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DOC. NO.
92064870

ASSIGNMENT OF RIGHTS AS DEVELOPER

8:44 AM 4793

45.00 INDX
1 1 07/08/92

THIS ASSIGNMENT OF RIGHTS AS DEVELOPER is executed effective as of the 3rd day of March, 1992, by JESTER LAND MANAGEMENT COMPANY, a Texas corporation (collectively the "Assignor"), in favor of TEXAS COMMERCE BANK-AUSTIN, NATIONAL ASSOCIATION, a national banking association (the "Assignee").

8:44 AM 4793

3.00 RECM
1 1 07/08/92
920648.70-DOC#
29.12-CHK#

RECITALS:

The Assignor and/or the Assignor's predecessor has heretofore executed and recorded: (i) the Restrictions, Covenants and Conditions dated October 12, 1984, recorded in Volume 8850, Page 41, Real Property Records of Travis County, Texas (the "Records"); (ii) the Amendment to Restrictions, Covenants and Conditions of the Jester Point 2, Section 4 dated August 7, 1987, recorded in Volume TU493, Page 985 of the Real Property Records of Travis County, Texas; (iii) the Supplemental Restrictions, Covenants and Conditions dated September 6, 1988, recorded in Volume 10773, Page 50 of the Records; (iv) the Consent and Joinder to Restrictions, Covenants and Conditions dated March 27, 1990, recorded in Volume 11153, Page 1556 of the Records; (v) the Restrictions, Covenants and Conditions of Jester Point 2, Section 5-B dated November 15, 1990, recorded in Volume 11316, Page 355 of the Records; and (vi) the Second Supplemental Restrictions, Covenants and Conditions dated February 12, 1991, recorded in Volume 11374, Page 504 of the Records (said covenants, conditions and restrictions, being hereinafter collectively referred to as the "Restrictions"), the Restrictions covering certain real property in Travis County, Texas, more particularly described therein and hereby incorporated herein by reference, the terms and provisions of such Restrictions being also incorporated herein by such reference.

The Assignee, effective as of March 3, 1992, has obtained ownership and title by foreclosure to the real property in Travis County, Texas more particularly described in Exhibit A attached hereto (the "Property").

In order to clarify any confusion as to whether the Assignor's rights as "Developer" under the Restrictions were subject to the liens, security interests and assignments of the deeds of trust foreclosed upon against the Property by the Assignee (it being the intention of the Assignor at the time of the execution of the various deeds of trust that such rights were in fact covered by such liens, security interests and assignments of such deeds of trust and that the Assignee by virtue of the foreclosure would succeed to the Assignor's rights as "Developer" under the Restrictions, the Assignor now desires to absolutely assign to the Assignee any and all of the Assignor's right, title and interest as Developer under the Restrictions and any and all other restrictive covenants covering or affecting all or any portion of the Property).

ASSIGNMENT:

titles and interest as "Developer" under the Restrictions and any other restrictive covenants covering and affecting all or any portion of the Property. The Assignor agrees to execute and deliver at the request of the Assignee all such further assurances, acknowledgments, transfers and certificates for the purpose of perfecting the assignment evidenced by this Assignment as the Assignee shall from time to time reasonably require.

2. The Assignee shall not be liable for any loss sustained now or in the future by any person or entity due to any of the Assignor's actions taken as "Developer" and/or for the Assignor's failure to perform any matters as "Developer" prior to the date hereof. The Assignee shall not be obligated to perform or discharge any obligation, duty or liability under the Restrictions arising prior to the date hereof.

EXECUTED as of the date first set forth above.

JESTER LAND MANAGEMENT COMPANY,
a Texas corporation

By: *J. Worth Kilcrease*
Name: J. WORTH KILCREASE
Title: VICE PRESIDENT

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me this 2nd day of July, 1992, by J. WORTH KILCREASE, VICE PRESIDENT of Jester Land Management Company, a Texas corporation, on behalf of said corporation.

