

AN ORDINANCE 2013-03-21-0203

AMENDING THE LAND USE PLAN CONTAINED IN THE IH-10 EAST CORRIDOR PERIMETER PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 700.9 ACRES OF LAND OUT OF NCB 17322, NCB 17993, NCB 12867, NCB 35098, AND NCB 17992 LOCATED SOUTHWEST OF THE INTERSECTION OF IH-10 EAST AND FOSTER ROAD, WEST OF FOSTER ROAD AND NORTH OF FM 1346 FROM URBAN LIVING, PARKS/OPEN SPACE AND INDUSTRIAL TO BUSINESS PARK, MEDIUM DENSITY RESIDENTIAL AND COMMUNITY COMMERCIAL.

\* \* \* \* \*

**WHEREAS**, the IH-10 East Corridor Perimeter Plan was adopted on February 22, 2001 and updated on March 20, 2008 by City Council as a component of the City Comprehensive Master Plan adopted May 29, 1997; and

**WHEREAS**, the Unified Development Code requires consistency between zoning and the Comprehensive Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Master Plan following a public hearing and review by the Planning Commission; and

**WHEREAS**, a public hearing was held on February 13, 2013 by the Planning Commission allowing all interested citizens to be heard; and

**WHEREAS**, the San Antonio City Council has considered the effect of this amendment to the Comprehensive Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The IH-10 East Corridor Perimeter Plan, a component of the Comprehensive Master Plan of the City, is hereby amended by changing the use of approximately 700.9 acres of land out of NCB 17322, NCB 17993, NCB 12867, NCB 35098, and NCB 17992 located southwest of the intersection of IH-10 East and Foster Road, west of Foster Road and north of FM 1346, save and except a strip of land conveyed to the San Antonio Water System, from Urban Living, Parks/Open Space and Industrial to Business Park, Medium Density Residential and Community Commercial. All portions of land mentioned are depicted in **Attachments "I" and "II"** attached hereto and incorporated herein for all purposes.

**SECTION 2.** A description of the property recorded in Volume 11434, Page 2054 of the Official Public Record of Real Property of Bexar County, which is saved and excepted in Section 1 above, is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. This ordinance shall take effect March 31, 2013.

PASSED AND APPROVED on this 21<sup>st</sup> day of March 2013.

*Julian Castro* For:

M A Y O R  
Julián Castro

ATTEST:

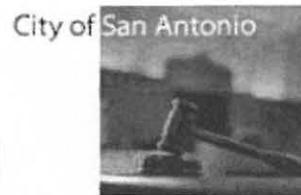
*Leticia M. Vacek*  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

*Dessa Quinn*  
for Michael Bernard, City Attorney



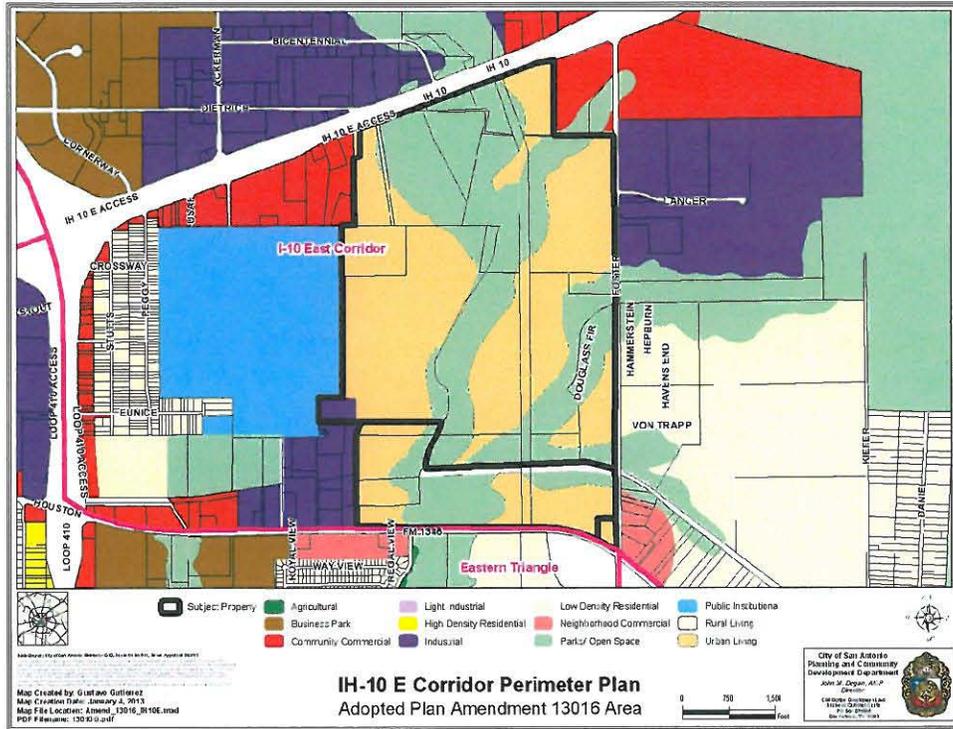
Request for  
**COUNCIL  
ACTION**



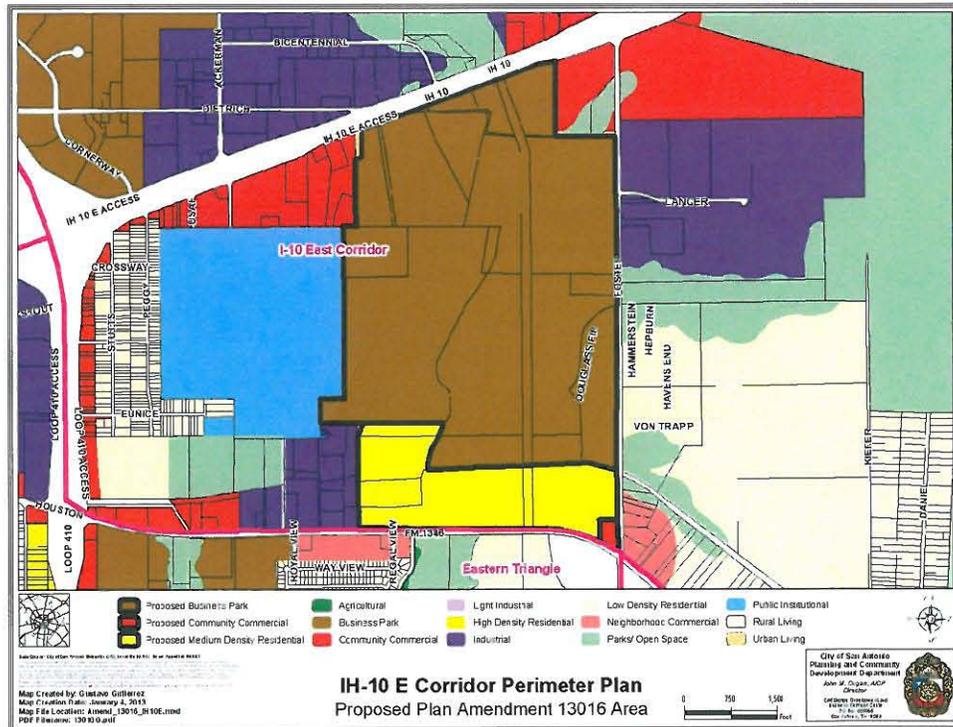
## Agenda Voting Results - P-3

<b>Name:</b>	P-3						
<b>Date:</b>	03/21/2013						
<b>Time:</b>	03:13:56 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	PLAN AMENDMENT #13016 (District 2): An Ordinance amending the land use plan contained in the IH-10 East Corridor Perimeter Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 700.9 acres of land out of NCB 17322, NCB 17993, NCB 12867, NCB 35098 and NCB 17992 located southwest of the intersection of IH-10 East and Foster Road, west of Foster Road and north of FM 1346, from Urban Living, Parks/Open Space and Industrial to Business Park, Medium Density Residential and Community Commercial. Staff and Planning Commission recommend approval. (A zoning case has not been submitted at this time.)						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x			x	
Leticia Ozuna	District 3	x					
Rey Saldaña	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

**ATTACHMENT I**  
**Land Use Plan as adopted:**



**ATTACHMENT II**  
**Proposed Amendment:**



ATC-DOWNTOWN/E. PECAN

# P-3 13016

05.05005978

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS           §  
  §       KNOW ALL MEN BY THESE PRESENTS THAT  
COUNTY OF BEXAR           §

**ROSILLO CREEK DEVELOPMENT, LTD.**, a Texas limited partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration paid by **CITY OF SAN ANTONIO ACTING BY AND THROUGH THE SAN ANTONIO WATER SYSTEM** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee all of that certain real property situated in Bexar County, Texas, consisting of 25.564 acres of land, more or less, and described in Exhibit "A" attached hereto and incorporated by reference for all purposes, together with, all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise appertaining thereto and with all improvements located thereon (being hereinafter referred to as the "Property").

