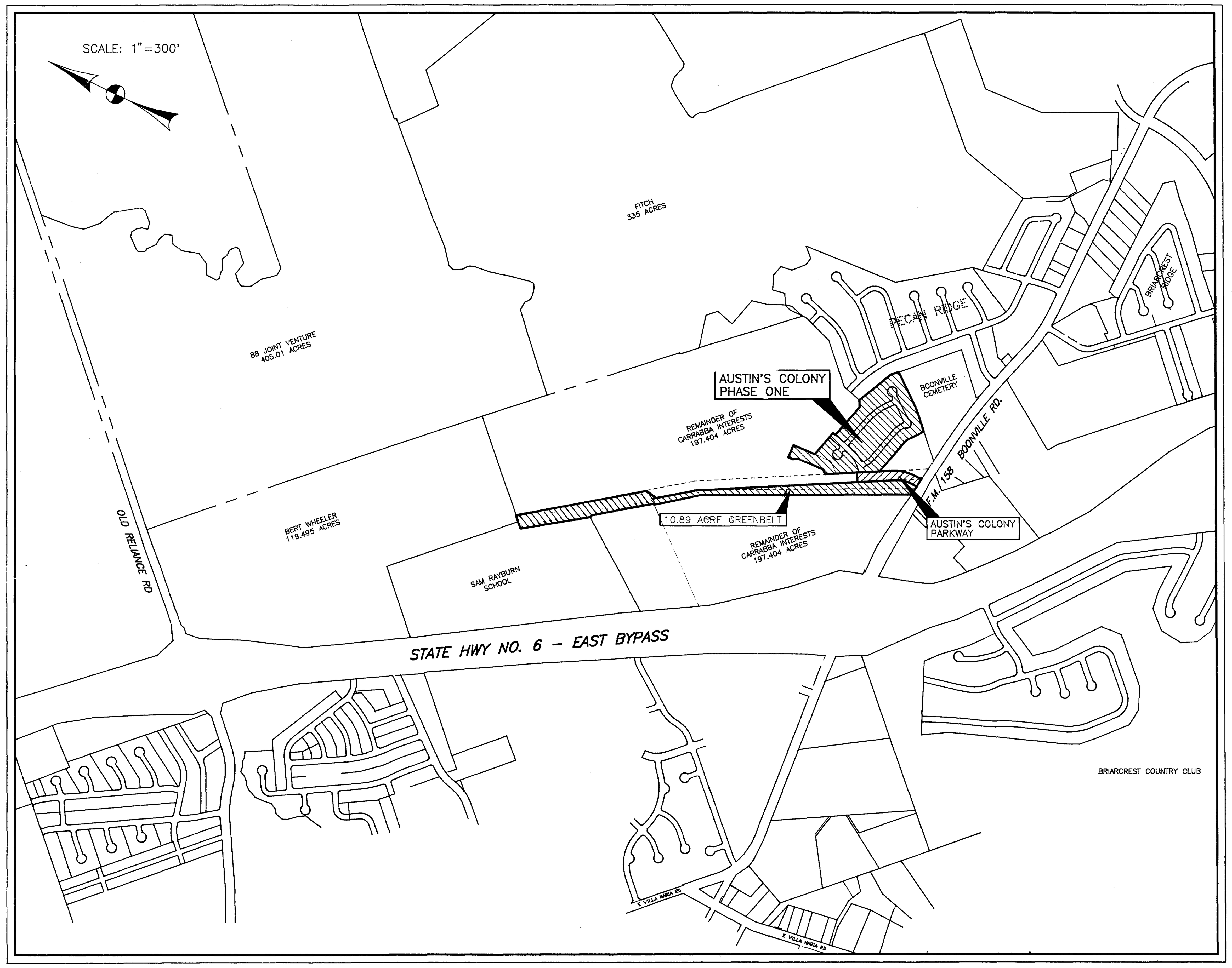

Austin's Colony
28.16 Acre Tract
John Austin Survey, A-2
Bryan, Brazos County, Texas

Field notes of a 28.16 acre tract or parcel of land lying and being situated in the John Austin Survey, Abstract No. 2, Bryan, Brazos County, Texas, and being part of the called 197.404 acre tract described in the Special Warranty Deed from Trans-Texas Interest Inc. to Carrabba Interest, recorded in Volume 1510, Page 87, of the Official Records of Brazos County, Texas, and being more particularly described as follows:

BEGINNING at the 1/2" iron rod found at 4" x 4" fence post marking the east corner of the beforementioned 197.404 acre tract in the southwest line of Lot 8, Block 4, Pecan Ridge, Phase I, according to the plat recorded in Volume 467, Page 291, of the Deed Records of Brazos County, Texas, said iron rod also being the north corner of the 11.29 acre Boonville Cemetery;

THENCE along the common line between the beforementioned 197.404 acre tract and the 11.29 acre Boonville Cemetery tract adjacent to a fence as follows:

S 38° 28' 09" W 420.69 feet to a 32" post oak tree,
S 45° 49' 52" W 256.10 feet to a 1/2" iron rod set at the south corner of Lot 8, Block 1, Austin's Colony, a 1/2" iron rod found in the south corner of the said 197.404 acre tract in F.M. No. 158 bears S 45° 49' 52" W 320.41 feet;

THENCE along the south line of Block 1, Austin's Colony as follows:

N 51° 31' 51" W 196.90 feet to a 1/2" iron rod set,
N 74° 56' 17" W 434.04 feet to a 1/2" iron rod set at the west corner of Lot 1, Block 1, in the east right-of-way line of Austin's Colony Parkway;

THENCE along the east right-of-way line of Austin's Colony Parkway as follows:

S 28° 55' 32" E 130.40 feet to a 1/2" iron rod set at the beginning of a curve concave to the west having a radius of 480.28 feet,
Southerly along said curve for an arc length of 307.27 feet to a 1/2" iron rod set at the beginning of a curve concave to the northeast, having a radius of 17.55 feet, the chord bears S 10° 35' 51" E 302.06 feet,
Southeasterly along said curve for an arc length of 27.57 feet to a 1/2" iron rod set at the end of this curve in the north right-of-way line of F.M. No. 158, the chord bears S 37° 16' 09" E 24.83 feet;

THENCE N 82° 16' 10" W along the north right-of-way line of the beforementioned F.M. No. 158, at a distance of 125.11 feet pass a 1/2" iron rod set at the beginning of a curve concave to the northwest having a radius of 17.55 feet, continue on for a total distance of 206.69 feet to a 1/2" iron rod set at the south corner of the 60' Exxon Pipeline easement as recorded in Volume 326, Page 140, of the Deed Records of Brazos County, Texas;

THENCE N 26° 12' 57" W along the southwest line of the beforementioned 60' Exxon Pipeline easement for a distance of 1831.50 feet to a 1/2" iron rod set;

THENCE N 56° 12' 57" W 20.00 feet to a 1/2" iron rod set;

THENCE parallel with and 10' west of the southwest line of the beforementioned 60' Exxon Pipeline easement as follows:

N 26° 12' 57" W 78.50 feet to a 1/2" iron rod set,
N 24° 41' 57" W 238.13 feet to a 1/2" iron rod set,
N 36? 45' 53" W 529.32 feet to a 1/2" iron rod set in the southeast line of the 3.893 acre tract described in the deed to Lottye F. Sosolik, recorded in Volume 278, Page 352, of the Deed Records of Brazos County, Texas;

THENCE N 40° 17' 20" E along the common line between the beforementioned 197.404 acre tract and the Sosolik 3.893 acre tract, for a distance of 15.60 feet to a 1/2" iron rod found at 8" elm tree marking the east corner of the said 3.893 acre tract;

THENCE along a southwest line of the beforementioned 197.404 acre tract adjacent to a fence, as follows:

N 36° 22' 51" W at a distance of 628.6 feet pass a 3" creosote post fence corner, continue on for a total distance of 641.80 feet to a 1/2" iron rod found,
N 70° 48' 07" W 30.54 feet to a petrified rock found marking the north corner of a 3.893 acre tract described in the deed to Lucyle F. Geyer, recorded in Volume 278, Page 343, of the Deed Records of Brazos County, Texas, same being the east corner of Lot 1, Block 1, Bryan Independent School District Subdivision 49.749 acres, according to the plat recorded in Volume 1052, Page 635, of the Official Records of Brazos County, Texas,
N 35° 17' 29" W along the common line between the said 197.404 acre tract and Lot 1, Block 1, B.I.S.D. Subdivision, for a distance of 723.13 feet to a 5/8" iron rod found marking the west corner of the said 197.404 acre tract, same being an ell corner of the said Lot 1, Block 1, B.I.S.D. Subdivision, said 5/8" iron rod also being the west corner of the Exxon Pipeline easement as recorded in Volume 33, Page 542, of the Release Records of Brazos County, Texas;

THENCE N 45° 20' 28" E along the common line between the beforementioned 197.404 acre tract and Lot 1, Block 1, B.I.S.D. Subdivision, at a distance of 49.46 feet pass a 1/2" iron rod set at the north corner of the beforementioned Exxon Pipeline easement – Volume 33, Page 542, continue on for a total distance of 76.80 feet to an ell corner of the said Lot 1, Block 1, B.I.S.D. Subdivision;

THENCE N 45° 05' 39" E along the common line between the beforementioned 197.404 acre tract and the 119.495 acre tract described in the deed to Bert Wheeler, recorded in Volume 339, Page 809, of the Deed Records of Brazos County, Texas, for a distance of 73.67 feet to a 1/2" iron rod set at the north corner of the 100' Gulf State Utility's easement, as recorded in Volume 135, Page 293, of the Deed Records of Brazos County, Texas, same being the west corner of a 40' electrical easement to the City of Bryan, recorded in Volume 331, Page 60, of the Deed Records of Brazos County, Texas;

THENCE S 36° 45' 53" E along the east line of the beforementioned 100' Gulf State Utility's easement for a distance of 1182.85 feet to a 1/2" iron rod set;

THENCE S 06° 45' 53" E across the beforementioned 100' Gulf State Utility's easement, for a distance of 200.00 feet to a 1/2" iron rod set in the common line between the said Gulf State Utility's easement and the Exxon Pipeline easement, Volume 33, Page 542, of the Release Records;

THENCE S 36° 45' 53" E along the common line between the beforementioned 100' Gulf State Utility's easement and the Exxon Pipeline easement, Volume 33, Page 542, at a distance of 179.26 feet pass the east corner of the Exxon Pipeline easement, Volume 326, Page 140, continue along the common line between the beforementioned 100' Gulf State Utility's easement and the 60' Exxon easement, Volume 326, Page 140, for a total distance of 508.32 feet to a 1/2" iron rod set at the intersection of said Exxon easement line with the southwest line of the said 100' Gulf State Utility's easement, Volume 135, Page 293;

THENCE S 28° 55' 32" E along the southwest line of the beforementioned 100' Gulf States Utility's easement, Volume 135, Page 293 and Volume 130, Page 368, for a distance of 1698.40 feet to a 1/2" iron rod set at the west corner of Austin's Colony Parkway – 100' right-of-way;

THENCE N 61° 04' 28" E 100.00 feet to a 1/2" iron rod set at the north corner of the Austin's Colony Parkway – 100' right-of-way;

THENCE N 28° 55' 32" W along the northeast line of the beforementioned 100' Gulf States Utility's easement same being the southwest line of Block 3 and the Detention Facility, for a distance of 336.02 feet to a 1/2" iron rod set;

THENCE along the west, north, and east lines of the 1.313 acre Detention Facility as follows:

N 38° 05' 00" E 56.12 feet to a 1/2" iron rod set,
N 02° 22' 08" W 280.00 feet to a 1/2" iron rod set,
N 33° 36' 08" W 57.86 feet to a 1/2" iron rod set,
N 02° 22' 08" W 50.00 feet to a 1/2" iron rod set,
N 87° 37' 52" E 140.00 feet to a 1/2" iron rod set,
S 02° 22' 08" E 240.63 feet to a 1/2" iron rod set at the north corner of Lot 4, Block 3;

THENCE along the north line of Austin's Colony, Phase One, as follows:

S 74° 56' 17" E 295.48 feet to a 1/2" iron rod set,
S 15° 03' 43" W 31.00 feet to a 1/2" iron rod set,
S 74° 56' 17" E 385.52 feet to a 1/2" iron rod set,
N 61° 16' 09" E 71.77 feet to a 1/2" iron rod found at 4" x 4" fence post marking the west corner of Lot 1, Block 4, of the beforementioned Pecan Ridge, Phase I, same being the west corner of the 0.915 acre Tract Three described in the Correction Substitute Trustee's Deed to William D. Fitch, as recorded in Volume 1082, Page 823, of the Official Records of Brazos County, Texas;

THENCE along the southwest line of the beforementioned Block 4, Pecan Ridge, Phase I, as follows:

S 64° 45' 18" E 430.00 feet to a 1/2" iron rod found at 4" x 4" fence post marking an angle point in Lot 7,
S 42° 56" 34" E 80.00 feet to the PLACE OF BEGINNING containing 28.16 acres of land, more or less.

