

C80 83-128

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VACATION OF SUBDIVISION PLAT

CB-78-096
CBs-83-128 P

THE STATE OF TEXAS I

COUNTY OF TRAVIS OCT 14 3 40 6276 4097 * 7.00 3 40 6276

WHEREAS, The Lost Creek Company, a joint venture, being the owner of a 97.95 acre tract of land out of the John Searcy Survey No. 506 and the Alex Panes Survey No. 508 situated in Travis County, Texas, did heretofore subdivide an 9.42 acre portion of the same into a subdivision designated The Hills of Lost Creek, Section Six, plat of which is recorded in Book 77, Page 148 of the Plat Records of Travis County, Texas; and

WHEREAS, the following lots in said subdivision are now owned by the parties indicated, to-wit:

LOT

OWNER

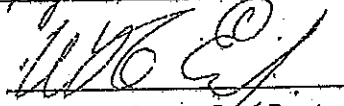
1

William H. Espey, Jr., Trustee
Robert J. Huston, Trustee
University Savings Association

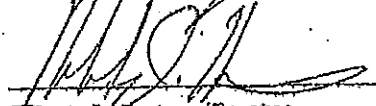
WHEREAS, the said William H. Espey, Jr., Trustee and Robert J. Huston, Trustee and University Savings Association, who collectively constitute all of the owners and lienholders of all lots in The Hills of Lost Creek, Section Six, are desirous of vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS: That William H. Espey, Jr., Trustee and Robert J. Huston, Trustee and University Savings Association, for and in consideration of the premises and pursuant to the provisions of Article 974a, Section 5, Texas Court Statutes, do hereby vacate the subdivision known as "The Hills of Lost Creek, Section Six", the plat of which is recorded in Book 77, Page 148 of the Plat Records of Travis County, Texas, intending hereby to destroy the force and effect of the recording of such plat.

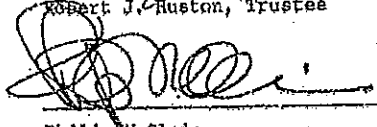
EXECUTED this the 7th day of July, 1983.



William H. Espey, Jr., Trustee



Robert J. Huston, Trustee



Philip McClain
Senior Vice-President
University Savings Association.

NO SEAL

DEED RECORDS
Travis County, Texas

8293 935

STATE OF TEXAS I

COUNTY OF TRAVIS I

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM H. ESPEY, JR., Trustee, 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, in the capacity therein stated and as the act and deed of said Trustee.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 7th day of July, 1983.

John Sylee
Notary Public, Travis County, Texas
My commission expires: 10/1/84
John Sylee, Notary
Type/Print Name

NOTARY SEAL

STATE OF TEXAS I

COUNTY OF TRAVIS I

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT J. HUSTON, Trustee, 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, in the capacity therein stated and as the act and deed of said Trustee.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 7th day of July, 1983.

John Sylee
Notary Public, Travis County, Texas
My commission expires: 10/1/84
John Sylee, Notary
Type/Print Name

NOTARY SEAL

STATE OF TEXAS I

COUNTY OF TRAVIS I

BEFORE ME, the undersigned authority, on this day personally appeared PHILIP McCLAIN, Senior Vice-President, University Savings Association, 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, in the capacity therein stated and as the act and deed of said Association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 8 day of July, 1983.

NOTARY SEAL

Julie A. Roberts
Notary Public, Travis County, Texas
My commission expires: 8/17/85
Julie A. Roberts
Type/Print Name



8293

936

APPROVAL OF VACATION OF PLAT

BE IT KNOWN that on the 11TH day of OCTOBER, 1983, the Planning Commission of the City of Austin, at its regular meeting, did approve the vacation of The Hills of Lost Creek, Section Six, a subdivision in Travis County, Texas, as shown on the map or plat thereof of record in Plat Book 77, Page 148 of the Plat Records of Travis County, Texas, upon the application therefor by William H. Espey, Jr., Trustee, and Robert J. Huston, Trustee, and University Savings Association, the Owners and Lienholders of the property.