This conveyance is made subject to (i) those matters listed on Exhibit B attached hereto and incorporated herein by reference ("Permitted Exceptions"), but only to the extent they affect or relate to the Property, and (ii) Grantor's Reserved Easement (herein defined).

Grantor reserves unto itself, its successors and assigns, non-exclusive permanent easements (herein called Grantor's Reserved Easement") over, along, through, under and across portions of the Property described in Exhibits C, D, E, F, G, and H, attached hereto and incorporated herein by reference, for the purpose or purposes of constructing, maintaining, operating, removing and/or replacing (i) gas, water, telephone, electric, cable, fiber optic, sanitary sewer, storm sewer, drainage and any other utility facilities or any other purpose consistent with residential or commercial subdivision purposes in Bexar County, Texas, and (ii) pavement, roads, sidewalks, trails, pathways, irrigation facilities, subdivision entryway signs and street signs and related and/or similar facilities. *Nothing contained herein shall obligate Grantor to construct any of the foregoing facilities. Grantor may assign all or a portion of its rights hereunder or grant a license to others to act in Grantor's stead in exercising any of the foregoing rights. Grantee shall have no responsibility for the maintenance of any improvement constructed by Grantor within Grantor's Reserved Easement.*

Except as provided below, Grantor is not permitted to use Grantor's Reserved Easement in any manner that unreasonably interferes with Grantee's use of the Property for the

construction, operation, maintenance, inspection, repair, replacement, substitution and removal of water pipelines and all necessary or desirable above ground and below ground appurtenances for the transportation of water through such water pipelines across, over, upon and under the Property ("Grantee's Water Pipeline Use"). Notwithstanding anything to the contrary, Grantor shall be entitled to use the portion of Grantor's Reserved Easement shown as primary crossing areas on Exhibits C, D, E, F, G, and H ("Primary Crossing Area") for the construction, operation, use maintenance, inspection, repair, replacement and removal of the improvements described in the exhibits to the Engineer Report on the Impact of the San Antonio Water System Aquifer Storage and Recovery Integration Program to the Rosillo Creek Development dated April 2004, prepared by Bury + Partners ("Approved Grantor Uses"); the construction of said improvements shall be as described in the exhibits to said Engineer Report or as such descriptions are modified to facilitate actual construction of such improvements in a reasonably commercial manner, provided such modifications do not unreasonably interfere with Grantee's Water Pipeline Use. With the exception of any additional cost associated with accommodating Grantee's above ground improvements existing on the Property on the effective date hereof ("Existing Above-Ground Improvements"), any additional costs reasonably incurred in connection with Grantor's use of a Primary Crossing Area for uses that are Approved Grantor Uses caused by Grantee's Water Pipeline Use shall be paid by Grantee. Any additional costs reasonably incurred in connection with Grantee's Water Pipeline Use caused by Grantor's use of Grantor's Reserved Easement for (i) uses that are within the portion of Grantors Reserved Easement shown as secondary crossing areas on Exhibits C, D, E, F, G and H, (ii) uses that affect Existing Above-Ground Improvements, or (iii) any uses that are not Approved Grantor Uses shall be paid by Grantor. Grantor agrees to furnish Grantee with written plans and specifications thirty (30) days prior to the construction of any improvement by Grantor within the Grantor's Reserved Easement and to furnish Grantee with an as built survey of such improvement within thirty (30) days after completion of the construction of such improvement.

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions and Grantor's Reserved Easement as aforesaid, unto Grantee, and Grantee's successors and assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the Property, subject to the Permitted Exceptions and Grantor's Reserved Easement, unto Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

Grantee and its successors and assigns shall install and maintain buffer fencing and/or landscaping (in a commercially reasonable manner) at each street crossing the Property and/or at each above ground improvement Grantee has placed or will place on the Property in accordance with the Settlement Agreement of even date herewith between Grantor and Grantee.

EXECUTED this 2<sup>nd</sup> day of June, 2005, effective as of the 2<sup>nd</sup> day of June, 2005.

**GRANTOR:**

Rosillo Creek Development, Ltd., a Texas limited partnership

By: Rosillo Creek Management, LLC, its general partner

By: *Jaime Archiga*  
Jaime Archiga, Authorized Agent

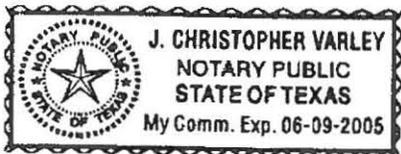
**ACCEPTED AND AGREED TO:**

City of San Antonio acting by and through the San Antonio Water System

By: *David E. Chardavoyne*  
Its: *President / CEO*

STATE OF TEXAS     §  
                                  §  
COUNTY OF BEXAR   §

This instrument was acknowledged before me on this 2<sup>nd</sup> day of JUNE, 2005, by Jaime Archiga, Authorized Agent of ROSILLO CREEK MANAGEMENT, LLC, general partner of Rosillo Creek Development, Ltd., a Texas limited partnership, on behalf of said limited partnership.



*J. Christopher Varley*  
Notary Public, State of Texas

STATE OF TEXAS     §  
                                  §  
COUNTY OF BEXAR   §

This instrument was acknowledged before me on this 3<sup>rd</sup> day of June, 2005, by DAVID E. CHARDAVOYNE, President / CEO of City of San Antonio acting by and through the San Antonio Water System.



*Mary A. Pulmer*  
Notary Public, State of Texas

This instrument was prepared solely from information and on instructions given to this office by our client. No title opinion or other information has been furnished to or has been, or is being, given by this office to any person in connection with the preparation of this instrument or the accuracy of the information contained herein.

When recorded, return to:  
City of San Antonio acting by and through  
the San Antonio Water System  
1222 N. Main, Suite 200  
San Antonio, TX 78212

759746.7

## EXHIBIT A

PARCEL NO.: SAWS-PW-RAW-RCW-7507

PROJECT NAME: ASR INTEGRATION PROGRAM TRANSMISSION MAIN, SEGMENT III

SAWS JOB NO.: 01-8618-215

### METES AND BOUNDS DESCRIPTION 25.564 ACRES OF LAND

A 25.564 acre ( $\approx$ 1,113,568 sq. ft.) tract of land out of the Clemente Texada Survey No. 133, Abstract No. 743, Bexar County, Texas. Said 25.564 acres also being out of a 701.078 acre tract of land partially within the Corporate Limits of the City of San Antonio, Texas in New City Block 12867 and New City Block 17993 and partially in County Block 5098 being the remainder of a 732.322 acre tract described in a deed recorded in Volume 6656 Page 274 of the Real Property Records of Bexar County, Texas. Said 25.564 acres being more particularly described as follows:

COMMENCING at a found iron pin in the South line of Interstate Highway 10 being the North West corner of Lot 1 of the Travel Centers Subdivision recorded in Volume 9543, Page 26 of the Deed and Plat Records of Bexar County, Texas being also the North East corner of the said 701.078 acre tract;

THENCE with the South line of Interstate 10, being the North line of said 701.078 acre tract, South 77 degrees 32 minutes 11 seconds West a distance of 406.98 feet to a found Texas Department of Transportation Type I Monument;

