

3100

RESTRICTIVE COVENANTS

0 3 90 3773

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

APR 22 85 4953 * 31.00

WHEREAS, Larry Peel ("Seller") has agreed to sell to Clifton Lind, Trustee ("Buyer") a tract of land as more particularly described in Exhibit A attached hereto and made a part hereof (the "Restricted Tract");

WHEREAS Stillhouse, Ltd., a Texas limited partnership in which Larry Peel is the general partner ("Stillhouse") owns that certain tract of land which is adjacent to the Restricted Tract and said land is more particularly described in Exhibit B attached hereto and made a part hereof (the "Stillhouse Tract");

WHEREAS, Stillhouse intends to develop the Stillhouse Tract and desires to impose certain restrictions on the Restricted Tract so that the development of the Restricted Tract will be compatible with the proposed development of the Stillhouse Tract and will not adversely affect development on the Stillhouse Tract;

WHEREAS, part of the consideration for the conveyance for the Restricted Tract from Seller to Buyer, and as a condition to said conveyance is that the following restrictions be imposed on the Restricted Tract;

NOW, THEREFORE, it is hereby declared that all of the Restricted Tract shall be held, sold, conveyed and occupied subject to the following restrictions, covenants and conditions, and which shall be deemed covenants running with land, and shall be binding on Buyer, its heirs, successors, legal representatives and assigns, as follows:

ARTICLE I
DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases when used in this Restrictive Covenant shall have the meanings hereinafter specified:

1.1 Improvements. "Improvements" shall mean every structure and all appurtenances thereto of every kind and type, including but not limited to buildings, outbuildings, storage sheds, patios, tennis courts, swimming pools, garages, storage buildings, fences, screening walls, retaining walls, stairs, decks, landscaping, poles, signs, exterior air conditioning, water softener fixtures or equipment, and poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, antennas, towers and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities.

1.2 Plan and Specifications. "Plans and Specifications" shall mean any and all documents designed to guide or control the construction or erection of any improvement, including but not limited to those indicating location, size, shape, configuration, materials, site plans, excavation and grading plans, foundation plans, drainage plans, landscaping and fencing plans, elevation drawings, floor plans, specifications on all building products and construction techniques, samples or exterior colors, plans for utility services, and all other documentation or information relevant to such improvement.

REAL PROPERTY RECORDS
Travis County, Texas

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ARTICLE II
GENERAL RESTRICTIONS

All of the Restricted Tract shall be owned, held, encumbered, leased, used and enjoyed subject to the following limitations and restrictions:

2.1 Rubbish and Debris. No rubbish or debris of any kind shall be placed or permitted to accumulate upon the Restricted Tract and no odors shall be permitted to arise therefrom so as to render the Restricted Tract or any portion thereof unsanitary, unsightly, offensive or detrimental to any other property or to its occupants. Refuse, garbage and trash shall be kept at all times in covered containers and any such container shall be kept within an enclosed structure or appropriately screened from view.

2.2 Noise. No exterior speakers, horns, whistles, bells or other sound devices (other than security devices used exclusively for security purposes) shall be located, used or placed on any of the Restricted Tract. No noise or other nuisance shall be permitted to exist or operate upon any portions of the Restricted Tract so as to be offensive or detrimental to the Restricted Tract or to its occupants or to the Stillhouse Tract or its occupants.

2.3 Construction of Improvements. No Improvements shall hereafter be constructed upon any portion of the Restricted Tract without the prior written approval of Stillhouse or Stillhouse's heirs, or successors or assigns.

2.4 Repair of Buildings. All Improvements upon any portion of the Restricted Tract shall at all times be kept in good condition.

2.5 Alteration or Removal of Improvements. Once Improvements have been constructed, there shall be no alteration of said Improvements that would change the architectural design of the Improvement without the prior written approval of Stillhouse or Stillhouse's heirs, successors or assigns. No Improvements shall be removed without the prior written consent of Stillhouse or Stillhouse's heirs, successors or assigns.

2.6 Office Use. The Restricted Tract shall be improved and used solely for general office purposes.

2.7 Building Height. No Improvements more than two (2) stories and no Improvements greater than thirty-two (32) feet in height may be constructed on the Restricted Tract without the prior written approval of Stillhouse or Stillhouse's heirs, successors or assigns.

2.8 Size. Not more than one hundred thousand (100,000) square feet of office space will be constructed on the Restricted Tract.

2.9 Site Plan. No Improvements of any kind shall be constructed until a site plan showing the exact location of all Improvements to be constructed and the exact height and elevation of all such Improvements has been approved in writing by Stillhouse or Stillhouse's heirs, successors or assigns. Buyer will make no amendments or modifications of any kind to said site plan without the express written consent of Stillhouse, or Stillhouse's heirs, successors or assigns.

2.10 Impervious Cover. The "impervious cover" to be constructed on the Restricted Tract shall not exceed that permitted by the Lake Austin Watershed Ordinance, as amended, in effect as of the date of this Restrictive Covenant. The term

impervious cover shall have the same meaning herein as that term is defined by the City of Austin at the time this Restricted Covenant is executed. Notwithstanding anything herein to the contrary, impervious cover shall include, without limitation all roads, sidewalks, parking lots, slabs and any other improvements of any kind.