Peggy Miller
Notary Public in and for
the State of Texas
Printed Name: PEGGY MILLER
My commission expires: 2-10-93

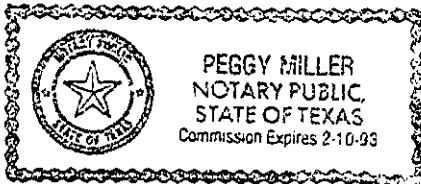


EXHIBIT A

TRACT 1

METES AND BOUNDS DESCRIPTION

(Parcel A of Tract 1)

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948 PAGE 824 OF THE SAID COUNTY DEED RECORDS, SAID TRACT BEING 434.20 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the southerly line of the Joseph Scott Survey No. 27, as recognized and used upon the ground, being the northwest corner of the James Cole Survey No. 600, as recognized and used upon the ground and the northeast corner of said A.E. Patton Survey No. 541, as recognized and used upon the ground, same being in the southerly line of that certain tract described in a deed to Daniel Kruger, Trustee, of record in Volume 8724 Page 49 of said County Deed Records and the northwest corner of that certain tract described in a deed to John J. Gavurnik of record in Volume 9253 page 724 of said County Deed Records and being the northeast corner of said Burris tract for the northeast corner of the herein described tract;

THENCE with the southerly line of said Scott Survey No. 27 and the northerly line of said Patton Survey No. 541 being the southerly line of said Kruger tract and the northerly line of said Burris tract for a northerly line of the herein described tract N 60°30'30" W 2164.31 feet to a 1/4 inch iron pipe found in the northerly line of said Patton Survey being the southerly line of the Green McCoy Survey No. 29, same being the southeast corner of that certain tract of land described in a deed to Saint Edwards University of record in Volume 7969 Page 967 of the said County Deed Records for an angle point of said Burris Tract for an angle point of the herein described tract;

THENCE, continuing with the common line of said Patton and McCoy Surveys being the southerly line of said Saint Edwards University tract and a northerly line of said Burris tract for a northerly line of the herein described tract, N 60°57'45" W 1941.52 feet to a 1/4 inch pipe found at the southeast corner of that certain tract described in a deed to Joe W. Neal of record in Volume 1147 Page 499 of the said County Deed Records and the southwest corner of said Saint Edwards University tract being an angle point of said Burris tract for an angle point of the herein described tract;

THENCE with an easterly line of said McCoy Survey and the westerly line of said Patton survey being an easterly line of said Neal tract and a westerly line of said Burris tract for a westerly line of the herein described tract S $29^{\circ}36'37''$ W 366.01 feet to an iron rod found at the northeast corner of the S.P.R.R. Co. Survey No. 3 for an angle point of said McCoy Survey and an angle point of said Patton Survey, same being the northeast corner of that certain tract described in a deed to Ivanhoe Incorporated of record in Volume 8716 Page 42 of the said County Deed Records, being an angle point of said Neal tract and an angle point of said Burris tract for an angle point of the herein described tract;

THENCE with the common line of said Patton and S.P.R.R. Co. Survey No. 3 being the easterly line of said Ivanhoe Incorporated tract and the westerly line of said Burris tract for a westerly line of the herein described tract the following five (5) courses and distances as enumerated below:

1. S $29^{\circ}47'02''$ W 625.51 feet to an iron rod found,
2. S $30^{\circ}00'16''$ W 429.77 feet to an iron rod found,
3. S $29^{\circ}55'18''$ W 824.37 feet to an iron rod found,
4. S $28^{\circ}44'51''$ W 702.61 feet to an iron rod found,
5. S $30^{\circ}03'32''$ W 182.48 feet to an iron rod found at the northwest corner of that certain tract of land described in a deed to Nancy M. Arthur, et al, of record in Volume 8028 Page 809 of said County Deed Records being an angle point of said Burris tract for an angle point of the herein described tract;

THENCE with the northeasterly line of said Arthur tract and a southwesterly line of said Burris tract for a southwesterly line of the herein described tract the following five (5) courses and distances as enumerated below:

1. S $29^{\circ}55'16''$ E 291.69 feet to an iron rod found,
2. S $30^{\circ}13'07''$ E 337.01 feet to an iron rod found,
3. S $30^{\circ}03'47''$ E 298.75 feet to an iron rod found,
4. S $30^{\circ}10'21''$ E 793.23 feet to an iron rod found,
5. S $30^{\circ}07'51''$ E 734.60 feet to an iron rod found at the most northerly corner of that certain tract of land as described in a deed to James B. Beard of record in Volume 482 Page 507 of the said County Deed Records and the most easterly corner of said Arthur tract for an angle point of the herein described tract;

THENCE with the northeasterly line of said Beard tract S $30^{\circ}32'36''$ E 30.38 feet to an iron rod found and S $30^{\circ}12'45''$ E 116.69 feet to an iron rod found at the most northwesterly corner of Jester Point 2, Section 4, a subdivision of record in Plat Book 84 Pages 45-C, 45-D, 46-A and 46-B of the Travis County, Texas Plat Book Records for an angle point of the herein described tract;

THENCE with the northerly line of said Jester Point 2, Section 4, for a southerly line of the herein described tract the following twenty-two (22) courses and distances as

4. with said curve being a curve to the right, having a radius of 530.00 feet, an arc distance of 293.06 feet and whose chord bears S 08°00'24" E 289.34 feet to an iron rod found at the point of tangency for an angle point,

5. S 07°54'26" W 16.00 feet to an iron rod found at a point of curvature,

6. with said curve being a curve to the left, having a radius of 15.00 feet, an arc distance of 23.56 feet and whose chord bears S 37°05'34" E 21.21 feet to an iron rod found at the point of tangency,

7. S 82°07'12" E 109.92 feet to an iron rod found for an angle point,

8. S 07°46'02" W 64.00 feet to an iron rod found for an angle point,

9. S 03°40'45" E 309.73 feet to an iron rod found for an angle point,

10. S 17°55'25" E 90.01 feet to an iron rod found for an angle point,

11. S 89°23'54" E 223.32 feet to an iron rod found for an angle point,

12. S 04°13'04" W 211.03 feet to an iron rod found for an angle point,

13. S 71°57'56" W 245.17 feet to an iron rod found for an angle point,

14. S 17°44'40" E 107.34 feet to an iron rod found at the point of curvature,

15. with said curve being a curve to the right, having a radius of 618.91 feet, an arc distance of 135.00 feet and whose chord bears S 11°42'58" E 134.73 feet to a concrete monument set for an angle point,

16. N 84°31'51" E 150.00 feet to an iron rod found for an angle point,

17. S 64°02'34" E 497.32 feet to an iron rod found for an angle point,

18. N 78°08'41" E 332.63 feet to an iron rod found for an angle point,

19. S 87°42'02" E 400.60 feet to an iron rod found for an angle point,

20. S 77°48'28" E 891.16 feet to an iron rod found for an angle point,

21. S 20°11'24" W 374.98 feet to an iron rod found for an angle point,

22. S 20°15'39" W 244.90 feet to an iron rod found in the northerly line of Lot 15, Block B, Jester Point 2, Section 3, a subdivision of record in Plat Book 83 Page 139-B, 139-C and 139-D of the Travis County, Texas Plat Book Records being a southeasterly corner of said Jester point 2, Section 4, for an angle point of the herein described tract;

THENCE with a northerly line of said Jester Point 2, Section 3 for a southerly line of the herein described tract the following seven (7) courses and distances as enumerated below:

6. with said curve being a curve to the right, having a radius of 410.06 feet, an arc distance of 742.96 feet and whose chord bears N 67°47'47" E 645.43 feet to an iron rod set at the end of said curve;

7. S 60°17'57" E 34.11 feet to an iron rod set at an angle point of said Burris tract for an angle point of the herein described tract;

THENCE leaving said Lakewood Drive N 30°00'00" E 40.00 feet to an iron rod set in the southerly line of the James Cole Survey No. 600 for the northwest corner of the M.D. Williams Survey No. 49 and the southeasterly corner of said Patton Survey same being in the southerly line of that certain tract of land described in a deed to Lamar Savings Association of record in Volume 9846 Page 730 of the said County Deed Records being the northwest corner Lakewood Section 5, a subdivision of record in Plat Book 83 Page 204-C, 204-D and 205-A of the said County Plat Book Records and the southeast corner of said Burris tract for the southeast corner of the herein described tract;

THENCE with a common line of said Patton and Cole Surveys being the southerly line of said Lamar Savings Association tract and a southeasterly line of the Burris tract for a southeasterly line of the herein described tract the following three (3) courses and distances as enumerated below:

1. N 60°07'15" E 730.82 feet to an iron rod found,
2. N 60°34'08" E 424.42 feet to an iron rod found,
3. N 60°22'05" E 609.36 feet to an iron rod found at an interior ell corner of said Patton Survey for the southwest corner of said Cole Survey same being the southwest corner of said Lamar Savings tract and an interior ell corner of said Burris tract for an interior ell corner of the herein described tract;

THENCE with a common line of said Patton and Cole Surveys being the westerly line of said Lamar Tract and an easterly line of said Burris tract for an easterly line of the herein described tract the following six (6) courses and distances as enumerated below:

1. N 29°25'30" E 135.43 feet to an iron rod found,
2. N 29°56'19" E 440.02 feet to an iron rod found,
3. N 30°07'37" E 235.96 feet to an iron rod found,
4. N 29°38'02" E 1382.36 feet to an iron rod found,
5. N 29°56'54" E 702.83 feet to an iron pipe found at the northwest corner of said Lamar Savings tract being the southeast corner of said Gavurnik tract for an angle point of the herein described tract
6. with said Gavurnik tract N 29°32'59" E 664.06 feet to the PLACE OF BEGINNING containing 434.20 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds Description describes a tract of land which was located from information found in public records and from measurements made upon the ground under my supervision.

METES AND BOUNDS DESCRIPTION

Parcel B of Tract I

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. FATTON SURVEY NO. 561 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING OUT OF AND A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO HOWARD BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS AND AS SHOWN ON JESTER POINT 2, SECTION 3, A SUBDIVISION OF RECORD IN PLAT BOOK 83, PAGE 139-B, 139-C and 139-D OF SAID COUNTY PLAT BOOK RECORDS, SAID TRACT BEING 2.17 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the northeast corner of Lot 31, Block "A", and the northwest corner of Lot 30, Block "A" of Jester Point 2, Section 3, for the southeast corner of the herein described tract;

THENCE, N 29°59'20" E 156.94 feet to an iron rod set in a southwesterly line of Lakewood Drive for the northeast corner of the herein described tract;

THENCE, with said Lakewood Drive for a northerly line of the herein described tract N 60°18'15" W 33.79 feet to an iron rod found at the beginning of a curve to the left for an angle point of the herein described tract;

THENCE, with said curve being a curve to the left, having a radius of 350.06 feet, an arc distance of 634.33 feet and whose chord bears S 67°47'55" W 551.04 feet to an iron rod found at the end of said curve for an angle point of the herein described tract;

THENCE, continuing with said Lakewood Drive for a westerly line of the herein described tract S 15°34'20" W 51.71 feet to an iron rod set at the northwest corner of Lot 36, Block "A" of said Jester Point 2, Section 3 for the southwest corner of the herein described tract;

THENCE, with the southerly line of the herein described tract, N 79°37'10" E 677.60 feet to the PLACE OF BEGINNING containing 2.17 acres of land.

Lead Surveying
1250 Capital of Texas Highway
Building W, Suite #130
Austin, Texas 78748
(512) 329-2777

TRACT II

METES AND BOUNDS DESCRIPTION
33.014 ACRE TRACT

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 33.014 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving easterly right-of-way line of Jester Boulevard, being the northwest corner of Lot 55, Block D, Jester point 2, Section 4, a subdivision of record in Plat Book 84, Pages 45C, 45D, 46A and 46B of the Travis County, Texas Plat Book Records for the southwest corner of the herein described tract ;

THENCE, with an easterly line of said Jester Point 2, Section 4 for the westerly line of the herein described tract, the following eight (8) courses and distances as enumerated below:

1. with said curve being a curve to the left, having a radius of 618.91 feet, an arc distance of 135.00 feet and whose chord bears $N11^{\circ}42'58''W$ 134.73 feet to an iron rod found at the point of tangency for an angle point,
2. continuing with the easterly right-of-way line of Jester Boulevard, $N17^{\circ}44'40''W$ 107.34 feet to an iron rod found for an angle point,
3. leaving said right-of-way $N71^{\circ}57'56''E$ 245.17 feet to an iron rod found for an angle point,
4. $N04^{\circ}13'04''E$ 211.03 feet to an iron rod found for an angle point,
5. $N69^{\circ}23'54''W$ 223.32 feet to an iron rod found for an angle point,
6. $N17^{\circ}55'25''W$ 90.01 feet to an iron rod found for an angle point,

7. $N03^{\circ}40'45''W$ 309.73 feet to an iron rod found for an angle point,
8. $N07^{\circ}46'02''E$ 64.00 feet to a point of curvature for the northwest corner of the herein described tract;

THENCE, leaving said Jester Point 2, Section 4 with the northerly line of the herein described tract, the following six (6) courses and distances as enumerated below:

1. with said curve being a curve to the right having a radius of 870.73 feet, an arc distance of 41.73 feet and whose chord bears $S80^{\circ}44'49''E$ 41.73 feet to a point of curvature,
2. with said curve being a curve to the left having a radius of 870.73 feet, an arc distance of 41.73 feet and whose chord bears $S80^{\circ}44'49''E$ 41.73 feet to a point of reverse curvature for an angle point,
3. with said curve being a curve to the right, having a radius of 880.29 feet, an arc distance of 230.70 feet and whose chord bears $S74^{\circ}36'44''E$ 230.04 feet to an angle point,
4. $N15^{\circ}10'00''E$ 251.32 feet for an angle point,
5. $N60^{\circ}50'00''E$ 460.00 feet for an angle point,
6. $S54^{\circ}00'00''E$ 745.00 feet to a point for the northeast corner of the herein described tract;

THENCE, for the easterly line of the herein described tract, the following five (5) courses and distances as enumerated below:

1. $S38^{\circ}00'00''W$ 265.00 feet for an angle point,
2. $S63^{\circ}05'00''W$ 115.74 feet for an angle point,
3. $S07^{\circ}25'00''E$ 254.08 feet for an angle point,
4. $S82^{\circ}00'00''W$ 102.58 feet for an angle point,
5. $S02^{\circ}30'00''E$ 623.23 feet to a point in a northerly line of said Jester Point 2, Section 4 for the southeast corner of the herein described tract;

THENCE, with a northerly line of said Jester Point 2, Section 4, for the southerly line of the herein described tract, the following four (4) courses and distances as enumerated below:

1. $N87^{\circ}42'02''W$ 85.02 feet to an iron rod found
2. $S78^{\circ}08'41''W$ 332.63 feet to an iron rod found
3. $N64^{\circ}02'34''W$ 497.32 feet to an iron rod found
4. $S84^{\circ}31'51''W$ 150.00 feet to the PLACE OF BEGINNING containing 33.014 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds Description describes a tract of land located from

TRACT III:

Lots 3, 6, 28, 29, 33 and 40, Block A, JESTER POINT 2, Section 3, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 83, Pages 139B-139D of the Plat Records of Travis County, Texas.

Lots 3, 17 and 28, Block A; Lot 16, Block C; and Lots 2, 15-25, 27, 28, 33-37, 52, 54 and 55, Block D, JESTER POINT 2, Section 4, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 84, Pages 45C-46B of the Plat Records of Travis County, Texas.

(Renw.D/T)

Land Surveying
1250 Capital of Texas Highway
Building III, Suite #130
Austin, Texas 78748
(512) 329-2777

METES AND BOUNDS DESCRIPTION
RETAIL SITE

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 6.312 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a point in the center line of a proposed ninety-foot (90') wide right-of-way for the northwesterly corner of the herein described tract from which beginning point the most northeasterly corner of said Burris tract bears the following nine (9) courses and distances as enumerated below:

1. $S72^{\circ}57'36''E$ 83.41 feet,
2. $S74^{\circ}31'31''E$ 202.38 feet,
3. $S76^{\circ}05'24''E$ 575.23 feet,
4. $S66^{\circ}37'53''E$ 340.32 feet,
5. $S57^{\circ}10'22''E$ 235.34 feet,
6. $S59^{\circ}12'18''E$ 205.07 feet,
7. $S61^{\circ}14'14''E$ 280.53 feet,
8. $S77^{\circ}24'59''E$ 331.58 feet,
9. $N29^{\circ}32'59''E$ 558.00 feet;

THENCE, with the center line of said proposed right-of-way for the northerly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. $S72^{\circ}57'36''E$ 83.41 feet to a point of curvature,
2. with said curve, being a curve to the left, having a radius of 3,705.16 feet, an arc distance of 202.41 feet whose chord bears $S74^{\circ}31'31''E$ 202.38 feet to the point of tangency,
3. $S76^{\circ}05'24''E$ 168.48 feet to a point for the northeasterly corner of the herein described tract;

THENCE, with the easterly line of the herein described tract,
S09°30'00"W 538.37 feet to a point for the most southeasterly corner
of the herein described tract;

THENCE, S66°05'00"W 170.00 feet to a point for the most southerly
corner of the herein described tract;

THENCE, N52°33'51"W 406.41 feet to a point for the most southwesterly
corner of the herein described tract;

THENCE, N15°15'00"E 489.02 feet to the PLACE OF BEGINNING containing
6.312 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds
Description describes a tract of land located from information found
in public records, and from measurements made on the ground under my
supervision, this the 10th day of March, 1988.



Billy H. Tribble - Registered Public Surveyor No. 4037
Tribble and Associates, Land Surveying

85-069
Retail Site

UNRECORDED

Land Surveying
1250 Capital of Texas Highway
Building III, Suite #130
Austin, Texas 78748
(512) 329-2777

METES AND BOUNDS DESCRIPTION
P.U.D. SITE NO. 6
(Lot 137)

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 23.569 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a point in the curving center line of a proposed ninety-foot (90') wide right-of-way for the northeasterly corner of the herein described tract from which beginning point the most northeasterly corner of said Burris tract bears $S60^{\circ}14'28''E$ 99.54 feet, $S61^{\circ}14'14''E$ 280.53 feet, $S77^{\circ}24'59''E$ 331.58 feet and $N29^{\circ}32'59''E$ 558.00 feet;

THENCE, with the center line of said proposed right-of-way for the northerly line of the herein described tract, the following four (4) courses and distances as enumerated below:

1. with a curve to the right, having a radius of 2,863.18 feet, an arc distance of 103.56 feet whose chord bears $N58^{\circ}12'32''W$ 103.55 feet to the point of tangency,
2. $N57^{\circ}10'22''W$ 235.34 feet to a point of curvature,
3. with said curve being a curve to the left, having a radius of 1,035.43 feet, an arc distance of 341.87 feet whose chord bears $N66^{\circ}37'53''W$ 340.32 feet to the point of tangency,
4. $N76^{\circ}05'24''W$ 406.75 feet to a point for the northwesterly corner of the herein described tract;

THENCE, $S09^{\circ}30'00''W$ 538.37 feet to an angle point of the herein described tract;

THENCE, $S66^{\circ}05'00''W$ 170.00 feet to a point for the most westerly corner of the herein described tract;

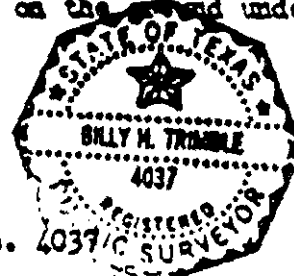
THENCE, with the southwesterly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. S10°35'00"E 275.00 feet to an angle point,
2. S25°30'00"E 285.00 feet to an angle point,
3. S50°00'00"E 510.00 feet to a point for the southeasterly corner of the herein described tract;

THENCE, with the easterly line of the herein described tract, the following six (6) courses and distances as enumerated below:

1. N24°10'00"E 145.00 feet to an angle point,
2. N56°40'00"E 90.00 feet to an angle point,
3. N22°50'00"E 175.00 feet to an angle point,
4. N44°55'00"E 270.00 feet to an angle point,
5. N23°40'00"E 285.00 feet to an angle point,
6. N34°05'00"E 295.97 feet to the PLACE OF BEGINNING containing 23.569 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds Description describes a tract of land located from information found in public records and from measurements made on the ground under my supervision, this the 10th day of March, 1988.



Billy H. Trimble - Registered Public Surveyor No. 4037
Trimble and Associates, Land Surveying

Trimble & Associa s
Land Surveying
1250 Capital of Texas Highway
Building III, Suite #130
Austin, Texas 78748
(512) 329-2777

METES AND BOUNDS DESCRIPTION
P.U.D. SITE NO. 7
(Lot 138)

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 28.680 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a point in the curving center line of a proposed ninety-foot (90) wide right-of-way being in an easterly line of said Burris tract for the northeasterly corner of the herein described tract from which beginning point the most northeasterly corner of said Burris tract bears $N29^{\circ}32'59''E$ 558.00 feet;

THENCE, with the center line of said proposed right-of-way for the northerly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. with a curve to the right, having a radius of 595.00 feet, an arc distance of 336.83 feet whose chord bears $N77^{\circ}24'59''W$ 331.58 feet to the point of tangency,
2. $N61^{\circ}14'14''W$ 280.53 feet to a point of curvature,
3. with said curve being a curve to the right, having a radius of 2,863.18 feet, an arc distance of 99.55 feet whose chord bears $N60^{\circ}14'28''W$ 99.54 feet to a point for the northwesterly corner of the herein described tract;

THENCE, with the westerly line of the herein described tract, the following eight (8) courses and distances as enumerated below:

1. $S34^{\circ}05'00''W$ 295.97 feet to an angle point,
2. $S23^{\circ}40'00''W$ 285.00 feet to an angle point,
3. $S44^{\circ}55'00''W$ 270.00 feet to an angle point,
4. $S22^{\circ}50'00''W$ 175.00 feet to an angle point,
5. $S56^{\circ}40'00''W$ 90.00 feet to an angle point,
6. $S24^{\circ}10'00''W$ 145.00 feet to an angle point,
7. $S00^{\circ}50'00''E$ 500.00 feet to an angle point,

8. $S12^{\circ}15'00''E$ 215.00 feet to a point for the southwesterly corner of the herein described tract;

THENCE, with the southerly line of the herein described tract, $S72^{\circ}25'00''E$ 30.00 feet to an angle point and $S64^{\circ}00'00''E$ 338.49 feet to a point in an easterly line of said Burris tract for the southeasterly corner of the herein described tract;

THENCE, with the said easterly line of said Burris tract for the easterly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. $N29^{\circ}38'02''E$ 1,092.95 feet to an iron rod found for an angle point,
2. $N29^{\circ}56'54''E$ 702.83 feet an iron rod found for an angle point,
3. $N29^{\circ}32'59''E$ 106.07 feet to the PLACE OF BEGINNING containing 28.680 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds Description describes a tract of land located from information found in public records and from measurements made on the ground under my supervision, this the 10th day of March, 1988.



Billy H. Trimble - Registered Public Surveyor No. 4037
Trimble and Associates, Land Surveying

85-069
P.U.D. Site 7

... or Associate
Land Surveying
1250 Capital of Texas Highway
Building W, Suite #130
Austin, Texas 78748
(512) 329-2777

METES AND BOUNDS DESCRIPTION
33.014 ACRE TRACT

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541 SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR., OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 33.014 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving easterly right-of-way line of Jester Boulevard, being the northwest corner of Lot 55, Block D, Jester point 2, Section 4, a subdivision of record in Plat Book 84, Pages 45C, 45D, 46A and 46B of the Travis County, Texas Plat Book Records for the southwest corner of the herein described tract ;

THENCE, with an easterly line of said Jester Point 2, Section 4 for the westerly line of the herein described tract, the following eight (8) courses and distances as enumerated below:

1. with said curve being a curve to the left, having a radius of 618.91 feet, an arc distance of 135.00 feet and whose chord bears $N11^{\circ}42'58''W$ 134.73 feet to an iron rod found at the point of tangency for an angle point,
2. continuing with the easterly right-of-way line of Jester Boulevard, $N17^{\circ}44'40''W$ 107.34 feet to an iron rod found for an angle point,
3. leaving said right-of-way $N71^{\circ}57'56''E$ 245.17 feet to an iron rod found for an angle point,
4. $N04^{\circ}13'04''E$ 211.03 feet to an iron rod found for an angle point,
5. $N69^{\circ}23'54''W$ 223.32 feet to an iron rod found for an angle point,
6. $N17^{\circ}55'25''W$ 90.01 feet to an iron rod found for an angle point,

7. $N03^{\circ}40'45''W$ 309.73 feet to an iron rod found for an angle point,
8. $N07^{\circ}46'02''E$ 64.00 feet to a point of curvature for the northwest corner of the herein described tract;

THENCE, leaving said Jester Point 2, Section 4 with the northerly line of the herein described tract, the following six (6) courses and distances as enumerated below:

1. with said curve being a curve to the right having a radius of 870.73 feet, an arc distance of 41.73 feet and whose chord bears $S80^{\circ}44'49''E$ 41.73 feet to a point of curvature,
2. with said curve being a curve to the left having a radius of 870.73 feet, an arc distance of 41.73 feet and whose chord bears $S80^{\circ}44'49''E$ 41.73 feet to a point of reverse curvature for an angle point,
3. with said curve being a curve to the right, having a radius of 880.29 feet, an arc distance of 230.70 feet and whose chord bears $S74^{\circ}36'44''E$ 230.04 feet to an angle point,
4. $N15^{\circ}10'00''E$ 251.32 feet for an angle point,
5. $N60^{\circ}50'00''E$ 460.00 feet for an angle point,
6. $S54^{\circ}00'00''E$ 745.00 feet to a point for the northeast corner of the herein described tract;

THENCE, for the easterly line of the herein described tract, the following five (5) courses and distances as enumerated below:

1. $S38^{\circ}00'00''W$ 265.00 feet for an angle point,
2. $S63^{\circ}05'00''W$ 115.74 feet for an angle point,
3. $S07^{\circ}25'00''E$ 254.08 feet for an angle point,
4. $S82^{\circ}00'00''W$ 102.58 feet for an angle point,
5. $S02^{\circ}30'00''E$ 623.23 feet to a point in a northerly line of said Jester Point 2, Section 4 for the southeast corner of the herein described tract;

85-069
33.014 Acre

THENCE, with a northerly line of said Jester Point 2, Section 4, for the southerly line of the herein described tract, the following four (4) courses and distances as enumerated below:

1. $N87^{\circ}42'02''W$ 85.02 feet to an iron rod found
2. $S78^{\circ}08'41''W$ 332.63 feet to an iron rod found
3. $N64^{\circ}02'34''W$ 497.32 feet to an iron rod found
4. $S84^{\circ}31'51''W$ 150.00 feet to the PLACE OF BEGINNING containing 33.014 acres of land.

I, the undersigned, do hereby certify that this Metes and Bounds Description describes a tract of land located from information found in public records and from measurements made on the ground under my supervision, this the 10th day of March, 1988.

Billy H. Tribble
Billy H. Tribble - Registered Public Surveyor No. 4037



85-069
33.014 Acre

PROPERTY DESCRIPTION

TRACT A:

That certain 36.230 acre tract more particularly described by metes and bounds as follows (said tract now being known as JESTER POINT 2, Section 5-B, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 88, Pages 202 of the Plat Records of Travis County, Texas):

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE A.E. PATTON SURVEY NO. 541, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS BEING OUT OF AND A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO HOWARD L. BURRIS, JR. OF RECORD IN VOLUME 7948, PAGE 824 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING 36.230 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found at the east northwesterly corner of Jester Point 2, Section 4, a subdivision of record in Plat Book 84, Pages 45-C, 45-D, 46-A and 46-B of the Travis County, Texas Plat Book Records, being in the easterly line of that certain tract of land described in a deed to James Beard of record in Volume 482, Page 507 of the Travis County, Texas Deed Records, being the westerly line of said Burris tract for the southwest corner of the herein described tract;

THENCE, with the easterly line of said Beard tract, being the westerly line of said Burris tract for the westerly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. N30°13'30"W 116.69 feet to an iron rod found for an angle point.
2. N30°08'24"W 764.98 feet to an iron rod found and concrete monument set for an angle point.
3. N30°09'46"W 572.28 feet to an iron rod set for the northwest corner of the herein described tract;

THENCE, for the northerly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. N62°18'00"E 120.61 feet to an iron rod set for an angle point.
2. With a curve being a curve to the right, having a radius of 541.52 feet, an arc of 32.60 feet whose chord bears N25°38'57"W 32.59 feet to an iron rod set for an angle point.
3. N64°13'00"E 455.50 feet to a concrete monument set for the east northerly northeast corner of the herein described tract;

THENCE, for a northeasterly line of the herein described tract, the following four (4) courses and distances as enumerated below:

THENCE, for the easterly line of the herein described tract, $S30^{\circ}49'00''E$ 408.48 feet to an iron rod set for the most easterly southeast corner of the herein described tract;

THENCE, for a southeasterly line of the herein described tract, $S29^{\circ}24'00''W$ 1,143.68 feet to an iron rod found at an interior all corner of Jester Point 2, Section 5-A, a subdivision of record in Plat Book 87, Pages 200-B and 200-C of the Travis County, Texas Plat Book Records for the most southerly southeast corner of the herein described tract;

THENCE, with an easterly line of said Jester Point 2, Section 5-A for a westerly line of the herein described tract, $N46^{\circ}24'00''W$ 176.76 feet to an iron rod found at the most northerly northeast corner of said Jester Point 2, Section 5-A for an interior all corner of the herein described tract;

THENCE, with the northerly lines of said Jester Point 2, Section 5-A and Jester Point 2, Section 4 for the southerly line of the herein described tract, the following three (3) courses and distances as enumerated below:

1. With a curve being a curve to the right, having a radius of 615.00 feet, an arc distance of 144.90 feet whose chord bears $S48^{\circ}01'07''W$ 144.56 feet to an iron rod found at point of reverse curvature.
2. With said curve being a curve to the left, having a radius of 15.00 feet, an arc distance of 22.36 feet whose chord bears $S12^{\circ}01'03''W$ 20.36 feet to an iron rod found for an angle point.
3. $S59^{\circ}16'00''W$ 446.37 feet to the **PLACE OF BEGINNING** containing 36.230 acres of land.

TRACT B:

That certain tract more particularly described as JESTER POINT 2, Section 6, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 88, Pages 204 of the Plat Records of Travis County, Texas.

FILED

1992 JUL -8 PM 4: 47

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM - At the time of
recording this instrument was found to be inadequate
for the best photographic reproduction, because of
illegibility, carbon or photo copy, discolored paper,
etc. All blockouts, additions and changes were present
at the time the instrument was filed and recorded.

STA Cash rec

AFTER RECORDING RETURN TO:

ATTN: *M Johnson*
STEWART TITLE
PO BOX 1806
AUSTIN, TX 78767

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

JUL 8 1992



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

UNOFFICIAL