

ORDINANCE NO. 02-11-26-E

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF TWO TRACTS OF LAND BEING APPROXIMATELY 62.633 ACRES AND 54 ACRES RESPECTIVELY IN THE VILLAGE OF BEE CAVE, TEXAS, MAKING PROVISION FOR COMPLIANCE WITH THE VILLAGE'S ZONING ORDINANCE AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO ESTABLISH THE ZONING ON THE OFFICIAL ZONING MAP OF THE VILLAGE; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Owner of the land described in Exhibit "A" attached hereto (the "Property") has filed a petition for annexation of that land and has requested that tract one being 63 acres be zoned Single Family Rural Residential ("SFRR") and tract two being 54 acres be zoned Single Family Estate Residential ("SF-20"); and

WHEREAS, the notice as required by the Village's Zoning Ordinance has been published in the official newspaper and given to adjacent property owners; and

WHEREAS, public hearings have been held by both the Planning and Zoning Commission and the Board of Aldermen as required by law; and

WHEREAS, there has not been any written protest submitted against the proposed change of Zoning Classification; and

WHEREAS, Sec. 14.114 of the Village Zoning Ordinance provides that the purpose of Single Family Rural Residential zoning is to provide for the development of primarily low-density detached single family residences on lots of not less than one acre and Section 14.115 of the Village Zoning Ordinance provides that the purpose of Single Family Estate Residential is to provide for the development of primarily low-density detached single family residences on lots of not less than one-half acre; and

WHEREAS, a complete application for zoning and other documents provided by CCNG Development Company, L.P. have been submitted to the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF BEE CAVE, TEXAS:

Section 1. Zoning Classification. Tract one (62.633 acres) is hereby declared to be zoned Single Family Rural Residential ("SFRR") and tract two (54 acres) is hereby declared to be zoned Single Family Estate Residential ("SF-20").

Section 2. Uses. The uses for SFRR shall be those uses authorized in Section 14.130 as "P" or "C." The uses for SF-20 shall be those uses authorized in Section 14.130 as "P" or "C." Conditional ("C") uses must be authorized utilizing the procedures

found in Section 14.129.

Section 3. Minimum Standards. Standards for residential uses in SFRR shall be those standards stated in Section 14.114. Standards for residential uses in SF-20 shall be those standards stated in Section 14.115. The standards for any non-residential uses in SFRR or SF-20 shall conform to the standards in Retail District Standards ("R").

Section 4. Site Plan. A site plan is not required for residential uses. Site plan approval as provided in Section 14.111 shall be required for any authorized non-residential use in SFRR and SF-20.

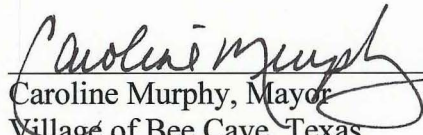
Section 5. Development Standards. Development standards shall be those standards found in Section 14.114 for SSFR and in Section 14.115 for SF-20.

Section 6. The Village Administrator is hereby authorized and directed to note the zoning change on the official Zoning Map of the Village of Bee Cave, Texas.

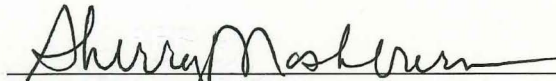
Section 7. Severability. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance or Map as a whole.

Section 8. That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED this 26 day of November, 2002.


Caroline Murphy, Mayor
Village of Bee Cave, Texas

ATTEST:


Sherry Mashburn, Village Secretary
Village of Bee Cave, Texas

(SEAL)

**PETITION REQUESTING ANNEXATION
OF LAND INTO VILLAGE OF BEE CAVE, TEXAS**

TO THE GOVERNING BODY OF THE VILLAGE OF BEE CAVE:

The undersigned (hereinafter the "Petitioner") holding title to land ("Land"), hereinafter described by metes and bounds, and acting pursuant to Section 43.028 of the Texas Local Government Code, respectfully petitions the governing body of the Village of Bee Cave, Texas ("Village") for annexation of the Land into the corporate limits of the Village and would show the following:

I.

Petitioner is the sole owner of the Land described by metes and bounds in Exhibit "A" which is attached hereto and incorporated herein for all purposes. The Land is currently within the extraterritorial jurisdiction of the Village.

II.

Petitioner represents that the Land:

- a. Is one-half mile or less in width;
- b. Is contiguous to the current corporate limits of the Village; and
- c. Has fewer than three qualified voters residing on the Land.

III.

Petitioner, by submission of this Petition, requests the Village annex the Land into its corporate limits.

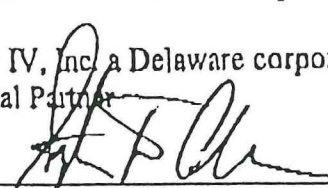
IV.

WHEREFORE, Petitioner prays that this petition be heard and that the Village Board of Aldermen pass and approve an ordinance annexing the Land into the corporate limits of the Village.