2.11 Parking. There shall be one striped parking spot for each two hundred eighty-five (285) square feet of office building constructed on the Restricted Tract. No underground parking shall face toward the Stillhouse Tract.

2.12 Contour Line. Except for sewer lines to be installed by Seller or Stillhouse, no construction of any kind shall take place below the eight hundred twenty (820) foot contour line as that line is shown on the plat attached hereto. Except for the sewer lines to be installed by Seller or Stillhouse, all land constituting part of the Restricted Tract below the eight hundred twenty (820) foot contour line shall be left in its natural state and shall be undisturbed. Except for the sewer lines to be installed by Seller or Stillhouse, no improvements of any kind shall be constructed on that part of the Restricted Tract which is below an elevation of eight hundred twenty (820) feet above sea level, without the express written consent of Stillhouse or Stillhouse's heirs, successors or assigns.

2.13 Sewer Line. In installing sewer lines across the Restricted Tract any easement with respect to such a sewer line shall not be in excess of seven and one half (7.5) feet in width and no tree with a diameter of three (3) inches or more shall be cut in connection with the installation of said line without the express written consent of Stillhouse, or Stillhouse's heirs, successors or assigns.

2.14 Green Belt. No Improvements of any kind shall be constructed within ten (10) feet of the Stillhouse Tract without the express written consent of Stillhouse or Stillhouse's heirs, successors or assigns. Said ten (10) foot strip shall be left in its natural state unless Stillhouse or Stillhouse's heirs, successors or assigns gives its written consent to the construction of said Improvements.

2.15 Access Green Belt. Contemporaneously with the execution of this Restrictive Covenant Buyer has granted to Stillhouse an easement across the Restricted Tract for ingress and egress purposes. No Improvements of any kind shall be constructed on the Restricted Tract which are within ten (10) feet of said ingress and egress easement other than as shown on site plan dated April 5, 1985 and approved by Seller. Any part of the Restricted Tract within ten (10) feet of said ingress and egress easement shall be left in its natural state unless Stillhouse or Stillhouse's heirs, successors or assigns gives its written consent to the construction of said Improvements.

ARTICLE III SUBORDINATION

3.1 All liens and encumbrances placed on the Restricted Tract by Buyer, his heirs, agents, successors or assigns, shall be expressly subordinate and inferior to this Restricted Covenant.

ARTICLE IV ENFORCEMENT AND NONWAIVER

4.1 If any person, persons, corporation or entity of any other character shall violate or attempt to violate any of the foregoing agreements and covenants it shall be lawful for Stillhouse, its heirs, legal representatives, successors and

assigns, to prosecute proceedings at law, or in equity, against said person or entity violating or attempting to violate any such agreement or covenant and to prevent said person or entity from violating or attempting to violate any such agreement or covenant. Such right of enforcement shall include both damages for and injunctive relief against, the breach of any such provision.

4.2 The failure to enforce any provision of this Restrictive Covenant at any time shall not constitute a waiver of the right thereafter to enforce any such provision or any other provision of said restrictions.

ARTICLE V
CONSTRUCTION

5.1 The provisions of these Restrictive Covenants shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision or portion thereof.

5.2 Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

5.3 All captions and titles used in this instrument are intended solely for convenience of reference and shall not enlarge, limit or otherwise effect that which is set forth in any of the paragraphs, sections or articles hereof.

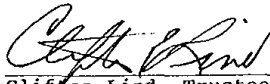
5.4 This amendment may be modified, amended or terminated only by joint action of both (a) the owners of the Stillhouse Tract at the time of such modification, amendment or termination, and (b) by the owners of the Restricted Tract at the time of such modification, amendment or termination.

5.5 These restrictions shall terminate twenty five years from the date hereof.

EXECUTED this the 12th day of April, 1985, but Effective as of the 15 day of April, 1985.

Stillhouse, Ltd.,
a Texas limited partnership

By: 
Larry Peel, General Partner


Clifton Lind, Trustee

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STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 12th day of April, 1985, by Stillhouse, Ltd., a Texas limited partnership acting through its general partner, Larry Peel.

John C. Kerr

Notary Public, State of Texas

NOTARY SEAL

JOHN C. KERR

My Commission Expires: 10/6/86

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 12th day of April, 1985, by Clifton Lind, Trustee.

John C. Kerr

Notary Public, State of Texas

NOTARY SEAL

JOHN C. KERR

My Commission Expires: 10/6/86

Return to:
Mr. Larry Peel
1006 MoPac Circle
Suite 201
Austin, Texas 78746



METCALFE ENGINEERING Co., INC.