549069
FILED
94 MAR 29 PM 3:55
Mary Ann Ward CO. CLERK
BRAZOS COUNTY COURTHOUSE TEXAS
BY Catherine Engleman DEPUTY

CERTIFICATE OF SURVEYOR

I, S. M. Kling, Registered Public Surveyor No. 2003, in the State of Texas, hereby certify that this plat is true and correct and was perpared from an actual survey of the property made under my supervision on the ground, and that the metes and bounds describing said subdivision will describe a closed geometric form.

STATE OF TEXAS REGISTERED S.M. KLING 2003 PROFESSIONAL LAND SURVEYOR

S. M. Kling, R.P.L.S. No. 2003

CERTIFICATE OF ENGINEER

STATE OF TEXAS
COUNTY OF BRAZOS

I, E. R. McDow, Jr., Registered Professional Engineer No. 43926 in the State of Texas, hereby certify that proper engineering consideration has been given to this plat.

STATE OF TEXAS E.R. McDOW, JR. 43926 REGISTERED PROFESSIONAL ENGINEER

E. R. McDow, JR., P.E. No. 43926 3/28/94

APPROVAL OF THE PLANNING AND ZONING COMMISSION

I, Art King, Chairman of the Bryan Planning and Zoning Commission, hereby certify that the attached plat was duly filed for approval with the City Planning Commission of the City of Bryan on the 8TH day of FEBRUARY, 1994, and same was duly approved on the 3RD day of MARCH, 1994.

Art King, Chairman, Bryan Planning and Zoning Commission
City of Bryan, Texas

APPROVAL OF THE CITY ENGINEER

I, Bruce Karr, P.E., City Engineer of the City of Bryan, hereby certify that this plat is in compliance with the appropriate codes and ordinances of the City of Bryan.

Bruce Karr, P.E. – City Engineer
City of Bryan, Texas

CERTIFICATE OF COUNTY CLERK

STATE OF TEXAS
COUNTY OF BRAZOS

I, Mary Ward, County Clerk, in and for said County, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the 29 day of March, 1994, in the Official Records of Brazos County, Texas, in Volume 2070, Page 109.

Witness my hand and official seal, at my office in Bryan, Texas.

Mary Ann Ward by Barbara Johnson
Mary Ward, County Clerk, Brazos County

CERTIFICATE OF CITY PLANNER

I, Rafeek Shanaa, Phd., City Planner of the City of Bryan, hereby certify that the plat conforms to the City Master Plan, Major Street Plan, Land Use Plan, and the Standards and Specifications set forth in this Ordinance.

Rafeek Shanaa, Phd., City Planner
City of Bryan, Texas

OWNER'S ACKNOWLEDGEMENTS AND DEDICATIONS

STATE OF TEXAS
COUNTY OF BRAZOS

I, Mark Carrabba, Managing Partner of Carrabba Interests, owner and developer of the land shown on this plat, being part of the tract of land described in Vol. 1510, Pg. 87, Offical Records of Brazos County, Texas, and designated herein as Austin's Colony, Phase One, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, detention facilities, easements and public places thereon shown for the purpose and consideration therein expressed.

Mark Carrabba
Owner – Mark Carrabba, Managing Partner of Carrabba Interests

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Mark Carrabba, 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 considerations therein stated.
Given under my hand and seal this 29th day of March, 1994.

MARILYN S. DORSETT
Notary Public, State of Texas
My Commission Expires
OCT. 8, 1995

Marilyn S. Dorsett
Notary Public in and for the State of Texas
Printed Name: Marilyn S. Dorsett
My Commission Expires: 10-8-95

REVISED: MARCH 28, 1994
REVISED: MARCH 22, 1994

FINAL PLAT

AUSTIN'S COLONY
PHASE ONE
28.16 ACRES
JOHN AUSTIN SURVEY, A-2
BRYAN, BRAZOS COUNTY, TEXAS

OWNED AND DEVELOPED BY:

CARRABBA INTERESTS
MARK CARRABBA - MANAGING PARTNER
4104 HWY 21 EAST
BRYAN, TEXAS 77802
(409) 778-8850

JANUARY, 1994

PREPARED BY:

KLING ENGINEERING AND SURVEYING
4103 TEXAS AVE. SUITE 212
BRYAN, TEXAS 77802
TEL. (409)846-6212
FAX (409)846-8252

IN COOPERATION WITH:

McDOW & ASSOCIATES, INC.
P.O. BOX 940
CALDWELL, TEXAS 77836
TEL. (409) 567-7973

DWG1\041\0020303A

ON landbase 8/21/2000

NOTES:

1) 1/2" IRON RODS SET AT ALL CORNERS UNLESS AS SHOWN OTHERWISE.

2) BASIS OF BEARINGS IS THE MONUMENTED SOUTHWEST LINE BEGINNING AT THE MOST WESTERLY CORNER OF PECAN RIDGE, AS SHOWN ON THE VACATING AND RESUBDIVISION PLAT FOR PECAN RIDGE, PHASE 1, VOL. 467, PAGE 291 WITH A RECORD BEARING OF N 64°45'18" W.

3) NO PORTION OF THE PROPERTY SHOWN ON SHEET 2 OF 3 IS IN THE 100 YEAR FLOODPLAIN ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS, AND INCORPORATED AREAS, COMMUNITY NO. 480082, PANEL NO. 0134 C, MAP NO. 48041C0134C. EFFECTIVE DATE: JULY 2, 1992.

4) ALL LOTS SHALL HAVE A SIDELINE SETBACK AND REAR LINE SETBACK OF 5'.

5) NO LOTS SHALL HAVE DIRECT ACCESS TO AUSTIN'S COLONY PARKWAY.

6) MINIMUM F.F. ELEVATIONS WERE ESTABLISHED IN ORDER TO PROVIDE ADEQUATE SANITARY SEWER SERVICE WITH THE EXCEPTION OF LOTS 17, 18, & 19, BLOCK 1. MINIMUM F.F. ELEVATIONS WERE ESTABLISHED FOR THESE LOTS IN ORDER TO PROVIDE PROTECTION FROM STORMWATER FLOWS.

7) THE DETENTION POND IS TO BE MAINTAINED BY THE CITY OF BRYAN PER THE DIRECTOR OF PUBLIC WORKS.

BENCHMARK SCHEDULE		
BENCHMARK	DESCRIPTION	ELEV.
"S"	RR SPIKE IN H-FRAME AT AUSTIN'S COLONY PARKWAY AND SETTLER'S WAY	325.02
AC1-1	SQUARE CUT IN CURB INLET AT INT. PIONEER TRAIL SOUTH & PIONEER CR.	310.72
AC1-2	SQUARE CUT IN CURB INLET AT INT. PIONEER TRAIL NORTH & PIONEER CR.	304.50
AC1-3	SQUARE CUT IN CURB INLET AT END OF PIONEER CIRCLE	303.34
AC1-4	TOP OF FIRE HYDRANT AT END OF SETTLER'S WAY	317.44
AC1-5	SQUARE CUT IN CURB ON NORTHWEST SIDE OF SETTLER'S WAY	313.62
AC1-6	SQUARE CUT IN CURB INLET AT END OF COLONY CIRCLE	314.84

NOTE: BASIS OF ELEVATIONS IS CITY OF BRYAN BENCHMARK TOP OF FIRE HYDRANT AT WILDFLOWER AND F.M. 158 ELEVATION: 306.68

FINAL PLAT

AUSTIN'S COLONY
PHASE ONE

28.16 ACRES

JOHN AUSTIN SURVEY, A-2

BRYAN, BRAZOS COUNTY, TEXAS

OWNED AND DEVELOPED BY:

CARRABBA INTERESTS
MARK CARRABBA - MANAGING PARTNER
4104 HWY 21 EAST
BRYAN, TEXAS 77802
(409) 778-8850

SCALE: 1"=50' JANUARY, 1994

PREPARED BY:

KLING ENGINEERING AND SURVEYING
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BRYAN, TEXAS 77802
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CALDWELL, TEXAS 77836
TEL. (409) 567-7973

REVISED: MARCH 28, 1994
CORRECTED TOTAL ACREAGE.
REVISED: MARCH 22, 1994

SHEET 2 OF 3

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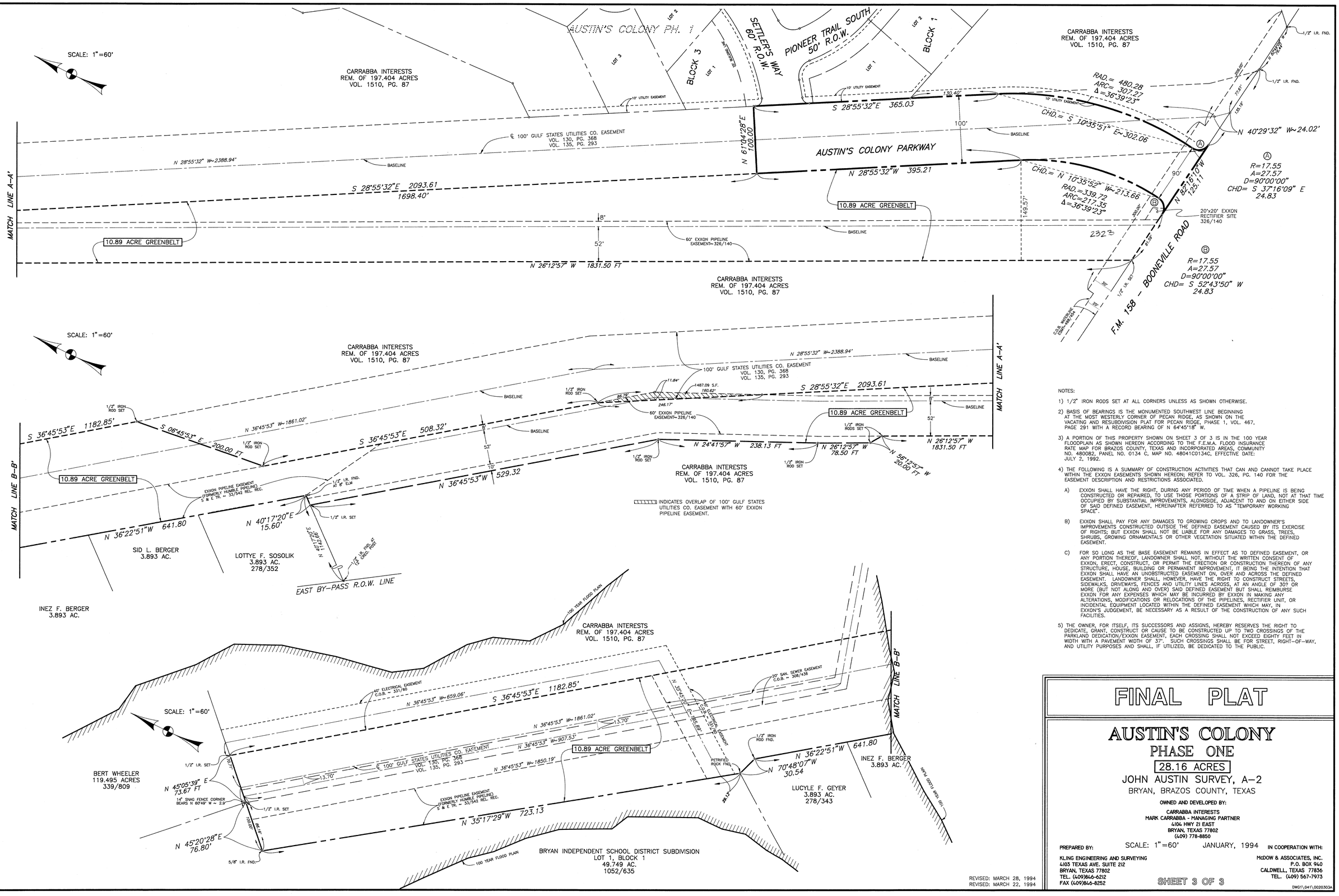

NOTES:

1) 1/2" IRON RODS SET AT ALL CORNERS UNLESS AS SHOWN OTHERWISE.

2) BASIS OF BEARINGS IS THE MONUMENTED SOUTHWEST LINE BEGINNING AT THE MOST WESTERLY CORNER OF PECAN RIDGE, AS SHOWN ON THE VACATING AND RESUBDIVISION PLAT FOR PECAN RIDGE, PHASE 1, VOL. 467, PAGE 291 WITH A RECORD BEARING OF N 64°45'18" W.