THENCE continuing with said South line of Interstate Highway 10 and North line of the 701.078 acre tract, South 69 degrees 47 minutes 09 seconds West a distance of 522.78 feet to a set  $\frac{1}{2}$  inch iron pin with red cap stamped Overby Descamps at the POINT OF BEGINNING of the here in described tract;

THENCE leaving the North line of the 701.078 acre tract and South line of the said Interstate Highway 10, South 20 degrees 12 minutes 51 seconds East, a distance of 1306.23 feet to a set  $\frac{1}{2}$  inch iron pin with a red cap stamped Overby Descamps;

THENCE South 00 degrees 19 minutes 55 seconds East, a distance of 6143.92 feet to a set  $\frac{1}{2}$  inch iron pin with a red cap stamped Overby Descamps in the South line of the said 701.078 acre tract and being in the North line of St. Hedwig Road;

THENCE with the said South line of the 701.078 acre tract, being the North line of the said St. Hedwig Road, South 89 degrees 47 minutes 01 seconds West, a distance of 150.00 feet to a set  $\frac{1}{2}$  inch iron pin with a red cap stamped Overby Descamps;

THENCE leaving the South line of the 701.078 acre tract and North line of the said St. Hedwig Road, North 00 degrees 19 minutes 55 seconds West, a distance of 6117.33 feet to a set  $\frac{1}{2}$  inch iron pin with a red cap stamped Overby Descamps;

THENCE North 20 degrees 12 minutes 51 seconds West, a distance of 1279.94 feet to a set  $\frac{1}{2}$  inch iron pin with a red cap stamped Overby Descamps in the South line of the said Interstate Highway 10, being the North line of the 701.078 acre tract;

EXHIBIT A

Metes and Bounds Description  
Parcel No. SAWS- PW-RAW-RCW -7507

THENCE with the North line of the 701.078 acre tract, being the South line of the said Interstate Highway 10, North 69 degrees 47 minutes 09 seconds East, a distance of 150.00 feet to the POINT OF BEGINNING and containing 25.564 acres ( $\pm 1,113,568$  sq. ft.) of land, more or less.

Bearings are based on the Texas State Plane Coordinate System, South Central Zone, NAD83.

A survey drawing of this description has been prepared.

Revised October 1, 2001

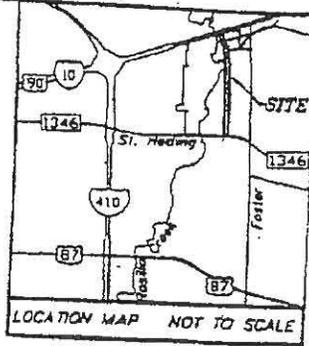
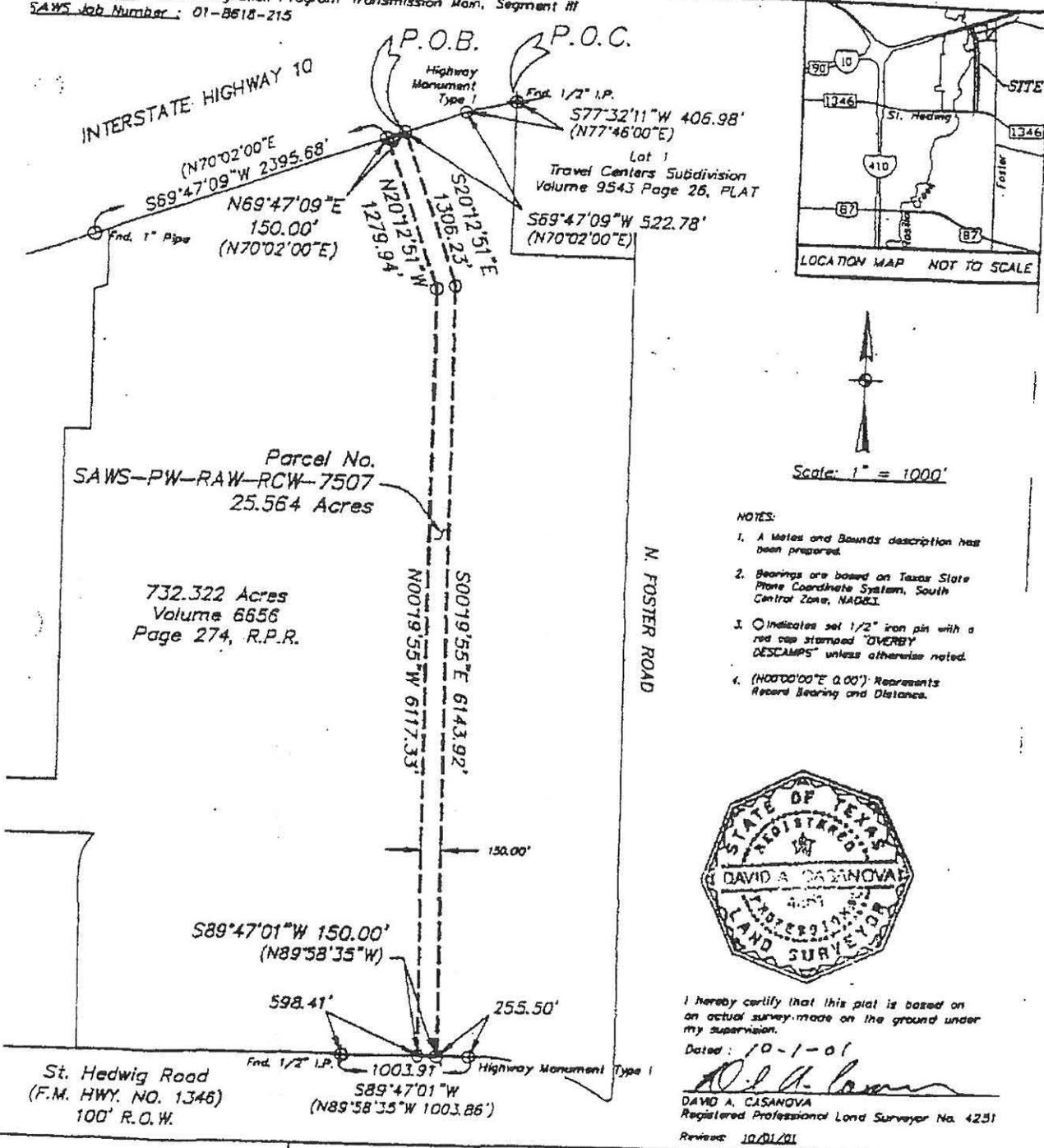
  
David A. Casanova  
Registered Professional Land Surveyor No. 4251



M:\Project Files\038300\mbs&hnds\7507

EXHIBIT A

Project Name: ASR Integration Program Transmission Main, Segment III  
 SAWS Job Number: 01-8618-215



Scale: 1" = 1000'

- NOTES:
1. A Notes and Bounds description has been prepared.
  2. Bearings are based on Texas State Plane Coordinate System, South Central Zone, NAD83.
  3.  $\odot$  indicates set 1/2" iron pin with a red cap stamped "OVERBY DESCAMPS" unless otherwise noted.
  4. (N00°00'00" E 0.00') Represents Reared Bearing and Distance.



I hereby certify that this plat is based on an actual survey made on the ground under my supervision.

Dated: 10-1-01

*David A. Casanova*  
 DAVID A. CASANOVA  
 Registered Professional Land Surveyor No. 4251  
 Revised: 10/01/01

Overby Descamps Engineers, Inc.  
 with Pope-Dewson Engineers, Inc.

