

EXHIBIT
"A"

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-738-8725 (D) • fax 512-255-8986

don@scrrlaw.com

September 1, 2023

Via e-mail johnavery@pioneerdevelopment.net

John Avery, Jr.
Pioneer Development
1508 S. Lamar Blvd.
Austin, Texas 78704

Re: City of Round Rock—CR 112 improvement project
Right of Way realignment road closure + r.o.w. exchange
Avery—Parcel 2

Dear John:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a fee simple right of way and drainage easement parcels to the City of Round Rock ("City") in and across portions of the property owned by the Avery Trusts ("Owner") as part of the City's proposed improvements to CR 112 ("Project").

By execution of this letter the parties agree as follows:

1. Owner shall deliver to City of a fully executed and acknowledged Special Warranty Deed substantially in the form attached hereto as Exhibit "A" ("Deed") in and to two parcels totaling 0.3960 acre of land, which land is more fully described in the form of Deed attached hereto as Exhibit "A", and deliver fully executed and acknowledged Storm Sewer and Drainage Easement substantially in the form attached hereto as Exhibit "B" ("Easement") in and to two parcels totaling 0.063 of land, which land is more fully described in the form of Easement attached hereto as Exhibit "B", all free and clear of any and all liens and restrictions, except for those matters set forth in the Deed and the Easement, respectively. The real property described in the Deed and the Easement is collectively referred to herein as the "Property."

2. As consideration and a required condition for Owner's execution and delivery of the executed Deed and Easement, City shall approve and execute an Ordinance Vacating, Abandoning, Releasing and Closing ("Ordinance") for certain portions of CR 112 which are identified in Exhibit "C" ("Abandoned Road"). The final area of the Abandoned Road shall be determined by field note survey ("Survey") to be completed within forty-five (45) days following full execution of this letter agreement ("Agreement") by and at the cost of the City of Round Rock, and shall be attached to the Ordinance prior to execution and filing. Owner shall have the right to review and approve the Survey, which approval shall not be unreasonably

withheld, conditioned, or delayed. The Ordinance shall be granted in the form as set out in Exhibit "D". The Ordinance shall be adopted and the Abandoned Road vacated, abandoned, released, and closed by City in compliance with all applicable law and City represents that, upon adoption, the Ordinance will grant fee simple title of the Abandoned Road to Owner by operation of law; provided, however, that City shall execute any additional instruments or documents reasonably requested by Owner to evidence or effectuate such transfer.

This Agreement shall be deemed to constitute a request of the Owner for closure of the portions of CR 112 shown herein, and acknowledgment that Owner is also the owner of the property that abuts the portion of the CR 112 roadway proposed to be closed, abandoned and vacated.

3. The closing (the "Closing") and recording of the executed Deed, Easement, and Ordinance shall occur simultaneously. If requested by City, the Closing and completion of this transaction shall take place at Longhorn Title Company ("Title Company") within thirty (30) days after adoption of the Ordinance, or at other date and time agreed to between the parties. Notwithstanding the forgoing, in the event the Ordinance is not adopted within ninety (90) days of the date of this letter, Owner shall have the right to terminate this Agreement at any time prior to the execution of the Ordinance by written notice to City, in which case the parties shall have no further obligations hereunder.

4. Upon request Owner shall provide reasonable assistance, at no cost to Owner, to cause the Title Company to issue a policy of title insurance, with standard printed exceptions, to City in completion of this transaction. City shall be responsible for all fees and costs associated with this transaction, except that each party shall be responsible for any attorney's fees they incur. Owner shall assist City and Title Company with any curative measures or mortgage lien joinder, consent or subordination required as a condition of the Closing.

5. So long as this Agreement remains in effect, City shall have the right to enter upon or access the Property for the purposes of conducting non-invasive testing of the Property, including, without limitation, any topographic surveys, geo-technical analysis, and Phase I environmental site assessments. Any invasive testing of the Property shall require Owner's prior written consent, which may be withheld, conditioned, or delayed in Seller's sole discretion. All inspection fees, appraisal fees, engineering fees and other costs and expenses of any kind incurred by City relating to such inspections of the Property will be City's sole expense. If City or its inspectors, employees or contractors materially alter the Property's condition, City will immediately restore the Property to substantially the same condition as it was in before City's entry thereon. In addition, City and its representatives will not interfere with Owner's agricultural tenant's (if any) use of the Property and will use ordinary care not to injure or destroy the crops of Owner's agricultural tenant (if any). City agrees to reimburse Owner's agricultural tenants for damage done to such crops arising from City's activities. Prior to performing any inspection or test, City shall deliver a certificate of insurance to Owner evidencing that City and its contractors, agents and representatives have in place reasonable amounts of commercial general liability insurance and workers compensation insurance for its activities on the Property in terms and amounts reasonably satisfactory to Owner covering any accident arising in connection with the presence of City, its contractors, agents and

representatives on the Property, which insurance shall name Owner as an additional insured thereunder.

6. To the extent allowed by law City, its agents and contractors agree to release, indemnify, and otherwise hold Owner harmless from any damages or other losses to owner or any third party resulting from any acts or omissions performed under the limited right of possession herein. The parties further agree to continue to use diligence in assisting with any title curative or lienholder consent measures required by this Agreement to expeditiously complete the Closing of the purchase transaction.

7. General real estate taxes applicable to the property to be conveyed by the Deed shall be the continuing obligation of Owner to the extent relating to the time period on and prior to the date of Closing. Agricultural roll-back taxes, if any, which directly result from the completion of this transaction and conveyance shall be paid by City.

8. City shall be responsible for all costs and expenses of closing in consummating the transactions contemplated by this Agreement, except that each party shall be responsible for its own attorney's fees.

9. This Agreement is being made, and the Deed and Easement are being delivered, in lieu of condemnation.

10. In the event Owner shall fail to fully and timely perform any of its obligations hereunder or shall fail to consummate the sale of the Property for any reason, except City's default, City may, as its exclusive remedies: (1) enforce specific performance of this Agreement; or (2) terminate this Agreement.

If this meets with your understanding, please have the appropriate Owner parties execute this letter where indicated and return it to me, and we will have this approved and signed by the City and process this for completion as quickly as possible.

Please feel free to contact me at any time if you have any questions or concerns about these issues.

Very truly yours,

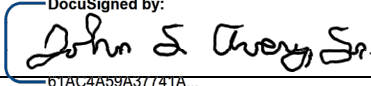
Don Childs
Sheets & Crossfield, PLLC

[agreement signature pages follow]

OWNER:

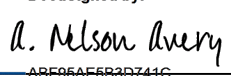
AVERY RANCH COMPANY, LTD.,
A Texas limited partnership


By: CJAC, Inc., a Texas corporation,
Its: General Partner

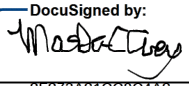
DocuSigned by:

By: _____
Name: John S. Avery
Its: President
Date: 9/12/2023

DocuSigned by:

John S. Avery, **Trustee of the**
John S. Avery Exempt Trust
Date: 9/12/2023

DocuSigned by:

A. Nelson Avery, **Trustee of the**
A. Nelson Avery Exempt Trust
Date: 9/12/2023

DocuSigned by:

Lucille Christina Avery Fell, **Trustee of the**
Lucille Christina Avery Fell Exempt Trust
Date: 9/12/2023

DocuSigned by:

Marta C. Avery, **Trustee of the**
Marta C. Avery Exempt Trust, a sub-trust of the
Charles N. Avery III Exempt Trust under the
LSA Trust Agreement effective December 24, 1992
Date: 9/12/2023

Address: c/o Armbrust & Brown, PLLC
Attn: Kevin M. Flahive
100 Congress Ave., Suite 1300
Austin, Texas 78701

ACCEPTED AND AGREED:

CITY OF ROUND ROCK, TEXAS

By: _____
Laurie Hadley, City Manager

EXHIBIT “A” FORM OF DEED FOLLOWS

SPECIAL WARRANTY DEED

CR 112 Right of Way

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

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 IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

That **AVERY RANCH COMPANY, LTD.**, a Texas limited partnership; Marta C. Avery, Trustee of the **MARTA C. AVERY EXEMPT TRUST**, a sub-trust of the Charles N. Avery III Exempt Trust under the LSA Trust Agreement effective December 24, 1992; John S. Avery, Trustee of the **JOHN S. AVERY EXEMPT TRUST**; A. Nelson Avery, Trustee of the **A. NELSON AVERY EXEMPT TRUST**; and Lucille Christina Avery Fell, Trustee of the **LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST**, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by City of Round Rock, Texas, the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Bargain, Sell and Convey unto the **CITY OF ROUND ROCK, TEXAS**, hereinafter referred to as Grantee, all that certain tract or parcel of land lying and being situated in the County of Williamson, State of Texas, along with any improvements thereon, being more particularly described as follows (the "Property"):

All of that certain 0.357-acre (15,534 square foot) tract of land out of and situated in the Thomas Toby Survey, Abstract No. 625 (Seaborn Travis S-141) and the Thomas Glasscock Survey, Abstract No. 255, in Williamson County, Texas, more fully described in Exhibit "A", attached hereto and incorporated herein; together with

All of that certain 0.039-acre (1,713 square foot) tract of land out of and situated in the Willis Donahoe Survey, Abstract No. 173, in Williamson County, Texas; more fully described in Exhibit "B", attached hereto and incorporated herein.

SAVE AND EXCEPT, HOWEVER, it is expressly understood and agreed that Grantor is retaining title to the following improvements located on the Property: NONE

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Visible and apparent easements not appearing of record;

Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show;

Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Williamson County, Texas, that affect the Property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas and other minerals in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling or pumping the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside the acquired parcel and upon the condition that none of such operations shall be conducted so near the surface of said land as to interfere with the intended use thereof or in any way interfere with, jeopardize, or endanger the facilities of Grantee or create a hazard to the public users thereof; it being intended, however, that nothing in this reservation shall affect the title and the rights of Grantee to take and use without additional compensation any, stone, earth, gravel, caliche, iron ore, gravel or any other road building material upon, in and under said land for the construction and maintenance of County Road 112.

TO HAVE AND TO HOLD the Property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and its assigns forever; and, subject to the matters set forth herein, Grantor does hereby bind itself and its successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto Grantee and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

Except as otherwise set forth herein and in the Real Estate Contract between Grantor and Grantee for the Property (the “Contract”), the Property is being conveyed and sold by Grantor and purchased and accepted by Grantee on an “as-is, where-is and with all faults” basis, and with any and all conditions and defects which may exist, and without the existence of and without reliance upon any representation, warranty, agreement, or statement by Grantor or anyone acting on behalf of Grantor including, without limitation, any broker, engineer, surveyor, appraiser or environmental consultants. Grantee has the right under the terms of the Contract to thoroughly inspect and examine the property to the extent deemed necessary by Grantee in order to enable Grantee to evaluate the purchase of the Property for Grantee’s intended use. Grantee is relying solely upon such inspections, examinations and evaluations of the Property by Grantee and/or Grantee’s representatives in purchasing the Property and shall hold Grantor harmless of any and all existing conditions and defects relative to the Property.

[signature pages follow]

EXECUTED AND DELIVERED to be effective this ____ day of _____, 2023.