3) A PORTION OF THIS PROPERTY SHOWN ON SHEET 3 OF 3 IS IN THE 100 YEAR FLOODPLAIN AS SHOWN HEREON ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY NO. 480082, PANEL NO. 0134 C, MAP NO. 48041C0134C, EFFECTIVE DATE: JULY 2, 1992.

4) THE FOLLOWING IS A SUMMARY OF CONSTRUCTION ACTIVITIES THAT CAN AND CANNOT TAKE PLACE WITHIN THE EXXON EASEMENTS SHOWN HEREON; REFER TO VOL. 326, PG. 140 FOR THE EASEMENT DESCRIPTION AND RESTRICTIONS ASSOCIATED.

   A) EXXON SHALL HAVE THE RIGHT, DURING ANY PERIOD OF TIME WHEN A PIPELINE IS BEING CONSTRUCTED OR REPAIRED, TO USE THOSE PORTIONS OF A STRIP OF LAND, NOT AT THAT TIME OCCUPIED BY SUBSTANTIAL IMPROVEMENTS, ALONGSIDE, ADJACENT TO AND ON EITHER SIDE OF SAID DEFINED EASEMENT, HEREINAFTER REFERRED TO AS "TEMPORARY WORKING SPACE".

   B) EXXON SHALL PAY FOR ANY DAMAGES TO GROWING CROPS AND TO LANDOWNER'S IMPROVEMENTS CONSTRUCTED OUTSIDE THE DEFINED EASEMENT CAUSED BY ITS EXERCISE OF RIGHTS; BUT EXXON SHALL NOT BE LIABLE FOR ANY DAMAGES TO GRASS, TREES, SHRUBS, GROWING ORNAMENTALS OR OTHER VEGETATION SITUATED WITHIN THE DEFINED EASEMENT.

   C) FOR SO LONG AS THE BASE EASEMENT REMAINS IN EFFECT AS TO DEFINED EASEMENT, OR ANY PORTION THEREOF, LANDOWNER SHALL NOT, WITHOUT THE WRITTEN CONSENT OF EXXON, ERECT, CONSTRUCT, OR PERMIT THE ERECTION OR CONSTRUCTION THEREON OF ANY STRUCTURE, HOUSE, BUILDING OR PERMANENT IMPROVEMENT, IT BEING THE INTENTION THAT EXXON SHALL HAVE AN UNOBSTRUCTED EASEMENT ON, OVER AND ACROSS THE DEFINED EASEMENT. LANDOWNER SHALL, HOWEVER, HAVE THE RIGHT TO CONSTRUCT STREETS, SIDEWALKS, DRIVEWAYS, FENCES AND UTILITY LINES ACROSS, AT AN ANGLE OF 30? OR MORE (BUT NOT ALONG AND OVER) SAID DEFINED EASEMENT BUT SHALL REIMBURSE EXXON FOR ANY EXPENSES WHICH MAY BE INCURRED BY EXXON IN MAKING ANY ALTERATIONS, MODIFICATIONS OR RELOCATIONS OF THE PIPELINES, RECTIFIER UNIT, OR INCIDENTAL EQUIPMENT LOCATED WITHIN THE DEFINED EASEMENT WHICH MAY, IN EXXON'S JUDGEMENT, BE NECESSARY AS A RESULT OF THE CONSTRUCTION OF ANY SUCH FACILITIES.

5) THE OWNER, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, HEREBY RESERVES THE RIGHT TO DEDICATE, GRANT, CONSTRUCT OR CAUSE TO BE CONSTRUCTED UP TO TWO CROSSINGS OF THE PARKLAND DEDICATION/EXXON EASEMENT, EACH CROSSING SHALL NOT EXCEED EIGHTY FEET IN WIDTH WITH A PAVEMENT WIDTH OF 37'. SUCH CROSSINGS SHALL BE FOR STREET, RIGHT-OF-WAY, AND UTILITY PURPOSES AND SHALL, IF UTILIZED, BE DEDICATED TO THE PUBLIC.

REVISED: MARCH 28, 1994
REVISED: MARCH 22, 1994

FINAL PLAT

AUSTIN'S COLONY
PHASE ONE

28.16 ACRES

JOHN AUSTIN SURVEY, A-2

BRYAN, BRAZOS COUNTY, TEXAS

OWNED AND DEVELOPED BY:

CARRABBA INTERESTS
MARK CARRABBA - MANAGING PARTNER
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SCALE: 1"=60' JANUARY, 1994

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SHEET 3 OF 3

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