Parcel No. SAWS-PW-RAW-RCW-7507  
 Clemente Texada Survey No. 133, Abstract No. 743, C.B. 5098  
 Bexar County, Texas



## EXHIBIT "B"

### PERMITTED EXCEPTIONS

1. Sewer Line Easement, 25 feet wide, out of portion of tract once used as railroad, to the City of San Antonio recorded in Volume 6559, Page 347, Volume 6649, Pages 179, Volume 6649 Page 187, Volume 6731, Page 383, Volume 6831, Page 787, Bexar County Deed Records.
2. Easement to Sinclair Refining Company for pipeline, across northern portion of tract, recorded in Volume 2177, Page 426 and modified by Volume 3925, Page 197, Bexar County Deed Records.
3. Pipeline Easement to Coastal States Crude Gathering Company, along western portion of tract, recorded in Volume 6459, Pages 491, Volume 6459, Page 493, Volume 6459, Page 495, Volume 6459, Page 497 and Volume 6459, Page 505, Bexar County Deed Records; of which those recorded in Volume 6459, Page 495 and Volume 6459, Page 505, Bexar County Deed Records, abandoned and relocated by Volume 4185, Page 2033, Bexar County Real Property Records.
4. Electric Transmission and Distribution Line Easements to the City of San Antonio, as provided by instruments recorded in Volume 2779, Page 146 and Volume 5319, Page 301, Bexar County Deed Records.
5. Gas Pipeline Easement, 20 feet wide, across tract, granted to Western Gas & Fuel Company, as provided by instrument recorded in Volume 997, Page 635, Bexar County Deed Records.
6. Right-of-Way Easement, granted to Sinclair Refining Company, as provided by instrument recorded in Volume 2181, Pages 478-479, Bexar County Deed Records.
7. Channel Easement to State of Texas, as provided by instruments recorded in Volume 3931, Page 338 and Volume 3953, Page 48, Bexar County Deed Records.
8. Pipeline Easement, granted to Sinclair Refining Company, by instrument recorded in Volume 2177, Page 485, Bexar County Deed Records.
9. Easement for underground telephone facilities granted to Southwestern Bell Telephone Company, as provided by instrument recorded in Volume 4081, Page 180, Bexar County Real Property Records.
10. Easement to Coastal States Crude Gathering Company, for oil and gas pipelines, as provided by instrument recorded in Volume 4185, Page 2033, Bexar County Real Property Records.
11. Electric and Gas Line Easements to the City of San Antonio, as provided by instrument recorded in Volume 4659, Page 1766, Bexar County Real Property Records.
12. Terms and provisions of two (2) 20 foot wide Pipeline Easements, granted to Koch Refining Company, as provided by instrument recorded in Volume 4674, Page 449, Bexar County Real Property Records.
13. Blanket Waterline Easement unto George H. Martindale, et al, as provided by instrument recorded in Volume 2329, Page 580, Bexar County Deed Records.
14. Variable width 90.31 acre Drainage Easement, as shown by plat of Rosillo Creek, recorded in Volume 9519, Pages 108-119, Deed and Plat Records of Bexar County, Texas, together with the 17 ft. wide Access and utility Easement and the 15 foot Access Easement shown therein.
15. Reservation by Southern Pacific Transportation Company of all oil, gas, sulphur and other minerals in and under the 12.562 acres included in tract, as retained in deed of May 13, 1971, recorded in Volume 6803, Page 808, Deed Records of Bexar County, Texas.
16. Easements reserved by Grantors as set forth in this Deed.

EXHIBIT C



0.741 ACRE TRACT  
(112,540 Sq. Ft.)  
50325-05EXH-4.DWG

FN NO. 50325-05-4A  
JANUARY 7, 2005  
JOB NO.50325-01.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO.1**

0.741 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.741 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND ½ INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 1306.23 FEET, TO AN ANGLE CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 00° 05' 05" E, ALONG THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 5165.86 FEET, TO **THE POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT;

EXHIBIT C

**THENCE**, S 00° 05' 05" E, CONTINUING WITH THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 215.08 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, S 88° 23' 12" W, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.05 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 00° 05' 05" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 215.08 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 88° 23' 12" E, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.05 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.741 ACRES OF LAND, MORE OR LESS.

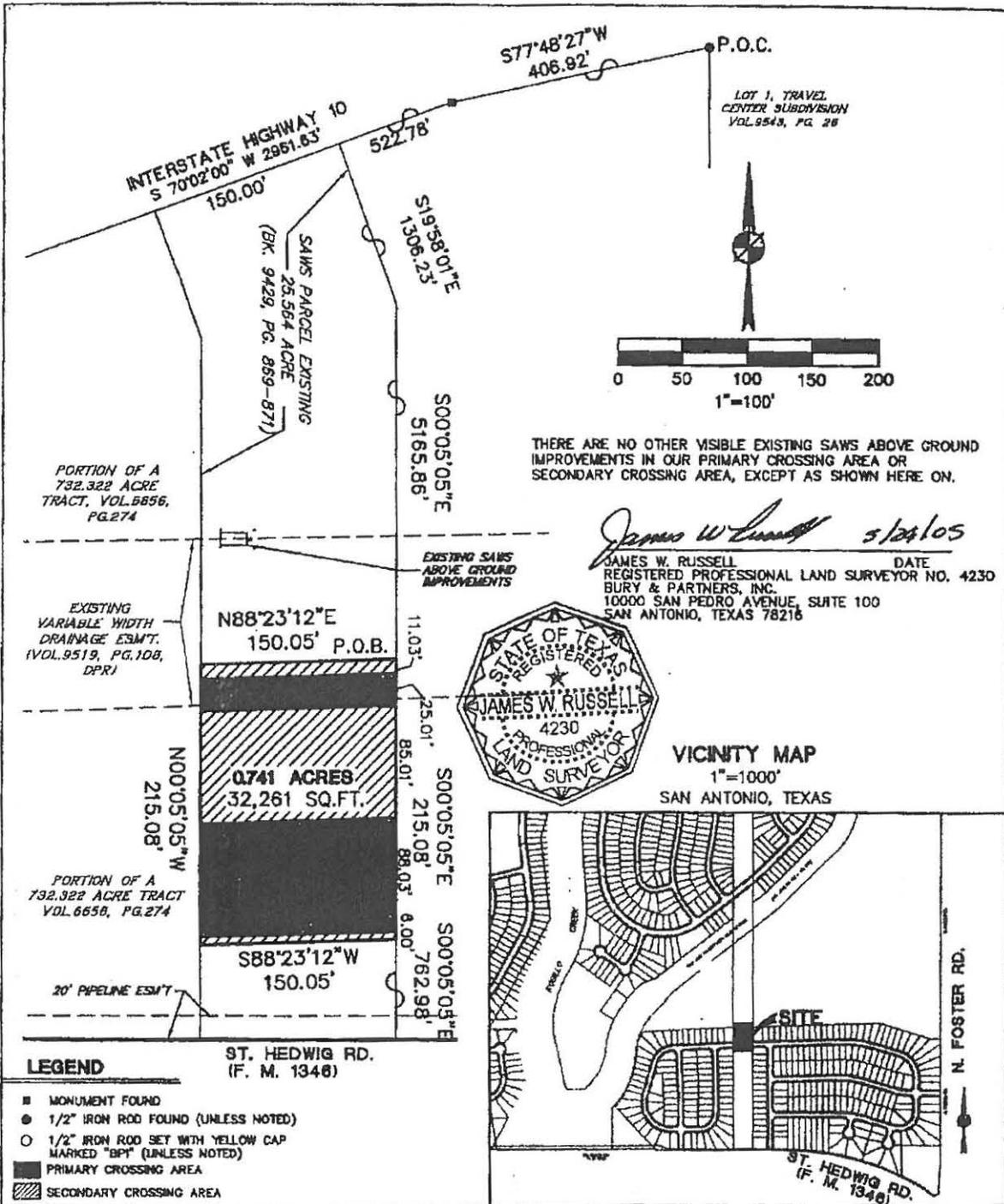
I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W. Russell* 3/24/05  
\_\_\_\_\_  
JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



# EXHIBIT C



**Bury+Partners**  
ENGINEERING SOLUTIONS  
10000 San Pedro Avenue, Suite 100  
San Antonio, TX 78216  
Tel. (214) 388-9000 Fax (214) 388-9000  
Bury+Partners-01, Inc. © Copyright 2005

**EXHIBIT TO ACCOMPANY DESCRIPTION**  
EASEMENT NO. 1  
FOR A 0.741 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO. 133, ABSTRACT NO. 743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS.