4800 SOUTH CONGRESS
PHONE 442-8363 — 476-1579
AUSTIN, TEXAS 78745

FIELD NOTES OF A SURVEY OF 362,513 SQUARE FEET OF LAND OR 8.3222 ACRES OF LAND, A PORTION OF THE JAMES H. MITCHELL SURVEY NO. 17, ABSTRACT NO. 521, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 362,513 SQUARE FEET OF LAND OR 8.3222 ACRES BEING COMPOSED OF THE FOLLOWING; BEING A PORTION OF THAT TRACT OF 115,793 SQUARE FEET OR 2.6582 ACRES, DESIGNATED AS TRACT I AND BEING ALL OF THAT TRACT OF 2298 SQUARE FEET OR 0.0528 OF ONE ACRE, DESIGNATED AS TRACT II, SAID TRACT I AND TRACT II BEING PORTIONS OF SAID MITCHELL SURVEY AND DESCRIBED IN A DEED FROM LAWRENCE E. WARREN, ET UX TO LARRY PEEL IN VOLUME 8226, PAGE 557, TRAVIS COUNTY DEED RECORDS; BEING ALSO A PORTION OF THAT TRACT OF 313,641 SQUARE FEET OR 7.2002 ACRES, A PORTION OF SAID MITCHELL SURVEY, DESCRIBED IN A DEED FROM RICHARD HABERMAN, TRUSTEE TO LARRY PEEL, TRUSTEE IN VOLUME 8180, PAGE 853, TRAVIS COUNTY DEED RECORDS; BEING ALSO A PORTION OF THAT TRACT OF 65,702 SQUARE FEET OR 1.5083 ACRES, A PORTION OF SAID MITCHELL SURVEY, DESCRIBED IN A DEED FROM JAMES H. FRAZIER, JR. TO LARRY PEEL IN VOLUME 8309, PAGE 188, TRAVIS COUNTY DEED RECORDS; BEING ALSO A PORTION OF THAT TRACT OF 203,586 SQUARE FEET OR 4.6737 ACRES, A PORTION OF SAID MITCHELL SURVEY, DESCRIBED IN A DEED FROM ZONA MAE GRAY TO LARRY PEEL IN VOLUME 8333, PAGE 412, TRAVIS COUNTY DEED RECORDS; BEING ALSO A PORTION OF THAT TRACT OF 19,995 SQUARE FEET OR 0.4590 OF ONE ACRE, DESIGNATED AS TRACT I, AND A PORTION OF THAT TRACT OF 10,137 SQUARE FEET OR 0.2327 OF ONE ACRE, DESIGNATED AS TRACT II, SAID TRACT I AND TRACT II BEING PORTIONS OF SAID MITCHELL SURVEY AND DESCRIBED IN A DEED FROM ERNEST WILLIAMS TO LARRY PEEL IN VOLUME 8221, PAGE 144, TRAVIS COUNTY DEED RECORDS; BEING A PORTION OF THAT TRACT OF 327,271 SQUARE FEET OR 7.5131 ACRES, A PORTION OF SAID MITCHELL SURVEY, DESCRIBED IN A DEED FROM FRITZ J. BROCKMAN, ET UX TO LARRY PEEL IN VOLUME 8319, PAGE 593, TRAVIS COUNTY DEED RECORDS; BEING ALSO ALL OF THAT TRACT OF 2162 SQUARE FEET OR 0.0496 OF ONE ACRE, DESIGNATED AS TRACT 2 AND ALL OF THAT TRACT OF 1693 SQUARE FEET OR 0.0389 OF ONE ACRE, DESIGNATED AS TRACT 3, SAID TRACT 2 AND TRACT 3 BEING PORTIONS OF THE SAID MITCHELL SURVEY AND DESCRIBED IN A QUITCLAIM DEED FROM JOHN JOSEPH TO LARRY PEEL IN VOLUME 8378, PAGE 172, TRAVIS COUNTY DEED RECORDS, AS SURVEYED FOR LARRY PEEL BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

Beginning at a steel pin found in the southwest line of Spicewood Springs Road, being at an east or northeast corner of that tract of 1693 square feet or 0.0389 of one acre, designated as Tract 3, a portion of the James H. Mitchell Survey No. 17, Abstract No. 521, in the City of Austin, Travis County, Texas, as described in a quitclaim deed from John Joseph to Larry Peel in Volume 8378, Page 172, Travis County Deed Records, being also at the most northerly corner of that 0.83 of one acre tract, a portion of the James H. Mitchell Survey No. 17, Abstract No. 521, in the City of Austin, Travis County, Texas, described in a deed from E. W. Roe, et al to John Joseph in Volume 6808, Page 1348, Travis County Deed Records, for the most easterly corner of the herein described tract;

Exhibit A

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THENCE with the southeast line of the said Peel Tract 3 of 0.0389 of one acre and a southeast line of that tract of 2162 square feet or 0.0496 of one acre, designated as Tract 2, a portion of the said Mitchell Survey, as described in a quitclaim deed from John Joseph to Larry Peel in Volume 8378, Page 172, Travis County Deed Records, being also with the northwest line of the said Joseph 0.83 of one acre tract and the northwest line of that tract of 5177 square feet or 0.1188 of one acre, a portion of the said Mitchell Survey, as described in a quitclaim deed from Larry Peel to John Joseph in Volume 8377, Page 327, Travis County Deed Records, courses numbered 1 through 4 inclusive as follows:

- (1) S 30° 07' W 37.03 feet to a steel pin found;
- (2) S 25° 38' W 41.24 feet to a steel pin found;
- (3) S 26° 42' W 44.51 feet to a steel pin found;

(4) S 30° 31' W 63.33 feet to an iron pipe set at the most southerly or southeast corner of the said Peel Tract 2 of 0.0496 of one acre tract and the most westerly or southwest corner of the said Joseph 0.1188 of one acre tract, being also in a north or northeast line of that tract of 327,271 square feet or 7.5131 acres of land, a portion of said Mitchell Survey, described in a deed from Fritz J. Brockman, et ux to Larry Peel in Volume 8319, Page 593, Travis County Deed Records, for an interior corner of the herein described tract;

(5) THENCE with a south or southwest line of the said Joseph 0.1188 of one acre tract and a north or northeast line of said Peel 7.5131 acre tract, S 46° 04' E 17.01 feet to an iron pipe set at an angle point in a north or northeast line of Lot 1, Stillhouse, a subdivision of a portion of the said Mitchell Survey, of record in Plat Book 84, Pages 165D-166A, Travis County Plat Records, for the most northerly southeast corner of the herein described tract;

THENCE with a north, northwest, west and north line of said Lot 1, Stillhouse, courses numbered 6 through 11 inclusive as follows:

(6) N 88° 49' W at 53.18 feet passing a west line of said Peel 7.5131 acre tract and an east line of that tract of 19,995 square feet or 0.4590 of one acre, a portion of said Mitchell Survey, designated as Tract I and described in a deed from Ernest Williams to Larry Peel in Volume 8221, Page 144, Travis County Deed Records, at 189.02 feet passing a west line of said Peel Tract I of 0.4590 of one acre and an east line of that tract of 10,137 square feet or 0.2327 of one acre, a portion of said Mitchell Survey, designated as Tract II and described in said deed to Larry Peel in Volume 8221, Page 144, Travis County Deed Records, at 295.49 feet passing an iron pipe found at an angle in the west line of said Peel Tract II of 0.2327 of one acre and an east line of that tract of 313,641 square feet or 7.2002 acres, a portion of said Mitchell Survey, described in a deed from Richard Haberman, Trustee to Larry Peel, Trustee in Volume 8180, Page 853, Travis County Deed Records, in all 300.01 feet to an iron pipe set;

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(7) N 73° 18' W 75.00 feet to a 60^d nail set in rock;
 (8) S 66° 33' W 131.74 feet to an iron pipe set;
 (9) S 16° 42' W 60.03 feet to a 60^d nail set in rock;
 (10) S 11° 34' E at 7.62 feet passing a south line of said Peel, Trustee 7.2002 acre tract and a north line of that tract of 203,586 square feet or 4.6737 acres, a portion of said Mitchell Survey, described in a deed from Zona Mae Gray to Larry Peel in Volume 8333, Page 412, Travis County Deed Records, in all 120.59 feet to a concrete monument set at an interior corner of said Lot 1, Stillhouse, for the most southerly southeast corner of the herein described tract;

(11) S 78° 26' W 231.88 feet to a rivet set in rock at a northwest corner of said Lot 1, Stillhouse and being in the west line of said Peel 4.6737 acre tract, said rivet being also in or near the east line of that tract designated as Parcel 1, a portion of said Mitchell Survey, as described in a deed from Wesley Cantwell, et ux to Melva J. Frazier in Volume 2167, Page 45, Travis County Deed Records;

(12) THENCE with the west line of said Peel 4.6737 acre tract and along or near the east line of said Frazier Parcel 1, N 4° 59' W 20.00 feet to an iron pipe found at a 5" Live Oak tree;

(13) THENCE with a northwest line of said Peel 4.6737 acre tract, N 44° 13' E 35.84 feet to a steel pin found in the east line of a road or lane known as Upper Road;

THENCE with the west line of said Peel 4.6737 acre tract and the west line of that tract of 65,702 square feet or 1.5083 acres, a portion of said Mitchell Survey, described in a deed from James H. Frazier, Jr. to Larry Peel in Volume 8309, Page 188, Travis County Deed Records, being also the east line of said Upper Road, courses numbered 14 through 21 inclusive as follows:

- (14) N 50° 47' W 43.11 feet to an iron pipe set at a 10" Cedar tree;
- (15) N 5° 41' W 123.69 feet to an iron pipe set;
- (16) N 10° 20' W 41.89 feet to an iron pipe found;
- (17) N 4° 30' W 59.34 feet to an iron pipe found;
- (18) N 16° 23' E 165.63 feet to a 60^d nail found;
- (19) N 12° 41' E 139.73 feet to an iron pipe set;
- (20) N 29° 53' E 68.00 feet to an iron pipe found at the most northerly or northwest corner of said Peel 4.6737 acre tract, being also at the southwest corner of said Peel 1.5083 acre tract;

(21) N 18° 45' E 62.05 feet to an iron pipe set, for the northwest corner of the herein described tract;

THENCE with courses numbered 22 through 23 inclusive as follows:

(22) S 74° 49' E at 121.42 feet passing an east line of said Peel 1.5083 acre tract and a west line of that tract of 115,793 square feet or 2.6582 acres, a portion of said Mitchell Survey, designated as Tract I and described in a deed from Lawrence E. Warren, et ux to Larry Peel in Volume 8226, Page 557, Travis County Deed Records, in all 190.26 feet to an iron pipe set;

(23) N 59° 38' E at 80.89 feet passing an east line of said Peel Tract 1 of 2.6582 acres and a west line of the aforesaid Peel, Trustee 7.2002 acre tract, in all 275.42 feet to an iron pipe set in the westerly line of Spicewood Springs Road and in an easterly line of said Peel, Trustee 7.2002 acre tract, for the most northerly corner of the herein described tract;

THENCE with the westerly line of Spicewood Springs Road and easterly line of said Peel, Trustee 7.2002 acre tract, courses numbered 24 through 25 inclusive as follows:

(24) S 29° 36' E 85.05 feet to an iron pipe set;

(25) S 23° 30' E 21.19 feet to an iron pipe set at the most northerly corner of that tract described in a deed to Samuel Henry Rainwater in Volume 970, Page 177, Travis County Deed Records, for an east corner of the herein described tract;

THENCE with southeast and northeast lines of said Peel, Trustee 7.2002 acre tract and the northwest and southwest lines of said Rainwater tract, courses numbered 26 through 28 inclusive as follows:

(26) S 42° 29' W 50.50 feet to an iron pipe set at the most westerly corner of said Rainwater tract and an interior corner of said Peel, Trustee 7.2002 acre tract, for an interior corner of the herein described tract;

(27) S 60° 14' E 82.00 feet to an iron pipe set;

(28) S 71° 40' E 16.20 feet to an iron pipe found in the southwest line of Spicewood Springs Road at the southeast corner of said Rainwater tract;

THENCE with the southwest line of Spicewood Springs Road and a northeast line of said Peel, Trustee 7.2002 acre tract, and with the northeast line of the said Peel Tract 2 of 0.0496 of one acre and the northeast line of the said Peel Tract 3 of 0.0389 of one acre, courses numbered 29 through 31 inclusive as follows:

(29) S 36° 20' E 63.20 feet to an iron pipe set;

(30) S 42° 27' E 178.45 feet to an iron pipe found at an east corner of said Peel, Trustee 7.2002 acre tract and the most northerly corner of the said Peel Tract 2 of 0.0496 of one acre;

(31) S 30° 55' E 20.22 to the place of the beginning, containing 362,513 square feet of land or 8.3222 acres of land.

Field Notes Prepared December 29, 1983 and Revised April 8, 1985, from Surveys Made in May, November and December 1983 and Updated on April 8, 1985.



METCALFE ENGINEERING COMPANY, INC.

By:

George L. Sanders

George L. Sanders
Registered Public Surveyor #1838

Plan 7883L
FB 618, P 1-60
FB 628, P 1-14
8FN84/85050.10

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METCALFE ENGINEERING CO., INC.

4800 SOUTH CONGRESS
PHONE 442-8363 — 476-1578
AUSTIN, TEXAS 78745

FIELD NOTES OF A SURVEY OF 20.4969 ACRES OF LAND, A PORTION OF THE JAMES H. MITCHELL SURVEY NO. 17, ABSTRACT NO. 521, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING COMPOSED OF THE FOLLOWING TRACTS, ALL WITHIN THE SAID MITCHELL SURVEY: A PORTION OF THAT 313,641 SQUARE FOOT OR 7.2002 ACRE TRACT AS DESCRIBED IN A DEED FROM RICHARD HABERMAN, TRUSTEE TO LARRY PEEL, TRUSTEE IN VOLUME 8180, PAGE 853, TRAVIS COUNTY DEED RECORDS, A PORTION OF TRACT I OF 19,995 SQUARE FEET OF LAND OR 0.4590 OF ONE ACRE OF LAND, AND A PORTION OF TRACT II OF 10,137 SQUARE FEET OF LAND OR 0.2327 OF ONE ACRE OF LAND, AS DESCRIBED IN A DEED FROM ERNEST WILLIAMS TO LARRY PEEL IN VOLUME 8221, PAGE 144, TRAVIS COUNTY DEED RECORDS, ALL OF EXHIBIT "A" OF 15,000 SQUARE FEET OF LAND OR 0.3444 OF ONE ACRE OF LAND AND ALL OF EXHIBIT "B" OF 5936 SQUARE FEET OF LAND OR 0.1363 OF ONE ACRE OF LAND, AS DESCRIBED IN A DEED FROM GEORGE A. STEPHEN AND JOHN F. HARRISON TO LARRY PEEL IN VOLUME 8295, PAGE 606, TRAVIS COUNTY DEED RECORDS, A PORTION OF THAT 327,271 SQUARE FOOT OR 7.5131 ACRE TRACT AS DESCRIBED IN A DEED FROM FRITZ J. BROCKMAN, ET UX TO LARRY PEEL IN VOLUME 8319, PAGE 593, TRAVIS COUNTY DEED RECORDS, ALL OF THAT 37,326 SQUARE FOOT OR 0.8569 OF ONE ACRE TRACT AS DESCRIBED IN A QUITCLAIM DEED FROM EGBERT V. SMITH TO LARRY PEEL IN VOLUME 8333, PAGE 354, TRAVIS COUNTY DEED RECORDS, A PORTION OF THAT 203,586 SQUARE FOOT OR 4.6737 ACRE TRACT AS DESCRIBED IN A DEED FROM ZONA MAE GRAY TO LARRY PEEL IN VOLUME 8333, PAGE 412, TRAVIS COUNTY DEED RECORDS, ALL OF THAT 149,030 SQUARE FOOT OR 3.4213 ACRE TRACT, ALL OF THAT 80,896 SQUARE FOOT OR 1.8571 ACRE TRACT, A PORTION OF THAT 70,566 SQUARE FOOT OR 1.6200 ACRE TRACT, ALL OF THAT 10,606 SQUARE FOOT OR 0.2435 OF ONE ACRE TRACT, ALL OF THAT 2284 SQUARE FOOT TRACT OR 0.0524 OF ONE ACRE TRACT AND ALL OF THAT 11,152 SQUARE FOOT OR 0.2560 OF ONE ACRE TRACT AS DESCRIBED IN A DEED FROM A. J. WILCOX, ET UX TO LARRY PEEL IN VOLUME 8334, PAGE 190, TRAVIS COUNTY DEED RECORDS, ALL OF THAT 2,227 SQUARE FOOT OR 0.0511 OF ONE ACRE TRACT AS DESCRIBED IN A DEED FROM JOHN JOSEPH TO LARRY PEEL IN VOLUME 8378, PAGE 167, TRAVIS COUNTY DEED RECORDS, AND ALL OF TRACT 1 OF 712 SQUARE FEET OF LAND OR 0.0163 OF ONE ACRE OF LAND AS DESCRIBED IN A QUITCLAIM DEED FROM JOHN JOSEPH TO LARRY PEEL IN VOLUME 8378, PAGE 172, TRAVIS COUNTY DEED RECORDS, AS SURVEYED FOR LARRY PEEL BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

Beginning at a steel pin found in the south line of Spicewood Springs Road at the northwest corner of that 15,000 square foot or 0.3444 of one acre tract, a portion of the James H. Mitchell Survey No. 17, Abstract No. 521, in the City of Austin, Travis County, Texas, designated as Exhibit "A" as described in a deed to Larry Peel in Volume 8295, Page 606, Travis County Deed Records, and the most northerly corner of that 2,227 square foot or 0.0511 of one acre tract, a portion of the said Mitchell Survey, as described in a deed to Larry Peel in Volume 8378, Page 167, Travis County Deed Records, said steel pin being at the northeast corner of that tract, a portion of the said

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EXHIBIT B

Mitchell Survey, described in a deed to John Joseph in Volume 6808, Page 1348, Travis County Deed Records, for the most northerly northwest corner of the herein described tract;

(1) THENCE with the south line of Spicewood Springs Road and the north line of the said Peel 15,000 square foot tract, S 68° 33' E 100.00 feet to an iron pipe set at the northeast corner of the said Peel 15,000 square foot tract, for the most northerly northeast corner of the herein described tract;

(2) THENCE with the east line of the said Peel 15,000 square foot tract, S 27° 57' W 190.94 feet to an iron pipe set at the southeast corner of the said Peel 15,000 square foot tract, said iron pipe being in the southwest line of Tract 2 of 0.89 of one acre, a portion of the said Mitchell Survey as described in a deed to George A. Stephen and John F. Harrison in Volume 8048, Page 597, Travis County Deed Records, and in a northeast line of that 327,271 square foot or 7.5131 acre tract, a portion of the said Mitchell Survey as described in a deed to Larry Peel in Volume 8319, Page 593, Travis County Deed Records;

(3) THENCE with a northeast line of the said Peel 7.5131 acre tract and the southwest line of the said Stephen and Harrison Tract 2 of 0.89 of one acre, S 48° 46' E 14.59 feet to an iron pipe set at the most southerly corner of the said Stephen and Harrison Tract 2 of 0.89 of one acre, and a west corner of that 37,326 square foot or 0.8569 of one acre tract, a portion of the said Mitchell Survey as described in a quitclaim deed to Larry Peel in Volume 8333, Page 354, Travis County Deed Records;

(4) THENCE with a northeast line of the said Peel 37,326 square foot tract and the southwest line of a 918 square foot or 0.0211 of one acre tract, a portion of the said Mitchell Survey as described in a deed to George A. Stephen, et al in Volume , Page , Travis County Deed Records, S 50° 01' E at 70.36 feet passing a northeast corner of the said Peel 37,326 square foot tract and the southwest corner of the said Stephen 918 square foot tract, in all 81.94 feet to a 60^d nail set in rock;

(5) THENCE with the south line of the said Stephen 918 square foot tract and the north line of a 5936 square foot or 0.1363 of one acre tract, a portion of the said Mitchell Survey designated as Exhibit "B" as described in a deed to Larry Peel in Volume 8295, Page 606, Travis County Deed Records, S 75° 17' E at 33.50 feet passing the most easterly corner of the said Stephen 918 square foot tract and the most westerly corner of the said Peel 5936 square foot tract, in all 74.79 feet to a 60^d nail set in rock at the northeast corner of the said Peel 5936 square foot tract;

(6) THENCE with the northeast line of the said Peel 5936 square foot tract, S 36° 16' E 182.71 feet to an iron pipe set at the most easterly corner of the said Peel 5936 square foot tract, said iron pipe being in the west line of that 62 acre tract as found fenced and used upon the ground, a portion of the said Mitchell Survey as described in a deed to Egbert V. Smith in Volume 852, Page 489, Travis County Deed Records, for the most easterly corner of the herein described tract;

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THENCE with the west line of the said Smith 62 acre tract as found fenced and used upon the ground, and the east line of the said Peel 5536 square foot tract, the east line of that 70,566 square foot or 1.6200 acre tract, a portion of the said Mitchell Survey as described in a deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records, the east line of that 2284 square foot or 0.0524 of one acre tract, a portion of the said Mitchell Survey as described in said deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records, the east line of that 80,896 square foot or 1.8571 acre tract, a portion of the said Mitchell Survey as described in said deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records, the east line of that 11,152 square foot or 0.2560 of one acre tract, a portion of the said Mitchell Survey, as described in said deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records, a southeast line of that 149,030 square foot or 3.4213 acre tract, a portion of the said Mitchell Survey, as described in said deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records, and east lines of the said Peel 37,326 square foot tract, courses numbered 7 through 13 inclusive as follows:

- (7) S 36° 43' W 33.44 feet to a steel pin found at the most southerly corner of the said Peel 5936 square foot tract and the most easterly or northeast corner of the said Peel 1.6200 acre tract;
- (8) S 23° 07' W 184.24 feet to a 60^d nail found;
- (9) S 34° 24' W 212.15 feet to a steel pin found at the southeast corner of the said Peel 1.6200 acre tract and the northeast corner of the said Peel 2284 square foot tract, being also at a northeast corner of the said Peel 37,326 square foot tract;
- (10) S 27° 15' W 16.05 feet to a steel pin found at the southeast corner of the said Peel 2284 square foot tract and the northeast corner of the said Peel 1.8571 acre tract, being also at a southeast corner of the said Peel 37,326 square foot tract;
- (11) S 29° 55' W 299.11 feet to a steel pin found at the southeast corner of the said Peel 1.8571 acre tract and the northeast corner of the said Peel 11,152 square foot tract, being also a northeast corner of the said Peel 37,326 square foot tract;
- (12) S 27° 48' W 23.07 feet to a steel pin found at the southeast corner of the said Peel 11,152 square foot tract and the northeast corner of the said Peel 3.4213 acre tract, being also a southeast corner of the said Peel 37,326 square foot tract;
- (13) S 44° 45' W 161.43 feet to an iron pipe set in the approximate centerline of Stillhouse Creek at the southeast corner of the said Peel 3.4213 acre tract and the northeast corner of that 38.11 acre tract, a portion of the said Mitchell Survey, conveyed in a deed to E. R. Barrow in Volume 2892, Page 104, Travis County Deed Records, for the most southerly or southeast corner of the herein described tract;

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THENCE down the approximate centerline of Stillhouse Creek with a southwest line of the said Peel 3.4213 acre tract, being also along or near the northeast line of the said Barrow 38.11 acre tract, courses numbered 14-23 inclusive as follows:

- (14) N 36° 28' W 123.97 feet to a steel pin found;
- (15) N 65° 00' W 79.50 feet to a 60^d nail set in rock;
- (16) S 88° 15' W 44.25 feet to a 60^d nail set in rock;
- (17) N 43° 12' W 82.68 feet to an iron pipe set;
- (18) N 86° 05' W 60.69 feet to a steel pin found;
- (19) N 53° 20' W 89.83 feet to a steel pin found;
- (20) N 25° 25' W 30.10 feet to an iron pipe set;
- (21) N 26° 36' W 57.50 feet to an iron pipe set;
- (22) N 56° 00' W 132.03 feet to a 60^d nail set in rock;
- (23) N 51° 54' W 99.08 feet to an iron pipe found at the southwest

corner of the said Peel 3.4213 acre tract being also the southeast corner of that 2 acre tract, more or less, a portion of the said Mitchell Survey designated as First Tract in a deed to John Carl Peterson, et ux in Volume 1972, Page 167, Travis County Deed Records, for the most southerly southwest corner of the herein described tract;

THENCE with the west line, as found fenced and used upon the ground, of the said Peel 3.4213 acre tract and the east line of the said Peterson 2 acre tract, courses numbered 24 through 25 inclusive as follows:

- (24) N 18° 35' E 103.35 feet to a steel pin found;
- (25) N 14° 41' E 58.02 feet to a steel pin found at corner of fence;
- (26) THENCE with the west line of the said Peel 3.4213 acre tract and

the east line of said Peterson 2 acre tract, N 19° 59' E 10.80 feet to a steel pin found at the most northerly corner of the said Peel 3.4213 acre tract, being also the most northerly corner of that 10,606 square foot or 0.2435 of one acre tract, a portion of the said Mitchell Survey as described in a deed to Larry Peel in Volume 8334, Page 190, Travis County Deed Records;

(27) THENCE with a northeast line of the said Peel 10,606 square foot tract, S 49° 40' E 39.42 feet to a steel pin found for a corner of the said Peel 10,606 square foot tract and a west corner of the said Peel 3.4213 acre tract, being also a southwest corner of the said Peel 7.5131 acre tract, for an interior corner of the herein described tract;

(28) THENCE with a west line of the said Peel 7.5131 acre tract, being also the east line of a road, N 3° 33' W 193.03 feet to a steel pin found at a northwest corner of the said Peel 7.5131 acre tract and a southwest corner of that 203,586 square foot or 4.6737 acre tract, a portion of the said Mitchell Survey as described in a deed to Larry Peel in Volume 8333, Page 412, Travis County Deed Records, for an interior corner of the herein described tract;

(29) THENCE with the northeast line of a road and a southwest line of the said Peel 4.6737 acre tract, N 45° 31' W 15.85 feet to an iron pipe found at an interior corner of the said Peel 4.6737 acre tract, for an interior corner of the herein described tract;

THENCE with a south and west line of the said Peel 4.6737 acre tract, courses numbered 30 through 33 inclusive as follows:

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(30) with the north line of a road, S 80° 52' W 140.47 feet to an iron pipe found;

(31) N 35° 45' W 30.11 feet to a 60^d nail found in the west side of a triple 16" Elm;

(32) N 25° 06' W 49.79 feet to an iron pipe found at a 6" Cedar;

(33) N 4° 59' W 78.78 feet to a copper rivet set in rock, for a northwest corner of the herein described tract;

THENCE courses numbered 34 through 39 inclusive as follows:

(34) N 78° 26' E 231.88 feet to an iron pipe set;

(35) N 11° 34' W 120.59 feet to a 60^d nail set in rock;

(36) N 16° 42' E 60.03 feet to an iron pipe set;

(37) N 66° 33' E 131.74 feet to a 60^d nail set in rock;

(38) S 73° 18' E 75.00 feet to an iron pipe set;

(39) S 88° 49' E 300.01 feet to an iron pipe set in a northeast line of the said Peel 7.5131 acre tract and the southwest line of that 5177 square foot or 0.1188 of one acre tract, a portion of the said Mitchell Survey, as described in a quitclaim deed to John Joseph in Volume 8377, Page 327, Travis County Deed Records;

THENCE with a northeast and north line of the said Peel 7.5131 acre tract and the southwest and south line of the said Joseph 5177 square foot tract, courses numbered 40 through 42 inclusive as follows:

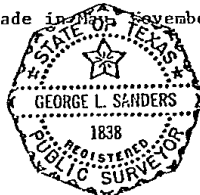
(40) S 46° 04' E 85.24 feet to an iron pipe found;

(41) S 68° 00' E 115.62 feet to an iron pipe found;

(42) S 60° 51' E 3.91 feet to an iron pipe set at the southeast corner of the said Joseph 5177 square foot tract and the most westerly or southwest corner of that 712 square foot or 0.0163 of one acre tract, a portion of the said Mitchell Survey, designated as Tract 1 as described in a quitclaim deed to Larry Peel in Volume 8378, Page 172, Travis County Deed Records, for an interior corner of the herein described tract;

(43) THENCE with the west line of the said Peel 712 square foot tract and the west line of the said Peel 2227 square foot tract and with the east line of the said Joseph 5177 square foot tract, N 30° 19' E 161.75 feet to the place of the beginning, containing 20.4969 acres of land.

Field Notes Prepared April 23, 1984, From Surveys
Made in November and December, 1983.



METCALFE ENGINEERING COMPANY, INC.

By:

George L. Sanders
George L. Sanders
Registered Public Surveyor #1838

Plans 8969A, 7883, 7883D, 7883H,
2626, and 2627
FB 618, P 1
3FN84/83-01-013-G

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RECORDERS MEMORANDUM
ALL OR PARTS OF THE TEXT OF THIS INSTRUMENT WAS
NOT CLEARLY LEGIBLE FOR SATISFACTORY RECORDATION

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

APR 22 1985



Kevin Anderson
COUNTY CLERK
TRAVIS COUNTY, TEXAS

TRAVIS COUNTY, TEXAS
COUNTY CLERK

Kevin Anderson

1985 APR 22 PM 4:00

FILED

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