

**THIRD AMENDMENT
TO AND PARTIAL ASSIGNMENT OF
AMENDED AND RESTATED CONSENT AGREEMENT
AMONG
CITY OF ROUND ROCK, TEXAS,
RSP PARTNERS DEVELOPMENT, L.P.,
(FORMERLY DOUBLE J INVESTMENTS, L.P.),
SEDC DEVCO, INC.,
SIENA MUNICIPAL UTILITY DISTRICT NO. 1,
AND
SIENA MUNICIPAL UTILITY DISTRICT NO. 2
AND RLY WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 19 AND 20)**

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This Third Amendment to and Partial Assignment of the Amended and Restated Consent Agreement (this “Third Amendment”) is entered into among the City of Round Rock, Texas, a home rule city located in Williamson County, Texas (the “City”), RSP Partners Development, L.P. (“Developer”), SEDC Devco, Inc., a Texas corporation (“SEDC”), Siena Municipal Utility District No. 1 (“District No. 1”), and Siena Municipal Utility District No. 2 (“District No. 2”), or (the “Districts”) as appropriate.

RECITALS

WHEREAS, the City, Developer and the Districts entered into the Amended and Restated Consent Agreement (the “Original Consent Agreement”) as of October 18, 2006, as amended by the First Amendment to the Amended and Restated Consent Agreement (the “First Amendment”) as of December 18, 2008, as further amended by the Second Amendment to the Amended and Restated Consent Agreement (the “Second Amendment”) (the Original Consent Agreement, as amended by the First Amendment and the Second Amendment is referred to herein as the “Consent Agreement”);

WHEREAS, the City, Developer and Williamson County, Texas (the “County”) have agreed that from and after the date of this Third Amendment the County will assume sole responsibility for review and approval of all construction plans, development plans, preliminary plans and subdivision plats within the Land; and

WHEREAS, pursuant to Section 10.03 of the Consent Agreement, Developer desires, with the consent of the City, to partially assign its rights under the Consent Agreement to SEDC, a subsequent developer of a portion of the Land; and

WHEREAS, parties hereto wish to amend the Consent Agreement to provide for (i) the County's assumption of sole responsibility for development review and approval with respect to

the Land, and (ii) Developer's partial assignment, with the consent of the City, of its rights under the Consent Agreement to SEDC.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to amend the Consent Agreement as follows:

Article I

Development Review and Approval

1.01. County Development Review and Approval. Section 5.03 of the Consent Agreement is hereby deleted in its entirety and replaced with the following:

“**Section 5.03 Development Review and Approval**. It is the parties' mutual intention that the County will have the sole responsibility for review and approval of all construction plans, development plans, preliminary plans, and subdivision plats within the Land.”

1.02. Term of Concept Plan. Section 5.04 of the Consent Agreement is hereby deleted in its entirety and replaced with the following:

“**Section 5.04 Term of Concept Plan**. Except as provided below, the Concept Plan will be effective for the term of this Agreement. The Concept Plan will be deemed to have expired if no final subdivision plat of any portion of the Land, that is consistent with the Concept Plan, applicable County regulations and State law, is recorded for a period of five (5) years or five (5) years expires after the recordation of the last final plat.”

1.03. Vesting of Rights. Section 9.02 of the Consent Agreement is hereby deleted in its entirety and replaced with the following:

“**Section 9.02 Vesting of Rights**. The Concept Plan submitted by Developer on December 14, 2005 constitutes an application by Developer for the subdivision and development of the Land, and initiated the subdivision and development permit process for the Land. The City acknowledges that, with respect to the City's jurisdiction over the Land, Developer has vested authority to develop the Land in accordance with this Agreement subject to any limitations contained in Chapter 245, Texas Local Government Code.”

Article II

Partial Assignment and Assumption Agreement

2.01. Partial Assignment. For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer, acting herein through its undersigned duly authorized General Partner, does hereby grant, convey, and assign the Consent Agreement and all of Developer's rights, duties and obligations thereunder to SEDC, but only with respect to the portion of the Land to be developed by SEDC, said portion of the Land being more particularly described by metes and bounds on the attached **Exhibit A** (the “SEDC Land”).

2.02. Acceptance by SEDC. With respect only to the SEDC Land, SEDC hereby (i) accepts the foregoing assignment from Developer, (ii) ratifies, affirms and accepts all benefits inuring to Developer under the Consent Agreement by virtue of this Third Amendment, and (iii) expressly assumes and agrees to perform all duties and obligations of the “Developer” under the Consent Agreement.

2.03. Consent of the City. The City hereby consents to the foregoing partial assignment by Developer, and agrees to look solely to SEDC for the performance of all obligations of the “Developer” under the Consent Agreement with respect only to the SEDC Land. The City confirms that this Third Amendment satisfies the requirements of Section 10.03(a) of the Consent Agreement. The City agrees that any notices required or given under the Consent Agreement with respect to the SEDC Property will be given to SEDC, at the address of Developer, which is set forth in the Consent Agreement.