3 40 6278

Gilbert M. Martinez

Chairman, Planning Commission
of the City of Austin
Travis County, Texas
Gilbert Martinez
GILBERT M. MARTINEZ

ATTEST:

Richard Lillie

NO SEAL

Richard Lillie
Executive Secretary,
Planning Commission
of the City of Austin,
Travis County, Texas

STATE OF TEXAS X

COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared Gilbert Martinez, known to me to be the person whose name is subscribed to the foregoing instrument as Chairman of the Planning Commission of the City of Austin, a municipal corporation, and acknowledged to me that he examined the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11TH day of OCTOBER, 1983.

Anna L. Porter

Notary Public, Travis County, Texas

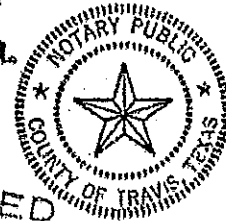
My commission expires: 10-31-85

ANNA L. PORTER

Type/Print Name

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 general RECORDS of Travis County, Texas, as stamp hereon by me, on

NOTARY SEAL



OCT 14 1983



Carie Anapolina
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

1983 OCT 14 PM 3:01

Carie Anapolina
COUNTY CLERK
TRAVIS COUNTY, TEXAS

8293 . 937

Jennie

080-807280
3 40 6279

RESTRICTIVE COVENANT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

CITY OF AUSTIN
SUBDIVISION NO. _____
(THE HILLS OF LOST
CREEK SECTION SIX-A)

OCT 14 83 ~~25~~ 4096 * 23.00

WHEREAS, WILLIAM H. ESPEY, JR., and ROBERT J. HUSTON, TRUSTEES, ("Grantors") are the owners of that certain tract or parcel of land (the "Property") lying and being situated in Travis County, Texas, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes; and

WHEREAS, the Property is located within the boundaries of the Lost Creek Municipal Utility District ("District") that will provide service to the above described property; and

WHEREAS, the District and Grantors have agreed that the above described property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing for the benefit of Owners, their heirs, successors and assigns, and the District, its successors or assigns, in order to facilitate the orderly development of the Property by providing notice as to the amount of water and wastewater service available to the lots in the Property.

NOW, THEREFORE, Grantors, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the undersigned by District, the receipt of which is hereby acknowledged, do hereby agree with respect to said property described above, such agreement to be deemed and considered as covenants running with the land, and which shall be binding upon Grantors, their heirs, successors and assigns, and shall inure to the benefit of the District, its successors and assigns as follows, to-wit:

1. The property described above is being platted (pursuant to applicable City of Austin ordinances) as Lots 1, 2 and 3, The Hills of Lost Creek, Section Six-A. Water and wastewater utility services are provided to such property by District. Grantors have obtained and District has allocated a total of thirty-five (35) water taps and thirty-five (35) wastewater (sanitary sewer) taps to

DEED RECORDS 1
Travis County, Texas

8293 938

such property as such taps are defined in the currently existing rules and regulations of the District, and such parties agree that said taps shall be and are hereby allocated to the Lots within such property as follows:

<u>Lot</u>	<u>Water Taps</u>	<u>Wastewater Taps</u>
Lot 1	21	21
Lot 2	13	13
Lot 3	<u>1</u>	<u>1</u>
Total	<u>35</u>	<u>35</u>

2. The covenants of this Restrictive Covenant shall run with the land and be binding upon Grantors and each subsequent Owner of the Property or parts thereof, their respective heirs, successors and assigns. The enforcement of the provisions of this Restrictive Covenant shall be vested in the District, its successors and assigns. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the District, its successors and assigns, to prosecute proceedings at law, or in equity, against said person or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any covenant or term of this Restrictive Covenant shall be found void or unenforceable for whatever reason by any court of law or of equity, then every other covenant or term herein shall remain valid and binding provided that in such event Grantor and all of the Owners of any property subject to this covenant shall to the fullest extent possible modify such covenant or term to the extent required to carry out the general intention of this Restrictive Covenant and to impart validity to such covenant, condition or term.

