **THENCE**, $S51^{\circ}46'30''W$, a distance of 155.58 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the left of the tract described herein;

COUNTY: HAYS
HIGHWAY: WONDER WORLD DRIVE
CCSJ: 3379-01-010

PARCEL 1
JUNE 12, 2009
Page 3 of 5

- 14.) **THENCE**, along the said curve to the left an arc distance of 315.57 feet, having a radius of 914.00 feet though a central angle of 19°46'56", a chord bearing S41°53'02"W, a chord distance 314.01 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 15.) **THENCE**, S31°59'34"W, a distance of 196.28 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the right of the tract described herein;
- 16.) **THENCE**, along the said curve to the right an arc distance of 236.12 feet, having a radius of 996.00 feet though a central angle of 13°34'59", a chord bearing S38°47'04"W, a chord distance 235.57 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 17.) **THENCE**, S45°34'33"W, a distance of 176.40 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner and the beginning of a curve to the right of the tract described herein;
- 18.) **THENCE**, along the said curve to the right an arc distance of 437.43 feet, having a radius of 996.00 feet though a central angle of 25°09'49", a chord bearing S58°09'28"W, a chord distance 433.92 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane for an interior corner of the tract described herein;
- 19.) **THENCE**, S70°44'22"W, a distance of 83.46 feet to a 1/2 inch rod with (SAVORY-4598) cap set on the southerly proposed south extension right-of-way line of Craddock Lane and the common of said 232.1 acres tract and said 501.30 acres tract for an interior corner of the tract described herein;
- 20.) **THENCE**, N56°23'25"W, a distance of 100.12 feet to the **POINT OF BEGINNING**, containing 2.981 acres of land area, more or less, within these metes and bounds.

A drawing has been prepared in connection with these fieldnotes; it is identified as Martinez Geospatial Corporation Drawing File No. CRADDOCK_PARCEL 1.DGN.

The Point of Beginning of this description is located by coordinates North=13,871,278.581 and East=2,294,925.619. These coordinates and the bearings shown hereon being based on the Texas Coordinate System, South Central Zone, with a horizontal datum of NAD83 (1993 HARN Adjustment). The coordinates shown are "Surface", and can be converted to "Grid" by multiplying them by a project CSF (combined scale factor) of 0.999872, and were obtained using GPS observations.

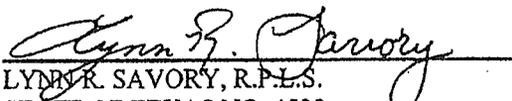
COUNTY: HAYS
HIGHWAY: WONDER WORLD DRIVE
CCSJ: 3379-01-010

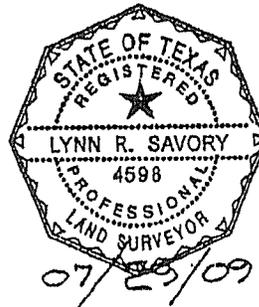
PARCEL 1
JUNE 12, 2009
Page 4 of 5

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

THAT I, LYNN R. SAVORY, 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 SURVEY MADE ON THE GROUND UNDER MY
DIRECTION AND SUPERVISION.

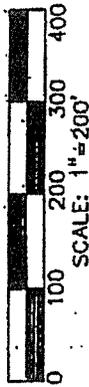
WITNESS MY HAND AND SEAL AT AUSTIN, TRAVIS COUNTY, TEXAS THIS 12th DAY
OF JUNE, 2009


LYNN R. SAVORY, R.P.L.S.
STATE OF TEXAS NO. 4598
MARTINEZ GEOSPATIAL CORPORATION



LEGEND

- 1/2" IRON ROD SET W/CAP (SAVORY-4596)
- ⊙ 5/8" IRON ROD SET W/CAP (T+DOT ALUM. CAP)
- ⊛ FENCE CORNER POST
- P.O.B. POINT OF BEGINNING
- H.C.O.P.R. HAYS COUNTY OFFICIAL PUBLIC RECORDS
- H.C.D.R. HAYS COUNTY DEED RECORDS



BUJE PROPERTIES, LTD.
VOL. 1723, PG. 371, H.C.O.P.R.
0.87 ACRES

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	25°09'49"	402.30'	916.00'	N58°09'28"E	399.07'
C2	13°34'59"	217.16'	916.00'	N38°47'04"E	216.85'
C3	19°46'56"	343.19'	994.00'	N41°53'02"E	341.49'
C4	01°34'16"	12.64'	461.00'	N60°59'23"E	12.64'
C5	48°20'07"	21.09'	25.00'	S19°57'13"W	20.47'
C6	23°10'59"	10.10'	25.00'	N58°02'00"E	10.03'
C7	02°33'40"	24.18'	541.00'	S50°29'40"W	24.18'
C8	19°46'56"	315.67'	914.00'	S41°53'02"W	314.01'
C9	13°34'59"	236.12'	996.00'	S38°47'04"W	235.57'
C10	25°09'49"	437.43'	996.00'	S58°09'28"W	433.92'