**ROSILLO CREEK**

EXHIBIT D



0.988 ACRE TRACT  
(43,029 Sq. Ft.)  
50325-05EXH-3A.DWG

FN NO. 50325-05-3A  
JANUARY 7, 2005  
JOB NO.50325-05.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO.2**

0.988 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.988 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND ¼ INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 1306.23 FEET, TO AN ANGLE CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 00° 05' 05" E, ALONG THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 3988.22 FEET, TO **THE POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT;

EXHIBIT D

THENCE, S 00° 05' 05" E, CONTINUING WITH THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 293.23 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT;

THENCE, S 52° 11' 11" W, CROSSING, SAID 25.564 ACRE TRACT, A DISTANCE OF 189.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

THENCE, N 00° 05' 05" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 284.48 FEET TO A POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

THENCE, N 52° 11' 11" E, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 32.32 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1915.00 FEET, A CENTRAL ANGLE OF 04° 52' 24", AN ARC LENGTH OF 162.88 FEET AND A CHORD BEARING: N 49° 44' 59" E, A DISTANCE OF 162.83 TO THE POINT OF BEGINNING AND CONTAINING 0.988 ACRES OF LAND, MORE OR LESS.

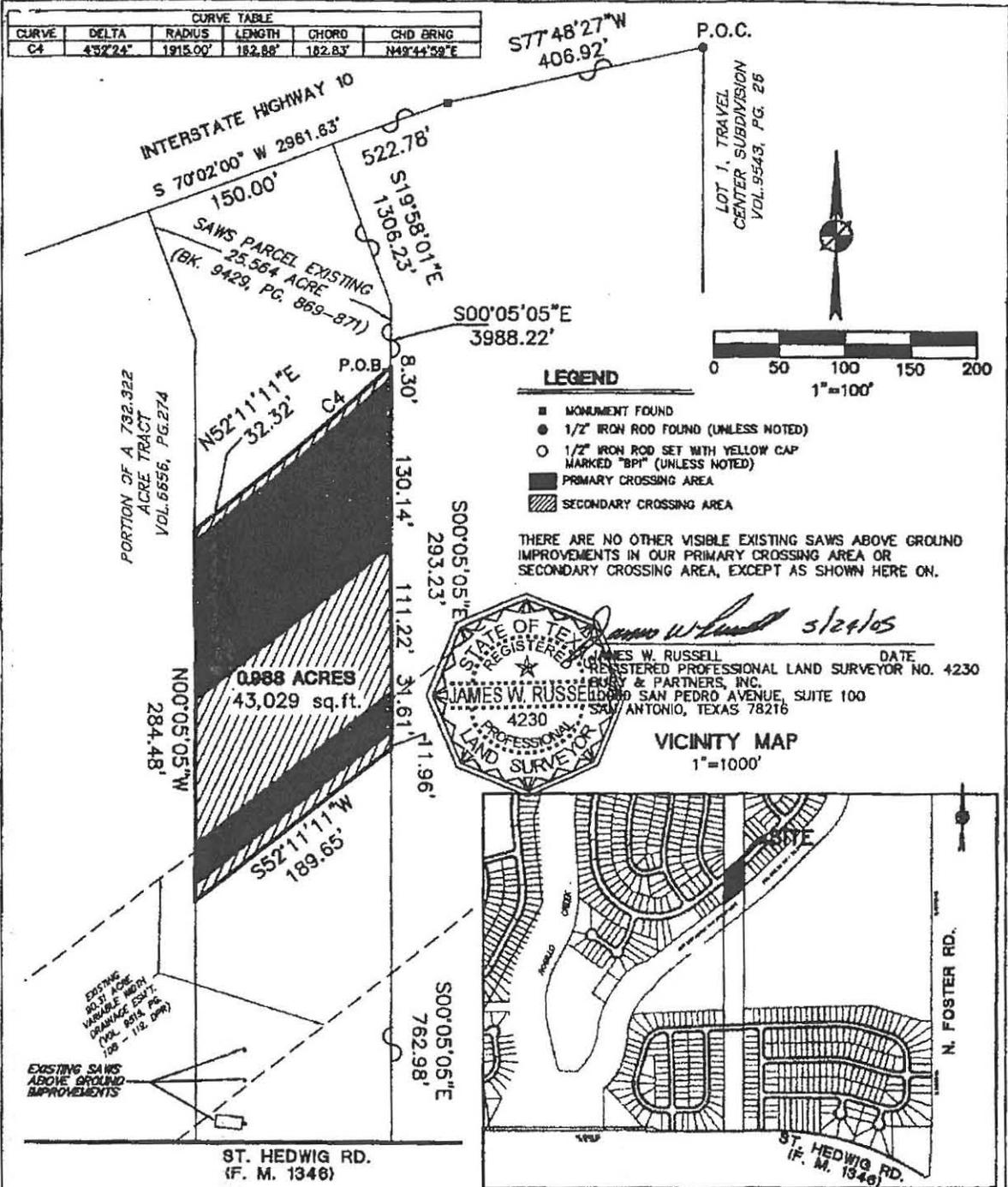
I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W. Russell 5/24/05*  
JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



PLAN D



STATE OF TEXAS  
REGISTERED  
LAND SURVEYOR  
JAMES W. RUSSELL  
4230  
PROFESSIONAL  
LAND SURVEYOR

*James W. Russell 5/24/05*

JAMES W. RUSSELL DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230  
BURY & PARTNERS, INC.  
100 SAN PEDRO AVENUE, SUITE 100  
SAN ANTONIO, TEXAS 78216

**Bury+Partners**  
ENGINEERING SOLUTIONS  
10000 San Pedro Avenue, Suite 100  
San Antonio, TX 78216  
Tel. (210)505-0000 Fax (210)505-0529  
Bury+Partners-01, Inc. ©Copyright 2005

**EXHIBIT TO ACCOMPANY DESCRIPTION**  
EASEMENT NO. 2  
0.988 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS.

**ROSILLO CREEK**

DATE: 05/11/05 DRAWN BY: JAR FILE: G:\325\05 Rosillo\SURVEY\ESMT\32505EXH03.dwg FN NO.50325-05-3A PROJECT No. 325-05.

EXIST E



1.155 ACRE TRACT  
(50,323 Sq. Ft.)  
50325-05EXH-2.DWG

FN NO. 50325-05-2A  
JANUARY 7, 2005  
JOB NO.50325-05.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO.3**

1.155 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 1.155 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND  $\frac{1}{4}$  INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 1306.23 FEET, TO AN ANGLE CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 00° 05' 05" E, ALONG THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 1867.86 FEET, TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

EXHIBIT E

THENCE, S 00° 05' 05" E, CONTINUING WITH THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 367.90 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE, SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 655.00 FEET, A CENTRAL ANGLE OF 13° 42' 02", AN ARC LENGTH OF 156.62 FEET AND A CHORD BEARING: S 73° 39' 19" W, A DISTANCE OF 156.25 TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

THENCE, N 00° 05' 05" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 315.07 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE, NORTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 348.00 FEET, A CENTRAL ANGLE OF 29° 42' 14", AN ARC LENGTH OF 180.41 FEET AND A CHORD BEARING: N 57° 08' 27" E, A DISTANCE OF 178.40 TO THE POINT OF BEGINNING AND CONTAINING 1.155 ACRES OF LAND, MORE OR LESS.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W. Russell 5/24/05*  
JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



PLAN E

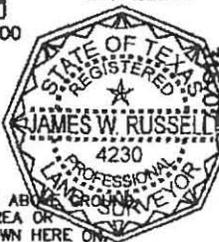
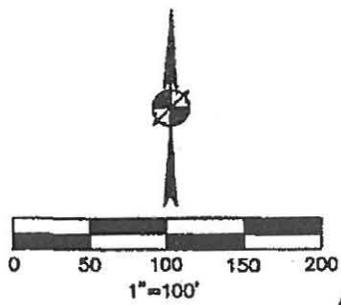