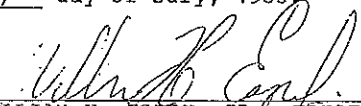
4. The failure at any time to enforce this agreement by the District, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This Restrictive Covenant may be amended, modified or terminated from time to time, by an instrument executed by District, its successors or assigns, Grantors (so long as Grantors are Owners) and the Owners of the Property or any part of the Property to which such amendment shall be applicable. All amendments shall be effective when recorded in the Real Property Records of Travis County, Texas.

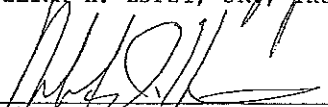
6. This Restrictive Covenant shall be construed and enforced in accordance with the laws of the State of Texas. No provision of this Agreement shall limit the rights, powers or authority of District to conduct its affairs in accordance with applicable law.

7. Grantors hereby certify by execution of this document that they have taken no actions in relation to the above described property which are inconsistent with the covenants herein recited, but if any such actions shall be discovered Grantors will indemnify and hold the District harmless for any damages resulting from any such actions which are inconsistent with the covenants herein recited.

WITNESS our hands this the 27th day of July, 1983.



WILLIAM H. ESPEY, JR., TRUSTEE



ROBERT J. HUSTON, TRUSTEE

APPROVED:

3 40 6282

LOST CREEK MUNICIPAL UTILITY DISTRICT

By: Jonnie M. Schulz
Jonnie M. Schulz
President

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on July 27, 1983, by WILLIAM H. ESPEY, JR., in his capacity as Trustee.

Jo Lynn Smith
Notary Public in and for the
State of Texas
(Jo Lynn Smith)
printed name of notary
My commission expires: 7/19/87

NOTARY SEAL

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on July 27, 1983, by ROBERT J. HUSTON, in his capacity as Trustee.

Jo Lynn Smith
Notary Public in and for the
State of Texas
(Jo Lynn Smith)
printed name of notary
My commission expires: 7/19/87

NOTARY SEAL

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on July 26, 1983, by Jonnie M. Schulz, President of Lost Creek Municipal Utility District, a municipal utility district, on behalf of said district.

Albina V. Johnson
Notary Public in and for the
State of Texas
(Albina V. Johnson)
printed name of notary
My commission expires: 10-17-85

NOTARY SEAL

EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 1
2.07 Acres

FN 1151 (PS)
July 13, 1983
EH&A Job No. 3229-06
Ref.: EH&A Plat No. 1190

3 40 6283

DESCRIPTION OF A 2.07 ACRE TRACT OF LAND OUT OF THE JOHN SWESEY SURVEY NO. 506, TRAVIS COUNTY, TEXAS BEING A PORTION OF LOT 1 OF THE HILLS OF LOST CREEK SECTION SIX, A SUBDIVISION OF RECORD IN BOOK 77, PAGE 148, TRAVIS COUNTY PLAT RECORDS; SAID 2.07 ACRE TRACT OF LAND BEING THE PROPOSED LOT 1 OF THE PROPOSED SUBDIVISION TO BE KNOWN AS THE HILLS OF LOST CREEK SECTION SIX-A; SAID 2.07 ACRE TRACT OF LAND, AS SHOWN ON ESPEY, HUSTON & ASSOCIATES PLAT NO. 1190, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found at the most northerly corner of the said Lot 1, The Hills of Lost Creek Section Six, same being in the east line of a tract of land conveyed to Dan Marshall, II, et al as recorded in Volume 3977, Page 884 of the Travis County Deed Records, also being in the westerly line of Loop 360 and the most northerly corner hereof;