R.O.W. ACQUISITION

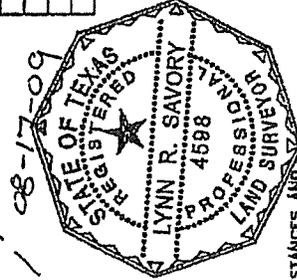
PARCEL 1
2,981 AC.

MILTON DANIEL BUJE PROPERTIES PARTNERSHIP
VOL. 989, PG. 326, H.C.D.R.
232.1 ACRES

P.O.B. STA. 19+02.46
SET 1/2 IR
N=13871278.581
E=2294925.619

WESTOVER ADDITION
VOL. 59, PG. 184
H.C.D.R.

NUM	BEARING	DISTANCE
L1	N70°40'12"E	143.90'
L2	N45°34'35"E	178.40'
L3	N31°59'34"E	196.28'
L4	N51°46'30"E	155.58'
L5	S53°45'18"E	70.67'
L6	S51°46'30"W	155.58'
L7	S31°59'34"W	196.28'
L8	S45°34'33"W	178.40'
L9	S70°44'22"W	83.46'
L10	N56°23'25"W	100.12'



- NOTES:
- ALL BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, NAD 83 (1993 adjustment), TEXAS SOUTH CENTRAL ZONE 4204. COORDINATES AND DISTANCES ARE U.S. SURVEY FEET.
 - ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999872



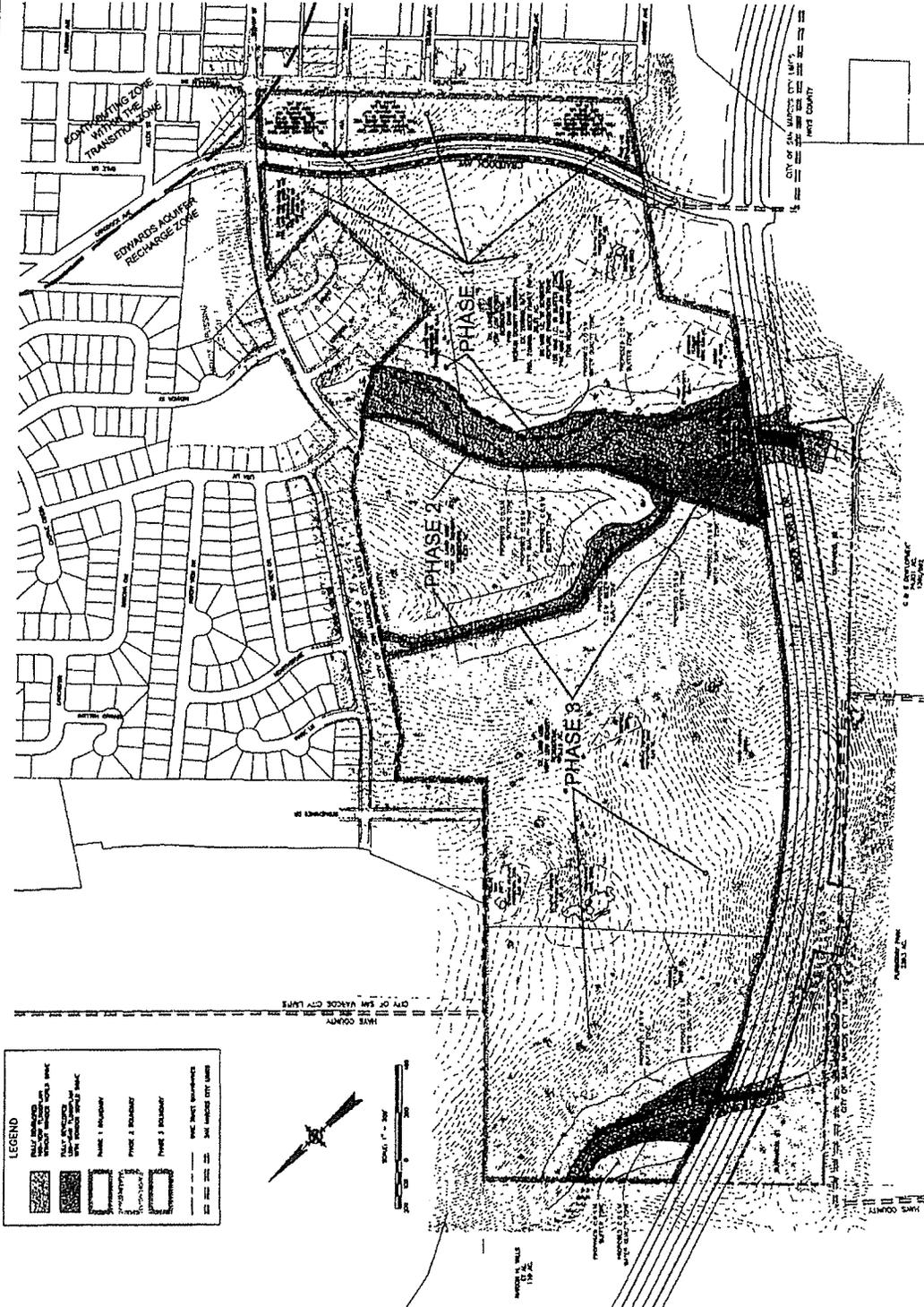
8668 Research Blvd
Suite 305
Austin, TX 78756-6401
Tel: 512.323.0338
Fax: 512.323.0340
www.mtzcorp.com