RESPECTFULLY SUBMITTED this 30th day of August, 2002.

By: CR IV LAND, L.P. a Delaware limited partnership

By: CRLP IV, Inc. a Delaware corporation
General Partner

By: 
Stephen T. Clark, Chairman

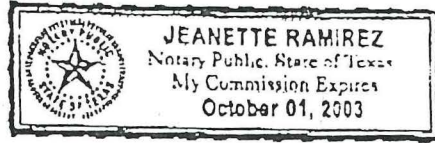
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on August 30th, 2002, by Stephen T. Clark, Chairman of CRLP IV, Inc., a Delaware corporation, general partner of CR IV Land, L.P. a Delaware limited partnership on behalf of said corporation and limited partnership.

Jeanette Ramirez

Notary Public Signature

(SEAL)



AFFIDAVIT

BEFORE ME the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Stephen T. Clark, known to me, and who, after being by me duly sworn on oath stated:

- 1. I am Stephen T. Clark, Chairman of CRLP IV, Inc., a Delaware corporation, General Partner of CR IV Land, LP, a Delaware limited partnership, here on behalf of said corporation and limited partnership, and have personal knowledge of the facts stated in this affidavit.
- 2. This affidavit pertains to that certain real property in Travis County, Texas, described on the attached Exhibit "A" (the "Property").
- 3. As of today's date, the Property is owned by CR IV Land, LP, a Delaware limited partnership.

EXECUTED by the undersigned on the 13 day of September, 2002.

CR IV LAND, LP, a Delaware limited partnership

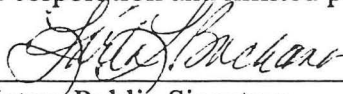
By: CRLP IV, Inc., a Delaware corporation
General Partner

By: 
Stephen T. Clark, Chairman

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

Sworn to and subscribed before me on September 13, 2002, by Stephen T. Clark, Chairman of CRLP IV, Inc., a Delaware corporation, General Partner of CR IV Land, LP, a Delaware limited partnership, on behalf of said corporation and limited partnership.


Notary Public Signature

(SEAL)

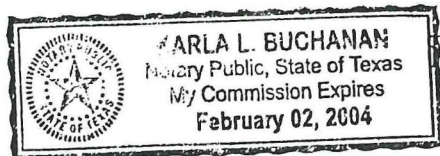
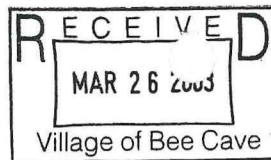


Exhibit "A"

Property Description

BUSH SURVEYING, INC.

1904 Fortview Road
Austin, Texas 78704
Phone (512) 442-0990
Fax (512) 442-1084



January 13, 2000

Tract I

FIELD NOTE DESCRIPTION OF 54.000 ACRES OF LAND OUT OF THE J. HOBSON SURVEY NUMBER 526, ABSTRACT NUMBER 386, AND THE H. SPILLMAN SURVEY NUMBER 168, ABSTRACT NUMBER 2232 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (969.22 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. A TEXAS LIMITED PARTNERSHIP IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066562 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the southerly right-of-way line of Hamilton Pool Road, and being at the most northeasterly corner of that certain (969.22 acre) tract of land conveyed to CCNG Development Company, L.P. a Texas Limited Partnership in a deed as recorded in Document Number 1999066562 of the Official Public Records of Travis County, Texas, and being at the most northwesterly corner of that certain (3.29 acre) tract of land conveyed to the E.L. Robinson Living Trust in a deed as recorded in Volume 12835 Page 526 of the Deed Records of Travis County, Texas, and being for the most northeasterly corner of this tract,

THENCE, with a fence between the common line between the CCNG tract and the Robinson tract the following two (2) courses:

- 1) S 15 deg. 27' 57" E 756.01 feet to a 5/8" iron rod found,
- 2) S 32 deg. 11' 42" E 64.54 feet to a point in the approximate centerline of Little Barton Creek, being for the most northerly northeast corner of that certain (920.41 acre) tract of land conveyed to the City of Austin in a deed as recorded in Document Number 1999067970, being for the most southeasterly corner of this tract, and from which a bent 60d nail found in a 18" Live Oak bears S 32 deg. 11' 41" E 31.60 feet,

THENCE, with the approximate centerline of Little Barton Creek, being the northerly line of the City of Austin tract, the following sixteen (16) courses:

- 1) S 47 deg. 28' 15" W 79.40 feet,
- 2) S 39 deg. 54' 55" W 60.10 feet,
- 3) S 31 deg. 27' 05" W 109.38 feet,
- 4) S 19 deg. 06' 00" W 59.43 feet,
- 5) S 17 deg. 01' 20" W 136.04 feet,
- 6) S 26 deg. 10' 05" W 150.73 feet,
- 7) S 38 deg. 22' 05" W 99.25 feet,
- 8) S 36 deg. 10' 20" W 170.57 feet,
- 9) S 44 deg. 44' 30" W 102.00 feet,
- 10) S 52 deg. 17' 55" W 16.68 feet,
- 11) S 86 deg. 07' 05" W 25.70 feet,
- 12) S 61 deg. 25' 35" W 110.25 feet,
- 13) S 56 deg. 18' 25" W 106.36 feet,
- 14) S 43 deg. 18' 30" W 83.37 feet,
- 15) S 27 deg. 40' 05" W 30.39 feet,
- 16) S 25 deg. 13' 15" W 140.84 feet to a point for the most southerly corner of this tract.

