

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

WASTEWATER EASEMENT AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

GRANT OF EASEMENT:

Verde Meister Lane LP. ("Grantor"), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto **THE CITY OF PFLUGERVILLE, TEXAS**, a home-rule city located in Travis County, Texas ("Grantee"), an easement and right-of-way ("Easement") upon and across the property of Grantor which is more particularly described on Exhibit "A", attached hereto and incorporated herein by reference ("Easement Tract").

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights and privileges and on the terms and conditions set forth below.

Grantor does hereby covenant and agree to **WARRANT AND FOREVER DEFEND** title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

CHARACTER OF EASEMENT:

The Easement is an easement in gross.

PURPOSE OF EASEMENT:

The Easement shall be used for public utility purposes, including placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of public wastewater utility facilities and related appurtenances, or making connections thereto.

The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the public wastewater utility facilities and related appurtenances.

DURATION OF EASEMENT:

The Easement shall be perpetual.

EXCLUSIVENESS OF EASEMENT:

The Easement shall be exclusive. Grantor shall have the right to access the utility facilities, provided such access complies with the City of Pflugerville subdivision and/or site plan application process and shall have the right to use the surface of the Property for any purpose which does not conflict with the subsurface use, including but not limited to landscaping, parking, driveways, signage and roadways but not buildings.

ENTIRE AGREEMENT:

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the party to be charged.

BINDING EFFECT:

This agreement shall bind and inure to the benefit of the respective parties hereto, their heirs, legal representatives, successors and assigns.

ASSIGNABILITY:

This Easement and the rights of Grantee hereunder may be assigned in whole or in part by Grantee.

Signature page to follow:

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____,
2014, by Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-
rule municipality, on behalf of said municipality.

Notary Public Signature

(seal)

DESCRIPTION

DESCRIPTION OF A 376 SQUARE FOOT TRACT OF LAND SITUATED IN THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT NO. 787, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A, RESUBDIVISION OF LOT 1, BLOCK A, SPRINGBROOK CORPORATE CENTER, A MAP OF WHICH IS RECORDED IN DOCUMENT NO. 200800318, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 2 BEING CONVEYED TO VERDE MEISTER LANE, LP IN SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2007103511, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 376 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING a ½ inch iron found with cap stamped "HALFF ASSOC INC" on the curving north right-of-way line of New Meister Lane, a 60 foot wide dedicated roadway, of record in Document No. 200700211, said Official Public Records, for the common south corner of Lots 1 and 2, Block A, said RESUBDIVISION OF LOT 1, BLOCK A, SPRINGBROOK CORPORATE CENTER, from which point a ½ inch iron with cap stamped "HALFF ASSOC INC" found for a point of curvature of New Meister Lane bears a chord bearing of North 77° 01' 48" West, a chord distance of 99.55 feet;

THENCE, with said curving north right-of-way line, same line being the south boundary line of said Lot 2, said curve being a curve to the left and having a radius of 1970.00 feet, an arc length of 101.68 feet, a delta angle of 02°57'27", and a chord which bears South 79°57' 23" East, a distance of 101.67 feet to the southwest corner of the herein described tract and **POINT OF BEGINNING**;

THENCE, North 02° 20' 29" East, over and across said Lot 2, a distance of 23.67 feet to a point on the south boundary line of that certain 10' wide wastewater easement of record in Document No. 2007226892, said Official Public Records, for the northwest corner of the herein described tract;

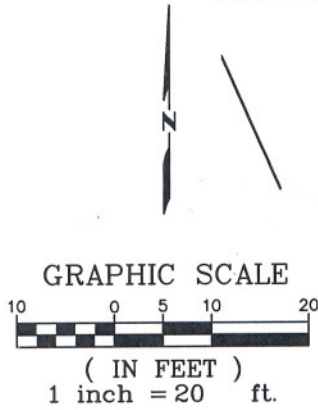
THENCE, South 77° 53' 12" East, with said south boundary line of the 10' wide wastewater easement, a distance of 5.80 feet, to a point for an interior corner of the herein described tract;

THENCE, North 66° 18' 43" East, over and across said Lot 2, continuing with said south boundary line of the 10' wide wastewater easement, a distance of 10.33 feet to a point for the northeast corner of the herein described tract;

SKETCH TO ACCOMPANY DESCRIPTION

WASTEWATER EASEMENT

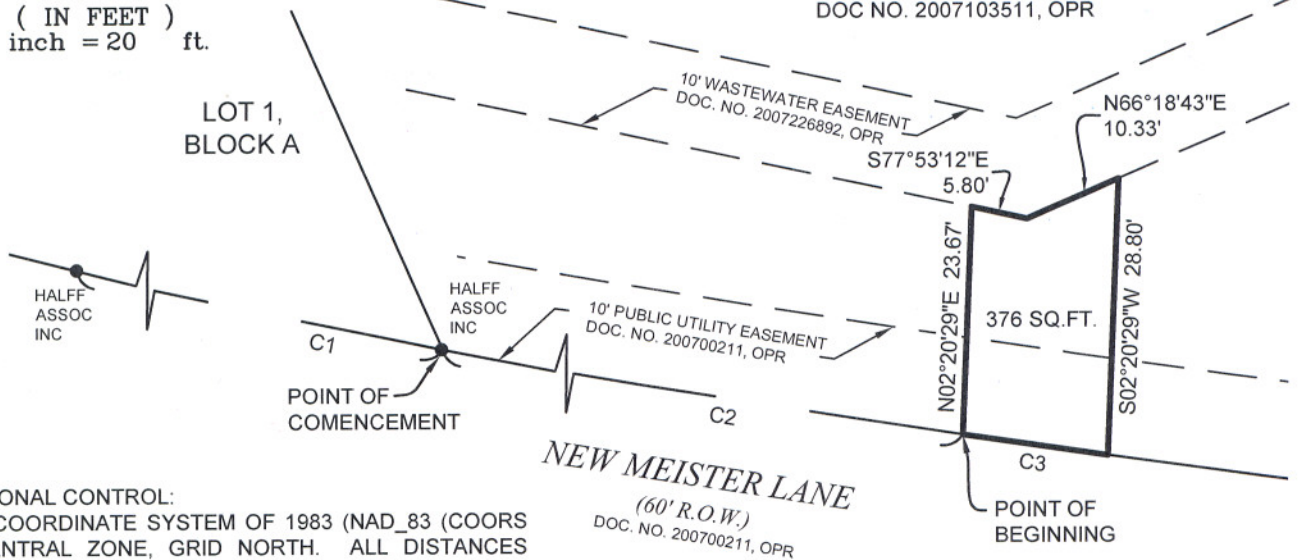
SHEET 1 OF 1



JOHN VAN WINKLE SURVEY NO. 70
ABSTRACT NO. 787,
TRAVIS COUNTY, TEXAS

LOT 2, BLOCK A
RESUBDIVISION OF LOT 1, BLOCK A,
SPRINGBROOK CORPORATE CENTER
DOC. NO. 200800318, OPR

VERDE MEISTER LANE, LP
DOC NO. 2007103511, OPR



DIRECTIONAL CONTROL:
TEXAS COORDINATE SYSTEM OF 1983 (NAD_83 (COORS 96)), CENTRAL ZONE, GRID NORTH. ALL DISTANCES WERE ADJUSTED TO THE SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.000112142. (SURFACE = GRID X SURFACE ADJUSTMENT FACTOR)

REFERENCE IS HEREON MADE TO THE METES AND BOUNDS DESCRIPTION OF THIS TRACT ACCOMPANYING THIS SKETCH.

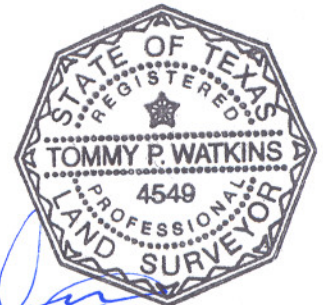
SUBJECT TRACT SHOWN HEREON IS AN EASEMENT. NO MONUMENTATION SET FOR CORNERS.

DATE OF LAST FIELD WORK: MARCH 14, 2014

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- OPR OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	1970.00'	99.56'	2°53'45"	N77°01'48"W	99.55'
C2	1970.00'	101.68'	2°57'27"	S79°57'23"E	101.67'
C3	1970.00'	15.08'	0°26'19"	N81°39'16"W	15.08'



SURVEYED BY:

TOMMY P. WATKINS, RPLS
TX REG. NO 4549
DATE: 04/10/2014

CA

Cunningham|Allen
Engineers • Surveyors
FIRM REG: TBPE F-284; TBPLS 10000900

3103 Bee Cave Road
Suite 202
Austin, Texas 78746
Tel.: (512) 327-2946
Fax: (512) 327-2973

Drawing Path: S:\5790101_Springbrook PH1_Drawings\5790101_esmt_ww_offsite.dwg Plotted By: Tom Watkins Date: 4/10/2014 7:03:28 PM Layout: 8x11 Portrait