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LYNN R. SAVORY
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS - NO. 4598

08/17/09
DATE OF SURVEY

DISTRICT	PARCEL	COUNTY
AUSTIN	PARCEL 1	HAYS
ROW 68J	PROJECT NAME	DATE OF SURVEY
3379-01-010	WONDER WORLD DRIVE	08-11-2007
ROW EASEMENT	JOB NO.	REVISION DATE
DGN NO.: CRADDOCK_PARCEL 1.dgn	08060015	08-12-2009
	SHEET NO.	Page 3 of 3



LEGEND

[Symbol]	PHASE 1 BOUNDARY
[Symbol]	PHASE 2 BOUNDARY
[Symbol]	PHASE 3 BOUNDARY
[Symbol]	EDWARDS AQUIFER RECHARGE ZONE
[Symbol]	COUNTY WRITING ZONE
[Symbol]	CITY OF SAN MARCOS CITY LIMITS
[Symbol]	EXISTING STREETS
[Symbol]	PROPOSED STREETS
[Symbol]	PROPOSED LOT LINES
[Symbol]	PROPOSED LOT AREAS
[Symbol]	PROPOSED LOT EASEMENTS
[Symbol]	PROPOSED LOT RESERVATIONS
[Symbol]	PROPOSED LOT ENCUMBRANCES
[Symbol]	PROPOSED LOT INTERESTS
[Symbol]	PROPOSED LOT RIGHTS
[Symbol]	PROPOSED LOT LIENS
[Symbol]	PROPOSED LOT ENCUMBRANCES
[Symbol]	PROPOSED LOT INTERESTS
[Symbol]	PROPOSED LOT RIGHTS
[Symbol]	PROPOSED LOT LIENS



PRELIMINARY CONCEPTUAL LAND PLAN

PROJECT NAME	BUJE TRACT DEVELOPMENT
OWNER	BAKER-AICKLEN & ASSOCIATES, INC.
DATE	NOVEMBER 24, 2009
SCALE	AS SHOWN
PROJECT LOCATION	BUJE TRACT, SAN MARCOS, CALIFORNIA
PROJECT AREA	APPROXIMATELY 100 ACRES
PROJECT PHASES	PHASE 1, PHASE 2, PHASE 3
PROJECT PURPOSE	RESIDENTIAL DEVELOPMENT
PROJECT STATUS	PRELIMINARY

NOTES

1. EXISTING STREET, LOT, CITY LIMITS AND EDWARDS AQUIFER RECHARGE ZONE ARE APPROXIMATE AND BASED ON C.O.N. GIS INFORMATION.
2. POWER POLE LINE AND CROSSROADS ARE APPROXIMATE.
3. LOCATION OF SUBDIVISION LOTS IS APPROXIMATE.

BAKER-AICKLEN & ASSOCIATES, INC.
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 8105 HAYWARD ROAD
 SAN MARCOS, CALIFORNIA 92078
 (951) 755-8800
 WWW.BAKER-AICKLEN.COM

EXHIBIT "B"
PRELIMINARY CONCEPTUAL LAND PLAN
 BUJE TRACT DEVELOPMENT
 November 24, 2009