

# ZONING CHANGE TO PLANNING AREA DISTRICT APPLICATION

Updated: October, 2019



## CONTACT INFORMATION

Applicant's Name	Ed Theriot	Property Owner	McCoy Family Partnership One and Two
Company	Doucet & Associates, Inc.	Company	c/o The Barracks Townhomes (Aaron Longoria)
Applicant's Mailing Address	7401B Hwy. 71 W., Ste. 160 Austin, TX 78735	Owner's Mailing Address	514 Deacon W Drive College Station, TX 77842
Applicant's Phone #	512-618-2865	Owner's Phone #	(979) 217-1162
Applicant's Email	etheriot@doucetengineers.com	Owner's Email	aaron@barrackstownhomes.com

## PROPERTY INFORMATION

Subject Property Address(es): SH 123, San Marcos, TX

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Total Acreage: 109.46 Tax ID #: R 15914, R11870

Preferred Scenario Designation: Medical District, Employment Center Existing Zoning: FD

Existing Land Use(s): Vacant

## DESCRIPTION OF REQUEST

Proposed Zoning District(s): Planned Area District

Proposed Land Uses / Reason for Change: Apply zoning controls to the tract for development

## AUTHORIZATION

*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\* \$1,057 plus \$100 per acre Technology Fee \$13 MAXIMUM COST \$3,013  
\*Existing Neighborhood Regulating Plan Included.

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

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

PROPERTY OWNER AUTHORIZATION

I, REID M<sup>c</sup>COY (owner name) on behalf of  
McCoy Family Partnerships One and Two (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
SH 123, San Marcos, TX (address).

I hereby authorize Luke Marvel and his respective consultants (agent name) on behalf of  
The Barracks Townhomes (agent company) to file this application for  
various applications for site development (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 3/31/2020

Printed Name, Title: REID M<sup>c</sup>COY, GENERAL PARTNER  
M<sup>c</sup>COY FAMILY PARTNERSHIP ONE &  
M<sup>c</sup>COY FAMILY PARTNERSHIP TWO

Signature of Agent:  Date: 04/02/2020

Printed Name, Title: Ed Theriot, Agent

Form Updated October, 2019

## AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

*I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.*

Signature: \_\_\_\_\_



Date: 04/02/2020

Print Name: \_\_\_\_\_

**Ed Theriot**

912  
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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.

SPECIAL WARRANTY DEED

Bk Vol Pg  
04024094 DPR 2527 319

STATE OF TEXAS           §  
                                  §  
COUNTY OF HAYS         §

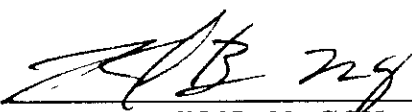
KNOW ALL MEN BY THESE PRESENTS, that REID BRIAN McCOY, Trustee of the MEAGAN LANE McCOY FAMILY TRUST, of P. O. Box 647, City of San Marcos, County of Hays, State of Texas 78667 (hereinafter referred to as "Grantor"), for and in consideration of the sum of ten and 00/100 dollars (\$10.00), and other good and valuable consideration to the undersigned paid by McCOY FAMILY PARTNERSHIP ONE, LTD., (hereinafter referred to as "Grantee"), of P. O. Box 1028, City of San Marcos, County of Hays, State of Texas 78667, the receipt of which is hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto the said Grantee an undivided 12.50% in and to the real property (including any improvements) out of the Barnett O. Kane Survey, Abstract No. 281, the Cyrus Wickson Survey, Abstract No. 474, and the J. M. Veramendi League No. 1, Hays County, Texas, described in Exhibit A attached to and made a part of this instrument, save and except the real property described in Exhibit B attached to and made a part of this instrument ("Property").

This conveyance is made and accepted subject to all validly existing easements, rights of way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions and other instruments that affect the Property; and taxes for the year 2004 and subsequent years, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever, subject to the exception to conveyance and warranty; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under the said Grantor, but not otherwise subject to the exceptions to conveyance and warranty provided for in this deed.

EXECUTED this 25<sup>th</sup> day of JULY, 2004.