THENCE, leaving the centerline of Little Barton Creek, over and across the CCNG tract N 39 deg. 05' 15" W passing a 1/2" iron rod set on a high bank of said creek at 20.13 feet, and continuing on the same course for a total distance of 2000.14 feet to a 1/2" iron rod set in the southerly line of Hamilton Pool Road, being for the most northwesterly corner of this tract, and from which a 1/2" iron rod found bears S 88 deg. 28' 22" W 12.70 feet,

THENCE, with the southerly right-of-way line of Hamilton Pool Road the following six (6) courses:

- 1) N 88 deg. 28' 22" E 238.88 feet to a 1/2" iron rod found,
- 2) N 62 deg. 57' 59" E 111.24 feet to a concrete right-of-way monument found,
- 3) along a curve to the left, having a radius of 1195.92 feet, and a chord which bears N 67 deg. 48' 40" E 208.01 feet to a fence post, being 1' southeast of a 1/2" iron rod found,
- 4) N 62 deg. 48' 16" E 150.33 feet, to a concrete right-of-way monument found,
- 5) along a curve to the right, having a radius of 1859.86 feet, and a chord which bears N 81 deg. 06' 15" E 1166.70 feet to a 1/2" iron rod found,
- 6) S 80 deg. 39' 54" E 78.67 feet to the PLACE OF BEGINNING, in all containing 54.000 acres of land.

SURVEYED: December 9, 1999

BY:

Timothy D. Hearlidge
Registered Professional Land Surveyor No. 5036

see accompanying map no. A 608112



CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

September 8, 2000

FIELD NOTE DESCRIPTION OF 62.633 ACRES OF LAND OUT OF THE J. HOBSON SURVEY NUMBER 526, ABSTRACT NUMBER 386, THE H. SPILLMAN SURVEY NUMBER 168, ABSTRACT NUMBER 2232, THE U.E. BURNS SURVEY NUMBER 77, ABSTRACT NUMBER 122, AND THE W.B.D. SMITH SURVEY NUMBER 808, ABSTRACT NUMBER 699. ALL IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (74.52 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066560 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING A PORTION OF THAT CERTAIN (969.22 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. A TEXAS LIMITED PARTNERSHIP IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066562 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found in the southerly right-of-way line of Hamilton Pool Road, and being at the most northeasterly corner of that certain (3.26 acre) tract of land conveyed to Eddie Weldon Lloyd in a deed as recorded in Volume 11123 Page 239 of the Real Property Records of Travis County, Texas, and being for an angle in the northeasterly line of that certain (74.52 acre) tract of land conveyed to CCNG Development Company, L.P. in a deed as recorded in Document Number 1999066560 of the Official Public Records of Travis County, Texas, and also being for the most northwesterly corner of the tract herein described,

THENCE, with the southerly right-of-way line of Hamilton Pool Road the following eight (8) courses:

- 1) S 49 deg. 50' 28" E 63.19 feet to a ½" iron pipe found.
- 2) S 29 deg. 05' 00" W 28.02 feet to a ½" iron pipe found at the most northwesterly corner of that certain (969.22 acre) tract of land conveyed to CCNG Development Company, L.P. a Texas Limited Partnership in a deed as recorded in Document Number 1999066562 of the Official Public Records of Travis County, Texas,
- 3) S 78 deg. 16' 13" E 111.88 feet to a concrete right-of-way monument found,
- 4) along a curve to the left, having a radius of 1195.92 feet, and a chord which bears S 74 deg. 59' 05" E 547.59 feet, to a concrete right-of-way monument found,
- 5) S 88 deg. 20' 21" E 113.99 feet to a concrete right-of-way monument found,
- 6) along a curve to the right, having a radius of 1195.92 feet, and a chord which bears S 87 deg. 53' 33" E 21.59 feet,
- 7) S 79 deg. 53' 07" E 23.26 feet to a ½" iron rod found,
- 8) N 88 deg. 28' 22" E 12.70 feet to a capped ½" iron rod set for the most northeasterly corner of this tract, and from which a ½" iron rod found bears N 88 deg. 28' 22" E 238.88 feet,

THENCE, over and across said CCNG (969.22 acre) tract S 39 deg. 05' 15" E, passing a capped ½" iron rod set on the bank of Little Barton Creek at 1980.01 feet, and continuing on the same course for a total distance of 2000.14 feet to a point in the approximate centerline of Little Barton Creek and being in the north line of that certain (920.41 acre) tract of land conveyed to the City of Austin in deed as recorded in Document Number 1999067970 of the Official Records of Travis County, Texas, and being for the most southeasterly corner of this tract,

THENCE, with the approximate centerline of Little Barton Creek, also being the north line of the City of Austin tract the following fifty-five (55) courses:

- 1) S 28 deg. 50' 00" W 59.77 feet,
- 2) S 10 deg. 12' 25" W 28.79 feet,
- 3) S 51 deg. 47' 30" W 88.75 feet,
- 4) S 74 deg. 23' 15" W 91.34 feet,
- 5) S 74 deg. 27' 20" W 199.10 feet,
- 6) N 88 deg. 23' 55" W 60.13 feet,
- 7) N 86 deg. 41' 05" W 26.79 feet,
- 8) N 82 deg. 40' 45" W 103.01 feet,
- 9) N 88 deg. 45' 00" W 111.54 feet,
- 10) N 77 deg. 15' 00" W 59.57 feet,
- 11) N 67 deg. 20' 30" W 150.08 feet,
- 12) N 62 deg. 48' 40" W 109.78 feet,

- 13) N 57 deg. 19' 40" W 196.06 feet,
- 14) N 34 deg. 18' 30" W 20.53 feet,
- 15) N 45 deg. 30' 10" W 103.20 feet,
- 16) N 50 deg. 36' 35" W 301.32 feet,
- 17) N 10 deg. 49' 45" W 16.91 feet,
- 18) N 58 deg. 50' 40" W 27.15 feet,
- 19) N 69 deg. 14' 00" W 60.57 feet,
- 20) N 49 deg. 20' 05" W 21.60 feet,
- 21) N 37 deg. 33' 00" W 24.65 feet,
- 22) N 50 deg. 26' 30" W 39.94 feet,
- 23) N 55 deg. 27' 25" W 47.39 feet,
- 24) N 74 deg. 08' 10" W 41.31 feet,
- 25) N 55 deg. 49' 25" W 92.60 feet,
- 26) N 79 deg. 28' 50" W 38.23 feet,
- 27) N 51 deg. 16' 25" W 74.32 feet,
- 28) N 66 deg. 29' 35" W 131.09 feet,
- 29) N 76 deg. 10' 50" W 69.87 feet,
- 30) N 85 deg. 02' 00" W 116.50 feet,
- 31) N 89 deg. 34' 45" W 91.53 feet,
- 32) S 82 deg. 51' 25" W 91.98 feet,
- 33) N 81 deg. 59' 55" W 43.77 feet,
- 34) S 79 deg. 50' 45" W 24.30 feet,
- 35) S 56 deg. 46' 05" W 31.32 feet,
- 36) S 27 deg. 45' 54" W 10.13 feet,
- 37) S 68 deg. 19' 35" W 61.20 feet,
- 38) S 89 deg. 00' 25" W 27.53 feet,
- 39) N 79 deg. 43' 55" W 26.12 feet,
- 40) S 86 deg. 45' 39" W 21.67 feet,
- 41) S 02 deg. 44' 05" W 21.12 feet,
- 42) S 71 deg. 57' 59" W 15.44 feet,
- 43) N 73 deg. 03' 09" W 15.53 feet,
- 44) N 86 deg. 55' 05" W 27.70 feet,
- 45) N 53 deg. 30' 55" W 72.37 feet,
- 46) N 30 deg. 05' 30" W 43.62 feet,
- 47) N 38 deg. 51' 45" W 33.76 feet,
- 48) N 18 deg. 05' 00" W 49.63 feet,
- 49) N 26 deg. 04' 05" E 37.11 feet,
- 50) N 09 deg. 03' 40" E 108.08 feet,
- 51) N 00 deg. 42' 25" E 73.22 feet,
- 52) N 06 deg. 21' 45" E 108.90 feet,
- 53) N 05 deg. 05' 50" W 117.81 feet,
- 54) N 15 deg. 49' 15" W 111.78 feet,
- 55) N 28 deg. 44' 20" W 114.97 feet, to a point for the most southwesterly corner of this tract, and being the most southeasterly corner of a 7.657 acre reserve tract, under contract of sale to the City of Austin,


THENCE, leaving the center of said creek, and entering into the interior of the CCNG (74.52 acre) tract, N 45 deg. 42' 58" E 401.07 feet to a 1/2" iron rod found at the most westerly southwest corner of the Lloyd (3.26 acre) tract, and being for an angle in the westerly line of this tract,

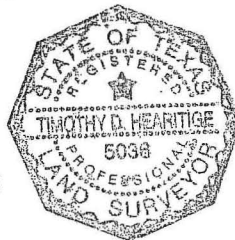
THENCE, with the common line between the CCNG (74.52 acre) tract, and the Lloyd tract S 60 deg. 38' 34" E 289.38 feet to a 1/2" iron rod found for an angle in the westerly line of this tract,

THENCE, continuing with the common line between the CCNG (74.52 acre) tract, and the Lloyd tract N 29 deg. 05' 00" E 318.48 feet to the PLACE OF BEGINNING, in all containing 62.633 acres of land.