Article III

Defined Terms

All terms delineated with initial capital letters in this Third Amendment that are defined in the Consent Agreement have the same meanings in this Third Amendment. Other terms have the meanings commonly ascribed to them.

Article IV

Effect of Amendment

Except as specifically provided in this Third Amendment, the terms of the Consent Agreement continue to govern the rights and obligations of the parties, and all terms of the Consent Agreement remain in full force and effect. If there is any conflict or inconsistency between this Third Amendment and the Consent Agreement, this Third Amendment will control and modify the Consent Agreement.

Article V

Execution; Counterparts

To facilitate execution, this Third Amendment may be executed in any number of counterparts, and it will not be necessary that the signatures of all parties be contained on any one counterpart. Additionally, for purposes of facilitating the execution of this Third Amendment: (a) the signature pages taken from separate, individually executed counterparts of this Third Amendment may be combined to form multiple fully executed counterparts; and (b) a facsimile signature will be deemed to be an original signature for all purposes. All executed counterparts of this Third Amendment will be deemed to be originals, but such counterparts, when taken together, will constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned parties have executed this Third Amendment on the dates indicated below.

CITY OF ROUND ROCK

By: _____
Alan McGraw, Mayor

Date: ____ day of _____, 201__

Acknowledgement

This instrument was acknowledge before me this ____ day of _____, 201__ by Alan McGraw, Mayor of the City of Round Rock, on behalf of said municipality.

Notary Public, State of Texas

Printed Name
My Commission Expires: _____

RSP PARTNERS DEVELOPMENT, L.P.
a Texas limited partnership

By: RSP GP, Inc.
a Texas corporation
its General Partner

By: _____
John S. Lloyd, President

Date: ____ day of _____, 201__

Acknowledgement

This instrument was acknowledge before me this ____ day of _____, 201__ by John S. Lloyd, President of RSP GP, Inc., a Texas corporation, General Partner of RSP Partners Development, L.P., a Texas limited partnership, on behalf of said corporation and limited partnership.

Notary Public, State of Texas

Printed Name
My Commission Expires: _____

SEDC DEVCO, INC.
a Texas corporation

By: _____
John S. Lloyd, President

Date: ____ day of _____, 201__

Acknowledgement

This instrument was acknowledge before me this ____ day of _____, 201__ by John S. Lloyd, President of SEDC Devco, Inc., a Texas corporation, on behalf of said corporation.

Notary Public, State of Texas

Printed Name

My Commission Expires: _____

SIENA MUNICIPAL UTILITY DISTRICT NO. 1

By: _____
Jim Cone, President

Date: ____ day of _____, 201__

Attest:

Daniel McFall, Secretary

Acknowledgement

This instrument was acknowledge before me this ____ day of _____, 201__ by Jim Cone, President of the Siena Municipal Utility District No. 1, on behalf of said district.

Notary Public, State of Texas

Printed Name

My Commission Expires: _____

SIENA MUNICIPAL UTILITY DISTRICT NO. 2

By: _____
Jeff P. O’Jibway, President

Date: ____ day of _____, 201__

Attest:

Jeremy Adam Kruger, Secretary

Acknowledgement

This instrument was acknowledge before me this ____ day of _____, 201__ by Jeff P. O’Jibway, President of the Siena Municipal Utility District No. 2, on behalf of said district.

Notary Public, State of Texas

Printed Name

My Commission Expires: _____

EXHIBIT A

SEDC LAND

Tract 1: 310.915 acres of land, more or less, out of the William Dunn Survey, Abstract No. 196, the Willis Donaho Survey, Abstract No. 173, and the Henry Millard Survey, Abstract No. 452, in Williamson County, Texas, as more particularly described by metes and bounds in Exhibit A-1 attached hereto and made a part hereof.

Tract 2: 549.02 acres of land, more or less, out of the Robert McNutt Survey, Abstract No. 422, in Williamson County, Texas, as more particularly described by metes and bounds in Exhibit A-3 attached hereto and made a part hereof, SAVE AND EXCEPT that certain 85.58 acres of land, more or less, described by metes and bounds in Exhibit A-3 attached hereto and made a part hereof.

Exhibit A-1

310.915 ACRES

PARCEL C:

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE WILLIAM DUNN SURVEY, ABSTRACT No. 196; THE WILLIS DONAHO SURVEY, ABSTRACT No. 173; AND THE HENRY MILLARD SURVEY, ABSTRACT No. 452, AND BEING A PART OF THAT 105.031 ACRE TRACT OF LAND CONVEYED TO EASY KYLE PARTNERS, LP, BY DEED RECORDED IN DOCUMENT NO. 2006037326 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; A PART OF THAT 139.150 ACRE TRACT OF LAND CONVEYED TO EASY KYLE PARTNERS, LP, BY DEED RECORDED IN DOCUMENT No. 2006035264 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; A PART OF THAT 34.74 ACRE TRACT CONVEYED TO EASY KYLE PARTNERS, LTD., BY DEED RECORDED IN DOCUMENT NO. 2006037892 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND ALL OF THAT 36.00 ACRE TRACT CONVEYED TO DOUBLE J INVESTMENTS, LTD., BY DEED RECORDED IN DOCUMENT NO. 2006019846 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND A PART OF THAT 72 ACRE TRACT OF LAND CONVEYED TO MARGIE CRAYON SNELL BY DEED RECORDED IN VOLUME 2019, PAGE 31, OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a ½" iron rod found in the East Line of County Road 110 at the Southwest Corner of that 190.50 Acre Tract conveyed to Stephen Lee Pritchard Family Trust and Nancy Kay Pritchard Ohlendorf Family Trust by Deed Recorded in Volume 1980, Page 972 of the Official Records of Williamson County, Texas the same being the Northwest Corner of the said 34.74 Acre Tract;

THENCE N.71°48'51"E. along the North line of said 34.74 Acre Tract, a distance of 22.39 feet to the Point of Beginning;

THENCE along the North Line of the said 34.74 Acre Tract and along the fence the following five courses:

1. N.71°48'51"E. a distance of 520.60 feet;
2. N.71°53'11"E. a distance of 667.92 feet;
3. N.73°31'36"E. a distance of 79.02 feet;
4. N.71°03'06"E. a distance of 556.04 feet to a nail in the top of a fence post;
5. N.71°00'16"E. a distance of 626.40 feet to a ½" iron rod found at the Northeast Corner of the 34.74 Acre Tract and the Southerly Southeast Corner of the said 190.50 Acre Tract and to the West Line of said 72 Acre Tract;

THENCE N.71°27'09"E., crossing the said 72 Acre Tract, a distance of 1247.85 feet to a 1/2" iron rod set in the East Line of the said 72 Acre Tract, the same being the West Line of that 71 ½ Acre Tract of land conveyed to Eleanor Olson, Andrew Olson and Dorthea Jacob by Deed Recorded in Volume 595, Page 131 of the Deed Records of Williamson County, Texas;

THENCE S.18°44'32"E., along the East Line of said 72 Acre Tract and the West Line of said 71 ½ Acre Tract, a distance of 474.45 feet to a 1/2" iron rod set at the Northeast Corner of the 36.00 Acre Tract;

THENCE S.18°44'32"E., along the East Line of the said 36 Acre Tract and the West Line of the said 71 ½ Acre Tract, a distance of 1257.06 feet to a ½" iron rod set at the Southeast Corner of the said 36 Acre Tract on the South Line of the said Henry Millard Survey;

310.915 ACRES

THENCE S.71°27'09"W., along the South Line of the said 36 Acre Tract and the South Line of the said Henry Millard Survey, a distance of 848.09 feet to the East line of said 105.031 Acre Tract;

THENCE S.18°51'04"E., along the East Line of the 105.031 Acre Tract, (at a distance of 778 feet pass the Southeast corner thereof and continue along the East Line of the 139.150 Acre Tract), in all a total distance of 1165.76 feet to a 1/2" iron rod found;

THENCE continue along the East Line of the 139.150 Acre Tract the following five courses:

1. S.19°03'12"E. a distance of 564.38 feet to a fence post;
2. S.18°31'54"E. a distance of 555.10 feet to a fence post;
3. S.18°34'46"E. a distance of 243.05 feet to a fence post;
4. S.19°11'05"E. a distance of 553.56 feet to a fence post;
5. S.18°26'46"E. a distance of 391.18 feet (from which point a 1/2" iron rod found at the Southeast Corner of the 139.150 Acre Tract bears S.18°26'46"E., 24.47 feet);

THENCE crossing the said 139.150 Acre Tract the following four courses:

1. N.89°20'47"W., a distance of 1289.47 feet
2. N.23°46'40"W., a distance of 61.17 feet;
3. N.67°43'40"W., a distance of 1275.88 feet;
4. N.81°35'40"W., a distance of 181.17 feet to the East Line of that 10.00 Acre Tract conveyed to Jonah Water Supply Utility District by deed recorded in Document No. 2003012825 of the Official Public Records of Williamson County, Texas;

THENCE along the Easterly and Northerly Line of 10.00 Acre Tract and along a common line with the 139.150 Acre Tract the following two courses:

1. N.13°43'16"W. a distance of 507.31 feet to a 1/2" iron rod found;
2. S.71°47'27"W. a distance of 650.69 feet, (from which point a 1/2" iron rod found in the East Line of County Road 110 at the Northwest corner of the 10.00 Acre Tract bears S.71°47'27"W. 37.36 feet);

THENCE N.14°17'11"W., crossing the said 139.150 Acre Tract, a distance of 694.34 feet to the South line of that 0.99 Acre Tract conveyed to Terry Holmstrom by Deed Recorded in Volume 930, Page 514 of the Deed Records of Williamson County, Texas;

THENCE N.72°11'01"E., along the South line of the 0.99 Acre Tract and the North line of the 139.150 Acre Tract, a distance of 362.91 feet to a 1/2" iron rod found at the Southeast corner of the 0.99 Acre Tract and the most Southerly Southwest corner of the 105.031 Acre Tract;

THENCE N.18°54'35"W., along the Westerly line of the 105.031 Acre Tract and the East Line of the 0.99 Acre Tract, a distance of 42.58 feet to the Southerly corner of that 8.602 Acre Tract conveyed to J. E. Howe and wife, by Deed Recorded in Document No. 9731354 of the Official Public Records of Williamson County, Texas;

THENCE along the Easterly Line of the 8.602 Acre Tract and the Westerly Line of the 105.031 Acre Tract the following two courses:

1. N.40°59'14"E. a distance of 326.15 feet;

310.915 ACRES

2. N.18°04'46"W. a distance of 656.20 feet to the Northeast corner of the 8.602 Acre Tract;

THENCE S.71°15'05"W., along the North line of the 8.602 Acre Tract and a line common with the 105.031 Acre Tract, a distance of 617.04 feet, (from which point a 1/2" iron rod found in the east line of County Road 110 at the Northwest corner of the 8.602 Acre Tract bears S.71°15'05"W., 22.36 feet);

THENCE N.18°27'44"W., crossing the 105.031 Acre Tract, a distance of 1130.72 feet to the North Line of the 105.031 Acre Tract and the South Line of the 34.74 Acre Tract;

THENCE N.18°27'48"W., crossing the 34.74 Acre Tract, a distance of 615.91 feet to the Point of Beginning.

Containing 310.915 Acres, more or less.


J. KENNETH WEIGAND
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5741
STATE OF TEXAS



R J SURVEYING & ASSOCIATES, INC.
1212 EAST BRAKER LANE
AUSTIN, TEXAS 78753

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Exhibit A-2

549.02 Acres

EXHIBIT A

PARCEL A:

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE ROBERT MCNUTT SURVEY, ABSTRACT No. 422, BEING A PART OF TRACT 1, CONTAINING 40.000 ACRES; TRACT 2, CONTAINING 30.00 ACRES; TRACT 3, CONTAINING 19.994 ACRES; AND TRACT 4, CONTAINING 100.111 ACRES, CONVEYED TO DOUBLE J INVESTMENTS, L.P., BY DEED RECORDED IN DOCUMENT NO. 2005083810 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND ALL OF THAT 3.640 ACRE TRACT CONVEYED TO DOUBLE J INVESTMENTS BY DEED RECORDED IN DOCUMENT NO. 20050852363 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND PART OF THAT 62.01 ACRE TRACT OF LAND CONVEYED TO CLYDE SWENSON AND WIFE, BARBARA SWENSON, BY DEED RECORDED IN VOLUME 625, PAGE 155 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; AND A PART OF THAT 22 ACRE TRACT OF LAND CONVEYED TO CLYDE H. SWENSON BY DEED RECORDED IN VOLUME 648, PAGE 443 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND SAID TO CONTAIN 124.63 ACRES CONVEYED TO EASY KYLE PARTNERS, L.P., BY DEED RECORDED IN DOCUMENT NO. 2006039639 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND THAT TRACT OF LAND CONVEYED TO LESTER WESTBERG, BY DEED RECORDED IN VOLUME 345, PAGE 231, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD FOUND IN THE EAST LINE OF COUNTY ROAD 110 AT THE SOUTHWEST CORNER OF SAID TRACT 1;

THENCE S89°28'38"E., ALONG THE SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 30.48 FEET TO THE POINT OF BEGINNING;

THENCE CROSSING THE SAID 40.00 ACRE TRACT, THE 30.00 ACRE TRACT, THE 62.01 ACRE TRACT AND THE 22 ACRE TRACT THE FOLLOWING TWO COURSES:

1. N.00°33'49"E., A DISTANCE OF 3881.71 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT;
2. 71.41 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 8°42'20" AND A CHORD BEARING N.03°47'21"W., 71.34 FEET TO THE NORTH LINE OF TRACT 3;

THENCE S.89°31'14"E., ALONG THE NORTHERLY LINE OF TRACT 3, A DISTANCE OF 191.88 FEET;

THENCE N.00°28'46"E., ALONG THE WESTERLY LINE OF TRACT 3, A DISTANCE OF 359.79 FEET TO THE NORTHERLY NORTHWEST CORNER OF TRACT 3 AND TO THE SOUTH LINE OF THAT 10.00 ACRE TRACT CONVEYED TO JANET E. WASHBURN BY DEED RECORDED IN DOCUMENT NO. 2002023570 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.89°31'07"E., ALONG THE NORTH LINE OF TRACT 3 AND THE SOUTH LINE OF THE 10.00 ACRE TRACT, A DISTANCE OF 512.76 FEET TO A 1/2" IRON ROD FOUND AT

549.02 Acres

THE SOUTHEAST CORNER OF THE 10.00 ACRE TRACT AND THE SOUTHWEST CORNER OF TRACT 4;

THENCE N.00°43'27"E., ALONG THE EAST LINE OF THE 10.00 ACRE TRACT AND THE WEST LINE OF TRACT 4, A DISTANCE OF 719.67 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE 10.00 ACRE TRACT AND A CORNER IN THE WEST LINE OF TRACT 4;

THENCE N.89°27'55"W., ALONG THE NORTH LINE OF THE 10.00 ACRE TRACT AND A LINE COMMON WITH TRACT 4, A DISTANCE OF 390.03 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE 10.00 ACRE TRACT, AT A CORNER IN THE WEST LINE OF TRACT 4, IN THE EAST LINE OF THAT 5.79 ACRE TRACT CONVEYED TO J. R. JOHNSON BY DEED RECORDED IN VOLUME 2020, PAGE 615 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE N.00°23'36"E., ALONG THE WEST LINE OF TRACT 4 AND ALONG THE EAST LINE OF THE 5.79 ACRE TRACT IN PART AND CONTINUING ALONG THE EAST LINE OF THAT 5.00 ACRE TRACT CONVEYED TO D. SMITH BY DEED RECORDED IN DOCUMENT NO. 2004063749 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, A DISTANCE OF 397.61 FEET TO THE NORTHEAST CORNER OF THE 5.00 ACRE TRACT;

THENCE N.89°27'29"W., ALONG A LINE COMMON WITH TRACT 4, AND THE NORTH LINE OF THE 5.00 ACRE TRACT IN PART AND ALONG THE NORTH LINE OF THAT 4.998 ACRE TRACT CONVEYED TO KEVIN LANGSTON BY DEED RECORDED IN VOLUME 2422, PAGE 937 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, A DISTANCE OF 209.60 FEET TO A 1/2" IRON ROD FOUND;

THENCE N.00°25'58"E., ALONG THE WEST LINE OF TRACT 4 AND THE EAST LINE OF THAT 5.99 ACRE TRACT CONVEYED TO P.G. MARTINEZ BY DEED RECORDED IN DOCUMENT NO. 2004041002 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, A DISTANCE OF 965.97 FEET, FROM WHICH POINT A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF COUNTY ROAD 109 AT THE NORTHWEST CORNER OF TRACT 4 BEARS N.00°25'58"E., 23.81 FEET ;

THENCE S.89°20'47"E., CROSSING SAID TRACT 4, A DISTANCE OF 800.98 FEET TO THE NORTH LINE OF THE TRACT 4 AND TO A POINT ON A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG THE NORTHERLY LINE TRACT 4 THE FOLLOWING SIX COURSES:

1. SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 55.41 FEET (SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 63°29'23" AND A CHORD BEARING S.31°52'37"W., 52.61 FEET);
2. S.00°07'53"W. A DISTANCE OF 76.49 FEET;
3. S.55°39'39"E. A DISTANCE OF 192.96 FEET;
4. N.40°30'02"E. A DISTANCE OF 159.85 FEET;
5. N.67°50'32"E. A DISTANCE OF 30.50 FEET;
6. N.15°42'40"W. A DISTANCE OF 97.92 FEET;

549.02 Acres

THENCE S.89°20'47"E., CROSSING SAID TRACT 4, A DISTANCE OF 487.28 FEET TO THE WEST LINE OF THAT 0.50 ACRE TRACT CONVEYED TO DANIEL J. BRETT BY DEED RECORDED IN DOCUMENT NO. 2002005540 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.00°42'26"W., ALONG THE WEST LINE OF THE 0.50 ACRE TRACT AND ALONG A LINE COMMON WITH TRACT 4, A DISTANCE OF 376.42 FEET TO THE SOUTHWEST CORNER OF THE 0.50 ACRE TRACT;

THENCE S.89°30'54"E., ALONG THE SOUTH LINE OF THE 0.50 ACRE TRACT, IN PART, ALONG THE SOUTH LINE OF THE 3.017 ACRE TRACT CONVEYED TO DANIEL J. BRETT BY DEED RECORDED IN DOCUMENT NO. 2001064995 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALONG A LINE COMMON WITH TRACT 4, A DISTANCE OF 383.00 FEET TO THE SOUTHEAST CORNER OF THE 3.017 ACRE TRACT;

THENCE N.00°46'49"E., ALONG THE EAST LINE OF THE 3.017 ACRE TRACT AND COMMON WITH TRACT 4, A DISTANCE OF 375.30 FEET;

THENCE CROSSING SAID TRACT 4 THE FOLLOWING THREE COURSES:

1. S.89°20'47"E. A DISTANCE OF 104.25 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT;
2. EASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 181.51 FEET (SAID CURVE HAVING A RADIUS OF 1500.00 FEET, A CENTRAL ANGLE OF 6°55'59", AND A CHORD BEARING S.85°52'47"E., 181.40 FEET;
3. S.82°24'48"E. A DISTANCE OF 142.21 FEET TO THE EAST LINE OF TRACT 4;

THENCE S.01°44'12"W., ALONG THE EAST LINE OF TRACT 4, A DISTANCE OF 1.23 FEET TO A 1/2" IRON ROD FOUND IN THE WEST LINE OF THE PLAT OF GREEN GATE SECTION ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET I, SLIDE 325 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.00°49'46"W., ALONG THE EAST LINE OF TRACT 4 AND THE WEST LINE OF GREEN GATE SECTION ONE, AT A DISTANCE OF 770 FEET PASS THE SOUTHWEST CORNER OF GOLDEN GATE SECTION ONE AND CONTINUE ALONG THE WEST LINE OF THE PLAT OF COUNTRY VIEW ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET N, SLIDE 90 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, IN ALL A TOTAL DISTANCE OF 2313.76 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF TRACT 4 IN THE NORTH LINE OF THAT 124.63 ACRE TRACT CONVEYED TO EASY KYLE PARTNERS, L.P., BY DEED RECORDED IN DOCUMENT NO. 2006039639 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.89°40'50"E., ALONG THE SOUTH LINE OF SAID COUNTRY VIEW ESTATES AND THE NORTH LINE OF THE 124.63 ACRE TRACT, A DISTANCE OF 690.09 FEET TO 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID 124.63 ACRE TRACT;

THENCE S.00°21'28"W., ALONG THE EAST LINE OF THE SAID 124.63 ACRE TRACT, AT A

549.02 Acres

DISTANCE OF 321.12 FEET PASS A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 6, BLOCK C, COUNTRY VIEW ESTATES, THE SAME BEING THE WESTERLY NORTHWEST CORNER OF THAT 51.297 ACRE TRACT CONVEYED TO MARILYN J. ROSENBLAD BY DEED RECORDED IN VOLUME 2566, PAGE 893 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND AT A DISTANCE OF 788.94 FEET PASS A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE SAID 51.297 ACRE TRACT, THE SAME BEING THE NORTHWEST CORNER OF THAT 85.70 ACRE TRACT CONVEYED TO RYAN'S RIDGE BY DEED RECORDED IN DOCUMENT NO. 2002033879 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AT A DISTANCE OF 2626 FEET PASS THE CENTER OF AN ELECTRIC TRANSMISSION LINE, AND AT A DISTANCE OF 3682.64 FEET PASS THE NORTHWEST CORNER OF LOT 10, BLOCK E, GARDEN PARK SECTION ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET E, SLIDES 276, 277 AND 278 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, IN ALL A TOTAL DISTANCE OF 3926.35 FEET TO A 1/2" IRON ROD SET AT THE SOUTHEAST CORNER OF THE SAID 124.63 ACRE TRACT, THE SAME BEING THE NORTHEAST CORNER OF LOT 3, TRADESMEN'S INDUSTRIAL PARK SECTION 2, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET P, SLIDES 360, 361 AND 362 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.89°08'45"W., ALONG THE SOUTH LINE OF THE SAID 124.63 ACRE TRACT, THE SAME BEING THE NORTH LINE OF LOTS 2 AND 3, OF THE SAID PLAT OF TRADESMEN'S INDUSTRIAL PARK SECTION 2, AT A DISTANCE OF 645.44 FEET PASS A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 2, IN ALL A TOTAL DISTANCE OF 1381.78 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE SAID 124.63 ACRE TRACT, AND THE EAST LINE OF SAID TRACT 1, CONTAINING 40.000 ACRES, CONVEYED TO DOUBLE J INVESTMENTS IN THE SAID DEED RECORDED IN DOCUMENT NO. 2005083810;

THENCE S.00°18'35"W., ALONG THE EAST LINE OF TRACT 1, A DISTANCE OF 91.05 FEET TO THE SOUTHEAST CORNER OF TRACT 1;

THENCE S.00°33'46"W., ALONG THE EAST LINE OF THE WESTBERG TRACT, A DISTANCE OF 1360.06 FEET;

THENCE S.00°22'33"W., CONTINUING ALONG THE EAST LINE OF THE SAID WESTBERG TRACT, A DISTANCE OF 622.37 FEET TO THE SOUTHEAST CORNER OF SAID WESTBERG TRACT;

THENCE N.89°42'42"W., ALONG THE SOUTH LINE OF SAID WESTBERG TRACT, A DISTANCE OF 1746.96 FEET TO A POINT ON THE SOUTH LINE OF SAID WESTBERG TRACT;

THENCE CROSSING SAID WESTBERG TRACT THE FOLLOWING FOUR COURSES:

1. THENCE N.00°26'59"E., A DISTANCE OF 60.00 FEET;
2. S.89°42'42"E. A DISTANCE OF 300.00 FEET;
3. N.00°33'09"E, A DISTANCE OF 1402.87 FEET;
4. N.42°07'44"W. A DISTANCE OF 442.53 FEET;

549.02 Acres

5. N.00°33'09"E., A DISTANCE OF 200.00 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 463.44 ACRES, MORE OR LESS.

AND;

PARCEL B;

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE ROBERT MCNUTT SURVEY, ABSTRACT No. 422, AND BEING A PART OF THAT 87.291 ACRE TRACT OF LAND CONVEYED TO ROUND STAFF PARTNERS, L.P. BY DEED RECORDED IN DOCUMENT NO. 2005083809 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD FOUND IN THE WEST LINE OF COUNTY ROAD 110 AT THE NORTHEAST CORNER OF THAT 6.64 ACRE TRACT CONVEYED TO CHINMAYA MISSION AUSTIN BY DEED RECORDED IN DOCUMENT NO. 2001046382 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND AT THE SOUTHEAST CORNER OF THE SAID 87.291 ACRE TRACT;

THENCE N.88°15'49"W., ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT AND THE NORTH LINE OF THE 6.64 ACRE TRACT, A DISTANCE OF 29.33 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT AND THE NORTH LINE OF THE 6.64 ACRE TRACT THE FOLLOWING THREE COURSES:

1. N.88°15'49"W. A DISTANCE OF 315.42 FEET TO A 1/2" IRON ROD FOUND;
2. S.13°33'16"W. A DISTANCE OF 104.48 FEET TO A 1/2" IRON ROD FOUND;
3. N.68°26'44"W. A DISTANCE OF 580.01 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE 6.64 ACRE TRACT;

THENCE N.68°31'18"W., ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT, A DISTANCE OF 646.75 FEET TO THE CENTER OF MCNUTT CREEK AND THE EAST LINE OF THAT 106.6 ACRE TRACT CONVEYED TO BEVERLY GORDON BY DEED RECORDED IN DOCUMENT NO. 9835986 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE ALONG THE WEST LINE OF THE 87.291 ACRE TRACT AND THE EAST LINE OF THE 106.6 ACRE TRACT THE FOLLOWING THREE COURSES:

1. N.04°04'40"W. A DISTANCE OF 181.88 FEET;
2. N.44°58'29"W. A DISTANCE OF 139.83 FEET;
3. N.82°55'26"E. A DISTANCE OF 196.90 FEET;
4. N.03°02'34"W. A DISTANCE OF 586.74 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF THAT 15.19 ACRE TRACT CONVEYED TO KEN BURGE BY DEED RECORDED IN DOCUMENT NO. 9618889 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS;

549.02 Acres

THENCE N.87°13'57"E. ALONG THE SOUTH LINE OF THE 15.19 ACRE TRACT AND A LINE COMMON WITH THE 87.291 ACRE TRACT, A DISTANCE OF 23.52 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE 15.19 ACRE TRACT;

THENCE N.02°40'09"W., ALONG THE WEST LINE OF THE 87.291 ACRE TRACT AND THE EAST LINE OF THE 15.19 ACRE TRACT, A DISTANCE OF 1473.10 FEET TO THE SOUTH LINE OF THAT 21.67 ACRE TRACT CONVEYED TO LINDA BUSHONG BY DEED RECORDED IN DOCUMENT NO. 9708518 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AT THE NORTHWEST CORNER OF THE 87.291 ACRE TRACT AND THE NORTHEAST CORNER OF THE 15.19 ACRE TRACT;

THENCE S.89°32'08"E., ALONG THE NORTH LINE OF THE 87.291 ACRE TRACT AND THE SOUTH LINE OF THE 21.67 ACRE TRACT, A DISTANCE OF 1011.24 FEET TO A 1/2" IRON ROD FOUND IN THE WEST LINE OF LOT 1, ANDERSON HILL, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET I, SLIDE 197 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.00°05'15"W., ALONG THE WEST LINE OF LOT 1 AND A LINE COMMON WITH THE 87.291 ACRE TRACT, A DISTANCE OF 153.92 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 1 AND A CORNER IN THE NORTH LINE OF THE 87.291 ACRE TRACT;

THENCE S.85°37'13"E., ALONG THE SOUTH LINE OF LOT 1 AND THE NORTH LINE OF THE 87.291 ACRE TRACT, A DISTANCE OF 488.92 FEET, FROM WHICH POINT A 1/2" IRON ROD FOUND IN WEST LINE COUNTY ROAD 110 AT THE EASTERLY NORTHEAST CORNER OF THE 87.291 ACRE TRACT BEARS S.85°37'13"E. 29.95 FEET;

THENCE S.00°33'49"W., CROSSING THE SAID 87.291 ACRE TRACT A DISTANCE OF 2521.69 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 85.58 ACRES, MORE OR LESS.


J. KENNETH WEIGAND
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5741
STATE OF TEXAS



R J SURVEYING & ASSOCIATES, INC.
1212 EAST BRAKER LANE
AUSTIN, TEXAS 78753

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Exhibit A-3

85.58 Acres

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE ROBERT MCNUTT SURVEY, ABSTRACT No. 422, AND BEING A PART OF THAT 87.291 ACRE TRACT OF LAND CONVEYED TO ROUND STAFF PARTNERS, L.P. BY DEED RECORDED IN DOCUMENT NO. 2005083809 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD FOUND IN THE WEST LINE OF COUNTY ROAD 110 AT THE NORTHEAST CORNER OF THAT 6.64 ACRE TRACT CONVEYED TO CHINMAYA MISSION AUSTIN BY DEED RECORDED IN DOCUMENT NO. 2001046382 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND AT THE SOUTHEAST CORNER OF THE SAID 87.291 ACRE TRACT;

THENCE N.88°15'49"W., ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT AND THE NORTH LINE OF THE 6.64 ACRE TRACT, A DISTANCE OF 29.33 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT AND THE NORTH LINE OF THE 6.64 ACRE TRACT THE FOLLOWING THREE COURSES:

1. N.88°15'49"W. A DISTANCE OF 315.42 FEET TO A 1/2" IRON ROD FOUND;
2. S.13°33'16"W. A DISTANCE OF 104.48 FEET TO A 1/2" IRON ROD FOUND;
3. N.68°26'44"W. A DISTANCE OF 580.01 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE 6.64 ACRE TRACT;

THENCE N.68°31'18"W., ALONG THE SOUTH LINE OF THE 87.291 ACRE TRACT, A DISTANCE OF 646.75 FEET TO THE CENTER OF MCNUTT CREEK AND THE EAST LINE OF THAT 106.6 ACRE TRACT CONVEYED TO BEVERLY GORDON BY DEED RECORDED IN DOCUMENT NO. 9835986 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE ALONG THE WEST LINE OF THE 87.291 ACRE TRACT AND THE EAST LINE OF THE 106.6 ACRE TRACT THE FOLLOWING THREE COURSES:

1. N.04°04'40"W. A DISTANCE OF 181.88 FEET;
2. N.44°58'29"W. A DISTANCE OF 139.83 FEET;
3. N.82°55'26"E. A DISTANCE OF 196.90 FEET;
4. N.03°02'34"W. A DISTANCE OF 586.74 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF THAT 15.19 ACRE TRACT CONVEYED TO KEN BURGE BY DEED RECORDED IN DOCUMENT NO. 9618889 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE N.87°13'57"E. ALONG THE SOUTH LINE OF THE 15.19 ACRE TRACT AND A LINE COMMON WITH THE 87.291 ACRE TRACT, A DISTANCE OF 23.52 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE 15.19 ACRE TRACT;

THENCE N.02°40'09"W., ALONG THE WEST LINE OF THE 87.291 ACRE TRACT AND THE EAST LINE OF THE 15.19 ACRE TRACT, A DISTANCE OF 1473.10 FEET TO THE SOUTH LINE OF THAT 21.67 ACRE TRACT CONVEYED TO LINDA BUSHONG BY DEED RECORDED IN DOCUMENT NO. 9708518 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON

85.58 Acres

COUNTY, TEXAS AT THE NORTHWEST CORNER OF THE 87.291 ACRE TRACT AND THE NORTHEAST CORNER OF THE 15.19 ACRE TRACT;

THENCE S.89°32'08"E., ALONG THE NORTH LINE OF THE 87.291 ACRE TRACT AND THE SOUTH LINE OF THE 21.67 ACRE TRACT, A DISTANCE OF 1011.24 FEET TO A 1/2" IRON ROD FOUND IN THE WEST LINE OF LOT 1, ANDERSON HILL, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET I, SLIDE 197 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE S.00°05'15"W., ALONG THE WEST LINE OF LOT 1 AND A LINE COMMON WITH THE 87.291 ACRE TRACT, A DISTANCE OF 153.92 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 1 AND A CORNER IN THE NORTH LINE OF THE 87.291 ACRE TRACT;

THENCE S.85°37'13"E., ALONG THE SOUTH LINE OF LOT 1 AND THE NORTH LINE OF THE 87.291 ACRE TRACT, A DISTANCE OF 488.92 FEET, FROM WHICH POINT A 1/2" IRON ROD FOUND IN WEST LINE COUNTY ROAD 110 AT THE EASTERLY NORTHEAST CORNER OF THE 87.291 ACRE TRACT BEARS S.85°37'13"E. 29.95 FEET;

THENCE S.00°33'49"W., CROSSING THE SAID 87.291 ACRE TRACT A DISTANCE OF 2521.69 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 85.58 ACRES, MORE OR LESS.


J. KENNETH WEIGAND
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5741
STATE OF TEXAS



R J SURVEYING & ASSOCIATES, INC.
1212 EAST BRAKER LANE
AUSTIN, TEXAS 78753

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.