VICINITY MAP  
1"=1000'  
SAN ANTONIO, TEXAS

**LEGEND**

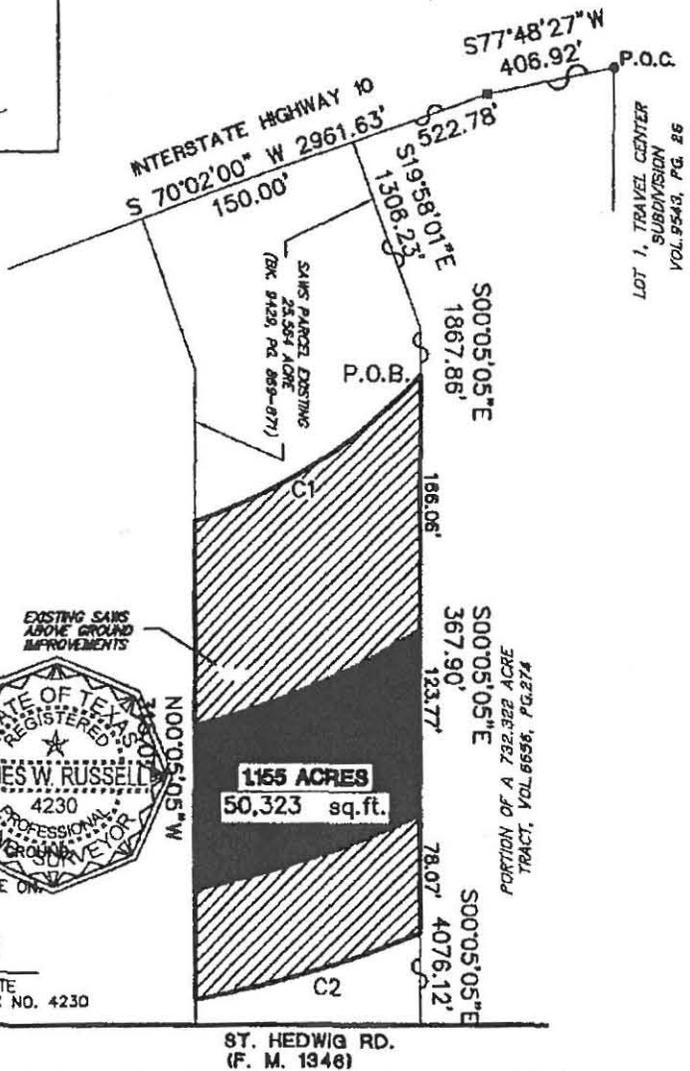
- MONUMENT FOUND
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- ▒ PRIMARY CROSSING AREA
- ▔ SECONDARY CROSSING AREA

CURVE DATA						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD	CHD BRNG
C1	29°42'14"	348.00'	92.28'	180.41'	178.40'	N87°08'27"E
C2	13°42'02"	655.00'	78.89'	158.82'	184.26'	N73°39'19"E



THERE ARE NO OTHER VISIBLE EXISTING SAWS ABOVE GROUND IMPROVEMENTS IN OUR PRIMARY CROSSING AREA OR SECONDARY CROSSING AREA, EXCEPT AS SHOWN HERE ON.

*James W. Russell*  
**JAMES W. RUSSELL** DATE  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230  
 BURY & PARTNERS, INC.  
 10000 SAN PEDRO AVENUE, SUITE 100  
 SAN ANTONIO, TEXAS 78216



<p><b>Bury+Partners</b>          ENGINEERING SOLUTIONS          10000 San Pedro Avenue, Suite 100          San Antonio, TX 78216          Tel. (214)285-5000 Fax (214)285-5500          Bury+Partners-LLP, Inc. ©Copyright 2005</p>	<p><b>EXHIBIT TO ACCOMPANY DESCRIPTION</b>          EASEMENT NO. 3          1.155 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS.</p>	<p><b>ROSILLO CREEK</b></p>
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SAME E



2.583 ACRE TRACT  
(112,502 Sq. Ft.)  
50325-05EXH-01A.DWG

FN NO. 50325-05-1A  
JANUARY 7, 2005  
JOB NO.50325-01.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO.4**

2.583 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 2.583 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND  $\frac{1}{2}$  INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 1306.23 FEET, TO AN ANGLE CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 00° 05' 05" E, ALONG THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 46.79 FEET, TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

FILE

**THENCE**, S 00° 05' 05" E, CONTINUING WITH THE EASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 750.01 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 89° 44' 21" W, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.00 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

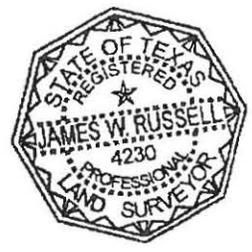
**THENCE**, N 00° 05' 05" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 750.01 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, S 89° 44' 21" E, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 2.583 ACRES OF LAND, MORE OR LESS.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W. Russell s/James*  
JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



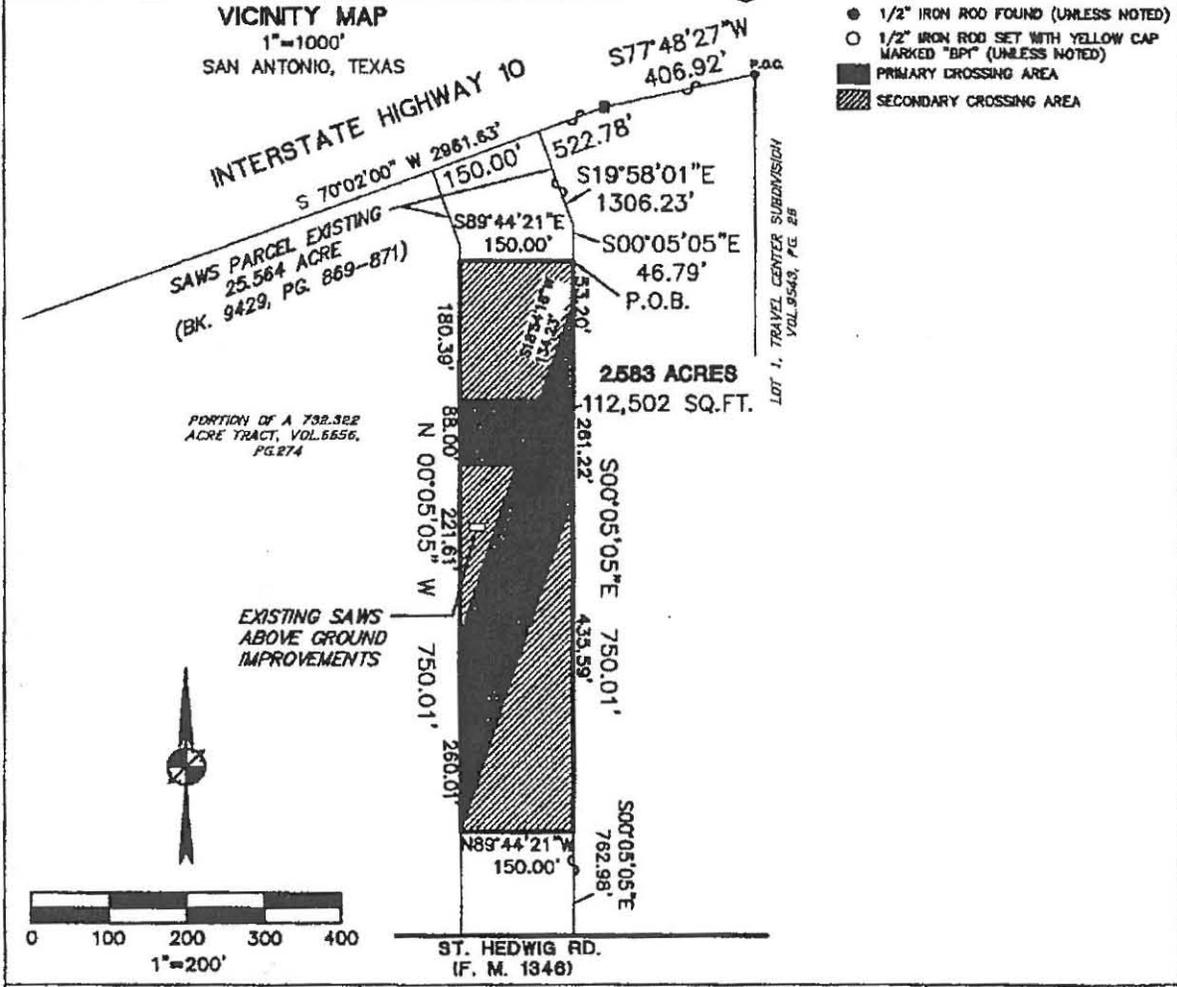
E

**VICINITY MAP**  
1"=1000'  
SAN ANTONIO, TEXAS

THERE ARE NO OTHER VISIBLE EXISTING SAWS ABOVE GROUND IMPROVEMENTS IN OUR PRIMARY CROSSING AREA OR SECONDARY CROSSING AREA, EXCEPT AS SHOWN HERE ON.