SURVEYED: December 9, 1999

BY:


Timothy D. Hearitige
Registered Professional Land Surveyor No. 5036



see accompanying map no. A 608112

VILLAGE OF BEE CAVE
JAMES FISHER, ADMINISTRATOR
13333-A HIGHWAY 71 WEST
BEE CAVE, TEXAS
P.O. BOX 341989
AUSTIN, TEXAS 78734
jfisher@ci.bee-cave.tx.us

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Bryan Gant Dan Sefko	James Fisher
COMPANY:	DATE:
Dunkin, Sefko and Associates	03/21/2003
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
214-553-5781	11
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
214-553-5778	263-2151
RE:	
<u>Zoning Map</u>	

NOTES/COMMENTS:

Bryan,

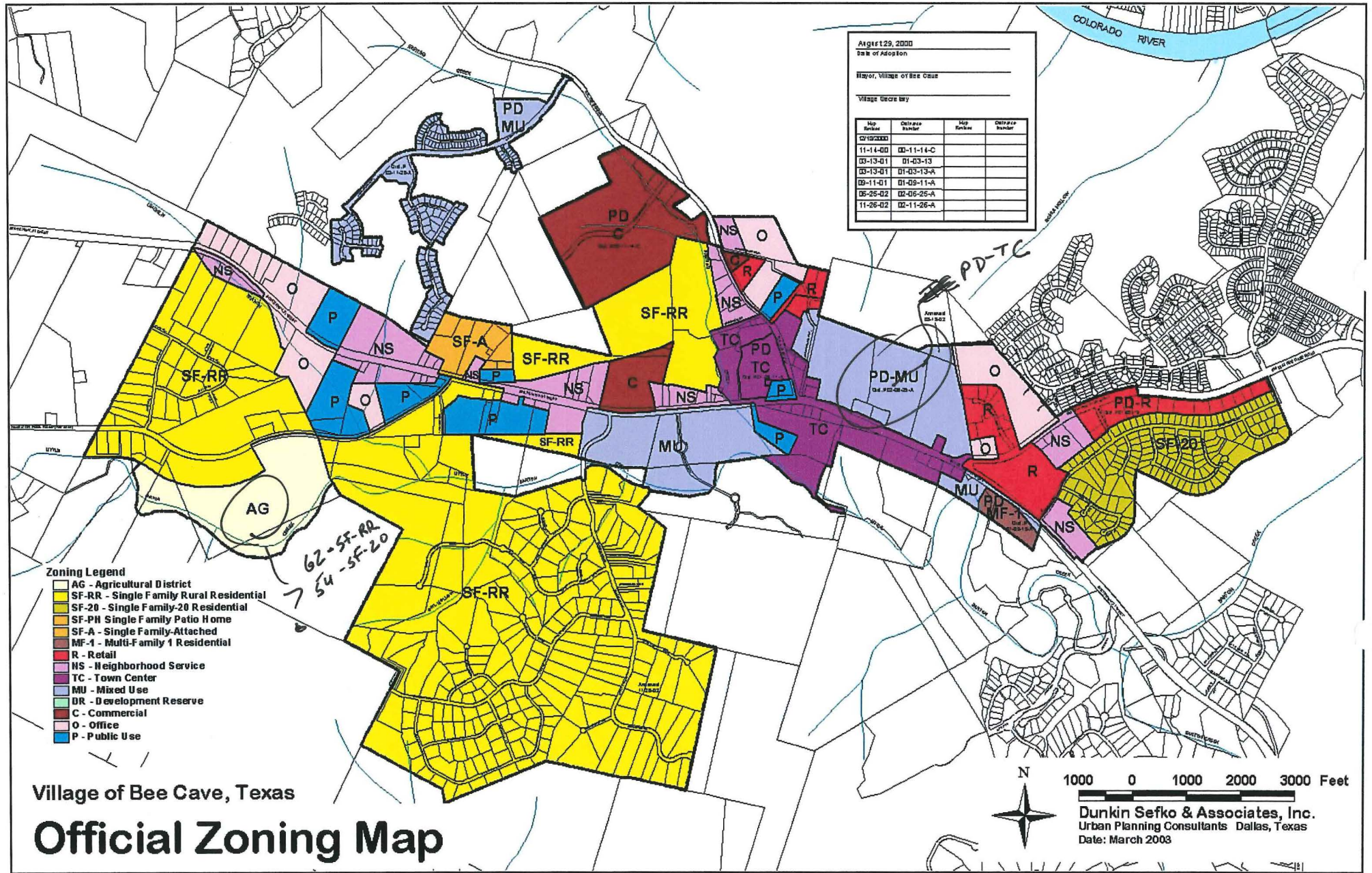
Per your email today, I am enclosing Ordinance No. 02-11-26-E. This is for the land located in the SW corner of Bee Cave. You currently show this as Agriculture and it should be 62.633 acres as SF-RR and 54 acres as SF-20.

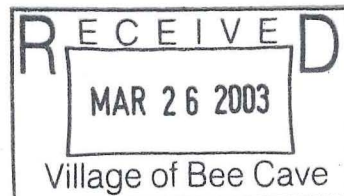
Also, the PD-MU in the middle should be PD-TC.

Thanks,
James

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS INFORMATION MAY BE ATTORNEY-CLIENT COMMUNICATION AND SUCH IS PRIVILEGED AND CONFIDENTIAL. IF YOU RECEIVED THIS INFORMATION IN ERROR, PLEASE CONTACT THE VILLAGE OF BEE CAVE.

512-263-2151
512-263-8317 FAX





BUSH SURVEYING, INC.

1904 Fortview Road
Austin, Texas 78704
Phone (512) 442-0990
Fax (512) 442-1084

January 13, 2000

Tract 1

FIELD NOTE DESCRIPTION OF 54.000 ACRES OF LAND OUT OF THE J. HOBSON SURVEY NUMBER 526, ABSTRACT NUMBER 386, AND THE H. SPILLMAN SURVEY NUMBER 168, ABSTRACT NUMBER 2232 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (969.22 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. A TEXAS LIMITED PARTNERSHIP IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066562 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the southerly right-of-way line of Hamilton Pool Road, and being at the most northeasterly corner of that certain (969.22 acre) tract of land conveyed to CCNG Development Company, L.P. a Texas Limited Partnership in a deed as recorded in Document Number 1999066562 of the Official Public Records of Travis County, Texas, and being at the most northwesterly corner of that certain (3.29 acre) tract of land conveyed to the E.L. Robinson Living Trust in a deed as recorded in Volume 12835 Page 526 of the Deed Records of Travis County, Texas, and being for the most northeasterly corner of this tract,

THENCE, with a fence between the common line between the CCNG tract and the Robinson tract the following two (2) courses:

- 1) S 15 deg. 27' 57" E 756.01 feet to a 5/8" iron rod found,
- 2) S 32 deg. 11' 42" E 64.54 feet to a point in the approximate centerline of Little Barton Creek, being for the most northerly northeast corner of that certain (920.41 acre) tract of land conveyed to the City of Austin in a deed as recorded in Document Number 1999067970, being for the most southeasterly corner of this tract, and from which a bent 60d nail found in a 18" Live Oak bears S 32 deg. 11' 41" E 31.60 feet,

THENCE, with the approximate centerline of Little Barton Creek, being the northerly line of the City of Austin tract, the following sixteen (16) courses:

- 1) S 47 deg. 28' 15" W 79.40 feet,
- 2) S 39 deg. 54' 55" W 60.10 feet,
- 3) S 31 deg. 27' 05" W 109.38 feet,
- 4) S 19 deg. 06' 00" W 59.43 feet,
- 5) S 17 deg. 01' 20" W 136.04 feet,
- 6) S 26 deg. 10' 05" W 150.73 feet,
- 7) S 38 deg. 22' 05" W 99.25 feet,
- 8) S 36 deg. 10' 20" W 170.57 feet,
- 9) S 44 deg. 44' 30" W 102.00 feet,
- 10) S 52 deg. 17' 55" W 16.68 feet,
- 11) S 86 deg. 07' 05" W 25.70 feet,
- 12) S 61 deg. 25' 35" W 110.25 feet,
- 13) S 56 deg. 18' 25" W 106.36 feet,
- 14) S 43 deg. 18' 30" W 83.37 feet,
- 15) S 27 deg. 40' 05" W 30.39 feet,
- 16) S 25 deg. 13' 15" W 140.84 feet to a point for the most southerly corner of this tract.

THENCE, leaving the centerline of Little Barton Creek, over and across the CCNG tract N 39 deg. 05' 15" W passing a 1/2" iron rod set on a high bank of said creek at 20.13 feet, and continuing on the same course for a total distance of 2000.14 feet to a 1/2" iron rod set in the southerly line of Hamilton Pool Road, being for the most northwesterly corner of this tract, and from which a 1/2" iron rod found bears S 88 deg. 28' 22" W 12.70 feet,

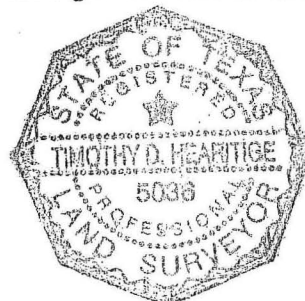
THENCE, with the southerly right-of-way line of Hamilton Pool Road the following six (6) courses:

- 1) N 88 deg. 28' 22" E 238.88 feet to a 1/2" iron rod found,
- 2) N 62 deg. 57' 59" E 111.24 feet to a concrete right-of-way monument found,
- 3) along a curve to the left, having a radius of 1195.92 feet, and a chord which bears N 67 deg. 48' 40" E 208.01 feet to a fence post, being 1' southeast of a 1/2" iron rod found,
- 4) N 62 deg. 48' 16" E 150.33 feet, to a concrete right-of-way monument found,
- 5) along a curve to the right, having a radius of 1859.86 feet, and a chord which bears N 81 deg. 06' 15" E 1166.70 feet to a 1/2" iron rod found,
- 6) S 80 deg. 39' 54" E 78.67 feet to the PLACE OF BEGINNING, in all containing 54.000 acres of land.

SURVEYED: December 9, 1999

BY:


Timothy D. Hearitige
Registered Professional Land Surveyor No. 5036



see accompanying map no. A 608112

CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

September 8, 2000

FIELD NOTE DESCRIPTION OF 62.633 ACRES OF LAND OUT OF THE J. HOBSON SURVEY NUMBER 526, ABSTRACT NUMBER 386, THE H. SPILLMAN SURVEY NUMBER 168, ABSTRACT NUMBER 2232, THE U.E. BURNS SURVEY NUMBER 77, ABSTRACT NUMBER 122, AND THE W.B.D. SMITH SURVEY NUMBER 808, ABSTRACT NUMBER 699, ALL IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (74.52 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066560 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING A PORTION OF THAT CERTAIN (969.22 ACRE) TRACT OF LAND CONVEYED TO CCNG DEVELOPMENT COMPANY, L.P. A TEXAS LIMITED PARTNERSHIP IN A DEED AS RECORDED IN DOCUMENT NUMBER 1999066562 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found in the southerly right-of-way line of Hamilton Pool Road, and being at the most northeasterly corner of that certain (3.26 acre) tract of land conveyed to Eddie Weldon Lloyd in a deed as recorded in Volume 11123 Page 239 of the Real Property Records of Travis County, Texas, and being for an angle in the northeasterly line of that certain (74.52 acre) tract of land conveyed to CCNG Development Company, L.P. in a deed as recorded in Document Number 1999066560 of the Official Public Records of Travis County, Texas, and also being for the most northwesterly corner of the tract herein described,

THENCE, with the southerly right-of-way line of Hamilton Pool Road the following eight (8) courses:

- 1) S 49 deg. 50' 28" E 63.19 feet to a ½" iron pipe found,
- 2) S 29 deg. 05' 00" W 28.02 feet to a ½" iron pipe found at the most northwesterly corner of that certain (969.22 acre) tract of land conveyed to CCNG Development Company, L.P. a Texas Limited Partnership in a deed as recorded in Document Number 1999066562 of the Official Public Records of Travis County, Texas,
- 3) S 78 deg. 16' 13" E 111.88 feet to a concrete right-of-way monument found,
- 4) along a curve to the left, having a radius of 1195.92 feet, and a chord which bears S 74 deg. 59' 05" E 547.59 feet, to a concrete right-of-way monument found,
- 5) S 88 deg. 20' 21" E 113.99 feet to a concrete right-of-way monument found,
- 6) along a curve to the right, having a radius of 1195.92 feet, and a chord which bears S 87 deg. 53' 33" E 21.59 feet,
- 7) S 79 deg. 53' 07" E 23.26 feet to a ½" iron rod found,
- 8) N 88 deg. 28' 22" E 12.70 feet to a capped ½" iron rod set for the most northeasterly corner of this tract, and from which a ½" iron rod found bears N 88 deg. 28' 22" E 238.88 feet,

THENCE, over and across said CCNG (969.22 acre) tract S 39 deg. 05' 15" E, passing a capped ½" iron rod set on the bank of Little Barton Creek at 1980.01 feet, and continuing on the same course for a total distance of 2000.14 feet to a point in the approximate centerline of Little Barton Creek and being in the north line of that certain (920.41 acre) tract of land conveyed to the City of Austin in deed as recorded in Document Number 1999067970 of the Official Records of Travis County, Texas, and being for the most southeasterly corner of this tract,

THENCE, with the approximate centerline of Little Barton Creek, also being the north line of the City of Austin tract the following fifty-five (55) courses:

- 1) S 28 deg. 50' 00" W 59.77 feet,
- 2) S 10 deg. 12' 25" W 28.79 feet,
- 3) S 51 deg. 47' 30" W 88.75 feet,
- 4) S 74 deg. 23' 15" W 91.34 feet,
- 5) S 74 deg. 27' 20" W 199.10 feet,
- 6) N 88 deg. 23' 55" W 60.13 feet,
- 7) N 86 deg. 41' 05" W 26.79 feet,
- 8) N 82 deg. 40' 45" W 103.01 feet,
- 9) N 88 deg. 45' 00" W 111.54 feet,
- 10) N 77 deg. 15' 00" W 59.57 feet,
- 11) N 67 deg. 20' 30" W 150.08 feet,
- 12) N 62 deg. 48' 40" W 109.78 feet,

- 13) N 57 deg. 19' 40" W 196.06 feet,
- 14) N 34 deg. 18' 30" W 20.53 feet,
- 15) N 45 deg. 30' 10" W 103.20 feet,
- 16) N 50 deg. 36' 35" W 301.32 feet,
- 17) N 10 deg. 49' 45" W 16.91 feet,
- 18) N 58 deg. 50' 40" W 27.15 feet,
- 19) N 69 deg. 14' 00" W 60.57 feet,
- 20) N 49 deg. 20' 05" W 21.60 feet,
- 21) N 37 deg. 33' 00" W 24.65 feet,
- 22) N 50 deg. 26' 30" W 39.94 feet,
- 23) N 55 deg. 27' 25" W 47.39 feet,
- 24) N 74 deg. 08' 10" W 41.31 feet,
- 25) N 55 deg. 49' 25" W 92.60 feet,
- 26) N 79 deg. 28' 50" W 38.23 feet,
- 27) N 51 deg. 16' 25" W 74.32 feet,
- 28) N 66 deg. 29' 35" W 131.09 feet,
- 29) N 76 deg. 10' 50" W 69.87 feet,
- 30) N 85 deg. 02' 00" W 116.50 feet,
- 31) N 89 deg. 34' 45" W 91.53 feet,
- 32) S 82 deg. 51' 25" W 91.98 feet,
- 33) N 81 deg. 59' 55" W 43.77 feet,
- 34) S 79 deg. 50' 45" W 24.30 feet,
- 35) S 56 deg. 46' 05" W 31.32 feet,
- 36) S 27 deg. 45' 54" W 10.13 feet,
- 37) S 68 deg. 19' 35" W 61.20 feet,
- 38) S 89 deg. 00' 25" W 27.53 feet,
- 39) N 79 deg. 43' 55" W 26.12 feet,
- 40) S 86 deg. 45' 39" W 21.67 feet,
- 41) S 02 deg. 44' 05" W 21.12 feet,
- 42) S 71 deg. 57' 59" W 15.44 feet,
- 43) N 73 deg. 03' 09" W 15.53 feet,
- 44) N 86 deg. 55' 05" W 27.70 feet,
- 45) N 53 deg. 30' 55" W 72.37 feet,
- 46) N 30 deg. 05' 30" W 43.62 feet,
- 47) N 38 deg. 51' 45" W 33.76 feet,
- 48) N 18 deg. 05' 00" W 49.63 feet,
- 49) N 26 deg. 04' 05" E 37.11 feet,
- 50) N 09 deg. 03' 40" E 108.08 feet,
- 51) N 00 deg. 42' 25" E 73.22 feet,
- 52) N 06 deg. 21' 45" E 108.90 feet,
- 53) N 05 deg. 05' 50" W 117.81 feet,
- 54) N 15 deg. 49' 15" W 111.78 feet,
- 55) N 28 deg. 44' 20" W 114.97 feet, to a point for the most southwesterly corner of this tract, and being the most southeasterly corner of a 7.657 acre reserve tract, under contract of sale to the City of Austin,

THENCE, leaving the center of said creek, and entering into the interior of the CCNG (74.52 acre) tract, N 45 deg. 42' 58" E 401.07 feet to a ½" iron rod found at the most westerly southwest corner of the Lloyd (3.26 acre) tract, and being for an angle in the westerly line of this tract,

THENCE, with the common line between the CCNG (74.52 acre) tract, and the Lloyd tract S 60 deg. 38' 34" E 289.38 feet to a ½" iron rod found for an angle in the westerly line of this tract,

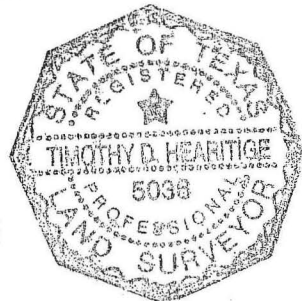
THENCE, continuing with the common line between the CCNG (74.52 acre) tract, and the Lloyd tract N 29 deg. 05' 00" E 318.48 feet to the PLACE OF BEGINNING, in all containing 62.633 acres of land.

SURVEYED: December 9, 1999

BY:


Timothy D. Hearitige

Registered Professional Land Surveyor No. 5036



see accompanying map no. A 608112