

IRRIGATION system, trees & shrubs within green belt & row to be maintained by City of Bryan. Mowing & edging of same area to be shopping center's responsibility per development agreement w/property owner dated 5/10/04.

FINAL PLAT  
AUSTIN'S COLONY  
PHASE ONE  
VOL. 2070, PAGE 109 PLAT RECORDS

GREENBELT VOL. 2070, PG. 109 PLAT RECORDS

60' EXXON PIPELINE EASEMENT VOL. 326, PAGE 140

- NOTE:**
- All drive aisles will be shared access between all lots in the Colony Park Shopping Center Subdivision.
  - Pylon signs on Lot 4 and Lot 5 are limited to a maximum height of 15 feet.  
Pylon signs on Lot 3 are limited to a maximum height of 10 feet.

- LEGEND:**
- B.C.D.R. indicates Brazos County Deed Records.
  - BLDG. LINE indicates Building Line.
  - F.H.E. indicates Fire Hydrant Easement.
  - P.U.E. indicates Public Utility Easement.
  - TRANS. ESMT. indicates Transformer Easement.
  - VOL. & PG. indicates Volume & Page.
  - W.M.E. indicates Water Meter Easement.
  - B.C.O.P.R. indicates Brazos County Official Public Records

# COLONY PARK SHOPPING CENTER

FINAL PLAT OF  
BEING A SUBDIVISION OF 19,909 ACRES OF LAND  
OUT OF THE  
JOHN AUSTIN SURVEY; ABSTRACT NUMBER 2  
BRYAN, BRAZOS COUNTY, TEXAS

OWNERS:  
**NEC HWY. 6 BYPASS/BOONVILLE ROAD, LTD.**  
1800 Bering, Suite 550, Houston, Texas 77057  
Phone: 713-781-7111 Fax: 713-781-7119

OWNERS:  
**KROGER TEXAS L.P.**  
19245 David Memorial Drive, Shensadoah, TX 77385  
Phone: 713-507-4811 Fax: 713-422-8050

ENGINEERS & SURVEYORS:  
**CLR, Inc.**  
Architects • Engineers • Surveyors • GIS  
7800 West Tidwell, Suite 400, Houston, Texas 77040  
Phone: (713) 482-0993 Fax: (713) 462-2732

DATE: OCTOBER, 2005 SCALE: 1" = 60'  
SHEET 1 OF 2

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS  
COUNTY OF HARRIS

We, NEC Hwy. 6 Bypass/Boonville Road, Ltd., a Texas limited partnership, the owners and developers of the land shown on this plat, being the tract of land as conveyed to us in the Deed Records of Brazos County in Volume 6617, Page 159, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places shown hereon for the purposes identified.

NEC HWY. 6 BYPASS/BOONVILLE ROAD, LTD.,  
a Texas limited partnership

By: *Herbert D. Weitzman*  
Herbert D. Weitzman  
Manager  
a Texas limited liability company, General partner

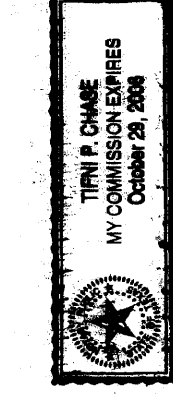
By: *Chris M. Weitzman*  
Chris M. Weitzman  
Manager  
a Texas limited liability company, General partner

STATE OF TEXAS

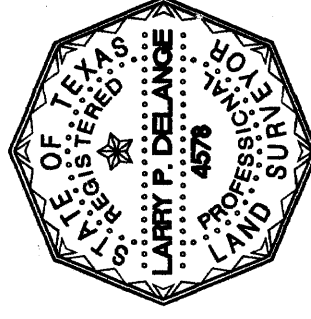
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Herbert D. Weitzman, Manager of NEC Hwy. 6 Bypass/Boonville Road One, L.C., a Texas limited liability company, general partner of NEC Hwy. 6 Bypass/Boonville Road, Ltd., a Texas limited partnership, 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 stated.

Given under my hand and seal of office, this 11<sup>th</sup> day of November, 2005.



By: *Chris M. Weitzman*  
Chris M. Weitzman  
Notary Public, Brazos County, Texas



Larry P. DeLange, RPLS  
Registered Professional Land Surveyor  
Texas Registration No. 4578

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS  
COUNTY OF HARRIS

We, Kroger Texas L.P., an Ohio limited partnership, the owners and developers of the land shown on this plat, being the tract of land as conveyed to us in the Deed Records of Brazos County in Volume 6617, Page 165, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places shown hereon for the purposes identified.

KROGER TEXAS L.P., an Ohio limited partnership

By: KRGP, INC., an Ohio corporation, its general partner

By: *Patricia T. Ash*  
Patricia T. Ash  
Vice President

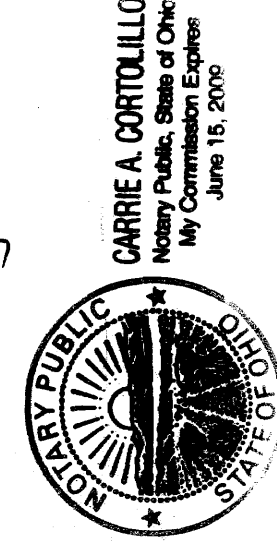
STATE OF OHIO

COUNTY OF HAMILTON

Before me, the undersigned authority, on this day personally appeared Patricia T. Ash, Vice President of KRGP, Inc., an Ohio corporation, general partner of Kroger Texas L.P., an Ohio limited partnership, 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 stated.

Given under my hand and seal of office, this 14<sup>th</sup> day of February, 2006.

By: *Carrie A. Cortolillo*  
Carrie A. Cortolillo  
Notary Public, Brazos County, Texas  
Hamilton, Ohio



CERTIFICATION OF THE SURVEYOR

STATE OF TEXAS  
COUNTY OF BRAZOS

I, Larry P. DeLange, Registered Professional Land Surveyor No. 4578 in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed on the ground under my supervision, and that the metes and bounds describing said subdivision will describe a closed geometric form.

By: *Larry P. DeLange*  
Larry P. DeLange, RPLS  
Registered Professional Land Surveyor  
Texas Registration No. 4578

CERTIFICATION BY THE COUNTY CLERK

STATE OF TEXAS  
COUNTY OF BRAZOS

I, Karen McQueen, 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 10 day of MARCH, 2006, in the Official Records of Brazos County in Volume 7141 Page 11741B

By: *Karen McQueen*  
Karen McQueen  
County Clerk, Brazos County, Texas

By: *Steve J. Cohen*  
Steve J. Cohen  
Deputy Clerk

APPROVAL OF THE PLANNING & ZONING COMMISSION

I, *Asst. City Clerk*, Chairman of the Planning & Zoning of the City of Bryan, State of Texas, hereby certify that the attached plat was duly filed for approval with the Planning & Zoning Commission of the City of Bryan on the 9 day of March, 2005 and same was duly approved on the 7 day of July, 2005 by said Commission.

By: *Asst. City Clerk*  
Chairman, Planning & Zoning Commission  
Bryan, Texas

APPROVAL OF THE CITY PLANNER

I, the undersigned, City Planner and/or designated Secretary of the Planning & Zoning Commission of the City of Bryan, State of Texas, hereby certify that this plat is in compliance with the appropriate codes and ordinances of the City of Bryan and was approved on the 16 day of March, 2006.

By: *Karin Humell*  
Karin Humell  
City Planner, Bryan, Texas

APPROVAL OF THE CITY ENGINEER

I, the undersigned, 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 and was approved on the 17 day of March, 2006.

By: *W. Paul King*  
W. Paul King  
City Engineer, Bryan, Texas

FINAL PLAT OF  
**COLONY PARK SHOPPING CENTER**

BEING A SUBDIVISION OF 19.909 ACRES OF LAND  
OUT OF THE  
JOHN AUSTIN SURVEY, ABSTRACT NUMBER 2  
BRYAN, BRAZOS COUNTY, TEXAS

1 BLOCK 6 LOTS

OWNERS:  
**NEC HWY. 6 BYPASS/BOONVILLE ROAD, LTD.**  
1800 Bering, Suite 550, Houston, Texas 77057  
Phone: 713-761-7111 Fax: 713-761-7119

OWNERS:  
**KROGER TEXAS L.P.**

19245 David Memorial Drive, Shreveport, LA 77385  
Phone: 713-507-4811 Fax: 713-422-8050

ENGINEERS & SURVEYORS:

**CLR, Inc.**

Architects • Engineers • Surveyors • GIS  
7600 West Tidwell, Suite 400, Houston, Texas 77040  
Phone: (713) 462-9993 Fax: (713) 462-2732

DATE: OCTOBER, 2005

SCALE: 1" = 60'

SHEET 2 OF 2

PROPERTY DESCRIPTION

A 19.909 acre (867,247 square foot) tract of land consisting of the residue of that certain 19.909 acre tract of land described in a deed to NEC Hwy. 6 Bypass/Boonville Road, Ltd. from Carrabba Interests, as described in Volume 6617, Page 159 of the Official Records of Brazos County, Texas and all of that certain 9.879 acre tract of land described in Volume 6617, Page 185 of the Official Records of Brazos County, Texas, as described in Volume 6617, Page 185 of the Official Records of Brazos County, Texas in the John Austin Survey, Abstract Number 2, Bryan, Brazos County, Texas, said 19.909 acre tract being more particularly described by metes and bounds, as follows (all bearings based on the Texas State Plane Coordinate System, Central Zone (NAD83) referenced to the City of Bryan GPS System, monument GPS-32 obtained by GPS observations):

**BEGINNING** at a 1/2-inch iron rod with cap marked "Kling RPLS 2003" found in the north right-of-way line of F.M. Highway 158, also called Boonville Road (width varies) at the most southerly southwest corner of the herein described tract same being the southeast corner of Lot 1, Block 1 of the "Final Plat Jack in the Box #3855", as described in Volume 5234, Page 78 of the Official Records of Brazos;

**THENCE** North 20 degrees 34 minutes 38 seconds West, a distance of 275.65 feet, along the easterly line of said Jack in the Box tract, to a 1/2-inch iron rod with cap marked "Kling RPLS 2003" found for the northeast corner of said Jack in the Box tract and an interior corner of the herein described tract;

**THENCE**, South 69 degrees 20 minutes 34 seconds West, a distance of 188.91 feet, with the northerly line of said Jack in the Box tract, to a TXDOT concrete monument bearing cap and for the northwest corner of said Jack in the Box tract and the most westerly corner of the herein described tract in the easterly right-of-way line of State Highway 6 (width varies);

**THENCE**, along the easterly right-of-way of said State Highway 6, along the following courses:

North 46 degrees 21 minutes 29 seconds West, a distance of 862.94 feet, to a 5/8-inch iron rod with CLR cap set at a broken TXDOT concrete monument; and

North 41 degrees 10 minutes 57 seconds West, a distance of 94.74 feet, to a 1/2-inch iron rod with cap marked "Kling RPLS 2003" found for the most southerly corner of a called 12.49 acre tract described in a deed from Carrabba Interests, et al to Brydenpear Premiere, L.P. as recorded in Volume 6310, Page 79 of the Official Records of Brazos County and the most westerly corner of the herein described tract;

**THENCE**, leaving the northeasterly right-of-way line of said State Highway 6 along the southeasterly line of said 12.49 acre tract, along the following courses;

North 46 degrees 43 minutes 16 seconds East, a distance of 43.51 feet, to a 1/2-inch iron rod with cap marked "Kling RPLS 2003" found for corner; and

North 60 degrees 52 minutes 08 seconds East, a distance of 612.77 feet, to a 5/8-inch iron rod with "CLR" cap set for corner;

**THENCE**, South 29 degrees 07 minutes 54 seconds East, a distance of 15.00 feet, leaving the southeasterly line of said 12.49 acre tract, to a 5/8-inch iron rod with "CLR" cap set for corner;

**THENCE**, North 60 degrees 52 minutes 06 seconds East, a distance of 247.00 feet, to a 5/8-inch iron rod with "CLR" cap set for corner;

**THENCE**, North 29 degrees 07 minutes 54 seconds West, a distance of 15.00 feet, to a 5/8-inch iron rod with "CLR" cap set for corner in the southeasterly line of said 12.49 acre tract;

**THENCE**, North 60 degrees 52 minutes 06 seconds East, a distance of 60.34 feet, along the southeasterly line of said 12.49 acre tract, to a 1/2-inch iron rod with cap marked "Kling RPLS 2003" found for the most easterly corner of said called 12.49 acre tract and the most northerly corner of the herein described tract in the southeasterly line of a called 10.89 Acre Greenbelt as depicted on the "Final Plat Aushy's Colony Phase One" as recorded in Volume 2070, Page 109 of the Official Records of Brazos County;

**THENCE**, South 29 degrees 06 minutes 36 seconds East, a distance of 1353.16 feet, along the southeasterly line of said Greenbelt, to a 5/8-inch iron rod with CLR cap set in the northerly right-of-way of said F.M. Highway 158 for the southeast corner of the herein described tract;

**THENCE**, along the southerly right-of-way of said F.M. Highway 158, along the following courses;

North 85 degrees 54 minutes 36 seconds West, a distance of 942.29 feet, to a 1/2-inch iron rod found for corner;

North 81 degrees 22 minutes 20 seconds West, a distance of 203.65 feet, to a 5/8-inch iron rod with CLR cap set for corner;

North 89 degrees 55 minutes 18 seconds West, a distance of 202.48 feet, to a 5/8-inch iron rod found for corner; and

South 88 degrees 27 minutes 19 seconds West, a distance of 6.57 feet, to the **POINT OF BEGINNING**, containing a computed area 19.909 acres (867,247 square feet) of land.

Doc Blk Vol Pg  
00919190 BR 7171 118

Filed for Record in:  
BRAZOS COUNTY

On: Mar 10, 2006 at 08:00P

As a  
PLAT

Document Number: 00919190

Amount: \$8.00

Receipt Number - 286421  
By: Susie Cohen

STATE OF TEXAS  
COUNTY OF BRAZOS  
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the OFFICIAL PUBLIC RECORDS of:

BRAZOS COUNTY

as stamped hereon by me.

Mar 10, 2006

HONORABLE KAREN McQUEEN, COUNTY CLERK  
BRAZOS COUNTY