*James W. Russell* 5/29/05

JAMES W. RUSSELL DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230  
BURY+PARTNERS, INC.  
10000 SAN PEDRO AVENUE, SUITE 100  
SAN ANTONIO, TEXAS 78216



<p><b>Bury+Partners</b> ENGINEERING SOLUTIONS 10000 San Pedro Avenue, Suite 100 San Antonio, TX 78216 Tel. (214) 505-1000 Fax (214) 505-0000 Bury+Partners-24, Inc. ©Copyright 2005</p>	<p><b>EXHIBIT TO ACCOMPANY DESCRIPTION</b></p> <p>EASEMENT NO. 4 2,583 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS.</p>	<p><b>ROSILLO CREEK</b></p>
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DATE: 03/11/05 DRAWN BY: JAR FILE: G:\325\05 Rosillo\SURVEY\ESMT\REV\32505EXH01A.dwg FN NO.50325-05-1 PROJECT No. 325-05.



0.478 ACRE TRACT  
(20,817 Sq. Ft.)  
50325-05EXH-1.DWG

FN NO. 50325-05-5A  
JANUARY 7, 2005  
JOB NO. 50325-01.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO. 5**

0.478 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.478 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND ½ INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 843.67 FEET, TO **THE POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT;

**THENCE**, S 19° 58' 01" E, CONTINUING WITH THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 138.78 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT;

... G

**THENCE**, N 89° 28' 40" W, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 160.13 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 19° 58' 01" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 138.78 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, S 89° 28' 40" E, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 160.13 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.478 ACRES OF LAND, MORE OR LESS.

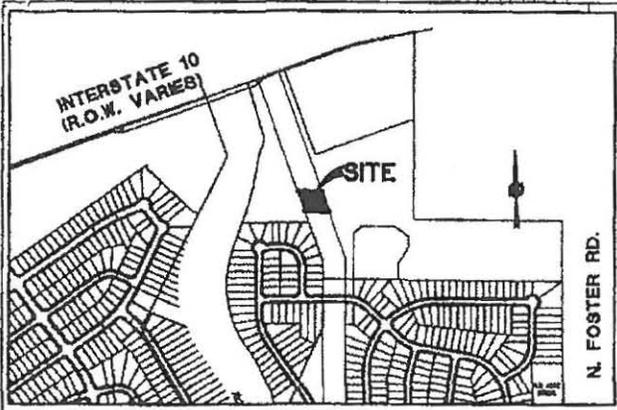
I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W Russell 5/24/05*  
JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



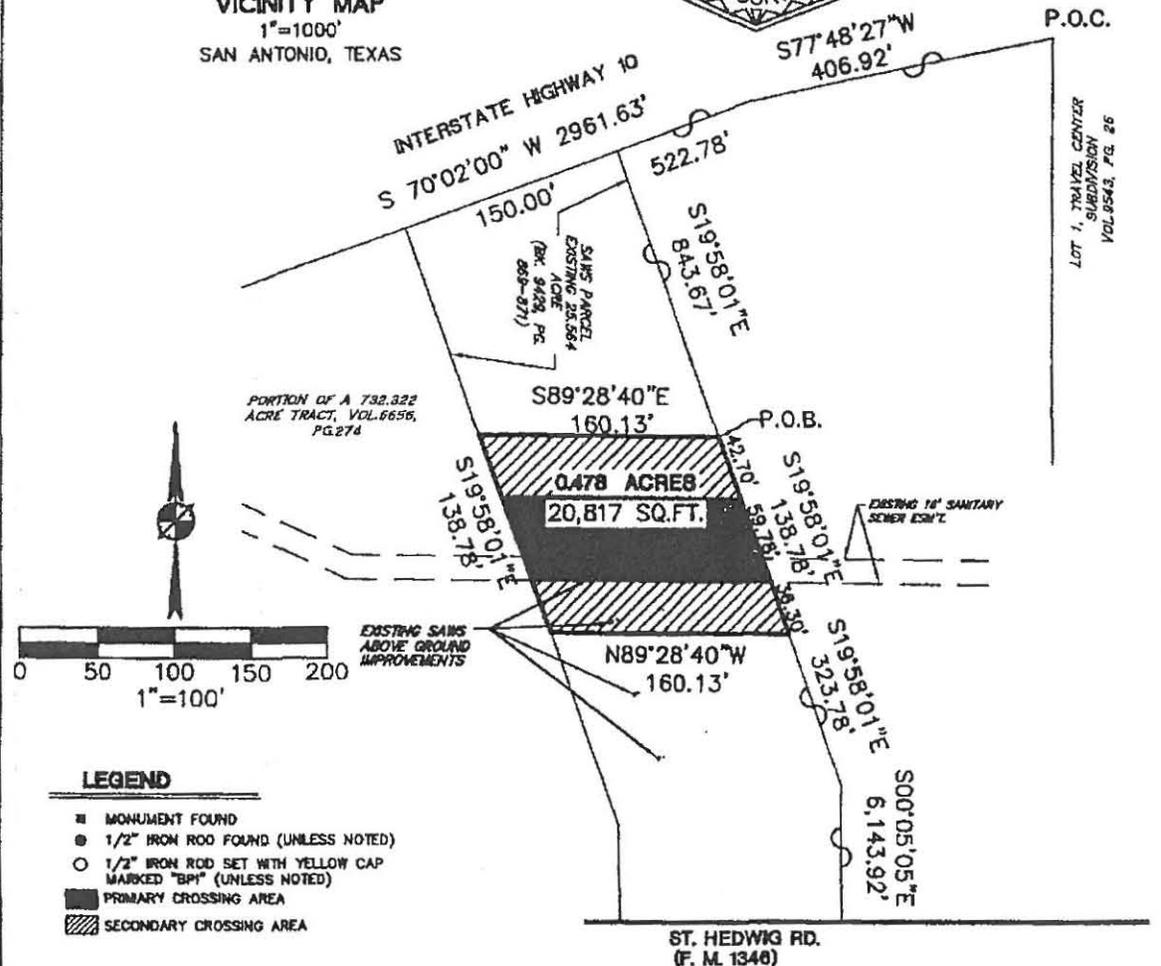
G



THERE ARE NO OTHER VISIBLE EXISTING SAWS ABOVE GROUND IMPROVEMENTS IN OUR PRIMARY CROSSING AREA OR SECONDARY CROSSING AREA, EXCEPT AS SHOWN HERE ON.

*James W. Russell* 5/24/05

JAMES W. RUSSELL DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230  
BURY & PARTNERS, INC.  
10000 SAN PEDRO AVENUE, SUITE 100  
SAN ANTONIO, TEXAS 78218



**Bury+Partners**  
ENGINEERING SOLUTIONS  
10000 San Pedro Avenue, Suite 100  
San Antonio, TX 78218  
Tel. (214) 588-7000 Fax (214) 588-6667  
Bury+Partners-PA, Inc. ©Copyright 2005

EXHIBIT TO ACCOMPANY DESCRIPTION

EASEMENT NO. 5  
0.478 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO,  
BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY  
NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564  
ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL  
RECORDS OF BEXAR COUNTY, TEXAS.

**ROSILLO CREEK**

DATE: 05/20/05 DRAWN BY: JAR FILE: G:\325\05 Rosillo\SURVEY\ESMT\REV\32505EIH05A.dwg FN NO.50325-05-1A PROJECT No. 325-05.