THENCE departing the said east line of the Marshall tract and with the said westerly line of Loop 360, same being the east line of the said Lot 1, The Hills of Lost Creek Section Six, S $33^{\circ} 30' 00''$ E, a distance of 544.12 feet to an iron rod set for the southeast corner hereof;

THENCE departing the said common line between Loop 360 and Lot 1, The Hills of Lost Creek Section Six and crossing a portion of the said Lot 1, the following two (2) courses and distances:

1. S $54^{\circ} 08' 07''$ W, a distance of 227.60 feet to an iron rod set at an angle point, and
2. S $81^{\circ} 36' 26''$ W, a distance of 103.41 feet to an iron rod set in the west line of the said Lot 1, The Hills of Lost Creek Section Six, same being in the said east line of the Marshall tract and the southwest corner hereof;

THENCE with the said common line between Lot 1, The Hills of Lost Creek Section Six and the Marshall tract, the following two (2) courses and distances:

1. N $09^{\circ} 02' 00''$ E, a distance of 46.50 feet to an iron rod found at an angle point, and
2. N $02^{\circ} 09' 00''$ W, a distance of 556.64 feet to the POINT OF BEGINNING, and containing 2.07 acres of land.

THE STATE OF TEXAS }
 } KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS }

That I, Roger Wheat, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 20 day of JULY, 1983, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
P.O. Box 519
Austin, Texas 78767

Roger Wheat
Registered Public Surveyor
No. 4039 - State of Texas



EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 2
5.90 Acres

FN 1150 R (PS)
July 22, 1983
EH&A Job No. 3229-06
Ref.: EH&A Plat No. 1190

3 40 6284

DESCRIPTION OF A 5.90 ACRE TRACT OF LAND OUT OF THE JOHN SWESEY SURVEY NO. 506 AND THE ALEX EANES SURVEY NO. 508, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1 OF THE HILLS OF LOST CREEK SECTION SIX, A SUBDIVISION OF RECORD IN BOOK 77, PAGE 148, TRAVIS COUNTY PLAT RECORDS; SAID 5.90 ACRE TRACT OF LAND BEING THE PROPOSED LOT 2 OF THE PROPOSED SUBDIVISION TO BE KNOWN AS LOST CREEK SECTION SIX-A; SAID 5.90 ACRE TRACT OF LAND, AS SHOWN ON ESPEY HUSTON & ASSOCIATES PLAT NO. 1190, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found at the most southeasterly corner of the said Lot 1, The Hills of Lost Creek, Section Six, same being the most northeasterly corner of Lost Creek Point, a subdivision of record in Book 79, Page 108, Travis County Plat Records and also being in the westerly line of Loop 360;

THENCE departing the said westerly line of Loop 360 and with the southeasterly line of the said Lot 1, The Hills of Lost Creek Section Six, same being the northerly line of the said Lost Creek Point, the following four (4) courses and distances:

1. N 63° 02' 00" W, a distance of 194.13 feet to an iron rod found at an angle point,
2. N 84° 25' 00" W, a distance of 59.30 feet to an iron rod found at an angle point,
3. S 33° 11' 00" W, a distance of 116.68 feet to an iron rod found at an angle point, and
4. S 28° 11' 00" W, a distance of 190.42 feet to an iron rod set for the most southerly corner hereof;

THENCE departing the said common line between Lot 1, The Hills of Lost Creek Section Six and Lost Creek Point and crossing a portion of the said Lot 1, the following eight (8) courses and distances:

1. N 44° 05' 00" W, a distance of 251.26 feet to an iron rod set at an angle point,
2. N 60° 04' 28" W, a distance of 20.85 feet to an iron rod set at a point of curvature,
3. a distance of 72.79 feet along an arc to the right with a central angle of 47° 28' 46" and a radius of 87.84 feet and whose chord bears N 36° 20' 03" W, a distance of 70.73 feet to an iron rod set at a point of tangency,
4. N 12° 35' 43" W, a distance of 18.14 feet to an iron rod set at an angle point,
5. N 86° 14' 54" W, a distance of 36.82 feet to an iron rod set at an angle point,
6. S 84° 43' 38" W, a distance of 34.03 feet to an iron rod set at a point of curvature,
7. a distance of 43.99 feet along an arc to the left with a central angle of 50° 00' 57" and a radius of 50.40 feet and whose chord bears S 59° 43' 11" W, a distance of 42.61 feet to an iron rod set at a point of tangency, and

EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 2
5.90 Acres

FN 1150 R (PS)
July 22, 1983
EH&A Job No. 3229-06
Ref.: EH&A Plat No. 1190

3 40 6285

8. S $34^{\circ} 42' 42''$ W, a distance of 55.44 feet to an iron rod set in the southwesterly line of the said Lot 1, The Hills of Lost Creek Section Six, same being the north line of Lost Creek Blvd. (80 foot right-of-way);

THENCE with the said common line between Lot 1, The Hills of Lost Creek Section Six and Lost Creek Blvd., the following eight (8) courses and distances:

1. a distance of 44.51 feet along an arc to the left with a central angle of $04^{\circ} 12' 14''$ and a radius of 606.64 feet and whose chord bears N $53^{\circ} 27' 59''$ W, a distance of 44.49 feet to an iron rod found at a point of tangency,
2. N $55^{\circ} 34' 00''$ W, a distance of 197.33 feet to an iron rod found at a point of curvature,
3. a distance of 213.41 feet along an arc to the left with a central angle of $23^{\circ} 24' 00''$ and a radius of 522.53 feet and whose chord bears N $67^{\circ} 16' 00''$ W, a distance of 211.93 feet to an iron rod found at a point of tangency,
4. N $78^{\circ} 58' 00''$ W, a distance of 75.36 feet to an iron rod found at a point of curvature,
5. a distance of 208.35 feet along an arc to the left with a central angle of $13^{\circ} 14' 00''$ and a radius of 902.08 feet and whose chord bears N $85^{\circ} 35' 00''$ W, a distance of 207.89 feet to an iron rod found at a point of tangency,
6. N $87^{\circ} 48' 00''$ E, a distance of 67.94 feet to an iron rod found at a point of curvature,
7. a distance of 218.91 feet along an arc to the left with a central angle of $36^{\circ} 21' 00''$ and a radius of 345.05 feet and whose chord bears S $69^{\circ} 38' 00''$ W, a distance of 215.26 feet to an iron rod found at a point of tangency, and
8. S $51^{\circ} 27' 00''$ W, a distance of 422.10 feet to an iron rod found at the most southwesterly corner of the said Lot 1, The Hills of Lost Creek Section Six, same being the most southeasterly corner of The Hills of Lost Creek Section Three, a subdivision of record in Book 77, Page 48 of the Travis County Plat Records;

THENCE departing the said north line of Lost Creek Blvd., and with the most westerly line of the said Lot 1, The Hills of Lost Creek Section Six, same being the easterly line of the said The Hills of Lost Creek Section Three, N $73^{\circ} 31' 00''$ W, a distance of 1.22 feet to an iron pipe found at the most northwesterly corner of the said Lot 1, same being the southwest corner of a tract of land conveyed to Dan Marshall, II, et al as recorded in Volume 3977, Page 884 of the Travis County Deed Records;

THENCE departing the said easterly line of The Hills of Lost Creek Section Three, and with the north line of the said Lot 1, The Hills of Lost Creek Section Six, same being the south line of the said Marshall tract, the following three (3) courses and distances:

1. N $51^{\circ} 27' 00''$ E, a distance of 536.39 feet to an iron pipe found at an angle point,

EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 2
5.90 Acres

FN 1150 R (PS)
July 22, 1983
EH&A Job No. 3229-06
Ref.: EH&A Plat No. 1190

3 40 6286

2. N 87° 48' 00" E, a distance of 286.29 feet to an iron pipe found at an angle point, and
3. S 78° 58' 00" E, a distance of 675.85 feet to an iron pipe found at the southeast corner of the said Marshall tract, same being an interior corner of the said Lot 1, The Hills of Lost Creek Section Six;

THENCE with the west line of the said Lot 1, The Hills of Lost Creek Section Six, same being the east line of the said Marshall tract, N 09° 02' 00" E, a distance of 228.50 feet to an iron rod set for the northwest corner hererof;

THENCE departing the said common line between Lot 1, The Hills of Lost Creek Section Six and the Marshall tract and crossing a portion of the said Lot 1, the following two (2) courses and distances:

1. N 81° 36' 26" E, a distance of 103.41 feet to an iron rod set at an angle point, and
2. N 54° 08' 07" E, a distance of 227.60 feet to an iron rod set in the east line of the said Lot 1, The Hills of Lost Creek Section Six, same being the said westerly line of Loop 360 and the northeast corner hereof;

THENCE with the said common line between Lot 1, The Hills of Lost Creek Section Six and Loop 360, S 33° 30' 00" E, a distance of 630.97 feet to the POINT OF BEGINNING, and containing 5.90 acres of land.

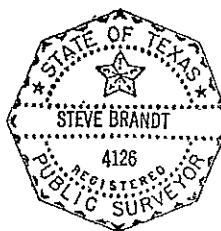
THE STATE OF TEXAS }
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS:

That I, Steve Brandt, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 22 day of July, 1983, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
P.O. Box 519
Austin, Texas 78767

Steve Brandt
Registered Public Surveyor
No. 4126 - State of Texas



EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 3
1.45 Acres

FN 1162 (PS)
July 25, 1983
EH&A Job No. 3229-06
Ref: EH&A Plat No. 1190

3 40 6287

DESCRIPTION OF A 1.45 ACRE TRACT OF LAND OUT OF THE JOHN SWESEY SURVEY NO. 506, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT ONE OF THE HILLS OF LOST CREEK, SECTION SIX, A SUBDIVISION OF RECORD IN BOOK 77, PAGE 148 OF THE TRAVIS COUNTY PLAT RECORDS; SAID 1.45 ACRE TRACT OF LAND BEING THE PROPOSED LOT 3 OF THE PROPOSED SUBDIVISION TO BE KNOWN AS THE HILLS OF LOST CREEK SECTION SIX-A; SAID 1.45 ACRE TRACT OF LAND, AS SHOWN ON ESPEY HUSTON & ASSOCIATES SURVEY PLAT NO. 1190, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod set in the northerly line of Lost Creek Blvd. (80 foot right-of-way), same being the most southerly corner of the said Lot One, The Hills of Lost Creek, Section Six and the most southwesterly corner of Lost Creek Point, a subdivision of record in Book 79, Page 108 of the Travis County, Plat Records, and the most southerly corner hereof;

THENCE with the said northerly line of Lost Creek Blvd., same being the southerly line of the said Lot One, The Hills of Lost Creek, Section Six, the following three (3) courses and distances:

1. a distance of 42.27 feet along an arc to the right with a central angle of $08^{\circ} 03' 26''$ and a radius of 300.57 feet and whose chord bears $N 39^{\circ} 34' 43'' W$, a distance of 42.23 feet to an iron rod set at a point of tangency,
2. $N 35^{\circ} 33' 00'' W$, a distance of 255.22 feet to an iron rod found at a point of curvature, and
3. a distance of 167.42 feet along an arc to the left with a central angle of $15^{\circ} 48' 47''$ and a radius of 606.64 feet and whose chord bears $N 43^{\circ} 27' 23'' W$, a distance of 166.90 feet to an iron rod set at a point on curve, same being the most westerly corner hereof, and from which an iron rod found at a point of tangency bears a distance of 44.51 feet along an arc to the left with a central angle of $04^{\circ} 12' 13''$ and a radius of 606.64 feet and whose chord bears $N 53^{\circ} 27' 53'' W$, a distance of 44.50 feet;

