

RESOLUTION NO. R2021-42

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PARTIAL RELEASE OF IMPERVIOUS COVER RESTRICTION EASEMENTS LOCATED ON THE MUNICIPAL GOLF COURSE PROPERTY.

Whereas, on July 19, 2013, an impervious cover restriction easement was placed on the municipal golf course property, and land abutting the municipal golf course, to allow 1.904 acres of impervious cover to be credited to Delaware Springs Subdivision, Section 19, Phase 1 by instrument recorded as Document No. 201306300 in the Public Records of Burnet County, Texas; and

Whereas, on September 28, 2017, an impervious cover restriction easement was placed on the municipal golf course property, and land abutting the municipal golf course, to allow 5.87 acres of impervious cover to be credited to Delaware Springs Subdivision, Section 19, Phase 2 by instrument recorded as Document No. 201709613 in the Public Records of Burnet County, Texas; and

Whereas, by Resolution No. 2020-46, city council authorized the sale of approximately 44 acres of land abutting the municipal golf course; and

Whereas, this resolution is necessary to release the land, under contract for sale, from the aforementioned impervious cover restriction easements; and

Whereas, this partial release will not disturb the impervious cover restriction easements on the municipal golf course.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section 1. Findings. The recitals to this resolution are legislatively found to be true and correct; and are incorporated herein for all purposes.

Section 2. Approval. The instrument attached hereto entitled "*partial release of impervious cover restriction easements*" is hereby approved.

Section 3. Authorization. The city manager is hereby authorized and directed to execute the partial release of impervious cover restriction easements on behalf of the city and to execute such ancillary instruments and take such other action as may reasonably be necessary to facilitate the purpose of this resolution.

Section 4. Recordation. The city secretary is hereby authorized and directed to cause the recordation of the executed partial release of impervious cover restriction easements in the Public Records of Burnet County, Texas.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section 6. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

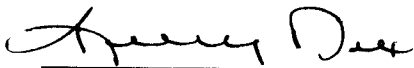
PASSED AND APPROVED this the 10th day of August, 2021.

CITY OF BURNET, TEXAS

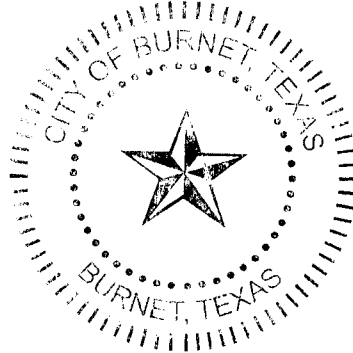


Crista Goble Bromley, Mayor

ATTEST:



Kelly Dix, City Secretary



Attachment: Partial release of impervious cover restriction easements.

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.

PARTIAL RELEASE OF IMPERVIOUS COVER RESTRICTION EASEMENTS

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BURNET

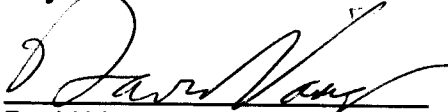
The impervious cover restriction easements recorded in the Public Records of Burnet County, Texas, as Document No. 201306300 and Document No. 201709613 are hereby released only as to the Real Property described below:

41.41 acres, more or less, being a portion Tract 1 and all of Tract 6 as described in that certain Boundary Agreement recorded in the Public Records of Burnet County, Texas, as Document Number 201401086 and as more specifically described in the survey attached hereto as **Exhibit "A"** and the metes and bounds attached hereto as **Exhibit "B."**

As to all other property described in Document No. 201306300 and Document No. 201709613 the impervious cover restriction easements shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument, is executed pursuant to the authority granted by City of Burnet, Texas City Council Resolution No. _____, and is effective as of this the ____ day of _____, 2021.

City of Burnet



David Vaughn, City Manager

THE STATE OF TEXAS §

COUNTY OF BURNET §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared David Vaughn known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public in and for the State of Texas

Exhibit "A" and Exhibit "B" are attached. Exhibit A



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.

PARTIAL RELEASE OF IMPERVIOUS COVER RESTRICTION EASEMENTS

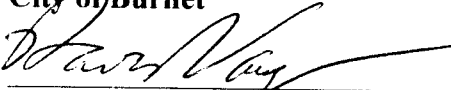
**THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF BURNET §**

The impervious cover restriction easements recorded in the Public Records of Burnet County, Texas, as Document No. 201306300 and Document No. 201709613 are hereby released only as to the Real Property described below:

41.41 acres, more or less, being a portion Tract 1 and all of Tract 6 as described in that certain Boundary Agreement recorded in the Public Records of Burnet County, Texas, as Document Number 201401086 and as more specifically described in the survey and metes and bounds of the 7.46 acre and 20.33 acre released portion of Tract 1, attached hereto as **Exhibit "A"**; and the survey and metes and bounds of the 1.49 acre released portion of tract 1 and the all 12.16 acres of tract 6 attached hereto as **Exhibit "B."**

As to all other property described in Document No. 201306300 and Document No. 201709613 the impervious cover restriction easements shall remain in full force and effect.

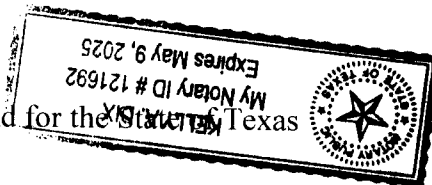
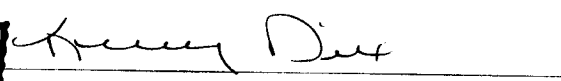
IN WITNESS WHEREOF, this instrument, is executed pursuant to the authority granted by City of Burnet, Texas City Council Resolution No. R2021-42, and is effective as of this the 10 day of August, 2021.

City of Burnet

David Vaughn, City Manager

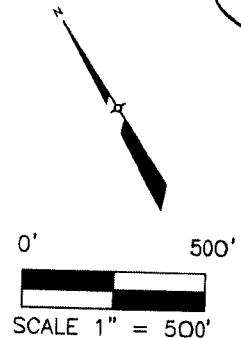
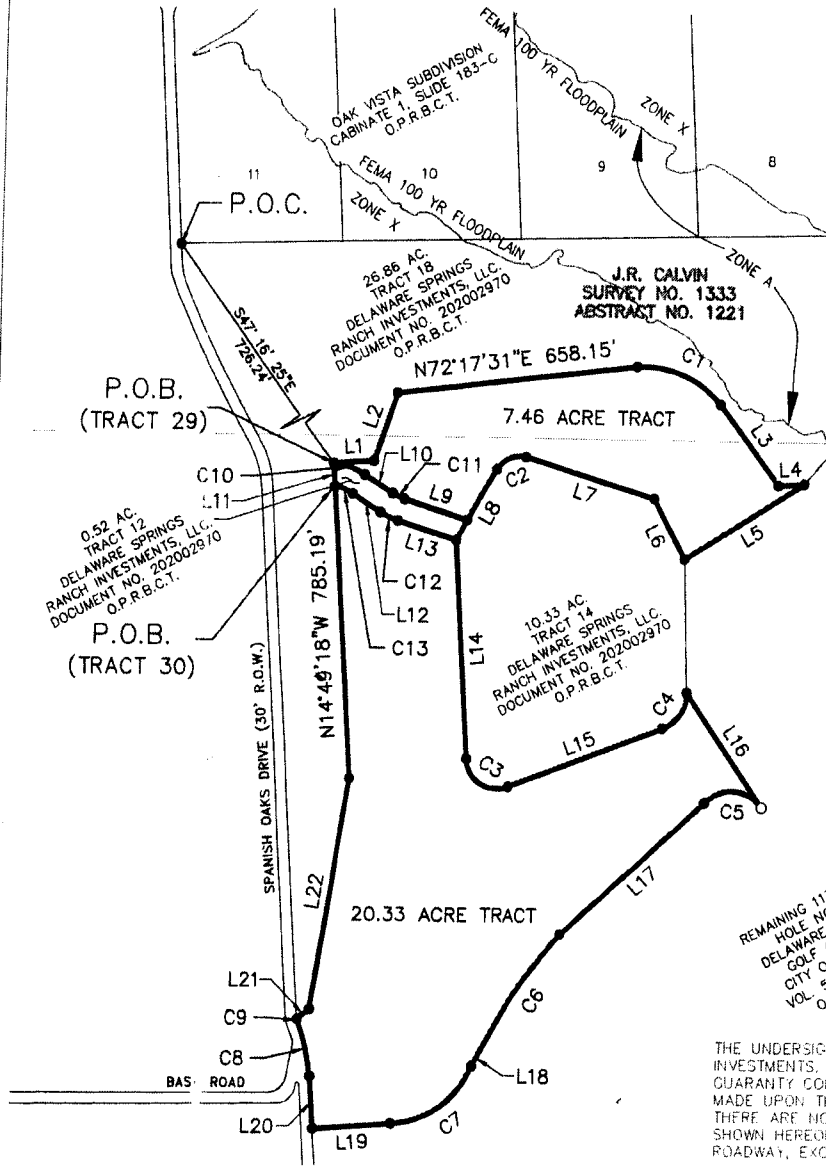
THE STATE OF TEXAS §
COUNTY OF BURNET §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared David Vaughn known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 10 day of August, 2021.

Notary Public in and for the State of Texas  

TITLE SURVEY



LEGEND

- DENOTES BENCHMARK
- DENOTES 1/2" ST. SK. SET
- DENOTES 1/2" ST. SK. FND.
- D.E. DRAINAGE EASEMENT
- A.E. ACCESS EASEMENT
- PROPERTY LINE
- R.O.W. LINE
- EXISTING EASEMENT
- EXISTING EASEMENT
- WW WASTEWATER
- MH MANHOLE
- B.S.L. BUILDING SETBACK LINE
- C.C.R. COVENANTS, CONDITIONS AND RESTRICTIONS
- BLOCK NAME
- O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- BEARING BASIS: TEXAS LAMBERT GRID, CENTRAL ZONE, NAD 83

7.46 ACRE TRACT LEGAL DESCRIPTION:
 BEING A 7.46 ACRE TRACT OF LAND SITUATED IN BURNET COUNTY, TEXAS, A 3.41 ACRE PORTION OUT OF THE J.R. CALVIN SURVEY NO. 1333, ABSTRACT NO. 1221 AND 4.05 ACRE TRACT OF LAND OUT OF THE SUSANO HERNANDEZ SURVEY NO. 40, ABSTRACT 396, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS

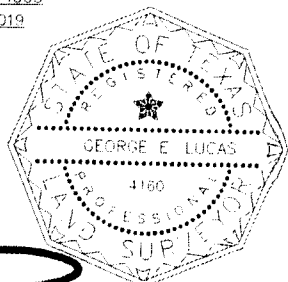
20.33 ACRE TRACT LEGAL DESCRIPTION:
 BEING A 20.33 ACRE TRACT OF LAND OUT OF THE SUSANO HERNANDEZ SURVEY NO. 40, ABSTRACT 396, SITUATED IN BURNET COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

THE UNDERSIGNED DOES HEREBY CERTIFY TO DELAWARE SPRINGS RANCH INVESTMENTS, LLC., CITY OF BURNET, AND FIRST AMERICAN TITLE GUARANTY COMPANY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION III SURVEY.

FLOOD INFORMATION: I HEREBY CERTIFY THAT THIS PROPERTY DESCRIBED HEREIN IS WITHIN A MINIMAL FLOOD HAZARD AREA, ZONE X, AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION DEPARTMENT OF HUD.

COMMUNITY PANEL NUMBER: 4805304600
 FLOOD MAP DATED: NOVEMBER 1, 2019
 GF NUMBER: 08-20-12818



[Handwritten Signature]

GEORGE E. LUCAS,
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 4160
 CELCO SURVEYING FIRM REGISTRATION NO. 10193975
 2205 STONECREST PATH
 NEW BRAUNFELS, TEXAS 78130
 OFFICE (512) 635-4857

DATE: 7-19-21

7.46 ACRE TRACT -- FIELD NOTE DESCRIPTION:

BEING A 7.46 ACRE TRACT OF LAND SITUATED IN BURNET COUNTY, TEXAS, A 3.41 ACRE PORTION OUT, OF THE J.R. CALVIN SURVEY NO. 1333, ABSTRACT NO. 1221 AND 4.05 ACRES OUT OF THE SUSANO HERNANDEZ SURVEY NO. 40, ABSTRACT 396, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND, LYING IN THE EAST RIGHT-OF-WAY OF SPANISH OAKS DRIVE, A PUBLIC ROAD, MARKING THE WEST CORNER OF LOT 11 OF THE OAK VISTA SUBDIVISION, RECORDED IN CABINET NO. 1, SLIDE 183-C OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, COMMON WITH THE NORTH CORNER OF A 26.86 ACRE TRACT, KNOWN AS TRACT 15, CONVEYED BY GENERAL WARRANTY DEED TO DELAWARE SPRINGS RANCH INVESTMENTS, LLC, RECORDED IN DOCUMENT NO. 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS;

THENCE, SOUTH 47°16'25" EAST, THROUGH AND ACROSS SAID 26.86 ACRE TRACT, A DISTANCE OF 726.24 FEET, TO A 1/2" IRON ROD FOUND, MARKING A SOUTH CORNER OF SAID 26.86 ACRE TRACT, COMMON WITH THE NORTH CORNER OF A 0.52 ACRE TRACT OF LAND KNOWN AS TRACT 12, CONVEYED BY GENERAL WARRANTY DEED TO DELAWARE SPRINGS RANCH INVESTMENTS, LLC, RECORDED IN DOCUMENT NO. 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, MARKING THE POINT OF BEGINNING AND THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE SOUTH LINE OF SAID 26.86 ACRE TRACT, THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 75°12'23" EAST, A DISTANCE OF 109.76 FEET, TO A 1/2" IRON ROD FOUND, MARKING AN ANGLE CORNER OF THIS TRACT.
- 2) NORTH 07°10'58" EAST, A DISTANCE OF 193.08 FEET, TO A 1/2" IRON ROD FOUND, MARKING THE NORTH CORNER OF THIS TRACT;
- 3) NORTH 72°17'31" EAST, A DISTANCE OF 658.15 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE RIGHT, MARKING AN ANGLE CORNER OF THIS TRACT;
- 4) ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 259.57 FEET, SAID CURVE HAVING A RADIUS OF 275.00 FEET, A CHORD WHICH BEARS SOUTH 77°30'44" EAST, FOR A DISTANCE OF 250.04 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;
- 5) SOUTH 47°56'29" EAST, A DISTANCE OF 270.94 FEET, TO A 1/2" IRON ROD FOUND, MARKING AN ANGLE CORNER OF THIS TRACT, AND;
- 6) NORTH 76°03'35" EAST, A DISTANCE OF 70.85 FEET, TO A 1/2" IRON ROD FOUND, MARKING THE NORTH CORNER OF THE REMAINING 117.33 ACRE TRACT, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE EAST CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH LINE OF SAID 26.86 ACRE TRACT, SOUTH 47°04'49" WEST, ALONG THE NORTH LINE OF SAID REMAINING 117.33 ACRE TRACT, A DISTANCE OF 383.70 FEET TO A 1/2" IRON ROD FOUND, LYING IN THE EAST LINE OF A 10.33 ACRE TRACT, KNOWN AS TRACT 14, CONVEYED BY WARRANTY DEED WITH VENDOR'S LIEN TO DELAWARE SPRINGS INVESTMENTS, LLC, RECORDED IN DOCUMENT 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, MARKING THE EAST CORNER OF THE SAID 10.33 ACRE TRACT, FOR THE SOUTH CORNER OF THIS TRACT;

THENCE, FOLLOWING THE EAST LINE OF SAID 10.33 ACRE TRACT, COMMON WITH THE SOUTH LINE OF THIS TRACT, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 38°45'06" WEST, A DISTANCE OF 182.09 FEET, TO A 1/2" IRON ROD FOUND, MARKING AN ANGLE CORNER OF THIS TRACT;
- 2) NORTH 84°01'47" WEST, A DISTANCE OF 367.64 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, MARKING AN ANGLE CORNER OF THIS TRACT, MARKING AN ANGLE CORNER OF THIS TRACT;
- 3) ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 92.85 FEET, SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD WHICH BEARS SOUTH 56°48'36" WEST, FOR A DISTANCE OF 87.03 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT, AND;
- 4) SOUTH 19°00'36" WEST, A DISTANCE OF 157.58 FEET, TO A 1/2" IRON ROD FOUND, MARKING THE EAST CORNER OF SAID 0.52 ACRE TRACT, COMMON WITH THE WEST CORNER SAID 10.33 ACRE TRACT, FOR THE WEST CORNER OF THIS TRACT;

THENCE, NORTH 83°18'25" WEST, ALONG THE EAST LINE OF SAID 0.52 ACRE TRACT, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 179.29 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE RIGHT, MARKING AN ANGLE CORNER OF THIS TRACT;

THENCE, ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 36.67 FEET, SAID CURVE HAVING A RADIUS OF 140.00 FEET, A CHORD WHICH BEARS NORTH 75°49'22" WEST, FOR A DISTANCE OF 36.57 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, NORTH 68°15'03" WEST, ALONG THE EAST LINE OF SAID 0.52 ACRE TRACT, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 89.40 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, MARKING AN ANGLE CORNER OF THIS TRACT;

THENCE, THENCE, ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 91.72 FEET, SAID CURVE HAVING A RADIUS OF 200.00 FEET, A CHORD WHICH BEARS NORTH 81°27'22" WEST, FOR A DISTANCE OF 90.92 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, TO THE POINT OF BEGINNING, CONTAINING 7.46 ACRES OF LAND, MORE OR LESS.

BOUNDARY CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	BEARING	CHORD LENGTH	TANGENT	DELTA
C1	275.00'	259.57'	S77°30'44"E	250.04'	140.36'	054°04'51"
C2	75.00'	92.85'	S56°48'36"W	87.03'	53.43'	070°55'45"
C3	85.04'	160.13'	N67°58'24"W	137.50'	116.80'	107°52'50"
C4	100.00'	123.48'	S22°35'29"W	115.78'	71.00'	070°44'47"
C5	100.00'	178.49'	S82°40'16"W	155.72'	124.08'	102°15'54"
C6	1,479.30'	377.65'	S23°32'14"W	376.63'	189.86'	014°37'38"
C7	256.17'	282.89'	S43°34'10"W	268.73'	157.82'	063°16'18"
C8	503.17'	148.55'	N24°18'49"W	148.01'	74.82'	016°54'55"
C9	469.69'	8.26'	N33°16'30"W	8.26'	4.13'	001°00'27"
C10	200.00'	91.72'	N81°27'22"W	90.92'	46.68'	026°16'35"
C11	140.00'	36.67'	N75°49'22"W	36.57'	18.44'	015°00'34"
C12	200.00'	52.40'	S75°49'22"E	52.25'	26.35'	015°00'41"
C13	140.00'	53.29'	S79°13'20"E	52.97'	26.97'	021°48'31"

BOUNDARY LINE TABLE			BOUNDARY LINE TABLE		
LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING
L1	109.76'	N75°12'23"E	L12	89.40'	S68°19'03"E
L2	193.08'	N7°10'58"E	L13	166.18'	S83°19'40"E
L3	270.94'	S47°56'29"E	L14	590.10'	S14°50'01"E
L4	70.85'	N76°03'35"E	L15	448.86'	N58°05'11"E
L5	383.70'	S47°04'49"W	L16	369.98'	S45°21'09"E
L6	182.09'	N38°45'06"W	L17	528.54'	S36°18'06"W
L7	367.64'	N84°01'47"W	L18	48.55'	S16°13'25"W
L8	157.58'	S19°00'36"W	L19	212.27'	S75°12'19"W
L9	179.29'	N83°18'25"W	L20	141.44'	N14°50'54"W
L10	89.40'	N68°19'03"W	L21	42.50'	N40°36'36"E
L11	61.39'	S14°49'18"E	L22	630.04'	N1°56'38"W

20.33 ACRE TRACT -- FIELD NOTE DESCRIPTION:

BEING A 20.33 ACRE TRACT OF LAND OUT OF THE SUSANO HERNANDEZ SURVEY NO. 40, ABSTRACT 396, SITUATED IN BURNET COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 690 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A 1/2" IRON ROD FOUND, LYING IN THE EAST RIGHT-OF-WAY OF SPANISH OAKS DRIVE, A PUBLIC ROAD, MARKING THE WEST CORNER OF LOT 11 OF THE OAK VISTA SUBDIVISION, RECORDED IN CABINET NO. 1, SLIDE 183-C OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, COMMON WITH THE NORTH CORNER OF A 26.86 ACRE TRACT, KNOWN AS TRACT 18, CONVEYED BY GENERAL WARRANTY DEED TO DELAWARE SPRINGS RANCH INVESTMENTS, L.L.C., RECORDED IN DOCUMENT NO. 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS;

THENCE, SOUTH 47°16'25" EAST, THROUGH AND ACROSS SAID 26.86 ACRE TRACT, A DISTANCE OF 726.24 FEET, TO A 1/2" IRON ROD FOUND, MARKING A SOUTH CORNER OF SAID 26.86 ACRE TRACT, COMMON WITH THE NORTH CORNER OF A 0.52 ACRE TRACT OF LAND KNOWN AS TRACT 12, CONVEYED BY GENERAL WARRANTY DEED TO DELAWARE SPRINGS RANCH INVESTMENTS, L.L.C., RECORDED IN DOCUMENT NO. 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS;

THENCE, SOUTH 14°49'18" EAST, ALONG THE WEST LINE OF SAID 0.52 ACRE TRACT, COMMON WITH THE EAST LINE OF SAID 26.86 ACRE TRACT TO A 1/2" IRON ROD FOUND, MARKING THE WEST CORNER OF SAID 0.52 ACRE TRACT, AT THE POINT-OF-CURVATURE OF A CURVE TO THE RIGHT, MARKING THE POINT OF BEGINNING AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE SOUTHEAST LINE OF SAID 0.52 ACRE TRACT, THE FOLLOWING FOUR (4) COURSES:

- 1) ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 53.29 FEET, SAID CURVE HAVING A RADIUS OF 140.00 FEET, A CHORD WHICH BEARS SOUTH 79°13'20" EAST, FOR A DISTANCE OF 52.97 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;
- 2) SOUTH 68°19'03" EAST, A DISTANCE OF 89.40 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, MARKING AN ANGLE CORNER OF THIS TRACT;
- 3) ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 52.40 FEET, SAID CURVE HAVING A RADIUS OF 200.00 FEET, A CHORD WHICH BEARS SOUTH 75°49'22" EAST, FOR A DISTANCE OF 52.25 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT, AND;
- 4) SOUTH 83°19'40" EAST, A DISTANCE OF 166.18 FEET, TO A 1/2" IRON ROD FOUND, MARKING THE NORTHWEST CORNER OF A 10.33 ACRE TRACT, KNOWN AS TRACT 14, CONVEYED BY WARRANTY DEED WITH VENDOR'S LIEN TO DELAWARE SPRINGS INVESTMENTS, L.L.C., RECORDED IN DOCUMENT 202002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, COMMON WITH THE SOUTH CORNER OF SAID 0.52 ACRE TRACT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 14°50'01" EAST, ALONG THE WEST LINE OF SAID 10.33 ACRE TRACT, COMMON WITH THE EAST LINE OF THIS TRACT, A DISTANCE OF 590.10 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 160.13 FEET, SAID CURVE HAVING A RADIUS OF 85.04 FEET, A CHORD WHICH BEARS NORTH 67°58'24" WEST, FOR A DISTANCE OF 137.50 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, MARKING A SOUTHWEST CORNER OF SAID 10.33 ACRE TRACT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, NORTH 58°05'11" EAST, A DISTANCE 448.86 FEET, TO A 1/2" IRON ROD FOUND, MARKING AN ANGLE CORNER OF SAID 10.33 ACRE TRACT, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 123.48 FEET, SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CHORD WHICH BEARS NORTH 22°35'29" EAST, FOR A DISTANCE OF 115.78 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, MARKING A NORTHWEST CORNER OF THE REMAINING 117.33 ACRE TRACT OF LAND, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 690 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, COMMON WITH A SOUTHEAST CORNER OF SAID 10.33 ACRE TRACT, FOR THE EAST CORNER OF THIS TRACT;

THENCE, SOUTH 45°21'39" EAST, LEAVING THE SOUTH LINE OF SAID 10.33 ACRE TRACT, THROUGH AND ACROSS SAID 117.33 ACRE TRACT, A DISTANCE 369.98 FEET, TO A 1/2" IRON ROD SET, MARKING A NORTHWEST CORNER OF SAID REMAINING 117.33 ACRE TRACT, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, FOLLOWING THE NORTH LINE OF SAID REMAINING 117.33 ACRE TRACT, COMMON WITH THE SOUTH LINE OF THIS TRACT, THE FOLLOWING SIX (6) COURSES:

- 1) ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 178.49 FEET, SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CHORD WHICH BEARS SOUTH 87°40'16" WEST, FOR A DISTANCE OF 155.12 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;
- 2) SOUTH 36°18'06" WEST, A DISTANCE OF 528.54 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT OF CURVATURE OF A CURVE TO THE LEFT, MARKING AN ANGLE CORNER OF THIS TRACT;
- 3) ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 377.65 FEET, SAID CURVE HAVING A RADIUS OF 1,479.30 FEET, A CHORD WHICH BEARS SOUTH 23°32'14" WEST, FOR A DISTANCE OF 349.63 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;
- 4) SOUTH 16°13'25" WEST, A DISTANCE OF 48.55 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE RIGHT, MARKING AN ANGLE CORNER OF THIS TRACT;
- 5) ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 282.89 FEET, SAID CURVE HAVING A RADIUS OF 256.17 FEET, A CHORD WHICH BEARS SOUTH 43°34'10" WEST, FOR A DISTANCE OF 266.73 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT, AND;
- 6) SOUTH 75°12'19" WEST, A DISTANCE OF 212.27 FEET, TO A 1/2" IRON ROD FOUND, LYING IN THE EAST RIGHT-OF-WAY LINE OF SAID SPANISH OAKS DRIVE, MARKING A NORTHWEST CORNER OF SAID REMAINING 117.33 ACRE TRACT, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 14°50'54" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SPANISH OAKS DRIVE, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 141.44 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 148.55 FEET, SAID CURVE HAVING A RADIUS OF 503.17 FEET, A CHORD WHICH BEARS NORTH 24°18'49" WEST, FOR A DISTANCE OF 148.01 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, AT THE POINT-OF-CURVATURE OF A CURVE TO THE LEFT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 8.26 FEET, SAID CURVE HAVING A RADIUS OF 469.69 FEET, A CHORD WHICH BEARS NORTH 33°16'30" WEST, FOR A DISTANCE OF 8.26 FEET, TO A 1/2" IRON ROD FOUND, AT THE POINT-OF-TANGENCY OF SAID CURVE, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, NORTH 40°36'36" EAST, ALONG THE EAST LINE OF SAID 26.86 ACRE TRACT, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 42.50 FEET, TO A 1/2" IRON ROD FOUND, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID SPANISH OAKS DRIVE, NORTH 01°56'38" WEST, ALONG THE EAST LINE OF SAID 26.86 ACRE TRACT, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 630.04 FEET, TO A 1/2" IRON ROD FOUND, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE, NORTH 14°49'18" WEST, ALONG THE SOUTH LINE OF SAID 26.86 ACRE TRACT, COMMON WITH THE WEST LINE OF THIS TRACT, A DISTANCE OF 785.19 FEET, TO THE POINT OF BEGINNING, CONTAINING 20.33 ACRES OF LAND, MORE OR LESS.

SCHEDULE B - 10:

THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS. (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.)

- a. RIGHTS OF PARTIES IN POSSESSION. (OWNER TITLE POLICY ONLY)
- b. ANY VISIBLE AND APPARENT ROADWAYS OR EASEMENTS OVER OR ACROSS THE SUBJECT PROPERTY, THE EXISTENCE OF WHICH DOES NOT APPEAR OF RECORD.
- c. EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS, BUT WHICH WOULD BE SHOWN ON A CURRENT SURVEY.
- d. ANY PORTION OF THE HEREIN DESCRIBED PROPERTY THAT MAY LIE WITHIN THE BOUNDARIES OF A STREET ALLEY OR RIGHT OF WAY.
- e. THIS POLICY DOES NOT INSURE COMPLIANCE OF THE SUBJECT PROPERTY WITH SEPTIC SYSTEM REGULATIONS OF ANY CITY, COUNTY OR OTHER GOVERNMENTAL AUTHORITY.
- f. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

(NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO THE COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.)

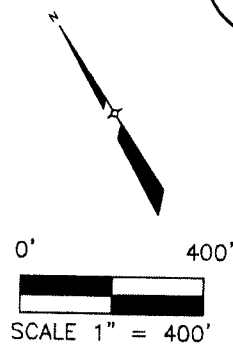
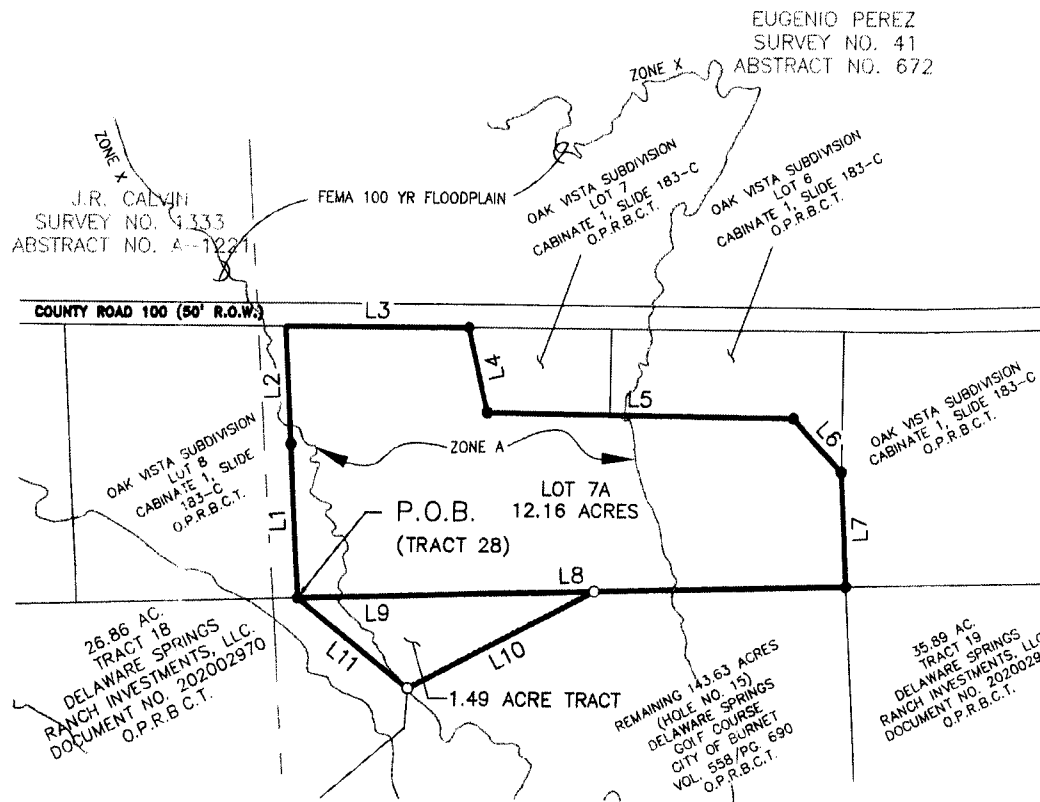
- g. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.
- h. SUBJECT TO THAT CERTAIN ORDER DATED JANUARY 28, 2002, ADOPTING BURNET COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, AND RECORDED IN VOLUME 1043, PAGE 85 AND AMENDED IN VOLUME 1377, PAGE 722 AND UNDER DOCUMENT NO. 201100417 RERECORDED UNDER DOCUMENT NO. 201100547, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.
- i. SUBJECT TO THE ISSUANCE FROM THE TEXAS HIGHWAY DEPARTMENT OR BURNET COUNTY OF PERMITS FOR DRIVEWAY ENTRANCES TO OR FROM ANY STATE OR COUNTY ROAD.

AS TO TRACT I, II AND III:

- j. SUBJECT TO THE ORDINANCES, SETBACKS, EASEMENTS, CONDITIONS AND RESTRICTIONS TO THE CITY OF BURNET **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- k. SUBJECT TO THE EASEMENT TO TEXAS PUBLIC UTILITIES COMPANY RECORDED IN VOLUME 74, PAGE 267, DEED RECORDS OF BURNET COUNTY, TEXAS. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**
- l. SUBJECT TO THE EASEMENT TO L.C.R.A. RECORDED IN VOLUME 253, PAGE 834, DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- m. SUBJECT TO THE EASEMENT TO TEXAS POWER & LIGHT CO. RECORDED IN VOLUME 2, PAGE 579, MISC. DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- n. SUBJECT TO THE EASEMENT TO LONE STAR GAS COMPANY RECORDED IN VOLUME 103, PAGE 482 AND AMENDED IN VOLUME 320, PAGE 778, DEED RECORDS OF BURNET COUNTY, TEXAS. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**
- o. SUBJECT TO THE EASEMENT TO THE STATE OF TEXAS RECORDED IN VOLUME 120, PAGE 503, DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- p. SUBJECT TO THE EASEMENTS TO THE CITY OF BURNET RECORDED IN VOLUME 1184, PAGE 955, VOLUME 1192, PAGE 231, VOLUME 1364, PAGE 574, VOLUME 1364, PAGE 582, VOLUME 1364, PAGE 586, VOLUME 1364, PAGE 590, VOLUME 1449, PAGE 899 AND DOCUMENT NO. 201104907, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- q. SUBJECT TO THE AGREEMENT RECORDED UNDER DOCUMENT NO. 201401086, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- r. ACCESS AS TO TRACTS I, II AND III HEREIN IS OBTAINED THROUGH PROPERTY ALREADY OWNED BY THE BUYER SET OUT ON SCHEDULE A HEREIN. THIS POLICY IS SUBJECT TO THE LACK OF ACCESS TO AND FROM A PUBLIC ROAD TO THE SUBJECT PROPERTY OF RECORD IN THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. ANY AND ALL ISSUES THAT ARISE IN REGARD TO THE LACK OF A RECORDED MEANS OF ACCESS.

Exhibit B

SKETCH TO ACCOMPANY
FIELD NOTES



- LEGEND**
- DENOTES BENCHMARK
 - DENOTES 1/2" ST. SK. SET
 - DENOTES 1/2" ST. SK. FND.
 - D.E. DRAINAGE EASEMENT
 - A.E. ACCESS EASEMENT
 - PROPERTY LINE
 - - - R.O.W. LINE
 - - - EXISTING EASEMENT
 - - - EXISTING EASEMENT
 - WW WASTEWATER
 - MH MANHOLE
 - B.S.L. BUILDING SETBACK LINE
 - C.C.R. COVENANTS, CONDITIONS AND RESTRICTIONS
 - A** BLOCK NAME
 - O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
- BEARING BASIS: TEXAS LAMBERT GRID, CENTRAL ZONE, NAD 83

LOT 7A LEGAL DESCRIPTION:

BEING A 12.16 ACRE LOT, KNOWN AS LOT 7A, OF THE AMENDED PLAT OF LOTS 6 AND 7 OF THE OAK VISTA SUBDIVISION, RECORDED IN DOCUMENT NO. 201502183 OF THE OFFICIAL RECORDS OF BURNET COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, AS RECORDED IN VOLUME 1032, PAGE 988 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

1.49 ACRE TRACT LEGAL DESCRIPTION:

BEING A 1.49 ACRE TRACT OF LAND, OUT OF THE EUGENIO PEREZ SURVEY, ABSTRACT NO. 41, NO. 672, SITUATED IN BURNET COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED TO CITY OF BURNET AS RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL RECORDS OF BURNET COUNTY, TEXAS.

THE UNDERSIGNED DOES HEREBY CERTIFY TO DELAWARE SPRINGS RANCH INVESTMENTS, LLC., CITY OF BURNET, AND FIRST AMERICAN TITLE GUARANTY COMPANY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

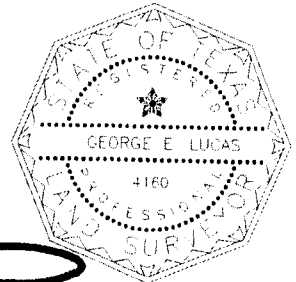
THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION III SURVEY.

FLOOD INFORMATION: I HEREBY CERTIFY THAT THIS PROPERTY DESCRIBED HEREIN IS WITHIN A 100 YEAR FLOOD HAZARD AREA, ZONE A, AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION DEPARTMENT OF H.U.D.

COMMUNITY PANEL NUMBER: 48053004606
FLOOD MAP DATED: NOVEMBER 1, 2019
OF NUMBER: 08-20-12818

BOUNDARY LINE TABLE		
LINE #	LENGTH	BEARING
L1	332.49'	N14°06'06"W
L2	254.16'	N14°06'06"W
L3	399.59'	N79°19'56"E
L4	188.14'	S24°00'44"E
L5	667.58'	N79°45'52"E
L6	157.35'	S53°41'52"E
L7	246.88'	S14°04'31"E
L8	1198.03'	S77°36'30"W
L9	647.57'	N77°36'30"E
L10	455.38'	S51°27'10"W
L11	311.98'	N62°20'38"W

GEORGE E. LUCAS,
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4160
CELCO SURVEYING, FIRM REGISTRATION NO. 10193975
2205 STONECREST PATH
NEW BRAUNFELS, TEXAS 78130
OFFICE (512) 635-4857



DATE: 7-19-21

1.49 ACRE TRACT - FIELD NOTE DESCRIPTION:

BEING A 1.49 ACRE TRACT OF LAND OUT OF THE EUGENIO PEREZ SURVEY NO. 4, ABSTRACT NO. 572, SITUATED IN BURNET COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 680 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" INCH IRON ROD FOUND, LYING IN THE NORTH LINE OF 26.86 ACRE TRACT, KNOWN AS TRACT 18, CONVEYED BY GENERAL WARRANTY DEED TO DELAWARE SPRINGS RANCH INVESTMENTS, LLC., RECORDED IN DOCUMENT NO. 2020002970 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, MARKING THE SOUTH CORNER OF LOT 8 OF THE OAK VISTA SUBDIVISION, RECORDED IN CABINET 8, SLIDE 183-C OF THE OFFICIAL RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 77°56'30" EAST, A DISTANCE OF 647.57 FEET, TO A 1/2" INCH IRON ROD SET, LYING IN THE NORTH LINE OF A 145.12 ACRE TRACT OF LAND, KNOWN AS DELAWARE SPRINGS GOLF COURSE, CONVEYED TO THE CITY OF BURNET, RECORDED IN VOLUME 558, PAGE 690 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 51°27'10" WEST, THROUGH AND ACROSS SAID 145.12 ACRE TRACT, A DISTANCE OF 455.38 FEET TO A 1/2" IRON ROD FOUND, MARKING THE EAST CORNER OF SAID 26.86 ACRE TRACT, FOR THE SOUTH CORNER OF THIS TRACT;

THENCE, NORTH 62°20'38" WEST, ALONG AN EAST LINE OF SAID 26.86 ACRE TRACT, A DISTANCE OF 311.98 FEET, COMMON WITH THE WEST LINE OF THIS TRACT, TO THE POINT OF BEGINNING, CONTAINING 1.49 ACRES OF LAND, MORE OR LESS.

SCHEDULE B - 10:

THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.)

- a. RIGHTS OF PARTIES IN POSSESSION. (OWNER TITLE POLICY ONLY)
- b. ANY VISIBLE AND APPARENT ROADWAYS OR EASEMENTS OVER OR ACROSS THE SUBJECT PROPERTY, THE EXISTENCE OF WHICH DOES NOT APPEAR OF RECORD
- c. EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS, BUT WHICH WOULD BE SHOWN ON A CURRENT SURVEY
- d. ANY PORTION OF THE HEREIN DESCRIBED PROPERTY THAT MAY LIE WITHIN THE BOUNDARIES OF A STREET ALLEY OR RIGHT OF WAY
- e. THIS POLICY DOES NOT INSURE COMPLIANCE OF THE SUBJECT PROPERTY WITH SEPTIC SYSTEM REGULATIONS OF ANY CITY, COUNTY OR OTHER GOVERNMENTAL AUTHORITY.
- f. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

(NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO THE COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.)

- g. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED
- h. SUBJECT TO THAT CERTAIN ORDER DATED JANUARY 28, 2002, ADOPTING BURNET COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, AND RECORDED IN VOLUME 1043, PAGE 85 AND AMENDED IN VOLUME 1377, PAGE 722 AND UNDER DOCUMENT NO. 201100417 RERECORDED UNDER DOCUMENT NO. 201100547, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.
- i. SUBJECT TO THE ISSUANCE FROM THE TEXAS HIGHWAY DEPARTMENT OR BURNET COUNTY OF PERMITS FOR DRIVEWAY ENTRANCES TO OR FROM ANY STATE OR COUNTY ROAD.

AS TO TRACT I, II AND III:

- j. SUBJECT TO THE ORDINANCES, SETBACKS, EASEMENTS, CONDITIONS AND RESTRICTIONS TO THE CITY OF BURNET. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- k. SUBJECT TO THE EASEMENT TO TEXAS PUBLIC UTILITIES COMPANY RECORDED IN VOLUME 74, PAGE 267, DEED RECORDS OF BURNET COUNTY, TEXAS. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**
- l. SUBJECT TO THE EASEMENT TO L.C.R.A. RECORDED IN VOLUME 253, PAGE 834, DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- m. SUBJECT TO THE EASEMENT TO TEXAS POWER & LIGHT CO. RECORDED IN VOLUME 2, PAGE 579, MISC. DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- n. SUBJECT TO THE EASEMENT TO LONE STAR GAS COMPANY RECORDED IN VOLUME 103, PAGE 482 AND AMENDED IN VOLUME 320, PAGE 778, DEED RECORDS OF BURNET COUNTY, TEXAS. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**
- o. SUBJECT TO THE EASEMENT TO THE STATE OF TEXAS RECORDED IN VOLUME 120, PAGE 503, DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- p. SUBJECT TO THE EASEMENTS TO THE CITY OF BURNET RECORDED IN VOLUME 1184, PAGE 955, VOLUME 1192, PAGE 231, VOLUME 1364, PAGE 574, VOLUME 1364, PAGE 582, VOLUME 1364, PAGE 586, VOLUME 1364, PAGE 590, VOLUME 1449, PAGE 899 AND DOCUMENT NO. 201104907, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES NOT AFFECT THIS TRACT**
- q. SUBJECT TO THE AGREEMENT RECORDED UNDER DOCUMENT NO. 201401086, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- r. ACCESS AS TO TRACTS I, II AND III HEREIN IS OBTAINED THROUGH PROPERTY ALREADY OWNED BY THE BUYER SET OUT ON SCHEDULE A HEREIN THIS POLICY IS SUBJECT TO THE LACK OF ACCESS TO AND FROM A PUBLIC ROAD TO THE SUBJECT PROPERTY OF RECORD IN THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. ANY AND ALL ISSUES THAT ARISE IN REGARD TO THE LACK OF A RECORDED MEANS OF ACCESS.

AS TO TRACT IV:

- s. SUBJECT TO THE MAINTENANCE FEES SET OUT IN RESTRICTIONS RECORDED IN VOLUME 318, PAGE 629, VOLUME 321, PAGE 989, DEED RECORDS, VOLUME 571, PAGE 465 AND VOLUME 666, PAGE 193, OF THE REAL PROPERTY RECORD, VOLUME 866, PAGE 25 AND VOLUME 951, PAGE 935, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. THIS POLICY DOES NOT INSURE ANY MAINTENANCE ASSESSMENTS. **DOES AFFECT, UNABLE TO PLOT**
- t. SUBJECT TO ALL EASEMENTS, ROADWAYS AND RESTRICTIONS AS SET OUT ON PLAT OF SUBDIVISION RECORDED IN DOCUMENT NO. 201502183, OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- u. SUBJECT TO THE EASEMENT TO P.E.C. RECORDED IN VOLUME 320, PAGE 434, OF THE DEED RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- v. SUBJECT TO CERTIFICATE OF VARIANCE DATED DECEMBER 1, 1983, EXECUTED BY THE CITY OF BURNET TO SAN LUIS COMPANY, ET AL. RECORDED IN VOLUME 318, PAGE 614, OF THE DEED RECORDS OF BURNET COUNTY, TEXAS. **MAY AFFECT THIS TRACT, UNABLE TO PLOT**
- w. SUBJECT TO THE RESTRICTIONS, RESERVATIONS, EASEMENTS, CONDITIONS, AND COVENANTS AS SET OUT IN INSTRUMENTS RECORDED VOLUME 318, PAGE 629, VOLUME 321, PAGE 989, DEED RECORDS, VOLUME 571, PAGE 465 AND VOLUME 666, PAGE 193, OF THE REAL PROPERTY RECORD, VOLUME 866, PAGE 25 AND VOLUME 951, PAGE 935, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS. **DOES AFFECT THIS TRACT, UNABLE TO PLOT**
- x. SUBJECT TO THE DECLARATION OF RESTRICTIVE COVENANTS TO BE RECORDED PRIOR TO OR AT CLOSING.

RESOLUTION NO. R2021-42

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE PARTIAL RELEASE OF IMPERVIOUS COVER RESTRICTION EASEMENTS LOCATED ON THE MUNICIPAL GOLF COURSE PROPERTY.

Whereas, on July 19, 2013, an impervious cover restriction easement was placed on the municipal golf course property, and land abutting the municipal golf course, to allow 1.904 acres of impervious cover to be credited to Delaware Springs Subdivision, Section 19, Phase 1 by instrument recorded as Document No. 201306300 in the Public Records of Burnet County, Texas; and

Whereas, on September 28, 2017, an impervious cover restriction easement was placed on the municipal golf course property, and land abutting the municipal golf course, to allow 5.87 acres of impervious cover to be credited to Delaware Springs Subdivision, Section 19, Phase 2 by instrument recorded as Document No. 201709613 in the Public Records of Burnet County, Texas; and

Whereas, by Resolution No. 2020-46, city council authorized the sale of approximately 44 acres of land abutting the municipal golf course; and

Whereas, this resolution is necessary to release the land, under contract for sale, from the aforementioned impervious cover restriction easements; and

Whereas, this partial release will not disturb the impervious cover restriction easements on the municipal golf course.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section 1. Findings. The recitals to this resolution are legislatively found to be true and correct; and are incorporated herein for all purposes.

Section 2. Approval. The instrument attached hereto entitled "*partial release of impervious cover restriction easements*" is hereby approved.

Section 3. Authorization. The city manager is hereby authorized and directed to execute the partial release of impervious cover restriction easements on behalf of the city and to execute such ancillary instruments and take such other action as may reasonably be necessary to facilitate the purpose of this resolution.

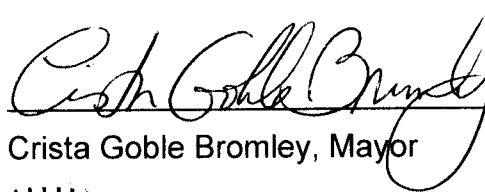
Section 4. Recordation. The city secretary is hereby authorized and directed to cause the recordation of the executed partial release of impervious cover restriction easements in the Public Records of Burnet County, Texas.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

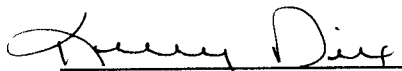
Section 6. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

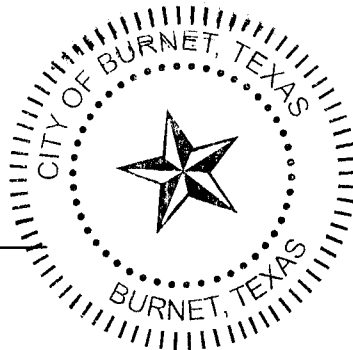
PASSED AND APPROVED this the 10th day of August, 2021.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



Attachment: Partial release of impervious cover restriction easements.



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Janet Parker, County Clerk

Burnet County Texas

8/12/2021 3:06:14 PM

FEE: \$62.00

202113504

PR