GRANTOR:

AVERY RANCH COMPANY, LTD.,

A Texas limited partnership

By: CJAC, Inc., a Texas corporation,

Its: General Partner

By: _____

John S. Avery

President of CJAC, Inc.

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

This instrument was acknowledged before me on this ____ day of _____, 2023, by **John S. Avery**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of Avery Ranch Company, Ltd., a Texas limited partnership, as the President of CJAC, Inc., its General Partner, and for the purposes and consideration therein expressed and in the capacity therein stated, and that he was authorized to do so.

Notary Public - State of Texas

(Signatures and Acknowledgements of the remaining Grantors follow)

GRANTOR:

**John S. Avery, Trustee of the
John S. Avery Exempt Trust**

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this ____ day of _____, 2023, by
John S. Avery, Trustee of the John S. Avery Exempt Trust.

Notary Public - State of Texas

GRANTOR:

**A. Nelson Avery, Trustee of the
A. Nelson Avery Exempt Trust**

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

20

This instrument was acknowledged before me on this ____ day of _____, 2023, by **A. Nelson Avery**, Trustee of the A. Nelson Avery Exempt Trust.

Notary Public - State of Texas

GRANTOR:

**Lucille Christina Avery Fell, Trustee of the
Lucille Christina Avery Fell Exempt Trust**

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this ____ day of _____, 2023, by
Lucille Christina Avery Fell, Trustee of the Lucille Christina Avery Fell Exempt Trust.

Notary Public - State of Texas

GRANTOR:

Marta C. Avery, **Trustee of the**
Marta C. Avery Exempt Trust, a sub-trust of the
Charles N. Avery III Exempt Trust under the LSA Trust
Agreement effective December 24, 1992

CALIFORNIA ACKNOWLEDGMENT:

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACCEPTED AND AGREED TO BY:

CITY OF ROUND ROCK, TEXAS:

By:_____

Name: _____

Its: _____

ACKNOWLEDGEMENT

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on this the ____ day of _____, 2023 by _____, in the capacity and for the purposes and consideration recited therein.

Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Sheets & Crossfield, PLLC
309 East Main
Round Rock, Texas 78664

GRANTEE'S MAILING ADDRESS:

City of Round Rock
Attn: City Clerk
221 E. Main Street
Round Rock, Texas 78664

AFTER RECORDING RETURN TO:

County: Williamson
Parcel : 2-Part 1 - Avery Exempt Trust
Highway: C.R. 112

Page 1 of 5
 Rev. 07-23-23
 Rev. 08-13-2023

EXHIBIT A PROPERTY DESCRIPTION

DESCRIPTION OF A 0.357 ACRE (15,534 SQUARE FOOT) PARCEL OF LAND SITUATED IN THE THOMAS TOBY SURVEY, ABSTRACT NO. 625 (SEABORN TRAVIS S-141) AND THE THOMAS GLASSCOCK SURVEY, ABSTRACT NO. 255 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 1.660 ACRE (TRACT 3) OF LAND DESCRIBED IN A TRUSTEE'S DEED TO MARTA C. AVERY EXEMPT TRUST RECORDED IN DOCUMENT NO. 2021038922, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, PER TITLE GF NO. GT2201282 THE RECORD TITLE TO THE ABOVE MENTIONED LAND APPEARS TO BE VESTED IN CHARLES NEEDHAM AVERY, III, TRUSTEE OF THE EXEMPTION EQUIVALENT TRUST, CREATED UNDER THE WILL OF CHARLES NEEDHAM AVERY, JR., DECEASED: AVERY RANCH COMPANY, LTD: JOHN S. AVERY, CHARLES N. AVERY, III, A. NELSON AVERY, AND LUCILLE CHRISTINA AVERY FELL, TRUSTEES OF THE CHILDREN OF LUCILLE SHARP AVERY EXEMPT TRUSTS "LSA TRUST", WHICH ENCOMPASS THE FOLLOWING TRUSTS: THE JOHN S. AVERY EXEMPT TRUST, THE CHARLES N. AVERY III EXEMPT TRUST, THE A. NELSON AVERY EXEMPT TRUST AND THE LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST; MARTA C. AVERY, AS TRUSTEE OF THE MARTA C. AVERY EXEMPT TRUST, A SUB-TRUST OF THE CHARLES N. AVERY III EXEMPT TRUST UNDER THE LSA TRUST, SAID 0.357 ACRE (15,534 SQUARE FOOT) PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with aluminum cap stamped "CORR-ROW" set 78.00 feet right of County Road (C.R.) 112 Baseline Station 12+27.29 in the proposed southerly ROW line of said C.R. 112 (variable width ROW), at its intersection with the existing easterly Right-of-Way (ROW) line of A.W. Grimes Boulevard (F.M. 1460) (variable width ROW), (Grid Coordinates determined as N=10,177,061.81 E=3,142,633.40), same line the westerly boundary line of said 1.660 acre tract, for the southwesterly corner and **POINT OF BEGINNING** of the herein described parcel;

- 1) **THENCE**, with said existing easterly ROW line of A.W. Grimes Boulevard, same line being the westerly boundary line of said 1.660 acre tract, with a curve to the left, having a radius of **1,185.92** feet, a delta angle of **00°58'01"**, an arc length of **20.02** feet, and a chord which bears **N 05°22'25" E**, a distance of **20.01** feet to a TxDOT Type II concrete monument found at its intersection with the existing southerly ROW line of C.R. 112 (variable width ROW), same line being the southerly boundary line of that called 3.403 acre ROW tract of land (Tract 2) described in Donation Deed to Williamson County, Texas recorded in Document No. 2005010992, of the Official Public Records of Williamson County, Texas, for the northwesterly corner of the herein described parcel;

THENCE, departing the existing ROW line of said A.W. Grimes Boulevard, with the existing southerly ROW line of said C.R. 112 and said 3.403 acre ROW tract, same line being the northerly boundary line of said 1.660 acre tract, the following two (2) courses:

- 2) **N 85°03'43" E** for a distance of **555.77** feet to a calculated angle point hereof;
- 3) **N 80°29'16" E** for a distance of **178.74** feet to a calculated point, being the intersection of said existing southerly ROW line of C.R. 112 and the existing northerly ROW line of Old C.R. 112 (variable width ROW), same point being the most easterly corner of said 1.660 acre tract, for the most easterly corner of the herein described parcel;
- 4) **THENCE, S 68°55'03" W** departing said existing southerly ROW line of C.R. 112 and said 3.403 acre ROW tract, with the northerly ROW line of said Old C.R. 112, same line being the southerly boundary line of said 1.660 acre tract, for a distance of **98.26** feet to an iron rod with aluminum cap stamped "CORR-ROW" set 83.00 feet right of C.R. 112 Baseline Station 18+62.86, in said proposed southerly ROW line, for the southeasterly corner of the herein described parcel;

County: Williamson
Parcel : 2-Part 1 - Avery Exempt Trust
Highway: C.R. 112

Page 2 of 5
Rev. 07-23-23
Rev. 08-13-2023

THENCE, departing the existing northerly ROW line of said Old C.R. 112, with said proposed southerly ROW line, through the interior of said 1.660 acre tract, the following four (4) courses:

- 5) With a curve to the right having a radius of **3,583.00** feet, a delta angle of **05°32'53"**, an arc length of **346.95** feet, and a chord which bears **S 82°44'52" W**, a distance of **346.81** feet to an iron rod with aluminum cap stamped "CORR-ROW" set 83.00 feet right of C.R. 112 Baseline PC Station 15+23.95, for a point of tangency;
- 6) **S 85°31'18" W** for a distance of **47.43** feet to an iron rod with aluminum cap stamped "CORR-ROW" set 83.00 feet right of C.R. 112 Baseline PC Station 14+76.52, for an angle point;
- 7) **N 04°28'42" W** for a distance of **5.00** feet to an iron rod with aluminum cap stamped "CORR-ROW" set 78.00 feet right of C.R. 112 Baseline PC Station 14+76.52, for an angle point;
- 8) **S 85°31'18" W** for a distance of **249.23** feet to the **POINT OF BEGINNING**, containing 0.357 acres (15.534 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a surface-to-grid combined adjustment factor of 0.99988073.

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

§ KNOW ALL MEN BY THESE PRESENTS:

That I, Miguel A. Escobar, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and the property described herein was determined by a survey made on the ground during the months of January to March 2020, under the direct supervision of M. Stephen Truesdale, LSLs, RPLS No. 4933.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas on this 13th of Aug, 2023,
A.D.

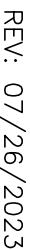
INLAND GEODETICS

Wey-Hsiung

Miguel A. Escobar, L.S.L.S., R.P.L.S.
Texas Reg. No. 5630
1504 Chisholm Trail Rd #103
Round Rock, TX 78681
TBPELS Firm No. 10059100



EXHIBIT A



WILLIS DONAHOE SURVEY
ABSTRACT NO. 173

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

SCALE
1" = 100'

WILLIAMSON COUNTY

PROJECT
CR 112

PARCEL 2
PART 1
0.357 AC.
15,534 SQ. FT.

EXHIBIT A

PLAT TO ACCOMPANY DESCRIPTION

1) BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (NAD_83 (2011)). ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A SURFACE-TO-GRID COMBINED ADJUSTMENT FACTOR OF 0.99988073.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. GT2201282, ISSUED BY TEXAN TITLE INSURANCE COMPANY, EFFECTIVE DATE APRIL 4, 2023, ISSUE DATE APRIL 12, 2023.

RESTRICTIVE COVENANTS: DOCUMENT NOS. 2005195413 & 2008012152, DO NOT AFFECT, 2008090686 & 2010059641, SUBJECT TO, 2010077360 & 2012100506, DO NOT AFFECT, 2014016951, 2014101656 AND 2020151463, SUBJECT TO, AND 2021041050, DOES NOT AFFECT, ALL OFFICIAL PUBLIC RECORDS, WILLAMSON COUNTY, TEXAS BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT THE COVENANT, CONDITION OR RESTRICTION (A) IS EXEMPT UNDER TITLE 42 OF THE UNITED STATES CODE, OR (B) RELATES TO HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS.

- A. EASEMENT DATED JULY 1, 1940, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 304, PAGE 258, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- B. EASEMENT DATED JULY 4, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- J. EASEMENT DATED JUNE 15, 1928, TO LONE STAR GAS COMPANY, RECORDED IN VOLUME 238, PAGE 184, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- K. EASEMENT DATED APRIL 15, 1963, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 459, PAGE 114, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- P. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077361, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.
- S. EASEMENT DATED SEPTEMBER 25, 1952, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 386, PAGE 664, DEED RECORDS, WILLAMSON COUNTY, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- U. EASEMENT DATED JANUARY 7, 1964, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 465, PAGE 450, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- V. EASEMENT DATED AUGUST 23, 1972, TO JONAH WATER SUPPLY CORPORATION, RECORDED IN VOLUME 563, PAGE 574, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- X. EASEMENT DATED JUNE 16, 1981, TO SEMINOLE PIPELINE, RECORDED IN VOLUME 840, PAGE 699, DEED RECORDS AND AMENDED IN VOLUME 2169, PAGE 795, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- Y. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2008090686, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.
- Z. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014016951, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.
- AA. EASEMENT RIGHTS AS SET OUT IN RESTRICTIONS RECORDED UNDER DOCUMENT NO. 2014101656, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

REV: 07/26/2023



PARCEL PLAT SHOWING PROPERTY OF		
AVERY EXEMPT TRUST		
SCALE	PROJECT	PARCEL 2
1" = 100'	CR 112	PART 1 0.357 AC. 15,534 SQ. FT. PAGE 4 OF 5

LEGEND

PLAT TO ACCOMPANY DESCRIPTION

○	IRON ROD WITH ALUMINUM CAP	↔	DENOTES COMMON OWNERSHIP
⊗	STAMPED "CORR-ROW" SET	P.O.B.	POINT OF BEGINNING
⊗	IRON ROD WITH PLASTIC CAP	()	RECORD INFORMATION
●	FOUND - AS NOTED	P.R.W.C.T.	PLAT RECORDS
●	1/2" IRON ROD FOUND	WILLAMSON COUNTY, TEXAS	
⊠	TYDOT TYPE II CONCRETE MONUMENT FOUND	D.R.W.C.T.	DEED RECORDS
Δ	CALCULATED POINT	WILLAMSON COUNTY, TEXAS	
⊠	PROPERTY LINE	O.R.W.C.T.	OFFICIAL RECORDS
⊠	LINE BREAK	WILLAMSON COUNTY, TEXAS	
		O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS
		WILLAMSON COUNTY, TEXAS	

GG. TERMS, CONDITIONS, AND STIPULATIONS OF THAT CERTAIN DRAINAGE, CONVEYANCE AND EASEMENT AGREEMENT DATED 12/09/2022 AND RECORDED UNDER DOCUMENT NO. 2022135877, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

HH. EASEMENT AND RIGHT OF WAY DATED OCTOBER 31, 1985, EXECUTED BY CHARLES N. AVERY, JR. TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 727, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

II. EASEMENT AND RIGHT OF WAY DATED OCTOBER 31, 1985, EXECUTED BY CHARLES N. AVERY, JR. TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 731, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

JU. GRANT OF EASEMENT DATED JULY 23, 1981, EXECUTED BY CHARLES NEEDHAM AVERY, JR. ET AL TO SEMINOLE PIPELINE COMPANY, RECORDED IN VOLUME 849, PAGE 170, DEED RECORDS AND AS AFFECTED BY SUPPLEMENTAL PIPELINE RIGHT-OF-WAY AGREEMENT RECORDED IN VOLUME 2207, PAGE 429, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

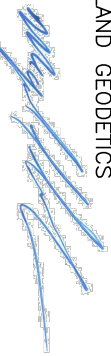
KK. EASEMENT DATED JULY 4, 1961, EXECUTED BY C. N. AVERY, JR. ET AL TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.

LL. WATERLINE EASEMENT DATED MARCH 9, 2007, EXECUTED BUY AVERY RANCH COMPANY, LTD., RECORDED UNDER DOCUMENT NO. 2007038408, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

MM. REUSE WATERLINE EASEMENT DATED NOVEMBER 21, 2013, EXECUTED BY AVERY RANCH COMPANY, LTD. ET AL TO THE CITY OF ROUND ROCK, TEXAS, RECORDED UNDER DOCUMENT NO. (PER TITLE 2017000914) ACTUAL 2014000914, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

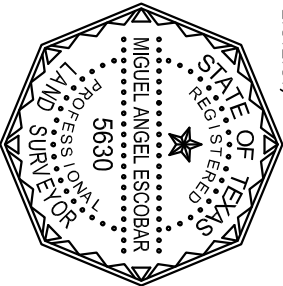
I DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF M. STEPHEN TRUESDALE, L.S.L.S., R.P.L.S. NO. 4933 IN JANUARY TO MARCH 2020.

INLAND GEODETICS



08-13-2023

MIGUEL A. ESCOBAR, L.S.L.S., R.P.L.S.
TEXAS REG. NO. 5630
1504 CHISHOLM TRAIL RD. #103
ROUND ROCK, TX 78681
TBPELS FIRM NO. 10059100



REV: 07/26/2023



PARCEL PLAT SHOWING PROPERTY OF		
AVERY EXEMPT TRUST		
SCALE	1" = 100'	PROJECT
		CR 112
		PARCEL 2
		PART 1
		0.357 AC.
		15,534 SQ. FT.
		PAGE 5 OF 5

County: Williamson
Parcel: 2- Part 2, Avery Exempt Trust
Highway: C.R. 112

Page 1 of 4
01-11-22

EXHIBIT B
PROPERTY DESCRIPTION

DESCRIPTION OF A 0.039 ACRE (1,713 SQUARE FOOT) PARCEL OF LAND SITUATED IN THE WILLIS DONAHOE SURVEY, ABSTRACT NO. 173, BEING A PORTION OF THAT CALLED 250.559 ACRE (TRACT 2) OF LAND DESCRIBED IN A TRUSTEE'S DEED TO MARTA C. AVERY EXEMPT TRUST RECORDED IN DOCUMENT NO. 2021038922 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, PER TITLE GF NO. GT2201282 THE RECORD TITLE TO THE ABOVE MENTIONED LAND APPEARS TO BE VESTED IN CHARLES NEEDHAM AVERY, III, TRUSTEE OF THE EXEMPTION EQUIVALENT TRUST, CREATED UNDER THE WILL OF CHARLES NEEDHAM AVERY, JR., DECEASED: AVERY RANCH COMPANY, LTD: JOHN S. AVERY, CHARLES N. AVERY, III, A. NELSON AVERY, AND LUCILLE CHRISTINA AVERY FELL, TRUSTEES OF THE CHILDREN OF LUCILLE SHARP AVERY EXEMPT TRUSTS "LSA TRUST", WHICH ENCOMPASS THE FOLLOWING TRUSTS: THE JOHN S. AVERY EXEMPT TRUST, THE CHARLES N. AVERY III EXEMPT TRUST, THE A. NELSON AVERY EXEMPT TRUST AND THE LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST; MARTA C. AVERY, AS TRUSTEE OF THE MARTA C. AVERY EXEMPT TRUST, A SUB-TRUST OF THE CHARLES N. AVERY III EXEMPT TRUST UNDER THE LSA TRUST, SAID 0.039 ACRE (1,713 SQUARE FOOT) PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with aluminum cap stamped "CORR-ROW" set 80.92 feet right of County Road (C.R.) 112 Baseline Station 50+51.09 in the existing southerly Right-of-Way (ROW) line of C.R. 112 (variable width ROW), (Grid Coordinates determined as N=10,178,206.71 E=3,146,282.94), same being the northerly boundary line of said 250.559 acre tract, for the northeasterly corner and **POINT OF BEGINNING** of the herein described parcel and from which an iron rod with plastic cap stamped "Baker-Aicklen" found, being in the northerly boundary line of Lot 1, Block A, Final Plat of City View Bible Church, a subdivision of record in Document No. 2016022395, of the Official Public Records of Williamson County, Texas, same being the northerly ROW line of said C.R. 112 bears N 70°06'35" E, at a distance of 985.18 feet to an ell corner in said existing ROW, and S 21°41'41" E, at a distance of 12.50 feet;

THENCE, departing said existing ROW line, with the proposed southerly ROW line of said C.R. 112 (variable width ROW), through the interior of said 250.559 acre tract, the following four (4) courses:

- 1) S 21°36'48" E for a distance of 3.00 feet to an iron rod with aluminum cap stamped "CORR-ROW" set 83.92 feet right of C.R. 112 Baseline Station 50+51.19, for the southeasterly corner of the herein described parcel;
- 2) S 70°06'35" W for a distance of 435.43 feet to an iron rod with aluminum cap stamped "CORR-ROW" set 84.72 feet right of C.R. 112 Baseline Station 46+15.20, for angle point;
- 3) S 68°49'47" W for a distance of 135.42 feet to an iron rod with aluminum cap stamped "CORR-ROW" set 86.77 feet right of C.R. 112 Baseline Station 44+79.20, for the southwesterly corner of the herein described parcel;
- 4) N 21°10'13" W for a distance of 3.00 feet to an iron rod with aluminum cap stamped "CORR-ROW" set 83.77 feet right of C.R. 112 Baseline Station 44+79.17, being in the existing southerly ROW line of said C.R. 112, same being the northerly boundary line of said 250.559 acre tract, for the northwesterly corner of the herein described parcel;

THENCE, with said existing southerly ROW line, same being the northerly boundary line of said 250.559 acre tract, the following two (2) courses:

- 5) N 68°49'47" E for a distance of 135.46 feet for a calculated angle point hereof;
- 6) N 70°06'35" E, for a distance of 435.37 feet to the **POINT OF BEGINNING**, containing 0.039 acres (1,713 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

That I, M. Stephen Truesdale, 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 direct supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale
M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics
Firm Registration No: 100591-00
1504 Chisholm Trail Road, Suite 103
Round Rock, TX 78681

Date

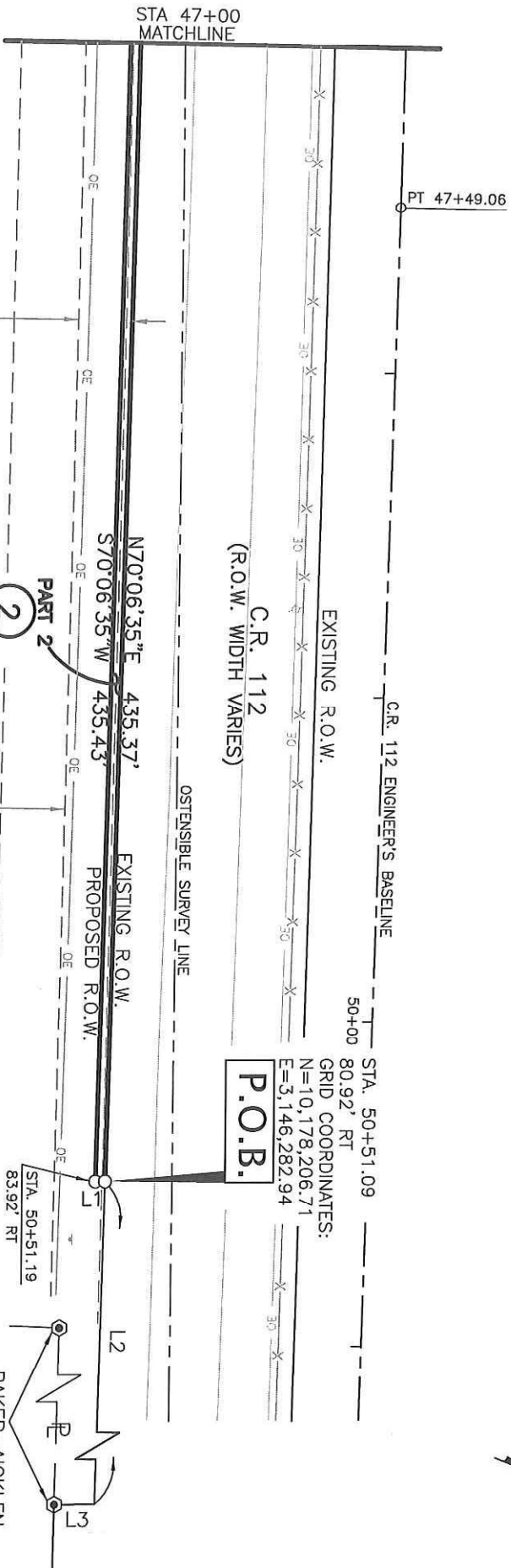
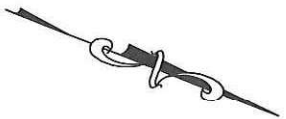


EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION

NO.	DIRECTION	DISTANCE
L1	S21°36'48"E	3.00'
L2	N70°06'35"E	985.18'
L3	S21°41'41"E	12.50'

THOMAS GLASSCOCK SURVEY
ABSTRACT NO. 255



ATMOS ENERGY CORP.
EASEMENT & RIGHT-OF-WAY
DOC. NO. 2010077361
O.P.R.W.C.T.

WATERLINE EASEMENT TO
CITY OF ROUND ROCK
EXHIBIT "A", TRACT C
DOC. NO. 2007038408,
O.P.R.W.C.T.

WILLIS DONAHOE SURVEY
ABSTRACT NO. 173

MARTA C. AVERY EXEMPT TRUST
TRACT 2
(250.559 AC.)
DOC. NO. 2021038922
O.P.R.W.C.T.

LOT 1
BLOCK A
(20.00 ACRES)
FINAL PLAT OF
CITYVIEW BIBLE
CHURCH
DOC. NO. 2016022395
O.P.R.W.C.T.

**INLAND
GEODETICS**
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD., STE. 103
ROUND ROCK, TX. 78681
PH (512) 238-1200, FAX (512) 238-1251
FIRM REGISTRATION NO. 100591-00

SCALE
1" = 50'

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

WILLAMSON COUNTY

PROJECT
CR 112

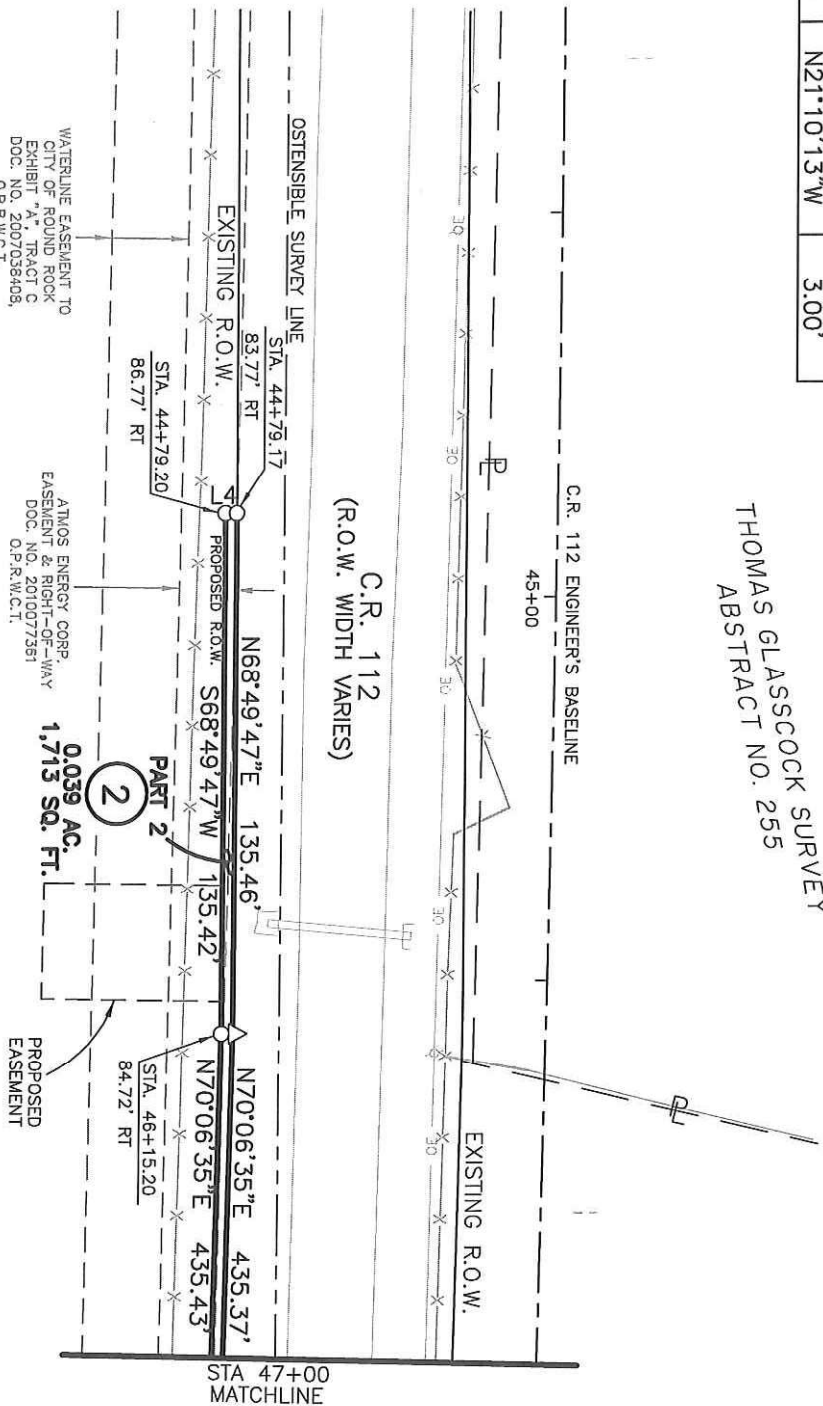
01/13/2023
**PARCEL 2
PART 2
0.039 AC.
1,713 SQ. FT.**
PAGE 3 OF 5

S:\PPS NORTH-AMERICA\CR 112\PARCELS\PARCEL 2\2-PART 2&2E\PARCEL 2-PART 2-AVERY-TRUST.dwg

EXHIBIT B
PLAT TO ACCOMPANY DESCRIPTION

NO.	DIRECTION	DISTANCE
L4	N21°10'13"W	3.00'

THOMAS GLASSCOCK SURVEY
ABSTRACT NO. 255



WILLIS DONAHOE SURVEY
ABSTRACT NO. 173

MARTA C. AVERY EXEMPT TRUST
TRACT 2
(250.559 AC.)
DOC. NO. 2021038922
O.P.R.W.C.T.

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

WILLAMSON COUNTY

PROJECT
CR 112

PARCEL 2
PART 2
0.039 AC.
1.713 SQ. FT.
PAGE 2 OF 5

SCALE
1" = 50'

INLAND GEODETICS
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
PH. (512) 238-1200, FAX (512) 238-1251
FIRM REGISTRATION NO. 100591-00

01/13/2023

EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION

1) ALL BEARINGS SHOWN HEREON ARE BASED ON GRID BEARING. ALL DISTANCES ARE SURFACE DISTANCES. COORDINATES ARE SURFACE VALUES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. GT2201282, ISSUED BY TEXAN TITLE INSURANCE COMPANY, EFFECTIVE DATE OCTOBER 19, 2022, ISSUE DATE OCTOBER 27, 2022.

1. RESTRICTIVE COVENANTS: DOCUMENT NOS. 2005195413, 2008012152, 2010077360, 2012100506, AND 2021041050, DO NOT AFFECT, 2008090686, 2010059641, 2014016951, 2014101656, AND 2020151463, OFFICIAL PUBLIC RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

10A. EASEMENT DATED JULY 1, 1940, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 304, PAGE 258, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

B. EASEMENT DATED JULY 4, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

C. EASEMENT DATED JANUARY 6, 2014, TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014000914, AS FURTHER AFFECTED BY DOCUMENT NO. 2021185105, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DO NOT AFFECT.

J. EASEMENT DATED JUNE 15, 1928, TO LONE STAR GAS COMPANY, RECORDED IN VOLUME 238, PAGE 184, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

K. EASEMENT DATED APRIL 15, 1963, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 459, PAGE 114, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

L. TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN BOUNDARY LINE AGREEMENT DATED NOVEMBER 15, 1983, BY AND BETWEEN JOHN H. MAY AND WIFE, GRACE JOSEPHINE MAY AND CHARLES NEEDHAM AVERY, JR., ET AL, RECORDED IN VOLUME 958, PAGE 772, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

M. EASEMENT DATED OCTOBER 31, 1985, TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 727, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

N. EASEMENT DATED OCTOBER 31, 1985, TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 731, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

O. EASEMENT DATED MARCH 9, 2007, TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2007038408, AND FURTHER AFFECTED BY DOCUMENT NO. 2021185104, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

P. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077361, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

Q. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077362, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

R. EASEMENT DATED JULY 13, 2015, TO THE CITY OF ROUND ROCK, TEXAS, RECORDED UNDER DOCUMENT NO. 2015060913 AND FURTHER AFFECTED BY DOCUMENT NO. 2019096663, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DO NOT AFFECT.

S. EASEMENT DATED SEPTEMBER 25, 1952, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 386, PAGE 664, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.



SCALE
1" = 50'

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

WILLAMSON COUNTY

PROJECT
CR 112

01/13/2023
PARCEL 2
PART 2
0.039 AC.
1.713 SQ. FT.
PAGE 4 OF 5

EXHIBIT B

LEGEND

PLAT TO ACCOMPANY DESCRIPTION

○	IRON ROD WITH ALUMINUM CAP	↔	DENOTES COMMON OWNERSHIP
⊙	STAMPED "CORR-ROW" SET	P.O.B.	POINT OF BEGINNING
⊙	IRON ROD WITH PLASTIC CAP	()	RECORD INFORMATION
●	FOUND - AS NOTED	P.R.W.C.T.	PLAT RECORDS
⊙	1/2" IRON ROD FOUND	D.R.W.C.T.	WILLAMSON COUNTY, TEXAS
⊙	TYDOT TYPE II CONCRETE	O.R.W.C.T.	DEED RECORDS
⊙	MONUMENT FOUND	O.P.R.W.C.T.	WILLAMSON COUNTY, TEXAS
Δ	CALCULATED POINT		OFFICIAL PUBLIC RECORDS
⊙	PROPERTY LINE		WILLAMSON COUNTY, TEXAS
⊙	LINE BREAK		

T. EASEMENT DATED AUGUST 16, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 446, PAGE 303, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

U. EASEMENT DATED JANUARY 7, 1964, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 465, PAGE 450, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

V. EASEMENT DATED AUGUST 23, 1972, TO JONAH WATER SUPPLY CORPORATION, RECORDED IN VOLUME 563, PAGE 574, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

W. EASEMENT DATED OCTOBER 22, 1980, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 819, PAGE 351, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

X. EASEMENT DATED JUNE 16, 1981, TO SEMINOLE PIPELINE, RECORDED IN VOLUME 840, PAGE 699, DEED RECORDS AND AMENDED IN VOLUME 2169, PAGE 795, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

Y. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2008090686, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

Z. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014016951, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

AA. EASEMENT RIGHTS AS SET OUT IN RESTRICTIONS RECORDED UNDER DOCUMENT NO. 2014101656, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

M. Stephen Truesdale 20 Jan 2023

M. STEPHEN TRUESDALE DATE REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933

INLAND GEODETICS
FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TEXAS 78681



PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST



SCALE
1" = 50'

WILLAMSON COUNTY

PROJECT
CR 112

01/13/2023
PARCEL 2
PART 2
0.039 AC.
1.713 SQ. FT.
PAGE 5 OF 5

EXHIBIT “B” FORM OF EASEMENT FOLLOWS

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.