0.344 ACRE TRACT  
(15,000 Sq. Ft.)  
50325-05EXH-1.DWG

FN NO. 50325-05-6  
JANUARY 7, 2005  
JOB NO. 50325-01.92

**FIELD NOTE DESCRIPTION  
EASEMENT NO. 6**

0.344 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY NO.133, ABSTRACT NO.743, AND BEING A PORTION OF THE 25.564 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.344 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A FOUND ½ INCH IRON ROD LOCATED IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, AND MARKING THE NORTHWESTERLY CORNER OF LOT 1 OF THE TRAVEL CENTERS SUBDIVISION RECORDED IN VOLUME 9543, PAGE 26 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAME BEING THE NORTHEASTERLY CORNER OF THE 732.322 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6656, PAGE 274 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS;

**THENCE**, S 77° 48' 27" W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10, SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 406.92 FEET, TO A FOUND CONCRETE MONUMENT;

**THENCE**, S 70° 02' 00" W, CONTINUING WITH THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 SAME BEING THE NORTH LINE OF SAID 732.322 ACRE TRACT, A DISTANCE OF 522.78 FEET, TO A POINT FOR THE NORTHERLY CORNER OF SAID 25.564 ACRE TRACT;

**THENCE**, S 19° 58' 01" E, ALONG THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 450.00 FEET, TO **THE POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT;

**THENCE**, S 19° 58' 01" E, CONTINUING WITH THE NORTHEASTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT FOR THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED TRACT;

H

**THENCE**, S 70° 01' 59" W, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.00 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE SOUTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 19° 58' 01" W, ALONG THE WESTERLY LINE OF SAID 25.564 ACRE TRACT, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID 25.564 ACRE TRACT FOR THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED TRACT;

**THENCE**, N 70° 01' 59" E, CROSSING SAID 25.564 ACRE TRACT, A DISTANCE OF 150.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.344 ACRES OF LAND, MORE OR LESS.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

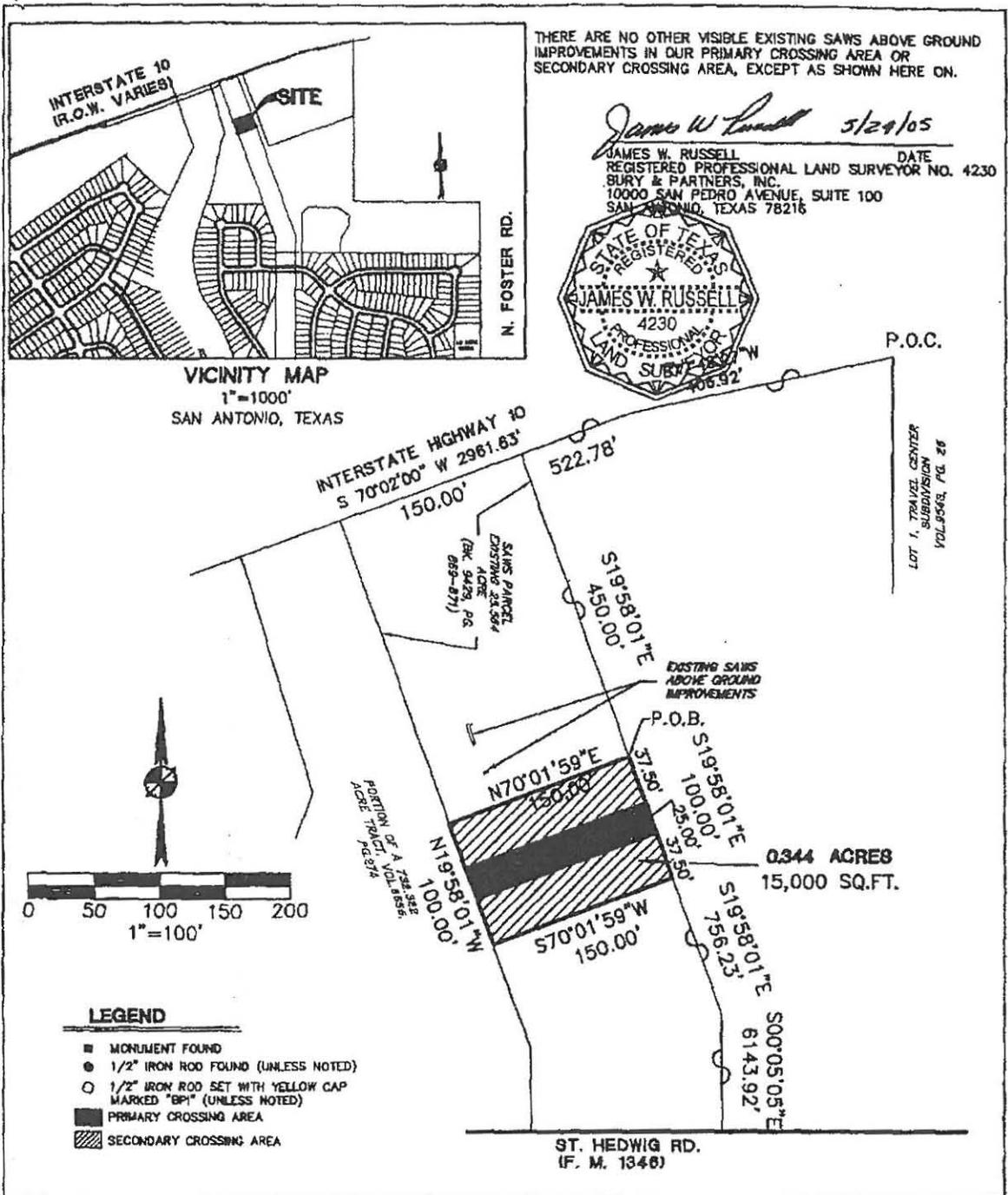
BURY & PARTNERS, INC.  
ENGINEERS AND SURVEYORS  
10000 SAN PEDRO, SUITE #100  
SAN ANTONIO, TEXAS 78216

*James W. Russell* 5/29/05

JAMES W. RUSSELL DATE  
R.P.L.S #4230  
STATE OF TEXAS



EAST H



THERE ARE NO OTHER VISIBLE EXISTING SAWS ABOVE GROUND IMPROVEMENTS IN OUR PRIMARY CROSSING AREA OR SECONDARY CROSSING AREA, EXCEPT AS SHOWN HERE ON.

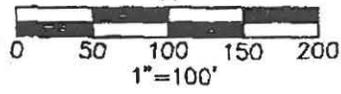
*James W Russell* 5/29/05

JAMES W. RUSSELL DATE  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230  
 BURY & PARTNERS, INC.  
 10000 SAN PEDRO AVENUE, SUITE 100  
 SAN ANTONIO, TEXAS 78216



P.O.C.

LOT 1, TRAVEL CENTER  
 SUBDIVISION  
 VOL. 9543, PG. 28



**LEGEND**

- MONUMENT FOUND
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- ▨ PRIMARY CROSSING AREA
- ▩ SECONDARY CROSSING AREA

**Bury+Partners**  
 ENGINEERING SOLUTIONS  
 10000 San Pedro Avenue, Suite 100  
 San Antonio, TX 78216  
 Tel. (214) 346-0000 Fax (214) 346-0000  
 Bury+Partners-04, Inc. ©Copyright 2005

**EXHIBIT TO ACCOMPANY DESCRIPTION**

EASEMENT NO. 6  
 0.344 ACRES OF LAND SITUATED IN THE CITY OF SAN ANTONIO,  
 BEXAR COUNTY, TEXAS, OUT OF THE CLEMENTE TEXADA SURVEY  
 NO. 133, ABSTRACT NO. 743, AND BEING A PORTION OF THE 25.564  
 ACRE TRACT RECORDED IN BOOK 9429, PAGE 870, OFFICIAL  
 RECORDS OF BEXAR COUNTY, TEXAS.

**ROSILLO CREEK**

Doc# 20050122771  
# Pages 27  
06/03/2005 16:30:53 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERRY RICKHOFF COUNTY CLERK

Fees 64.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
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*Gerry Rickhoff*