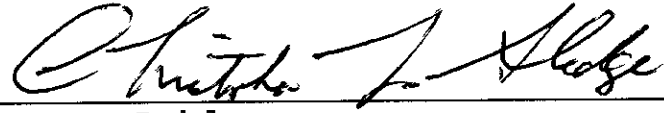
GRANTOR



REID BRIAN McCOY, Trustee of the MEAGAN LANE McCOY FAMILY TRUST

\_\_\_\_\_  
§  
\_\_\_\_\_  
§  
\_\_\_\_\_  
§

This instrument was acknowledged before me on the 25<sup>TH</sup> day of JULY, 2004, by REID BRIAN McCOY, Trustee, of the MEAGAN LANE McCOY FAMILY TRUST.



My Commission Expires:  
INDEFINATE

Notary Public, \_\_\_\_\_

TYPE/PRINT/STAMP NAME  
CHRISTOPHER L. SLEDGE  
LCDR, USN

PLEASE RETURN TO:

McCOY FAMILY PARTNERSHIP ONE, LTD.  
P. O. Box 1424  
San Marcos, Texas 78667



670 510

FILLED NOPL DESCRIPTION OF A SURVEY MADE ON THE GROUND OF 166.670 ACRES OF LAND, MORE OR LESS, IN THE BARNETT O. KANE SURVEY A-281, THE CYRUS WICKSON SURVEY, A-474 AND THE J. M. VERAMENDI LEAGUE NC 1, ALL IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT CALLED 271.99 ACRES AS CONVEYED BY LEONARD LEIGHTON, TRUSTEE, TO TD-350 INVESTMENTS BY DEED DATED JANUARY 18, 1984 AND RECORDED IN VOLUME 414, PAGE 188 OF THE HAYS COUNTY REAL PROPERTY RECORDS, A PORTION OF THAT TRACT CALLED 52.88 ACRES CONVEYED BY ANDREW J. TICKLE, ET UX TO TD-350 INVESTMENTS BY DEED DATED JANUARY 30, 1984 AND RECORDED IN VOLUME 416, PAGE 367 OF THE HAYS COUNTY REAL PROPERTY RECORDS, AND A PORTION OF THAT TRACT CONVEYED BY ROBERT L. RIEDEL, ET AL TO RIEDEL INVESTMENTS BY DEED DATED APRIL 21, 1982 AND RECORDED IN VOLUME 374, PAGE 413 OF THE HAYS COUNTY DEED RECORDS, SAID 166 670 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: .

BEGINNING at a 3/4" iron pipe found for a southerly southwest corner of this tract, the most southerly southwest corner of the TD-350 271.99 acre tract and in the southeast line of that tract called 58.052 acres in that deed dated October 3, 1983 conveyed by Reidel Investments to Reidel Acreage Joint Venture as recorded in Volume 403, Page 359 of the Hays County Deed Records;

THENCE leaving the PLACE OF BEGINNING as shown on that Plat No. 21760-87-25-d dated April 15, 1987 prepared for Duwe Properties by Byrn and Associates, Inc. of San Marcos, Texas, with the common line of this tract and the Reidel Acreage Joint Venture tract, as fenced, the following four calls:

1. N45°17'44"E 1656.76 feet to a fence corner post,
2. N45°20'54"W 441.88 feet to a fence post,
3. N45°27'27"W 899.47 feet to a fence post, and
4. N03°51'19"E 23.94 feet to a fence corner post for a salient west corner of this tract;

THENCE leaving the Reidel Acreage Joint Venture tract N87°46'03"E 19.77 feet to a fence corner post for the west corner of the TD-350 52.88 acre tract;

THENCE with the northwest line of the TD-350 52.88 acre tract the following three calls:

1. N44°38'13"E 488.43 feet to an 1/2" iron rod set at the south corner of that 35.86 acre tract called "Tract 1" in that deed dated October 31, 1985 conveyed by TD-350 Investments to Cottonwood Development, Inc. as recorded in Volume 560, Page 535 of the Hays County Real Property Records,

670 511

2. N44°28'53"E 286.57 feet to an 1/2" iron rod set, and
3. N44°28'20"E 879.95 feet to a fence corner post for the north corner of this tract, the north corner of the TD-350 52.88 acre tract, the east corner of that 36.70 tract called "Tract 2" in that deed recorded in Volume 560, Page 535 of the Hays County Real Property Records, and in the southwest line of that tract called 116.94 acres conveyed by H. L. Schulle to Mary Ann Hood, Trustee in a deed dated November 9, 1973 and recorded in Volume 263, Page 522 of the Hays County Deed Records, pass at 200 feet, more or less, a common corner of the Cottonwood Development, Inc.'s said Tracts 1 and 2;

THENCE with the common line of the Hood tract and the TD-350 52.88 acre tract the following two calls:

1. S48°27'27"E 376.89 feet to an iron pipe found, and
2. S47°54'17"E 67.83 feet to an iron pipe found for the south corner of the Hood tract and the west corner of that 7.00 acre tract conveyed by Epafanio Velasquez, et ux to Crespín Hernandez, et ux by deed dated May 10, 1979 as recorded in Volume 326, Page 34 of the Hays County Deed Records;

THENCE S47°59'51"E 238.28 feet to an iron pipe found for the south corner of the Hernandez tract and the west corner of that 7.00 acre tract conveyed by Jose Velasquez, et ux to Joe Rivas Velasquez, Jr. by deed dated August 17, 1979 as recorded in Volume 330, Page 435 of the Hays County Deed Records;

THENCE S47°57'27"E 240.33 feet to an iron pipe found for the south corner of the Joe Rivas Velasquez, Jr. tract and the west corner of that 6.00 acre tract conveyed by Longina Velasquez, et al to Eugene R. Ferrer, et ux by deed dated August 19, 1968 as recorded in Volume 225, Page 353 of the Hays County Deed Records;

THENCE S47°54'29"E 207.58 feet to an iron pipe found for the south corner of the Ferrer tract and the west corner of that 4.96 acre tract conveyed by Longina Velasquez to Estefana Velasquez by deed dated August 19, 1968 as recorded in Volume 225, Page 348 of the Hays County Deed Records;

THENCE S48°01'01"E 173.22 feet to an 1/2" iron rod set for the south corner of the Velasquez 4.96 acre tract and the west corner of that 0.98 acre tract conveyed by TD-350 Investments to C. J. Properties by deed dated December 1, 1986 as recorded in Volume 641, Page 672 of the Hays County Real Property Records;

THENCE with the southwest line of the C. J. Properties 0.98 acre tract S47°03'45"E 35.40 feet to a fence corner post for a north-east corner of this tract, the south corner of the C. J. Properties 0.98 acre tract and in the northwest line of that 59.70 acre tract conveyed by TD-350 Investments to C. J. Properties as recorded in Volume 641, Page 672 of the Hays County Real Property Records;

THENCE leaving the C. J. Properties 0.98 acre tract with the common line of this tract and the C. J. Properties 59.70 acre tract the following four calls:

670 512

1. S44°23'59"W 496.01 feet to a fence post,
2. S44°15'45"W 280.66 feet to a fence post,
3. S44°52'07"W 274.28 feet to a fence post, and
4. S44°02'41"W 94.64 feet to an 1/2" iron rod found for an east re-entrant corner of this tract and the west corner of the C. J. Properties 59.70 acre tract;

THENCE with the southwest line of the C. J. Properties 59.70 acre tract S41°41'24"E 2505.28 feet to an 1/2" iron rod found for the most easterly corner of this tract and the south corner of the C. J. Properties 59.70 acre tract and in the northwest line of that 1.99 acre tract called "Tract Two" in that deed to James E. Braden dated May 19, 1977;

THENCE leaving the C. J. Properties 59.70 acre tract with the northwest line of the Braden tract S48°21'37"W 201.53 feet to a fence corner post for the west corner of the Braden tract and north corner of that tract called 33.6 acres conveyed by Bimms Investments to Caffey Construction Company, Inc. by deed dated February 2, 1984 as recorded in Volume 418, Page 5 of the Hays County Real Property Records;

THENCE leaving the Braden tract with the common line of this tract and the Caffey Construction Company tract, with fence, the following 17 calls:

1. S51°19'16"W 109.05 feet to an angle point,
2. S50°16'01"W 109.47 feet to an angle point,
3. S48°01'55"W 33.10 feet to an 1/2" iron rod found for an angle point,
4. S49°20'44"W 84.13 to a fence corner post for a salient southeast corner,
5. N46°37'44"W 127.95 feet to an angle point,
6. N46°08'14"W 100.34 feet to an angle point,
7. N45°29'12"W 113.87 feet to an 1/2" iron rod found at a fence corner post for a south re-entrant corner of this tract,
8. S32°25'17"W 200.35 feet to an angle point,
9. S31°38'25"W 106.80 feet to an angle point,
10. S31°09'09"W 102.98 feet to an angle point,
11. S32°44'36"W 102.28 feet to an angle point,
12. S30°46'04"W 111.96 feet to an angle point,
13. S33°42'54"W 57.97 feet to an angle point,
14. S63°46'19"W 239.46 feet to an angle point,
15. S63°37'57"W 214.63 feet to an angle point,
16. S62°47'56"W 87.51 feet to an angle point, and
17. S30°41'26"W 398.95 feet to a 10" cedar fence corner post for a south corner of this tract and the west corner of the Caffey Construction Company, Inc. tract, and an interior corner of the Riedel Investments tract;

THENCE S44°15'49"W 10.00 feet to an 1/2" iron rod set for the south corner of this tract and in the north line of that 80' wide roadway easement described in a deed dated June 27, 1974 conveyed by Alex Louis Forshage, to Clovis R. Barker, Trustee as recorded in Volume 270, Page 340 of the Hays County Deed Records;



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Sep 19, 2001 at 12:04P  
670 513  
Document Number: 01023511

Amount 23 00

By  
Patricia Lackey  
Lee Carlisle, County Clerk  
Hays County

THENCE N45°14'22"W 2.06 69 feet with the north line of said 80' wide roadway easement to an 1/2" iron rod set for the most westerly southwest corner of this tract and the south corner of the Riedel Acreage Joint Venture tract;

THENCE leaving the north line of said 80' wide roadway easement N45°17'44"E 10.00 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds 166.670 acres of land, more or less, as surveyed on the ground during 1985, 1986, and 1987 by Byrn and Associates, Inc. of San Marcos, Texas.



MACIAS & ASSOCIATES, Inc.  
LAND SURVEYORS

Exhibit A

M R Properties  
to  
City of San Marcos  
(Proposed Right-of-way)

### LEGAL DESCRIPTION FOR PARCEL NO. 21

BEING A 0.499 ACRE (21,740 SQUARE FOOT) PARCEL OF LAND OUT OF THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, ALSO BEING OUT OF A 166.670 ACRE PARCEL OF LAND CONVEYED TO M R PROPERTIES, A TEXAS GENERAL PARTNERSHIP DESCRIBED IN A DEED DATED APRIL 29, 1987, OF RECORD IN VOLUME 670, PAGE 497, DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 0.499 ACRE PARCEL, AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found on the existing northeast right-of-way line of CR269, known locally as Clovis Barker Road, and the southeast corner of said M R Properties 166.670 acre tract, same being the southwest corner of Lot 1-A, Lot 1-A and Lot 1-B, Cottonwood Creek Business Park, a subdivision of record in Book 9, Page 328, Plat Records of Hays County, Texas, for the southeast corner of this parcel;

THENCE, N 46° 02' 49" W, a distance of 2197.96 feet along the existing northeast right-of-way line of said Clovis Barker Road to a ½" iron rod found at the west corner of M R Properties 166.670 acre tract for the northwest corner of this parcel;

THENCE, in a northeasterly direction along the existing northeast right-of-way line of Clovis Barker Road, and the northwest boundary line of said M R Properties 166.670 acre tract the following two (2) courses;

- 1) N 47° 48' 56" E, a distance of 9.81 feet, to a ¾" iron pipe found for an angle point;
- 2) N 44° 30' 56" E, a distance of 5.00 feet, to a ½" iron rod with plastic cap set on the proposed northeast right-of-way line of said Clovis Barker Road for the northwest corner of this parcel;

Pg. 2  
0.499 Acre

THENCE, leaving said right-of-way line, S 45° 47' 30" E, a distance of 2196.02 feet across said M R Properties 166.70 acre tract, along the proposed northeast right-of-way line of Clovis Barker Road to a ½" iron rod set on the common boundary line of said MR Properties, 166.670 acre tract and Lot 1-A, said subdivision, for the southeast corner of this parcel;

THENCE, S 29° 58' 59" W, a distance of 5.16 feet to the POINT OF BEGINNING, containing 0.499 acre (21,740 square feet) of land.

#### BEARING BASIS

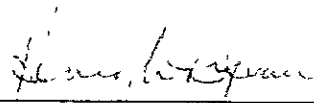
All bearings refer to the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983.

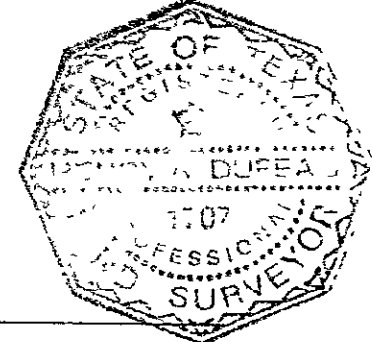
STATE OF TEXAS           §  
                                  §       **KNOW ALL MEN BY THESE PRESENTS**  
COUNTY OF HAYS       §

That I, Henry A. Dufeu, 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 the 2<sup>nd</sup> day of October, 2001 A.D.

**MACIAS & ASSOCIATES, INC.**  
5410 South 1<sup>st</sup> Street  
Austin, Texas 78745

  
Henry A. Dufeu  
Registered Professional Land Surveyor  
No. 1707 – State of Texas



#### REFERENCES

Volume 670, Page 497 R.P.R.H.C.  
TAX ID #R11870  
NAD83

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Oct 29, 2002 at 02:31

Document Number: 02029718  
Amount 21.00

Lee Carlisle  
County Clerk  
By  
Terry Klean, Deputy  
Hays County

79-47-0 499ROWdnotes.doc

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04024094 DPR 2527 327

Filed for Record in:  
Hays County  
On: Aug 20, 2004 at 10:02A  
Document Number: 04024094  
Amount: 30.00  
Receipt Number - 107965  
By,  
Olisa Martinez, Deputy

Lee Carlisle, County Clerk  
Hays County

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.

SPECIAL WARRANTY DEED

Bk Vol Pg  
04024095 OFR 2527 328

STATE OF TEXAS §  
§  
COUNTY OF HAYS §

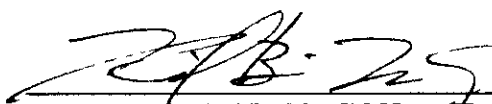
KNOW ALL MEN BY THESE PRESENTS, that REID BRIAN McCOY, Trustee of the MEAGAN LANE McCOY FAMILY TRUST, of P. O. Box 647, City of San Marcos, County of Hays, State of Texas 78667 (hereinafter referred to as "Grantor"), for and in consideration of the sum of ten and 00/100 dollars (\$10.00), and other good and valuable consideration to the undersigned paid by McCOY FAMILY PARTNERSHIP TWO, LTD., (hereinafter referred to as "Grantee"), of P. O. Box 1028, City of San Marcos, County of Hays, State of Texas 78667, the receipt of which is hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto the said Grantee an undivided 4.55% in and to the real property (including any improvements) out of the Barnett O. Kane Survey, Abstract No. 281, Hays County, Texas, described in Exhibit A attached to and made a part of this instrument ("Property").

This conveyance is made and accepted subject to all validly existing easements, rights of way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions and other instruments that affect the Property; and taxes for the year 2004 and subsequent years, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever, subject to the exception to conveyance and warranty; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under the said Grantor, but not otherwise subject to the exceptions to conveyance and warranty provided for in this deed.

EXECUTED this 25<sup>th</sup> day of JULY, 2004.

GRANTOR

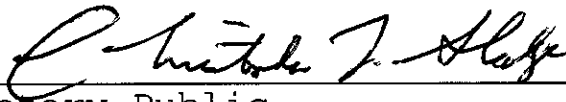


REID BRIAN McCOY, Trustee of the MEAGAN  
LANE McCOY FAMILY TRUST

§  
§  
§

This instrument was acknowledged before me on the 25<sup>TH</sup> day of July, 2004, by REID BRIAN McCOY, Trustee, of the MEAGAN LANE McCOY FAMILY TRUST.

My Commission Expires:  
*INDEFINITE*

  
\_\_\_\_\_  
Notary Public, \_\_\_\_\_

TYPE/PRINT/STAMP NAME  
*CHRISTOPHER L. SLEDGE*  
*LCDR, USN*

PLEASE RETURN TO:

McCOY FAMILY PARTNERSHIP TWO, LTD.  
P. O. Box 1424  
San Marcos, Texas 78667



611 674

DESCRIPTION OF A SURVEY OF 59.70 ACRES, MORE OR LESS, OF LAND AREA  
IN THE BARNETT O. KANE SURVEY, ABSTRACT NO 231, HAYS COUNTY,  
TEXAS, BEING A PORTION OF THAT 271.99 ACRE TRACT CONVEYED FROM  
LEONARD LLIGHTON, TRUSTEE TO TD-350 INVESTMENTS BY DEED DATED  
JANUARY 18, 1984 AS RECORDED IN VOLUME 414, PAGE 188 OF THE HAYS  
COUNTY REAL PROPERTY RECORDS AND BEING PARTICULARLY DESCRIBED  
AS FOLLOWS:

BEGINNING at an iron rod set in the corner of the TD-350  
Investments 271.99 acre tract and State Highway No. 123 for the  
northerly east corner of this tract, said being the south corner  
of that 2.97 acre tract conveyed from TD-350 to Cindy Cox McCoy by  
deed dated February 21, 1986 as recorded in Volume 582, Page 756  
of the Hays County Real Property Records, from which a Texas  
Highway Department Concrete Monument found at the intersection of  
the south line of F. M. 3407 with the west line of Highway 123  
bearing N01°56'36"E 666.75 feet and N01°40'36"E 146 feet;

THENCE leaving the PLACE OF BEGINNING and following the 2.97 acre tract  
as shown on that plat prepared for David P. Jones numbered  
21760-86-24-d and dated November 11, 1986 by Dyer & Associates, Inc  
San Marcos, Texas with the common line of the TD-350 Investments  
271.99 acre tract and Highway 123 the following two courses

1. S04°56'36"W 1281.06 feet to a Texas Highway  
Department Concrete Monument and
2. S04°52'56"W 98.91 feet to an iron rod found for a  
southerly east corner of this tract, being the  
north corner of that 1.99 acre tract conveyed  
from Willie R. Henk to James L. Braden by deed  
dated May 19, 1977 as recorded in Volume 156, Page  
338 of the Hays County Deed Records,

THENCE leaving Highway No. 123 with the fenced common line of the  
TD-350 Investments 271.99 acre tract and the Braden 1.99 acre  
tract S48°21'37"W 205.08 feet to an iron rod set for the most  
southerly corner of this tract;

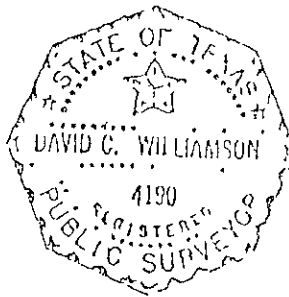
THENCE leaving the Braden 1.99 acre tract and crossing the TD-350  
Investments 271.99 acre tract N41°41'24"W 2505.28 feet to an iron  
rod set for the west corner of this tract, being in the fenced  
common line of the TD-350 Investments 271.99 acre tract and that  
52.38 acre tract conveyed from Andrew J. Tiedel et ux to TD-350  
Investments by deed dated January 30, 1984 as recorded in Volume  
416, Page 367 of the Hays County Real Property Records, the common  
line of the Veramendi League and Kane Survey,

THENCE following the common fenced line of the TD-350 Investments  
tract, the common line of the Veramendi League and Kane Survey  
the following five courses

6-11 62.

1. N44°02'41"E 94.64 feet to a fence post,
2. N44°52'07"E 274.28 feet to a fence post,
3. N44°15'45"E 280.66 feet to a fence post,
4. N44°23'59"E 496.01 feet to a fence post, and
5. N45°02'10"E 65.37 feet to an iron rod found for the north corner of this tract, being the west corner of that 22.62 acre tract conveyed from TD-350 to Cindy Cox McCoy by deed dated February 21, 1986 as recorded in Volume 582, Page 761 of the Hays County Real Property Records;

FENCE leaving the TD-350 Investments 52.83 acre tract and crossing the TD-350 Investments 271.99 acre tract with the southwest line of the McCoy 22.62 acre tract and its projection S1°41'24"E 1638.68 feet to the PLACE OF BEGINNING, pass at 705.36 feet an iron rod found for the south corner of the McCoy 22.62 acre tract, the west corner of Lot 1, Block 1 of the Dennis P. McCoy Subdivision, a subdivision of record in Volume 1, Page 136 of the Hays County Plat Records, pass at 1043.40 feet the south corner of the McCoy Subdivision, the west corner of the McCoy 2.97 acre tract. There are contained within these metes and bounds 59.70 acres, more or less, of land owned, surveyed on the ground during November, 1986 by Byrn A. Williamson, Inc. of San Marcos, Texas



*David C. Williamson*  
David C. Williamson, R.P.S. #4190

Client Duwe Properties  
Date: November 12, 1986  
Survey Kane, Barnett O. A-281  
County. Hays, Texas  
Job No.. 21760-86-24-d  
FND59x7

Filed for Record in:  
Hays County  
On: Aug 20, 2004 at 10:02A  
Document Number: 04024095  
Amount: 20.00  
Receipt Number - 107965  
By,  
Olga Martinez, Deputy  
Lee Carlisle, County Clerk  
Hays County