STORM SEWER AND DRAINAGE EASEMENT

THE STATE OF TEXAS

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF WILLIAMSON

§

§

That **AVERY RANCH COMPANY, LTD.**, a Texas limited partnership; Marta C. Avery, Trustee of the **MARTA C. AVERY EXEMPT TRUST**, a sub-trust of the Charles N. Avery III Exempt Trust under the LSA Trust Agreement effective December 24, 1992; John S. Avery, Trustee of the **JOHN S. AVERY EXEMPT TRUST**; A. Nelson Avery, Trustee of the **A. NELSON AVERY EXEMPT TRUST**; and Lucille Christina Avery Fell, Trustee of the **LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST**, whose address is _____, and their successors and assigns (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash in hand paid and other good and valuable consideration paid to Grantor by **CITY OF ROUND ROCK, TEXAS**, its agents and assigns (hereinafter referred to as "Grantee"), receipt of which consideration is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these premises does hereby GRANT, SELL and CONVEY unto Grantee a perpetual easement interest in, on, over, upon, above and across the following property (collectively the "Easement Area"), to wit:

Being a 0.031-acre (1,364 square feet) tract of land out of the Willis Donahoe Survey, Abstract No. 173, Williamson County, Texas; said tract being more particularly described by metes and bounds and by sketch as set forth in Exhibit "A," attached hereto and incorporated herein by reference for all purposes **(Parcel 1-E Part 1).**

Being a 0.032-acre (1,410 square feet) tract of land out of the Willis Donahoe Survey, Abstract No. 173, Williamson County, Texas; said tract being more particularly described by metes and bounds and by sketch as set forth in Exhibit "B," attached hereto and incorporated herein by reference for all purposes **(Parcel 1-E Part 2).**

The perpetual easement, right-of-way, rights and privileges herein granted shall be used for the purposes of location, placement, relocation, construction, operation, enlargement, maintenance, alteration, repair, rebuilding, removal and patrol of storm sewer utilities and drainage facilities, to-wit: open drainage channel and storm sewers and collection facilities, drainage pipes and all other surface and subsurface drainage structures, lines, connecting lines, access facilities and related equipment, all necessary conduits, valves, vaults, manholes, ventilators and appurtenances, and any necessary accessories thereto (collectively the "Facilities").

This conveyance is made and accepted subject to any and all conditions and restrictions, if any, relating to the hereinabove described property to the extent, and only to the extent, that the same may still be in force and effect and shown of record in the office of the County Clerk of Williamson County, Texas.

Except as otherwise noted, the easement, rights and privileges herein granted shall be perpetual, provided however that said easement, rights, and privileges shall cease and revert to Grantors in the event the utilities are abandoned, or shall cease to be used, for a period of five (5) consecutive years.

The perpetual easement, right-of-way, rights, and privileges granted herein are exclusive, and Grantor covenants not to convey any other easement or conflicting rights within the Easement Area, without the express written consent of Grantee, which consent shall not be unreasonably withheld. Grantee shall have the right to review any proposed easement or conflicting use to determine the effect, if any, on the utilities contemplated herein. Prior to granting its consent for other easements, Grantee may require reasonable safeguards to protect the integrity of the utilities and Facilities thereon.

Grantor further grants to Grantee:

- (a) the right to install additional Facilities in the Easement Area;
- (b) the right to grade the Easement Area for the full width thereof ;
- (c) the right of ingress to and egress from the Easement Area over and across Grantor's property by means of roads and lanes thereon, if such exist; otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor; provided, however, that such right of ingress and egress across Grantor's property shall only be used if access to the Easement Area is not otherwise reasonably available from adjacent public right of way;
- (d) the right of grading for, construction, maintaining and using such roads on and across the Easement Area as Grantee may deem necessary for purposes of ingress and egress;
- (e) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter on the Easement Area and to trim and to cut down and clear away any trees on either side of the Easement Area which now or hereafter in the opinion of Grantee may be a hazard to any pipeline, valves, appliances, fittings, or other improvements by reason of the danger of falling thereon or root infiltration therein, or which may otherwise interfere with the exercise of Grantee's rights hereunder, provided, however, that all trees which Grantee is hereby authorized to cut and remove, if valuable for timber or firewood, shall continue to be the property of Grantor, but all tops, lops, brush and refuse wood shall be burned or removed by Grantee;
- (f) the right to mark the location of the Easement Area by suitable markers set in the ground; provided that such markers shall be placed in fences or other locations which will not interfere with any reasonable use Grantor shall make of the Easement Area;

Grantee hereby covenants and agrees:

- (a) Grantee shall not fence the Easement Area; and
- (b) Grantee shall promptly backfill any trench made by it on the Easement Area and repair any damage it shall do to Grantors private roads or lanes on the lands.

It is understood and agreed that any and all equipment and Facilities placed upon said property shall remain the property of Grantee.

Grantor hereby dedicates the easement as drainage and storm sewer easement for the purposes stated herein.

TO HAVE AND TO HOLD the rights and interests described unto Grantee and its successors and assigns, forever, together with all and singular all usual and customary rights thereto in anywise belonging, and together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing or maintaining said utilities and for making connections therewith, and Grantor does hereby bind itself, it's successors and assigns and legal representatives, to WARRANT AND FOREVER DEFEND, all and singular, the said easement and rights and interests unto the City of Round Rock, Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

[signature pages follow]

EXECUTED AND DELIVERED to be effective this ____ day of _____, 2023.

GRANTOR:

AVERY RANCH COMPANY, LTD.,
A Texas limited partnership

By: CJAC, Inc., a Texas corporation,
Its: General Partner

By: _____
John S. Avery
President of CJAC, Inc.

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this ____ day of _____, 2023, by **John S. Avery**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of Avery Ranch Company, Ltd., a Texas limited partnership, as the President of CJAC, Inc., its General Partner, and for the purposes and consideration therein expressed and in the capacity therein stated, and that he was authorized to do so.

Notary Public - State of Texas

(Signatures and Acknowledgements of the remaining Grantors follow)

GRANTOR:

**John S. Avery, Trustee of the
John S. Avery Exempt Trust**

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this _____ day of _____, 2023, by
John S. Avery, Trustee of the John S. Avery Exempt Trust.

Notary Public - State of Texas

GRANTOR:

**A. Nelson Avery, Trustee of the
A. Nelson Avery Exempt Trust**

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this ____ day of _____, 2023, by A. **Nelson Avery**, Trustee of the A. Nelson Avery Exempt Trust.

Notary Public - State of Texas

GRANTOR:

**Lucille Christina Avery Fell, Trustee of the
Lucille Christina Avery Fell Exempt Trust**

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this ____ day of _____, 2023, by
Lucille Christina Avery Fell, Trustee of the Lucille Christina Avery Fell Exempt Trust.

Notary Public - State of Texas

GRANTOR:

Marta C. Avery, **Trustee of the**
Marta C. Avery Exempt Trust, a sub-trust of the
Charles N. Avery III Exempt Trust under the LSA Trust
Agreement effective December 24, 1992

CALIFORNIA ACKNOWLEDGMENT:

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

County: Williamson
Parcel : 2E - Part 1, Avery Exempt Trust
Highway: C.R. 112

Page 1 of 5
08-13-2023

EXHIBIT A
PROPERTY DESCRIPTION

DESCRIPTION OF A 0.031 ACRE (1,364 SQUARE FOOT) PARCEL OF LAND SITUATED IN THE WILLIS DONAHOE SURVEY, ABSTRACT NO. 173, BEING A PORTION OF THAT CALLED 76.411 ACRE OF LAND (TRACT 1) DESCRIBED IN A TRUSTEE'S DEED TO MARTA C. AVERY EXEMPT TRUST RECORDED IN DOCUMENT NO. 2021038922, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, PER TITLE GF NO. GT2201282 THE RECORD TITLE TO THE ABOVE MENTIONED LAND APPEARS TO BE VESTED IN CHARLES NEEDHAM AVERY, III, TRUSTEE OF THE EXEMPTION EQUIVALENT TRUST, CREATED UNDER THE WILL OF CHARLES NEEDHAM AVERY, JR., DECEASED: AVERY RANCH COMPANY, LTD: JOHN S. AVERY, CHARLES N. AVERY, III, A. NELSON AVERY, AND LUCILLE CHRISTINA AVERY FELL, TRUSTEES OF THE CHILDREN OF LUCILLE SHARP AVERY EXEMPT TRUSTS "LSA TRUST", WHICH ENCOMPASS THE FOLLOWING TRUSTS: THE JOHN S. AVERY EXEMPT TRUST, THE CHARLES N. AVERY III EXEMPT TRUST, THE A. NELSON AVERY EXEMPT TRUST AND THE LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST; MARTA C. AVERY, AS TRUSTEE OF THE MARTA C. AVERY EXEMPT TRUST, A SUB-TRUST OF THE CHARLES N. AVERY III EXEMPT TRUST UNDER THE LSA TRUST, SAID 0.031 ACRE (1,364 SQUARE FOOT) PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point 82.97 feet right of County Road (C.R.) 112 Baseline Station 27+37.88 in the existing southerly Right-of-Way (ROW) line of C.R. 112 (variable width ROW), (Grid Coordinates determined as N=10,177,381.32 E=3,144,124.74), being the northeasterly corner of said 76.411 acre tract, same point being the northwesterly corner of that called 250.559 acre tract (Tract 2) described in said deed to Marta C. Avery Exempt Trust, Document No. 2021038922, for the northeasterly corner and **POINT OF BEGINNING** of the herein described parcel and from which an iron rod with aluminum cap stamped "CORR-ROW" set 83.77 feet right of C.R. 112 Baseline Station 44+79.17 bears N 68°49'47" E, at a distance of 1,740.18 feet;

1) **THENCE, S 05°53'40" W**, with the common line of said 76.411 acre tract and said 250.559 acre tract, for a distance of **57.03** feet to a calculated point, for the southeasterly corner of the herein described tract;

THENCE, departing said 250.559 acre tract, through the interior of said 76.411 acre tract, the following two (2) courses:

- 2) **N 84°06'20" W**, for a distance of **30.00** feet to a calculated point, for the southwesterly corner of the herein described tract;
- 3) **N 05°53'40" E**, for a distance of **30.54** feet to a calculated point, being in said existing southerly ROW line of C.R. 112, same being the northerly line of said 76.411 acre tract, for the northwesterly corner of the herein described tract;

THENCE, with said existing ROW line, being the northerly line of said 76.411 acre tract, the following three (3) courses:

- 4) **N 69°04'40" E**, for a distance of **14.26** feet to a calculated angle point;
- 5) **N 20°55'20" W**, for a distance of **10.00** feet to a calculated angle point
- 6) **N 68°49'47" E**, for a distance of **24.47** feet to the **POINT OF BEGINNING**, containing 0.031 acres (1,364 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a surface-to-grid combined adjustment factor of 0.99988073.

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON § KNOW ALL MEN BY THESE PRESENTS:

That I, Miguel A. Escobar, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and the property described herein was determined by a survey made on the ground during the months of January to March 2020, under the direct supervision of M. Stephen Truesdale, LSLs, RPLS No. 4933.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas on this 13th of Aug, 2023, A.D.

INLAND GEODETICS

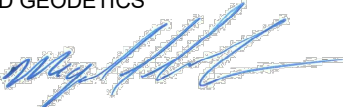
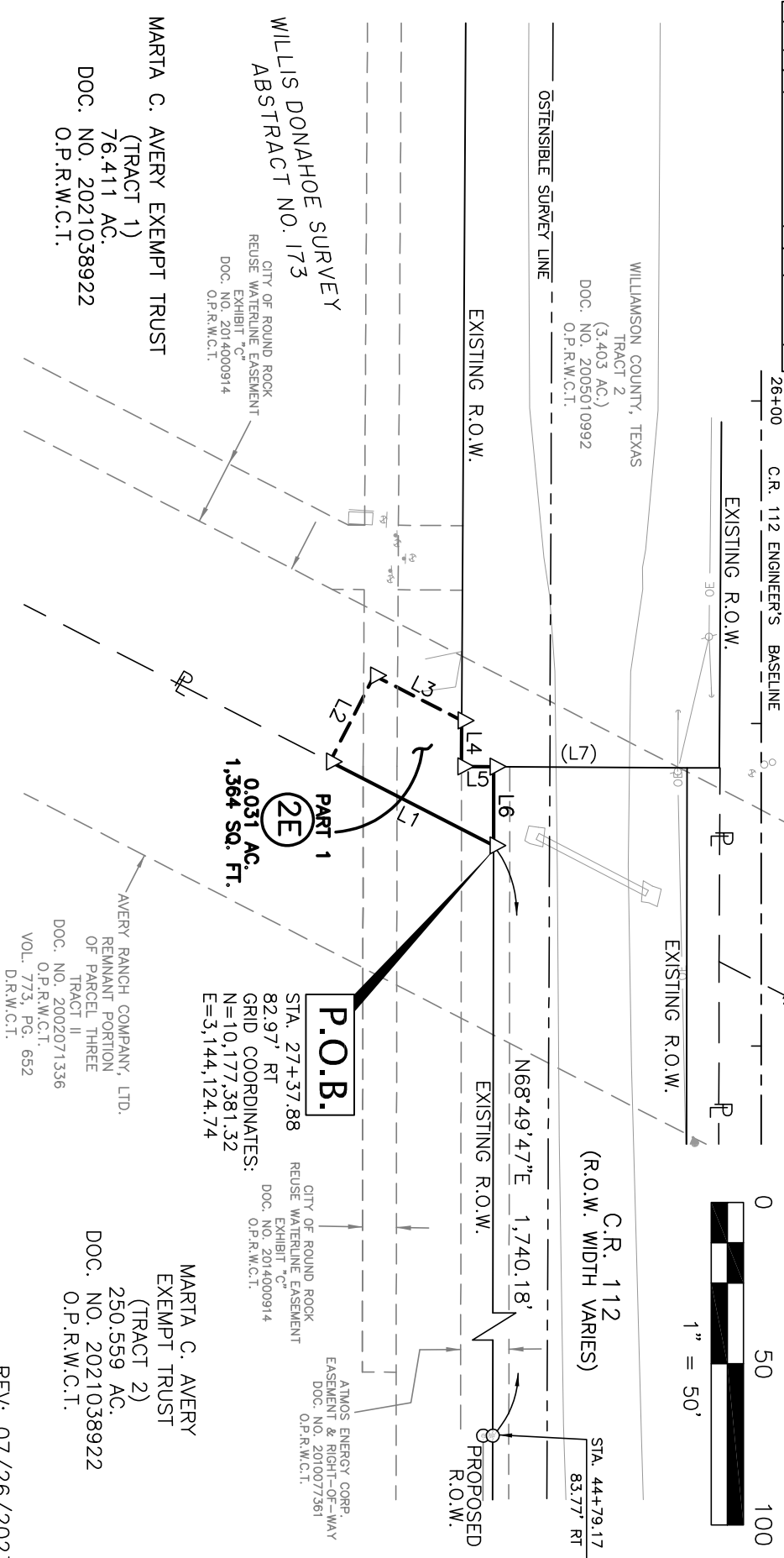

Miguel A. Escobar, L.S.L.S., R.P.L.S.
Texas Reg. No. 5630
1504 Chisholm Trail Rd #103
Round Rock, TX 78681
TBPELS Firm No. 10059100



EXHIBIT A
PLAT TO ACCOMPANY DESCRIPTION

NO.	DIRECTION	DISTANCE
L1	S05°53'40"W	57.03'
L2	N84°06'20"W	30.00'
L3	N05°53'40"E	30.54'
L4	N69°04'40"E	14.26'
L5	N20°55'20"W	10.00'
L6	N68°49'47"E	24.47'
(L7)	(N20°55'20"W)	(80.00')



SCALE
1" = 50'

PARCEL PLAT SHOWING PROPERTY OF
ARTY EXEMPT TRUST
WILLAMSON COUNTY

PROJECT
CR 112

PARCEL 2E
PART 1
0.031 AC.
1,364 SQ. FT.
PAGE 3 OF 5

REV: 07/26/2023

EXHIBIT **A**

PLAT TO ACCOMPANY DESCRIPTION

1) BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (NAD 83 (2011)). ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A SURFACE-TO-GRID COMBINED ADJUSTMENT FACTOR OF 0.99988073.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. GT2201282, ISSUED BY TEXAN TITLE INSURANCE COMPANY, EFFECTIVE DATE APRIL 4, 2023, ISSUE DATE APRIL 12, 2023.

RESTRICTIVE COVENANTS: DOCUMENT NOS. 2005195413 & 2008012152, DO NOT AFFECT, 2008090686 & 2010059641, SUBJECT TO, 2010077360 & 2012100506, DO NOT AFFECT, 2014016951, 2014101656 AND 2020151463, SUBJECT TO, AND 2021041050, DOES NOT AFFECT, ALL OFFICIAL PUBLIC RECORDS, WILLAMSON COUNTY, TEXAS BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT THE COVENANT, CONDITION OR RESTRICTION (A) IS EXEMPT UNDER TITLE 42 OF THE UNITED STATES CODE, OR (B) RELATES TO HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS.

- A. EASEMENT DATED JULY 1, 1940, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 304, PAGE 258, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- B. EASEMENT DATED JULY 4, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- J. EASEMENT DATED JUNE 15, 1928, TO LONE STAR GAS COMPANY, RECORDED IN VOLUME 238, PAGE 184, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- K. EASEMENT DATED APRIL 15, 1963, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 459, PAGE 114, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- P. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077361, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.
- S. EASEMENT DATED SEPTEMBER 25, 1952, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 386, PAGE 664, DEED RECORDS, WILLAMSON COUNTY, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- U. EASEMENT DATED JANUARY 7, 1964, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 465, PAGE 450, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- V. EASEMENT DATED AUGUST 23, 1972, TO JONAH WATER SUPPLY CORPORATION, RECORDED IN VOLUME 563, PAGE 574, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- X. EASEMENT DATED JUNE 16, 1981, TO SEMINOLE PIPELINE, RECORDED IN VOLUME 840, PAGE 699, DEED RECORDS AND AMENDED IN VOLUME 2169, PAGE 795, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- Y. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2008090686, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.
- Z. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014016951, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.
- AA. EASEMENT RIGHTS AS SET OUT IN RESTRICTIONS RECORDED UNDER DOCUMENT NO. 2014101656, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

REV: 07/26/2023



**INLAND
GEODETICS**
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD, STE. 103
ROUND ROCK, TX 78681-1351
PH: (512) 381-1122
FAX: (512) 381-1120

PARCEL PLAT SHOWING PROPERTY OF		
AVERY EXEMPT TRUST		
SCALE		
1" = 50'		
	PROJECT	
	CR 112	
		PARCEL 2E PART 1 0.031 AC. 1,364 SQ. FT. PAGE 4 OF 5

LEGEND

PLAT TO ACCOMPANY DESCRIPTION

○	IRON ROD WITH ALUMINUM CAP	→	DENOTES COMMON OWNERSHIP
⊗	STAMPED "CORR-ROW" SET	P.O.B.	POINT OF BEGINNING
⊗	IRON ROD WITH PLASTIC CAP	()	RECORD INFORMATION
●	FOUND - AS NOTED	P.R.W.C.T.	PLAT RECORDS
1/2"	IRON ROD FOUND	WILLAMSON COUNTY, TEXAS	
⊗	1/2" TYPE II CONCRETE	D.R.W.C.T.	DEED RECORDS
⊗	MONUMENT FOUND	WILLAMSON COUNTY, TEXAS	
Δ	CALCULATED POINT	O.R.W.C.T.	OFFICIAL RECORDS
P	PROPERTY LINE	WILLAMSON COUNTY, TEXAS	
—	LINE BREAK	O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS
		WILLAMSON COUNTY, TEXAS	

GG. TERMS, CONDITIONS, AND STIPULATIONS OF THAT CERTAIN DRAINAGE, CONVEYANCE AND EASEMENT AGREEMENT DATED 12/09/2022 AND RECORDED UNDER DOCUMENT NO. 2022135877, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

HH. EASEMENT AND RIGHT OF WAY DATED OCTOBER 31, 1985, EXECUTED BY CHARLES N. AVERY, JR. TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 727, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

II. EASEMENT AND RIGHT OF WAY DATED OCTOBER 31, 1985, EXECUTED BY CHARLES N. AVERY, JR. TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 731, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

JU. GRANT OF EASEMENT DATED JULY 23, 1981, EXECUTED BY CHARLES NEEDHAM AVERY, JR. ET AL TO SEMINOLE PIPELINE COMPANY, RECORDED IN VOLUME 849, PAGE 170, DEED RECORDS AND AS AFFECTED BY SUPPLEMENTAL PIPELINE RIGHT-OF-WAY AGREEMENT RECORDED IN VOLUME 2207, PAGE 429, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

KK. EASEMENT DATED JULY 4, 1961, EXECUTED BY C. N. AVERY, JR. ET AL TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.

LL. WATERLINE EASEMENT DATED MARCH 9, 2007, EXECUTED BUY AVERY RANCH COMPANY, LTD., RECORDED UNDER DOCUMENT NO. 2007038408, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

MM. REUSE WATERLINE EASEMENT DATED NOVEMBER 21, 2013, EXECUTED BY AVERY RANCH COMPANY, LTD. ET AL TO THE CITY OF ROUND ROCK, TEXAS, RECORDED UNDER DOCUMENT NO. (PER TITLE 2017000914) ACTUAL 2014000914, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

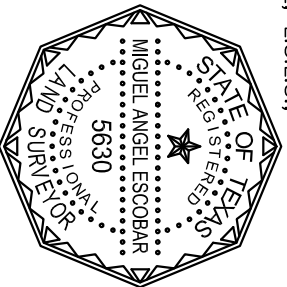
I DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF M. STEPHEN TRUESDALE, L.S.L.S., R.P.L.S. NO. 4933 IN JANUARY TO MARCH 2020.

INLAND GEODETICS

M. Stephen Truesdale

08-13-2023

MIGUEL A. ESCOBAR, L.S.L.S., R.P.L.S.
TEXAS REG. NO. 5630
1504 CHISHOLM TRAIL RD. #103
ROUND ROCK, TX 78681
TBPELS FIRM NO. 10059100



SCALE		1" = 50'	
PARCEL PLAT SHOWING PROPERTY OF		PROJECT	
AVERY EXEMPT TRUST		CR 112	
WILLAMSON COUNTY		PARCEL 2E PART 1 0.031 AC. 1,364 SQ. FT. PAGE 5 OF 5	

REV: 07/26/2023

County: Williamson
 Parcel : 2E-Part 2, Avery Exempt Trust
 Highway: C.R. 112

Page 1 of 3
 01-13-23

EXHIBIT B
PROPERTY DESCRIPTION

DESCRIPTION OF A 0.032 ACRE (1,410 SQUARE FOOT) PARCEL OF LAND SITUATED IN THE WILLIS DONAHOE SURVEY, ABSTRACT NO. 173, BEING A PORTION OF THAT CALLED 250.559 ACRE (TRACT 2) OF LAND DESCRIBED IN A TRUSTEE'S DEED TO MARTA C. AVERY EXEMPT TRUST RECORDED IN DOCUMENT NO. 2021038922 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, PER TITLE GF NO. GT2201282 THE RECORD TITLE TO THE ABOVE MENTIONED LAND APPEARS TO BE VESTED IN CHARLES NEEDHAM AVERY, III, TRUSTEE OF THE EXEMPTION EQUIVALENT TRUST, CREATED UNDER THE WILL OF CHARLES NEEDHAM AVERY, JR., DECEASED: AVERY RANCH COMPANY, LTD: JOHN S. AVERY, CHARLES N. AVERY, III, A. NELSON AVERY, AND LUCILLE CHRISTINA AVERY FELL, TRUSTEES OF THE CHILDREN OF LUCILLE SHARP AVERY EXEMPT TRUSTS "LSA TRUST", WHICH ENCOMPASS THE FOLLOWING TRUSTS: THE JOHN S. AVERY EXEMPT TRUST, THE CHARLES N. AVERY III EXEMPT TRUST, THE A. NELSON AVERY EXEMPT TRUST AND THE LUCILLE CHRISTINA AVERY FELL EXEMPT TRUST; MARTA C. AVERY, AS TRUSTEE OF THE MARTA C. AVERY EXEMPT TRUST, A SUB-TRUST OF THE CHARLES N. AVERY III EXEMPT TRUST UNDER THE LSA TRUST, SAID 0.032 ACRE (1,410 SQUARE FOOT) PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point 84.88 feet right of County Road (C.R.) 112 Baseline Station 46+06.79 in the proposed southerly Right-of-Way (ROW) line of C.R. 112 (variable width ROW), (Grid Coordinates determined as N=10,178,052.77 E=3,145,866.83), being in the interior of said 250.559 acre tract, for the northeasterly corner and **POINT OF BEGINNING** of the herein described parcel and from which an iron rod with aluminum cap stamped "CORR ROW" set 84.72 feet right of C.R. 112 Baseline Station 46+15.20 bears N 68°49'47" E, at a distance of 8.37 feet;

THENCE, departing said proposed southerly ROW line, through the interior of said 250.559 acre tract, the following three (3) courses:

- 1) **S 20°10'19" E**, for a distance of **47.26** feet to a calculated point, for the southeasterly corner of the herein described tract;
- 2) **S 69°49'41" W**, for a distance of **30.00** feet to a calculated point, for the southwesterly corner of the herein described tract;
- 3) **N 20°10'19" W**, for a distance of **46.74** feet to a calculated point, in said proposed southerly ROW line of C.R. 112, for the northwesterly corner of the herein described tract;
- 4) **THENCE**, with said proposed southerly ROW line, continuing through the interior of said 250.559 acre tract, **N 68°49'47" E**, for a distance of **30.00** feet to the **POINT OF BEGINNING**, containing 0.032 acres (1,410 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF WILLIAMSON §

That I, M. Stephen Truesdale, 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 direct supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale
 M. Stephen Truesdale
 Registered Professional Land Surveyor No. 4933
 Licensed State Land Surveyor
 Inland Geodetics
 Firm Registration No: 100591-00
 1504 Chisholm Trail Road, Suite 103
 Round Rock, TX 78681

Date



S:\RPS NORTH AMERICA\CR 112\PARCELS\PARCEL 2\2-PART 2&2E\PARCEL 2E-AVERY-TRUST.doc

S:\FPS NORTH AMERICA\CR 112\PARCELS\PARCEL 2\2-PART 2&2E\PARCEL 2E-AVERY-TRUST-PART 2.dwg

EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION

NO.	DIRECTION	DISTANCE
L1	N68°49'47"E	8.37'
L2	N70°06'35"E	435.43'
L3	N21°36'48"W	3.00'
L4	N70°06'35"E	985.18'
L5	S21°41'41"E	12.50'

THOMAS GLASSCOCK SURVEY
ABSTRACT NO. 255

NO.	DIRECTION	DISTANCE
L6	S20°10'19"E	47.26'
L7	S69°49'41"W	30.00'
L8	N20°10'19"W	46.74'
L9	N68°49'47"E	30.00'

C.R. 112 ENGINEER'S BASELINE
45+00

C.R. 112
(R.O.W. WIDTH VARIES)

STA. 46+06.79
84.88' RT
GRID COORDINATES:
N=10,178,052.77
E=3,145,866.83

P.O.B.

WATERLINE EASEMENT TO
CITY OF ROUND ROCK
EXHIBIT "A", TRACT C
DOC. NO. 2007038408,
O.P.R.W.C.T.

ATMOS ENERGY CORP.
EASEMENT & RIGHT-OF-WAY
DOC. NO. 2010077361
O.P.R.W.C.T.

PART 2
0.032 AC.
1,410 SQ. FT.

MARTA C. AVERY EXEMPT TRUST
TRACT 2
(250.559 AC.)
DOC. NO. 2021038922
O.P.R.W.C.T.

WILLIS DONAHOE SURVEY
ABSTRACT NO. 173

LOT 1
BLOCK A
(20.00 ACRES)
FINAL PLAT OF
CITYVIEW BIBLE
CHURCH
DOC. NO. 2016022395
O.P.R.W.C.T.

BAKER-AICKLEN



SCALE
1" = 50'

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

WILLIAMSON COUNTY

PROJECT
CR 112

PARCEL 2E
PART 2
0.032 AC.
1,410 SQ. FT.
PAGE 2 OF 4

01/13/2023

S:\RPS NORTH AMERICA\CR 112\PARCELS\PARCEL 2\2-PART 2&2E\PARCEL 2E-AVERY-TRUST-PART 2.dwg

EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION

1) ALL BEARINGS SHOWN HEREON ARE BASED ON GRID BEARING. ALL DISTANCES ARE SURFACE DISTANCES. COORDINATES ARE SURFACE VALUES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. GT2201282, ISSUED BY TEXAN TITLE INSURANCE COMPANY, EFFECTIVE DATE OCTOBER 19, 2022, ISSUE DATE OCTOBER 27, 2022.

1. RESTRICTIVE COVENANTS: DOCUMENT NOS. 2005195413, 2008012152, 2010077360, 2012100506, AND 2021041050, DO NOT AFFECT, 2008090686, 2010059641, 2014016951, 2014101656, AND 2020151463, OFFICIAL PUBLIC RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

10A. EASEMENT DATED JULY 1, 1940, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 304, PAGE 258, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

B. EASEMENT DATED JULY 4, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 445, PAGE 656, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

C. EASEMENT DATED JANUARY 6, 2014, TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014000914, AS FURTHER AFFECTED BY DOCUMENT NO. 2021185105, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DO NOT AFFECT.

J. EASEMENT DATED JUNE 15, 1928, TO LONE STAR GAS COMPANY, RECORDED IN VOLUME 238, PAGE 184, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

K. EASEMENT DATED APRIL 15, 1963, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 459, PAGE 114, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

L. TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN BOUNDARY LINE AGREEMENT DATED NOVEMBER 15, 1983, BY AND BETWEEN JOHN H. MAY AND WIFE, GRACE JOSEPHINE MAY AND CHARLES NEEDHAM AVERY, JR., ET AL, RECORDED IN VOLUME 958, PAGE 772, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

M. EASEMENT DATED OCTOBER 31, 1985, TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 727, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

N. EASEMENT DATED OCTOBER 31, 1985, TO TEXAS POWER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1289, PAGE 731, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

O. EASEMENT DATED MARCH 9, 2007, TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2007038408, AFFECTS AS SHOWN, AND FURTHER AFFECTED BY DOCUMENT NO. 2021185104, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

P. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077361, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

Q. EASEMENT DATED OCTOBER 26, 2010, TO ATMOS ENERGY CORPORATION, RECORDED UNDER DOCUMENT NO. 2010077362, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

R. EASEMENT DATED JULY 13, 2015, TO THE CITY OF ROUND ROCK, TEXAS, RECORDED UNDER DOCUMENT NO. 2015060913 AND FURTHER AFFECTED BY DOCUMENT NO. 2019096663, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DO NOT AFFECT.

S. EASEMENT DATED SEPTEMBER 25, 1952, TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 386, PAGE 664, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

01/13/2023



SCALE
1" = 50'

PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

WILLAMSON COUNTY

PROJECT
CR 112

PARCEL 2E
PART 2
0.032 AC.
1.410 SQ. FT.
PAGE 3 OF 4

S:\FPS NORTH AMERICA\CR 112\PARCELS\PARCEL 2\2-PART 2&2E\PARCEL 2E-AVERY-TRUST-PART 2.dwg

EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION

<input type="radio"/>	IRON ROD WITH ALUMINUM CAP	→	DENOTES COMMON OWNERSHIP
<input checked="" type="radio"/>	STAMPED "CORR-ROW" SET	P.O.B.	POINT OF BEGINNING
<input type="radio"/>	IRON ROD WITH PLASTIC CAP	()	RECORD INFORMATION
<input type="radio"/>	FOUND - AS NOTED	P.R.W.C.T.	PLAT RECORDS
<input type="radio"/>	1/2" IRON ROD FOUND	D.R.W.C.T.	WILLAMSON COUNTY, TEXAS
<input type="radio"/>	TXDOT TYPE II CONCRETE	O.R.W.C.T.	DEED RECORDS
<input type="radio"/>	MONUMENT FOUND	O.P.R.W.C.T.	WILLAMSON COUNTY, TEXAS
<input type="radio"/>	CALCULATED POINT		OFFICIAL RECORDS
<input type="radio"/>	PROPERTY LINE		WILLAMSON COUNTY, TEXAS
<input type="radio"/>	LINE BREAK		WILLAMSON COUNTY, TEXAS

T. EASEMENT DATED AUGUST 16, 1961, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 446, PAGE 303, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

U. EASEMENT DATED JANUARY 7, 1964, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 465, PAGE 450, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

V. EASEMENT DATED AUGUST 23, 1972, TO JONAH WATER SUPPLY CORPORATION, RECORDED IN VOLUME 563, PAGE 574, DEED RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

W. EASEMENT DATED OCTOBER 22, 1980, TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, RECORDED IN VOLUME 819, PAGE 351, DEED RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

X. EASEMENT DATED JUNE 16, 1981, TO SEMINOLE PIPELINE, RECORDED IN VOLUME 840, PAGE 699, DEED RECORDS AND AMENDED IN VOLUME 2169, PAGE 795, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

Y. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2008090686, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

Z. TERMS, CONDITIONS AND STIPULATION OF THAT CERTAIN ORDINANCE BY THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014016951, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, SUBJECT TO.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

AA. EASEMENT RIGHTS AS SET OUT IN RESTRICTIONS RECORDED UNDER DOCUMENT NO. 2014101656, OFFICIAL RECORDS, WILLAMSON COUNTY, TEXAS, DOES NOT AFFECT.

M. Stephen Truesdale
M. STEPHEN TRUESDALE
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933
LICENSED STATE LAND SURVEYOR

INLAND GEODETICS

FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TEXAS 78681



PARCEL PLAT SHOWING PROPERTY OF
AVERY EXEMPT TRUST

SCALE
1" = 50'

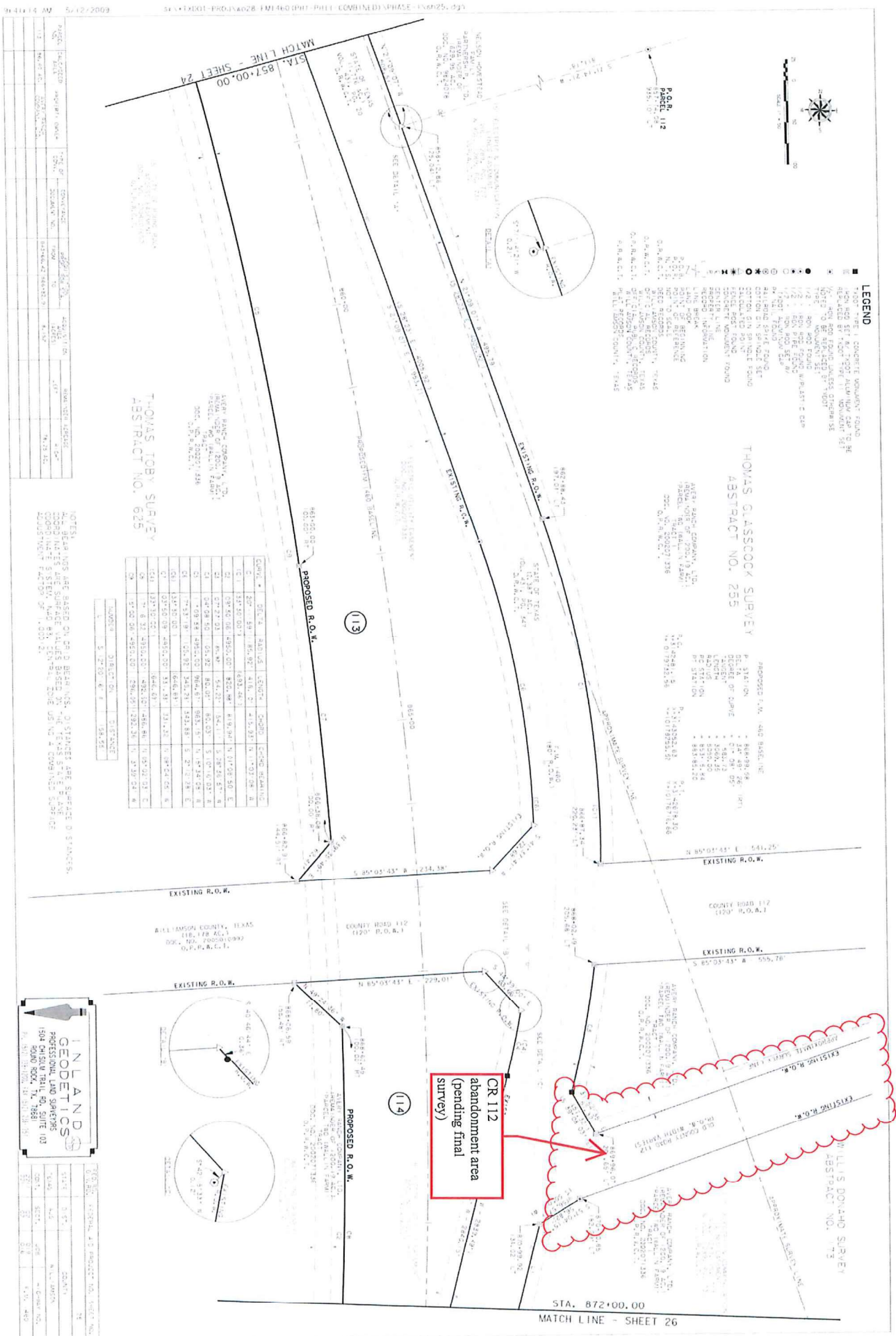
WILLAMSON COUNTY

PROJECT
CR 112

PARCEL 2E
PART 2
0.032 AC.
1,410 SQ. FT.
PAGE 4 OF 4

01/13/2023

**EXHIBIT “C” LOCATION OF CR112 ROAD CLOSURE
FOLLOWS**



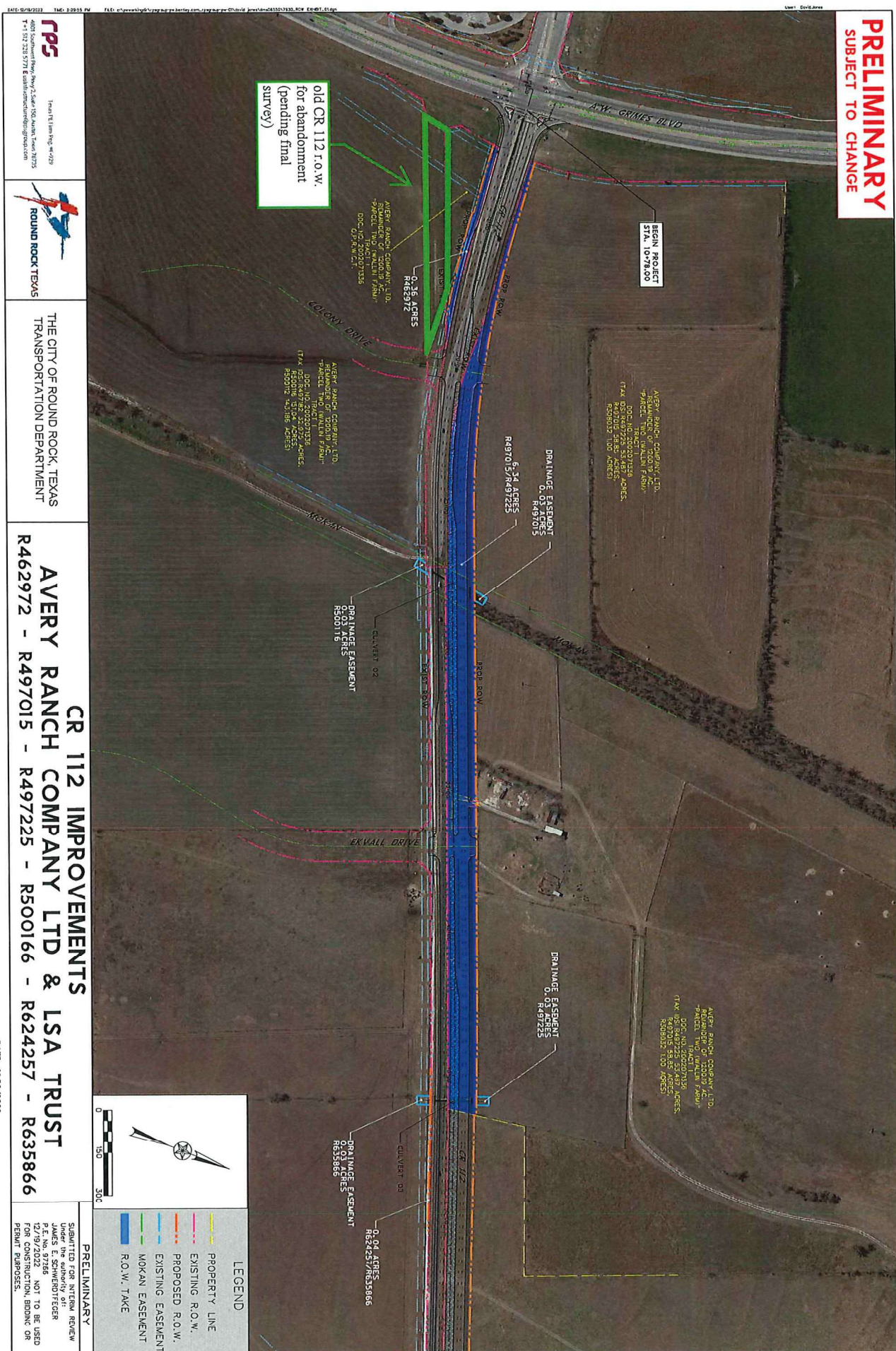


EXHIBIT “D” FORM OF CITY ORDINANCE FOLLOWS

ORDINANCE NO. O-2023-_____

AN ORDINANCE VACATING, ABANDONING, RELEASING AND CLOSING PORTION OF CR 112 STREET AND/OR ALLEY WITHIN THE CITY OF ROUND ROCK, TEXAS, PURSUANT TO SECTION 311.007, TEXAS TRANSPORTATION CODE, V.A.T.S., PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, Section 311.007, Transportation Code, V.A.T.S., allows a home-rule municipality to vacate, abandon, or close a street or an alley; and

WHEREAS, the City of Round Rock desires to vacate, abandon, release and close a _____ acre (_____ square foot) portion of the CR 112 public street and right of way situated in the City of Round Rock, Williamson County, Texas; said _____ acre portion being further described by metes and bounds in Exhibit "A" attached hereto and incorporated herein; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That a portion of the CR 112 public street and right of way, the location of which is more particularly described in Exhibit "A", said exhibit attached hereto and made a part of this ordinance, be hereby vacated, abandoned, released, and closed, insofar as the right, title, or roadway easement of the public is concerned.

II.

That the abandonment and release provided herein shall extend only to the public right, title, or easement in and to the tracts of land described in Paragraph I of this ordinance for the purpose of using same as a street or alley and shall be construed only to pertain to that interest the governing body of the City of Round Rock may legally and lawfully abandon. Nothing in this ordinance shall be construed to abandon or otherwise affect the interest of the City of Round Rock, any common carrier, or the public in any easements or utility infrastructure within the subject area related to public utilities and storm water drainage facilities.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this _____ day of _____, 2023.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2023.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2023.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

Meagan Spinks, City Clerk