11-GF# 69443 BKH
RETURN TO: HERITAGE TITLE
401 CONGRESS, SUITE 1500
AUSTIN, TEXAS 78701



RESTRICT 2007057583

11 PGS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

### WAIVER OF DEED RESTRICTIONS

THE STATE OF TEXAS \$ \$ KNOW ALL PERSONS BY THESE PRESENTS: COUNTY OF TRAVIS \$

THIS WAIVER OF DEED RESTRICTIONS ("<u>Waiver</u>") by THE LUTHERAN CHURCH – MISSOURI SYNOD, of St. Louis, Missouri ("<u>LCMS</u>") for the benefit of CONCORDIA UNIVERSITY AT AUSTIN, a Texas non-profit corporation ("<u>CUA</u>"), its successors and assigns.

#### **RECITALS:**

- A. CUA is the fee owner of those certain tracts of land which comprise its college campus located at 3400 Interstate 35 North, Austin, Texas 78705, more specifically described by metes and bounds on Exhibit A, attached hereto and incorporated herein for all purposes (the "Property").
- B. The Property is subject to certain use restrictions in favor of LCMS (the "<u>Use Restrictions</u>"), the violation of which could result in the reversion of applicable portions of the Property ("<u>Right of Reverter</u>"), as set forth out in instruments recorded in Volume 1467, Page 57; Volume 1485, Page 364; Volume 4025, Page 660; and Document No. 2000089057, each recorded in the Official Public Records of Travis County, Texas (collectively, the "Vesting Deeds").
- C. By the execution of this Waiver, LCMS consents to CUA's conveyance of the Property and desires to waive, release and relinquish the Use Restrictions and the Right of Reverter.

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid by CUA, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by LCMS, LCMS consents to CUA's conveyance of the Property and hereby WAIVES, RELEASES AND RELINQUISHES the Use Restrictions and Right of Reverter arising under the Vesting Deeds, and declares the same to be of no further force and effect. LCMS further WAIVES, RELEASES AND RELINQUISHES any other use restrictions or repurchase rights with respect to the Property and acknowledges that CUA, its successors and assigns, and any subsequent owner of the Property may freely deal with the Property.

[signature page to follow]

IN WITNESS WHERE day of 106057	OF, LCMS has caused this instrument to be executed on this 3/5/, 2006.
	THE LUTHERAN CHURCH – MISSOURI SYNOD
	By Shores W Suche  Name: THO MIS W. KUCHTA  Title: VICE PRESIDENT FININGE - TREASUREL
THE STATE OF MISSOURI	§
COUNTY OF ST. LOUIS	§ §
Year Houghton	knowledged before me on the 3\frac{3}{2} day of, 2006, by of THE LUTHERAN CHURCH - MISSOURI SYNOD, on HURCH - MISSOURI SYNOD.

Pearl a. Houghton

PEARL A. HOUGHTON Notary Public - Notary Seal State of Missouri - County of St. Louis My Commission Expires Oct. 5, 2009 Commission #05779661

AUSTIN\178544.1

## EXHIBIT A TO WAIVER OF DEED RESTRICTIONS

**Legal Description** 

FN. NO. 06-442 (MAZ) AUGUST 09, 2006 BPI JOB NO. 1689-01

20.563 ACRES TRACT A (TRACTS 1-4)

#### DESCRIPTION

OF 20.563 ACRES OF LAND OUT OF OUTLOT NUMBERS TWENTY-ONE AND TWENTY-TWO, DIVISION "C" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING COMPRISED OF FOLLOWING CERTAIN TRACTS OF LAND DESCRIBED IN CONCORDIA LUTHERAN COLLEGE: A PORTION OF 18.656 ACRES IN VOLUME 1467, PAGE 57; A 14,618 SQUARE FOOT TRACT IN VOLUME 9315, PAGE 438; A 0.138 ACRE TRACT IN VOLUME 8896, PAGE 111; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; LOT 34, LOT 35, AND A PORTION OF LOT 36, HANCOCK PARK SUBDIVISION OF RECORD IN VOLUME 4, PAGE 345, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOTS HAVING BEEN CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY THE DEEDS OF RECORD IN VOLUME 2404, PAGE 601, VOLUME 2404, PAGE 590, AND VOLUME 2404, PAGE 596, RESPECTIVELY OF SAID DEED RECORDS; LOT 9 AND LOT 10 OF PLAINVIEW HEIGHTS RESUBDIVISION OF RECORD IN VOLUME 4, PAGE 23, OF SAID PLAT RECORDS; SAID LOTS HAVING BEEN CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY THE DEED OF RECORD IN VOLUME 6628, PAGE 1313 OF SAID DEED RECORDS; SAID 20.563 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap set on the northerly right-of-way line of East 32nd Street(60' R.O.W.), for the southerly common corner of said 18.656 acre tract and that certain 237 square foot tract conveyed to the City of Austin, of record in Volume 10864, Page 249 of said Deed Records, for the southerly most southwesterly corner hereof, from which a 1/2 inch iron rod found on said northerly right-of-way line of East 32nd Street, for the southwesterly corner of Lot 1, Block 'A", Resubdivision of CPLMA Subdivision, of record in Volume 77, Page 153 of said Plat Records bears N62°36'12"W, a distance of 356.70 feet;

THENCE, N27°23'01"E, along a portion of the westerly line of said 18.656 acre tract, being in part the easterly line of said 237 square foot tract and in part the easterly line of that certain 0.2201 acre tract described in the deed to Columbia/St.David's Healthcare System, L.P., of record in Volume 12725, Page 1436, of the Real Property Records of Travis County, Texas, for a portion of the westerly line hereof, a distance of 210.00 feet to a 1/2 inch iron rod pipe found for the northeasterly corner of said 0.2201 acre tract and being an interior ell corner of said 18.656 acre tract, for an angle point hereof;

THENCE, N62°36′12″W, continuing along the westerly line of said 18.656 acre tract, being in part the northerly line of said 0.2201 acre tract and in part the northerly line of that certain tract described in the deed to Bruno Ybarra Et Ux, of record in Volume 8102, Page 578, of said Deed Records, for a portion of the westerly line hereof, a distance of 123.23 feet to a 1/2 inch iron rod with cap set for the southeasterly corner of Lot 14 of said Hancock Park subdivision, said Lot 14 having been conveyed to James B. Stedman and Dana P. Stedman, by the deed of record in Volume 12865, Page 1863 of said Real Property Records, for an angle point hereof, from which a 1/2 inch iron pipe found in the southerly line of said Lot 14, for the apparent northwesterly corner of said Ybarra tract bears N62°36′12″W, a distance of 23.23 feet;

FN 06-442 (MAZ) AUGUST 09, 2006 PAGE 2 OF 5

THENCE, N28°00'39"E, continuing along the westerly line of said 18.656 acre tract, being in part the easterly line of said Lot 14 and in part the easterly line of Kim Lane (50'R.O.W.) dedicated by said plat of Hancock Park, for a portion of the westerly line hereof, passing at a distance of 89.46 feet a 1/2 inch iron rod found for the northeasterly corner of said Lot 14, continuing for a total distance of 486.55 feet to a 1/2 inch iron rod with cap set for the southeasterly corner of said 14,618 square foot tract, for an angle point hereof;

THENCE, N62°28'47"W, leaving the westerly line of said 18.656 acre tract, in part along the southerly line of said 14,618 square foot tract and in part the southerly line of Lot 34 of said Hancock Park subdivision, same being in part the northerly right-of-way line of Duncan Lane (50' R.O.W.) dedicated by said plat of Hancock Park, for a portion of the westerly line hereof, a distance of 133.39 feet to a 1/2 inch iron rod with cap set for the southerly common corner of said Lot 34 and Lot 2, Resubdivision of Hancock Park Annex, a subdivision of record in Volume 50, Page 92, of said Plat Records, said Lot 2 being included within a Master Deed and Declaration for the Pointe Condominiums, of record in Volume 7629, Page 643 of said Deed Records, from which a 1/2 inch iron pipe found bears \$27°33'39"W, a distance of 0.46 feet;

THENCE, N27°33'39"E, leaving said northerly right-of-way line of Duncan Lane along the common line of said Lot 34 and said Lot 2, for a portion of the westerly line hereof, a distance of 169.91 feet to a 1/2 inch iron rod with cap set for the common corner of said Lot 2, said Lot 34, said Lot 35, and said Lot 36, for an angle point hereof;

THENCE, along the common line of said Lot 2 and said Lot 35, for a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) N62°26′21″W, a distance of 83.63 feet to a 1/2 inch iron rod with cap set for the southwesterly corner of said Lot 35;
- 2) N27°33'39"E, a distance of 169.97 feet to a 1/2 inch iron pipe found for the northerly common corner of said Lot 2 and said Lot 35, being on the southerly right-of-way line of Luther Lane (50' R.O.W.) dedicated by said plat of Hancock Park, for an angle point hereof, from which a 1/2 inch iron rod found on said southerly right-of-way line of Luther Lane and on the easterly right-of-way line of Red River (R.O.W. varies) bears N62°28'47"W, a distance of 380.33 feet;

THENCE, S62°28'47"E, along said southerly right-of-way line of Luther Lane, being in part the northerly line of said Lot 35 and in part a portion of the northerly line of said Lot 36, for a portion of the westerly line hereof, a distance of 139.69 feet to a 1/2 inch iron rod with cap set for the northwesterly corner of that certain 982 square foot Tract "A" conveyed to the City of Austin for street right-of-way, of record in Volume 9547, Page 959, of said Real Property Records, for the beginning of a curve to the left;

FN 06-442 (MAZ)
AUGUST 09, 2006
PAGE 3 OF 5

THENCE, continuing along the southerly right-of-way line of Luther Lane, being in part the southerly line of said 982 square foot Tract "A", in part the northerly line of said 14,618 square foot tract, and in part the easterly line of that certain 1118 square foot Tract "B" of record in said Volume 9547, Page 959, for a portion of the westerly line hereof, with said curve to the left having a radius of 50.00 feet, a central angle of 232°29'43", an arc length of 202.89 feet, and a chord which bears S88°52'16"E, a distance of 89.69 feet to a 1/2 inch iron rod found for the northerly corner of said 1118 square foot Tract "B", being in the westerly line of said 18.656 acre tract, for an angle point hereof;

THENCE, N28°00'39"E, along the westerly line of said 18.656 acre tract, being in part the easterly line of said Luther Lane, and in part the easterly line of that certain 5.8681 acre tract described in a Deed of Trust executed by Saint Paul's Evangelical Lutheran Church, of record in Document No. 2004024228 of the Official Public Records of Travis County, Texas, for a portion of the westerly line hereof, a distance of 447.51 feet to a 1/2 inch iron rod found for the northerly common corner of said 5.8681 acre tract and said 18.656 acre tract, for an angle point hereof, being in the southerly line of that certain 150'x 66.8' tract described in the deed to Nathan H. Lestico and Kent R. Lestico, of record in Volume 5368, Page 1643 of said Deed Records;

THENCE, S62°09'37"E, along a portion of the northerly line of said 18.656 acre tract, being in part the southerly line of said Lestico tract and in part the southerly line of that certain 0.229 acre tract described in the deed to Joseph E. Piper, of record in Document No. 2001216768 of said Official Public Records, for a portion of the northerly line hereof, passing at a distance of 13.27 feet a 1/2 inch iron rod found for the southerly common corner of said Lestico tract and said 0.229 acre tract, continuing for a total distance of 80.10 feet to a 1/2 inch iron rod with cap set for the southerly common corner of said 0.229 acre tract and said Lot 10 of Plainview Heights, from which a 1/2 inch iron pipe found bears S62°09'37"E, a distance of 0.84 feet;

THENCE, N27°56′19″E, leaving the northerly line of said 18.656 acre tract along the westerly line of said Lot 10 and said Lot 9, being the easterly line of said 0.229 acre tract, for a portion of the northerly line hereof, a distance of 117.80 feet to a 1/2 inch iron rod with cap set for the northwesterly corner of said Lot 9 and being the southwesterly corner of Lot 8 of said Plainview Heights, for the northerly most northwesterly corner hereof, from which a 1/2 inch iron rod found in the westerly line of said Lot 8 for the apparent northeasterly corner of said 0.229 acre tract bears N27°56′19″E, a distance of 32.38 feet;

FN 06-442 (MAZ) AUGUST 09, 2006 PAGE 4 OF 5

THENCE, S62°19'56"E, along the common line of said Lot 9 and said Lot 8, for a portion of the northerly line hereof, a distance of 177.08 feet to a 1/2 inch iron pipe found for the easterly common corner of said Lot 9 and said Lot 8, for the northerly most northeasterly corner hereof, being on the westerly right-of-way line of Harmon Avenue (50'R.O.W.), from which a 1/2 inch iron pipe found on said westerly right-of-way line of Harmon Avenue bears N28°12'56"E, a distance of 101.37 feet;

THENCE, S28°12′56″W along said westerly right-of-way line of Harmon Avenue, being in part the easterly line of said Lot 9, the easterly line of said Lot 10 and the easterly line of said 0.138 acre tract, for a portion of the northerly line hereof, passing at a distance of 118.50 feet, a 1/2 inch iron pipe found 0.19′ east of line for the easterly common corner of said 0.138 acre tract and said Lot 10, continuing for a total distance of 168.33 feet to a calculated point for the southeasterly corner of said 0.138 acre tract, being in the northerly line of said 18.656 acre tract and the southerly line of Concordia Avenue (50′ R.O.W.), for an angle point hereof, from which an "X" found cut in concrete bears N26°31′18″W, a distance of 0.43 feet;

THENCE, S62°22'15"E, along said southerly line of Concordia Avenue, being the northerly line of said 18.656 acre tract, for a portion of the northerly line hereof, a distance of 307.30 feet to a 1/2 inch iron rod found on the westerly right-of-way line of Interstate Highway No. 35 (R.O.W. varies), for the easterly most northeasterly corner hereof;

THENCE, along the westerly right-of-way line of Interstate Highway No. 35, being the easterly line of said 18.656 acre tract, for the easterly line hereof, the following two (2) courses and distances:

- 1) S27°56'35"W, a distance of 784.07 feet to a 1/2 inch iron rod found for an angle point;
- 2) S27°34'22"W, a distance of 686.55' feet to a 1/2 inch iron rod with cap set for the southeasterly corner of said 18.656 acre tract, being on the northerly right-of-way line of East 32ND Street, for the southeasterly corner hereof;

FN 06-442 (MAZ) AUGUST 09, 2006 PAGE 5 OF 5

THENCE, N62°36′12″W, along said northerly right-of-way line of East 32ND Street, being the southerly line of said 18.656 acre tract, for the southerly line hereof, a distance of 444.41 feet to the POINT OF BEGINNING, containing an area of 20.563 acres (895,743 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS NOTE: THE BASIS OF BEARING IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, 83(93), CENTRAL ZONE, UTILIZING CITY OF AUSTIN GPS CONTROL NETWORK MONUMENTS.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, COMPLETED DURING THE MONTH OF AUGUST 2006. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC. ENGINEERING SOLUTIONS 3345 BEE CAVE ROAD, SUITE 200 AUSTIN, TEXAS 78746

JOHN T BILNOSKI R.P.L.S. NO. 4998 STATE OF TEXAS

JOHN T. BILNOSKI

1.642 ACRES TRACT B (TRACTS 5-11)

#### DESCRIPTION

OF 1.642 ACRES OF LAND OUT OF OUTLOT NUMBER TWENTY-ONE, DIVISION "C" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF TRAVIS COUNTY, TEXAS, BEING COMPRISED OF THE FOLLOWING AUSTIN, CERTAIN TRACTS OF LAND: ALL OF THAT 0.766 ACRE TRACT OF LAND CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEED OF RECORD IN VOLUME 10359, PAGE 237, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; ALL OF LOTS 1 AND 2, RESUBDIVISION OF A PORTION OF BLOCK 3, PLAINVIEW HEIGHTS, A SUBDIVISION OF RECORD IN VOLUME 9, PAGE 85, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEED OF RECORD IN VOLUME 11100, PAGE 1194, OF SAID REAL PROPERTY RECORDS (LOT 1) AND TO CONCORDIA UNIVERSITY AT AUSTIN BY DEED OF RECORD IN VOLUME 12850, PAGE 1570, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (LOT 2); ALL OF THOSE CERTAIN TRACTS DESCRIBED IN AND CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEEDS OF RECORD IN VOLUME 1962, PAGE 488, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; A PORTION OF THAT CERTAIN TRACT CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEED OF RECORD IN VOLUME 4025, PAGE 660, OF SAID DEED RECORDS; AND ALL OF THAT CERTAIN 0.104 ACRE TRACT CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEED OF RECORD IN VOLUME 10633, PAGE 145, OF SAID REAL PROPERTY RECORDS; SAID 1.642 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found on the westerly right-of-way line of IH-35 (200' R.O.W.), being on the easterly line of Lot C, L.C. Johnson's Resubdivision of a Portion of Lot 3, Plainview Heights, a subdivision of record in Volume 25, Page 22, of said Plat Records, for the southeasterly corner of that certain tract of land conveyed to Reuben M. Brooks by deed of record in Volume 9253, Page 503, of said Real Property Records, for the northeasterly corner of said 0.766 acre tract and hereof;

THENCE, S28°09'04"W, along said westerly right-of-way line of IH-35, being the easterly line of said 0.766 acre tract, same being a portion of the easterly line of said Lot C, at a distance of 82.22 feet passing an iron pipe found for the southeasterly corner of said Lot C, also being the northeasterly corner of Lot 3 of said Resubdivision of a Portion of Block 3, Plainview Heights, and continuing for a total distance of 350.43 feet to a 1/2-inch iron rod with cap set at the southeasterly corner of said 0.104 acre tract, being on the northerly right-of-way line of Concordia Avenue (50' R.O.W.), for the southeasterly corner hereof;

THENCE, N62°22'15"W, leaving said westerly right-of-way line of IH-35, along said northerly right-of-way line of Concordia Avenue, being the southerly lines of said 0.104 acre tract and said tract of record in Volume 1962, Page 488, of said Deed Records, a distance of 256.59 feet to a 1/2-inch iron rod with cap set on the easterly right-of-way line of Harmon Avenue (50' R.O.W.), for the southwesterly corner hereof;

# **EXHIBIT "B"**

FN 06-443 (ACD) AUGUST 09, 2006 PAGE 2 OF 3

THENCE, N28°08'42"E, leaving said northerly right-of-way line of Concordia Avenue, along said easterly right-of-way line of Harmon Avenue, being the westerly line of said tract of record in Volume 1962, Page 488, of said Deed Records, a distance of 68.08 feet to a 1/2-inch iron rod with cap set at the northwesterly corner of said tract of record in Volume 1962, Page 488, of said Deed Records, being the southwesterly corner of that certain tract conveyed to Nathan H. Leistico and Kent Leistico by deed of record in Voluem 5674, Page 34, of said Deed Records, for an angle point hereof;

THENCE, S62°22'15"E, leaving said easterly right-of-way line of Harmon Avenue, along the southerly line of said Leistico tract, being the northerly line of said tract of record in Volume 1962, Page 488, a distance of 140.01 feet to a 1/2-inch iron rod with cap set at the southeasterly corner of said Leistico tract, for an interior corner hereof;

THENCE, N28°08'42"E, along the easterly line of said Leistico tract, a distance of 49.92 feet to a 1/2-inch iron rod found at the northeasterly corner of said Leistico tract, being on the southerly line of said Lot 2, for an interior corner hereof;

THENCE, N62°22'15"W, along the northerly line of said Leistico tract, being the southerly line of said Lot 2, a distance of 140.01 feet to a 1/2-inch iron rod with cap set at the northwesterly corner of said Leistico tract, being on said easterly right-of-way line of Harmon Avenue, for the southwesterly corner of said Lot 2 and an angle point hereof;

THENCE, N28°08'42"E, along said easterly right-of-way line of Harmon Avenue, being the westerly lines of said Lot 2, said Lot 1, and said 0.766 acre tract, a distance of 150.14 feet to a 1/2-inch iron rod with cap set at the northwesterly corner of said 0.766 acre tract, being the southwesterly corner of Lot B, of said L.C. Johnson's Resubdivision of a Portion of Lot 3, Plainview Heights, for the northwesterly corner hereof, from which an iron pipe found at the northwesterly corner of said Lot B bears N28°08'42"E, a distance of 97.50 feet;

THENCE, S62°29'28"E, leaving said easterly right-of-way line of Harmon Avenue, along the southerly line of said Lot B, being the northerly line of said 0.766 acre tract, a distance of 138.67 feet to a 1/2-inch iron rod found at the southeasterly corner of said Lot B, being the southwesterly corner of said Lot C, for an interior corner of said 0.766 acre tract and hereof;

THENCE, N27°58'11"E, along the easterly line of said Lot B, being the westerly line of said Lot C and said 0.766 acre tract, a distance of 81.89 feet to a 1/2-inch iron rod with cap set at the northwesterly corner of said 0.766 acre tract, being the southwesterly corner of said Reuben M. Brooks tract, for the northwesterly corner hereof, from which a 1/2-inch iron rod found at the northeasterly corner of said Lot B bears N27°58'11"E, a distance of 15.70 feet;

FN 06-443 (ACD) AUGUST 09, 2006 PAGE 3 OF 3

THENCE, S62°25'12"E, leaving the easterly line of said Lot B, along the southerly line of said Reuben M. Brooks tract, being the northerly line of said 0.766 acre tract, a distance of 118.21 feet to the POINT OF BEGINNING, and containing 1.642 acres (71,545 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS NOTE: THE BASIS OF BEARING IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, 83(93), CENTRAL ZONE, UTILIZING CITY OF AUSTIN GPS CONTROL NETWORK.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, INC., COMPLETED DURING THE MONTH OF AUGUST 2006. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC. ENGINEERING SOLUTIONS 3345 BEE CAVES ROAD, SUITE 200 AUSTIN, TEXAS 78746

JOHN T. BILNOSKI, R.P.L.S

NO. 4998

STATE OF TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

2007 Mar 30 05:00 PM 2007057

GUERREROR \$56.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS