

TRAVIS COUNTY, TEXAS
VOL. 888 PAGE 411

THE STATE OF TEXAS
COUNTY OF TRAVIS

DOES ALL MEN BY THESE PRESENTS:

That we, H. E. Hart and wife, Mrs. Dorothy G. Hart of North Hatley, Quebec, Canada, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration cash in hand paid by Austin Corporation, the receipt of which is hereby acknowledged and confessed and for the payment of which no lien either expressed or implied is retained upon the hereinafter described property,

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY unto the said Austin Corporation, a Texas corporation, of Austin, Travis County, Texas, all of the following described tract or parcel of land, lying and being situated in the County of Travis, State of Texas, and more particularly described as follows:

195.61 acres of land, it being a portion of that 249.8 acre tract of land described in a deed from Walter L. Davis, et ux, to Mrs. Dorothy G. Hart as recorded in Book 660, Page 137, Travis County Deed Records, and being all of that 42.0 acre tract of land as described in a deed from F. C. Cantwell, et ux, to M. E. Hart as recorded in Book 847, Page 17, Travis County Deed Records, 130.06 acres being out of the T. J. Chambers 8 league grant and 65.55 acres being out of the George W. Davis Survey #15 in Travis County, Texas, as surveyed for M. E. Hart and David B. Barrow by the Metcalfe Engineering Company, 1011 Guadalupe Street, Austin, Texas, being described by metes and bounds as follows, to-wit:

BEGINNING at a tack in a cut off post in rock mound, it being the most northerly northeast corner of that tract of land designated as First Tract in a 1460.42 acre tract of land in Travis County, Texas, in a Sheriff's deed dated June 2, 1936, from J. G. Burney by Lee O. Allen, Sheriff to Sophie Wendlandt as recorded in Book 544, Pages 294-296, Travis County Deed Records, a portion of the T. J. Chambers 8 League Grant in Travis County, Texas, said tack in cut off post in rock mound being also the northwest corner of a 41 acre tract, a portion of the T. J. Chambers 8 League Grant as described in a deed from Josiah Fisk to James Wall as recorded in Book "G", Page 158, Travis County Deed Records, it being also the northwest corner of a 42.0 acre tract, a portion of the T. J. Chambers 8 League Grant and a portion of the George W. Davis Survey #15 as described in a deed from F. C. Cantwell, et ux, to M. E. Hart as recorded in Book 847, Page 17, Travis County Deed Records, as fenced and used upon the ground, said tack in cut off post in rock mound being also in the southwest line of that 62.0 acre tract of land conveyed by a deed from Nan Hays to E. V. Smith as recorded in Book 852, Page 409, Travis County Deed Records;

(1) THENCE with an east line of the said Mrs. Sophie Wendlandt 1460.42 acre tract and being also a west line of the said James Wall 41.0 acre tract as fenced and used upon the ground, South 31 deg 56' West 1336.94 feet to an iron stake and rock mound near corner of fence, in the north line of a 100 acre tract, a portion of the T. J. Chambers 8 League Grant in Travis County, Texas, as described in a deed from J. G. Burney to Walter L. Davis as recorded in Book 160, Page 24, Travis County Deed Records, and from which iron stake and rock mound a 14" Live Oak marked x bears South 13 deg. 30' East 18.2 varas and a 16" Live Oak bears South 70 deg. 00' East 9.2 varas;

(2) THENCE with the north line of the said Walter L. Davis 100 acre tract, and being also a line of the Mrs. Sophie Wendlandt 1460.42 acre tract, North 59 deg. 19' West 492.22 feet to an iron stake and rock mound at the northwest corner of the Walter L. Davis 100 acre tract, and being also described in a deed from Walter L. Davis to Mrs. Dorothy C. Hart as recorded in Book 660, Page 137, Travis County Deed Records, and from which iron stake and rock mound a 9" Cedar Stump bears South 42 deg. 00' East 2.5 varas and a Live Oak 5" in diameter marked \times bears North 85 deg. 30' East 2.6 varas;

THENCE with the west line of the Walter L. Davis 100 acre tract, and being also an east line of the 1460.42 acre tract as fenced and used upon the ground, courses numbering 3-5 inclusive, as follows:

(3) South 31 deg. 00' West 914.75 feet to an iron stake and rock mound;
(4) South 31 deg. 32' West 1964.83 feet to an iron stake and rock mound;
(5) South 30 deg. 20' West 244.19 feet to an iron stake and rock mound; near corner of fence, for the southwest corner of the Walter L. Davis 100 acre tract, and being also a corner of the said Mrs. Sophie Wendlandt 1460.42 acre tract;

(6) THENCE with the south line of the said Walter L. Davis 100 acre tract, South 55 deg. 31' East 273.97 feet to an iron stake in the north face of a post in rock mound at corner of fence, for a corner of the said Mrs. Sophie Wendlandt 1460.42 acre tract, said iron stake in post in rock mound at corner of fence being the northwest corner of a 147.0 acre tract, a portion of the T. J. Chambers 8 League Grant as described in a deed from J. G. Burney to Joseph Stumpf, et al, as recorded in Book 172, Page 347, Travis County Deed Records, said iron stake in post in rock mound at corner of fence being also the most westerly northwest corner of a 42.0 acre tract, a portion of the T. J. Chambers 8 League Grant and a portion of the George W. Davis Survey #15 as described in a deed from Thomas A. Graham to Edwin London as recorded in Book 1647, Page 67, Travis County Deed Records;

(7) THENCE with the north line of the said Joseph Stumpf 147.0 acre tract, being also the north line of the Edwin London 42.0 acre tract, and the most southerly line of the Walter L. Davis 100 acre tract, South 58 deg. 29' East 1144.53 feet to an iron stake and rock mound set at the southeast corner of said 100 acre tract as described in a deed from J. G. Burney to Walter L. Davis as recorded in Book 160, Page 24, Travis County Deed Records, said iron stake being also at the southwest corner of a 22.5 acre tract of land described as Second Tract in a deed from Ruby Ponton to Winnie A. Ponton as recorded in Book 612, Page 495, Travis County Deed Records, said iron stake and rock mound being also described as the southwest corner of the George W. Davis Survey #15;

(8) THENCE with the east line of the said Walter L. Davis 100 acre tract of land and the west line of the said Winnie A. Ponton 22.5 acre tract of land, North 31 deg. 00' East 648.97 feet to an old iron stake at the most westerly southwest corner of a 134.0 acre tract conveyed by a deed from E. P. Thomas to W. P. Knox as recorded in Book 791, Page 197, Travis County Deed Records, said iron stake being also at the most westerly north corner of that 22.5 acre tract described as Second Tract in a deed from Ruby Ponton to Winnie A. Ponton as recorded in Book 612, Page 495, Travis County Deed Records;

THENCE with the east line of that 100 acre tract of land as described in a deed from J. G. Burney to Walter L. Davis and the west line of the W. P. Knox 134.0 acre tract as fenced and used upon the ground, courses numbering 9-16, inclusive as follows:

(9) North 29 deg. 38' East 171.83 feet to an iron stake;
 (10) North 31 deg. 50' East 213.56 feet to an iron stake;
 (11) North 31 deg. 30' East 349.53 feet to an iron stake;
 (12) North 32 deg. 46' East 261.42 feet to an iron stake;
 (13) North 30 deg. 05' East 229.25 feet to an iron stake;
 (14) North 31 deg. 05' East 390.28 feet to an iron stake;
 (15) North 31 deg. 33' East 193.75 feet to an iron stake;
 (16) North 36 deg. 26' East 33.42 feet to an iron stake in rock mound set for the northwest corner of the W. P. Knox 134.0 acre tract, said iron stake in rock mound being an ell corner of that 249.8 acre tract of land conveyed by a deed from Walter L. Davis to Mrs. Dorothy G. Hart as recorded in Book 660, Page 137, Travis County Deed Records;

THENCE with the north line of the said W. P. Knox 134.0 acre tract of land and the most easterly south line of the said Mrs. Dorothy G. Hart 249.8 acre tract of land as fenced and used upon the ground, courses numbering 17-41 inclusive, as follows:

(17) South 64 deg. 22' East 65.64 feet to an iron stake;
 (18) South 56 deg. 18' East 73.0 feet to an iron stake;
 (19) South 59 deg. 33' East 62.97 feet to an iron stake;
 (20) South 55 deg. 49' East 68.0 feet to an iron stake;
 (21) South 62 deg. 02' East 129.36 feet to an iron stake;
 (22) South 54 deg. 38' East 152.44 feet to an iron stake;
 (23) South 58 deg. 03' East 67.86 feet to an iron stake;
 (24) South 61 deg. 12' East 149.31 feet to an iron stake;
 (25) South 53 deg. 03' East 105.31 feet to an iron stake;
 (26) South 62 deg. 23' East 100.64 feet to an iron stake;
 (27) South 58 deg. 10' East 93.69 feet to an iron stake;
 (28) South 61 deg. 44' East 103.89 feet to an iron stake;
 (29) South 51 deg. 49' East 136.28 feet to an iron stake;
 (30) South 57 deg. 37' East 99.22 feet to an iron stake;
 (31) South 53 deg. 23' East 52.28 feet to an iron stake;
 (32) North 89 deg. 28' East 57.64 feet to an iron stake;
 (33) South 80 deg. 10' East 38.44 feet to an iron stake;
 (34) South 63 deg. 44' East 40.03 feet to an iron stake;
 (35) South 58 deg. 11' East 105.22 feet to an iron stake;
 (36) South 42 deg. 02' East 37.86 feet to an iron stake;
 (37) South 11 deg. 04' East 46.42 feet to an iron stake;
 (38) South 56 deg. 36' East 94.97 feet to an iron stake;
 (39) South 60 deg. 07' East 128.33 feet to an iron stake;
 (40) South 38 deg. 38' East 50.33 feet to an iron stake;
 (41) South 63 deg. 20' East 119.14 feet to an iron stake in rock mound, being in the south line of the said Mrs. Dorothy G. Hart 249.8 acre tract of land and the northeast corner of the W. P. Knox 134.0 acre tract of land;

THENCE with a fence, courses numbering 42-45 inclusive, as follows:

(42) North 7 deg. 39' East 41.94 feet to an iron stake;
 (43) North 0 deg. 56' East 333.78 feet to an iron stake and rock mound;
 (44) North 1 deg. 09' East 354.81 feet to an iron stake on top of a concrete post on the west side of a gate;
 (45) North 79 deg. 23' East 13.81 feet to an iron stake on top of a concrete post on east side of gate;
 (46) THENCE with a fence, North 25 deg. 42' East 485.89 feet to an iron stake on top of a concrete mon. set in the most northerly line of the Mrs. Dorothy G. Hart 249.8 acre tract of land, said concrete monument being in the south line of a 482.0 acre tract, a portion of the George W. Davis Survey #15 in Travis County, Texas, as described in a deed from the Commissioners Court of Travis County, Texas, to William N. McElroy as recorded in Book 232, Page 98, Travis County Deed Records as fenced and used upon the ground;

(47) THENCE with the south line of the said William N. McElroy 482.0 acre tract of land and the most northerly line of the Mrs. Dorothy G. Hart 249.8 acre tract, as fenced and used upon the ground, North 58 deg. 17' West 862.03 feet to an iron stake at the most easterly southeast corner of the said M. E. Hart 42.0 acre tract of land, said iron stake being also at the most westerly southwest corner of the said William N. McElroy 482.0 acre tract of land and being also in the most northerly line of the said Mrs. Dorothy G. Hart 249.8 acre tract as fenced and used upon the ground;

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THENCE with the most westerly line of the William N. McElroy 482.0 acre tract of land and the most easterly line of the said M. E. Hart 42.0 acre tract of land as fenced and used upon the ground, courses numbering 48-51 inclusive, as follows:

- (48) North 29 deg. 46' East 157.58 feet to an iron stake;
- (49) North 31 deg. 06' East 152.44 feet to an iron stake;
- (50) North 32 deg. 06' East 129.86 feet to an iron stake;
- (51) North 31 deg. 55' East 473.0 feet to an iron stake at the northeast corner of the M. E. Hart 42.0 acre tract, the northwest corner of the William N. McElroy 482.0 acre tract, in the north line of the George W. Davis Survey #15, the south line of the James M. Mitchell Survey #17 as fenced and used upon the ground, and in the south line of that 17.28 acre tract of land, a portion of the James M. Mitchell Survey #17 as described in a deed from A. O. Myrick to Vernon Lemens and David B. Barrow as recorded in Book 1650, Page 52, Travis County Deed Records;

THENCE with the south line of the said David B. Barrow 17.28 acre tract of land, the north line of the said M. E. Hart 42.0 acre tract of land, the north line of the George W. Davis Survey #15 and the south line of the James M. Mitchell Survey #17 as fenced and used upon the ground, courses numbering 52-55 inclusive, as follows:

- (52) North 63 deg. 32' West 79.42 feet to an iron stake and rock mound;
- (53) North 61 deg. 29' West 214.83 feet to an iron stake and rock mound;
- (54) North 60 deg. 33' West 179.58 feet to an iron stake and rock mound;
- (55) North 50 deg. 48' West 19.14 feet to an iron stake and rock mound, said iron stake and rock mound being the southwest corner of the said David B. Barrow 17.28 acre tract, and being also described as a southwest corner of a 30' foot road easement conveyed by F. C. Cantwell to M. E. Hart as recorded in Book 676, Page 225, Travis County Deed Records, said iron stake and rock mound being also the southeast corner of a 22.5 acre tract of land conveyed by a deed from Ed Foster to Rupert E. Theobalt as recorded in Book 1301, Page 337, Travis County Deed Records;

THENCE with the south line of the said Rupert E. Theobalt 22.5 acre tract, the north line of the M. E. Hart 42.0 acre tract, the north line of the George W. Davis Survey #15 and the south line of the James M. Mitchell Survey #17 as fenced and used upon the ground, courses numbering 56-57 inclusive, as follows:

- (56) North 58 deg. 11' West 321.67 feet to an iron stake and rock mound;
- (57) North 57 deg. 24' West at about 71.09 feet passing a northwest corner of the George W. Davis Survey #15 in conflict with the T. J. Chambers 8 League Grant as described in Book 612, Page 495, Travis County Deed Records, in all 103.03 feet to an iron stake and rock mound;
- (58) North 58 deg. 07' West 164.0 feet to an iron stake, said iron stake being in the southwest corner of the Rupert E. Theobalt 22.5 acre tract of land and being also at the southeast corner of that 62.0 acre tract conveyed by Nan Hays to E. V. Smith as recorded in Book 852, Page 489, Travis County Deed Records, being also in the north line of the said M. E. Hart 42.0 acre tract of land, and being also in the north line of that 41.0 acre tract of land conveyed by a deed from Josiah Fisk to James Wall as recorded in Book "G", Page 158, Travis County Deed Records, and the south line of the James M. Mitchell Survey #17 as fenced and used upon the ground;

(59) THENCE with the south line of the said E. V. Smith 62.0 acre tract, the south line of the James M. Mitchell Survey #17, and the north line of the M. E. Hart 42.0 acre tract, North 58 deg. 07' West 714.36 feet to the place of the beginning containing 195.61 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Austin Corporation, its successors and assigns, forever.

And we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said Austin Corporation, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The grantors herein for and upon the consideration recited above do hereby grant, sell and convey to the grantee herein that certain easement and right of way which is described in that certain instrument executed and delivered by F. C. Cantwell and wife, Birdie Mae Cantwell, to M. E. Hart, dated April 12, 1941, recorded in Volume 675, Page 235, of the Deed Records of Travis County, Texas, to which instrument and the record thereof reference is here made for all pertinent purposes.

This conveyance is made by the grantors herein and accepted by the grantee upon the following covenant and restriction, to-wit:

- (1) Grantee, its successors, or assigns shall never operate or permit the operation of a rock quarry, asphalt plant or any other heavy industry on the land and premises herein conveyed.
- (2) Grantors, their heirs, executors, administrators and assigns may enforce the observance of the above mentioned covenant by injunction, action for damages, or both.

The grantors herein do hereby represent, warrant and guarantee both as a statement of the true facts and as an inducement for the purchase of the aforescribed premises by the grantee herein that they were married to each other on December 2, 1940, and that they have remained married to each other until the present date and are now husband and wife.

WITNESS OUR HANDS this the 12 day of August A.D. 1957.

M. E. Hart
M. E. Hart

Mrs. Dorothy G. Hart
Mrs. Dorothy G. Hart

We guarantee signature of
Mrs. Dorothy G. Hart
THE BANK OF AMERICA
MEMPHIS, TENN.

PROVINCE OF TEXAS
NOTARIAL OFFICE

Before me, the undersigned, on this day personally appeared M. E. Hart and Mrs. Dorothy G. Hart, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and the said M. E. Hart, acknowledged to me that he executed the same for the purposes and consideration therein expressed; and the said Mrs. Dorothy G. Hart, wife of the said M. E. Hart, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mrs. Dorothy G. Hart, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS the 1st day of February A.D. 1957.

[Signature]
Notary Public

THE STATE OF TEXAS :
COUNTY OF TRAVIS :

BEFORE ME, the undersigned, on this day personally appeared M. E. Hart and Mrs. Dorothy G. Hart, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and the said M. E. Hart, acknowledged to me that he executed the same for the purposes and consideration therein expressed; and the said Mrs. Dorothy G. Hart, wife of the said M. E. Hart, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mrs. Dorothy G. Hart, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS the 17th day of February A. D. 1958.

[Signature]
Notary Public in and for Travis
County, Texas.
James H. Wells