THENCE departing the said common line between Lost Creek Blvd. and Lot 1, The Hills of Lost Creek Section Six and crossing a portion of the said Lot 1, the following eight (8) courses and distances:

1. $N 34^{\circ} 42' 42'' E$, a distance of 55.44 feet to an iron rod set at a point of curvature,
2. a distance of 43.99 feet along an arc to the right with a central angle of $50^{\circ} 00' 57''$ and a radius of 50.40 feet and whose chord bears $N 59^{\circ} 43' 11'' E$, a distance of 42.61 feet to an iron rod set at a point of tangency,
3. $N 84^{\circ} 43' 38'' E$, a distance of 34.03 feet to an iron rod set at an angle point,
4. $S 86^{\circ} 14' 54'' E$, a distance of 36.82 feet to an iron rod set at an angle point, same being the most northerly corner hereof,
5. $S 12^{\circ} 35' 43'' E$, a distance of 18.14 feet to an iron rod set at a point of curvature,

EH&A
Proposed Hills of Lost Creek
Section Six-A, Lot 3
1.45 Acres

FN 1162 (PS)
July 25, 1983
EH&A Job No. 3229-06
Ref: EH&A Plat No. 1190

3 40 6288

6. a distance of 72.79 feet along an arc to the left with a central angle of $47^{\circ} 28' 46''$ and a radius of 87.84 feet and whose chord bears $S 36^{\circ} 20' 03'' E$, a distance of 70.73 feet to an iron rod set at a point of tangency,
7. $S 60^{\circ} 04' 28'' E$, a distance of 20.85 feet to an iron rod set at an angle point, and
8. $S 44^{\circ} 05' 00'' E$, a distance of 251.26 feet to an iron pin set in the easterly line of the said Lot 1, The Hills of Lost Creek, Section Six, same being in the westerly line of said Lost Creek Point;

THENCE continuing with the said common line between The Hills of Lost Creek, Section Six and Lost Creek Point, $S 28^{\circ} 11' 00'' W$, a distance of 185.56 feet to the POINT OF BEGINNING and containing 1.45 acres of land.

THE STATE OF TEXAS }
 } COUNTY OF TRAVIS }

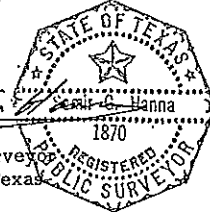
KNOW ALL MEN BY THESE PRESENTS:

THAT I, Samir G. Hanna, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL AT Austin, Travis County, Texas this
the 25th day of July, 1983, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
916 South Loop 360 P.O. Box 519
Austin, Texas 78767

Samir G. Hanna
Samir G. Hanna
Registered Public Surveyor
No. 1870 - State of Texas



84/1223
1222

PARTIAL VACATION OF SUBDIVISION PLAT

JUN-25-84 RCAA 979A 200

CS-83-128
CS-83-209

THE STATE OF TEXAS X
COUNTY OF TRAVIS X

3-75-0288

100

WHEREAS, William H. Espey, Jr. and Robert J. Huston, Trustees, being the owners of a 9.42 acre tract of land out of the John Swesey Survey No. 506 and the Alex Banes Survey No. 508 situated in Travis County, Texas, did heretofore subdivide the same into a subdivision designated The Hills of Lost Creek, Section Six-A, plat of which is recorded in Book 83, Page 201-D of the Plat Records of Travis County, Texas; and

WHEREAS, the following lots in said subdivision are now owned by the parties indicated, to wit:

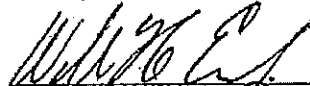
<u>LOT</u>	<u>OWNER</u>
1,2	William H. Espey, Jr., Trustee and Robert J. Huston, Trustee
3	BancFirst-Westlake, N.A.

WHEREAS, the said William H. Espey, Jr., Trustee and Robert J. Huston, Trustee and BancFirst-Westlake, N.A., who collectively constitute all of the owners of all lots in The Hills of Lost Creek, Section Six-A, are desirous of partially vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat insofar and only insofar as the same pertains to Lot One (1) of said subdivision;


NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS: That William H. Espey, Jr., Trustee and Robert J. Huston, Trustee and BancFirst-Westlake, N.A., for and in consideration of the premises and pursuant to the provisions of Article 974a, Section 5, Texas Court Statutes, do hereby vacate Lot One (1) of the subdivision known as "The Hills of Lost Creek, Section Six-A", the plat of which is recorded in Book 83, Page 201-D of the Plat Records of Travis County, Texas, intending hereby to destroy the force and effect of the recording of such plat insofar as the same pertaining to Lot One (1) only.

Said subdivision shall, however, remain in full force and effect as to all other lots in The Hills of Lost Creek, Section Six-A subdivision.

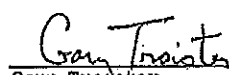
EXECUTED this the 1st day of JUNE, 1984.



William H. Espey, Jr., Trustee



Robert J. Huston, Trustee



Gary Traester
President and Chief Executive
Officer
BancFirst-Westlake, N.A.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

8663 851

THE STATE OF TEXAS X
COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM H. ESPEY, JR., Trustee, 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, in the capacity therein stated and as the act and deed of said Trustee.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 15th day of JUNE, 1984.

Jo Lynn Smith
Notary Public, Travis County, Texas

My commission expires: 7/19/87

Jo Lynn Smith
Type/Print Name

THE STATE OF TEXAS X
COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT J. HUSTON, Trustee, 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, in the capacity therein stated and as the act and deed of said Trustee.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 15th day of JUNE, 1984.

Jo Lynn Smith
Notary Public, Travis County, Texas

My commission expires: 7/19/87

Jo Lynn Smith
Type/Print Name

THE STATE OF TEXAS X
COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared Gary Traester, President and Chief Executive Officer, BancFirst-Westlake, N.A., 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, in the capacity therein stated and as the act and deed of said Association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 4th day of June, 1984.

Kay E. Culp
Notary Public, Travis County, Texas
Kay E. Culp

My commission expires: 12/17/85

Kay E. Culp
Type/Print Name

8663 852

APPROVAL OF PARTIAL VACATION OF PLAT

BE IT KNOWN that on the 12 day of June, 1984, the Planning Commission of the City of Austin, at its regular meeting, did approve the partial vacation of the Hills of Lost Creek, Section Six-A, a subdivision in Travis County, Texas, as shown on the map or plat thereof of record in Plat Book 83, Page 201-D of the Plat Records of Travis County, Texas, upon the application therefore by William H. Espey, Jr., Trustee, and Robert J. Huston, Trustee, and BancFirst-Westlake, N.A., the Owners of the property.

Gilbert M. Martinez
Chairman, Planning Commission
of the City of Austin
Travis County, Texas
Gilbert Martinez

ATTEST:

Lilas Kinch
Lilas Kinch
Acting Director
Office of Land Development Services
of the City of Austin
Travis County, Texas

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared Gilbert Martinez, known to me to be the person whose name is subscribed to the foregoing instrument as Chairman of the Planning Commission of the City of Austin, a municipal corporation, and acknowledged to me that he examined the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12th day of June, 1984.

Anna L. Porter
Notary Public, Travis County, Texas

My commission expires: 10/31/85

Anna L. Porter
Type/Print Name

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, as stamp hereon by me, on

JUN 25 1984



Deis Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

8663

853

FILED
1984 JUN 25 PM 5:47
Deis Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS