

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:**

**THE LSR FAMILY LIVING TRUST** (“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 is granted for the installation, construction, operation, use, maintenance, reconstruction, replacement, repair, re-alignment, upgrade, expansion, inspection, patrol, and removal of public wastewater facilities, together with appurtenances and facilities related to such public wastewater facilities and for making connections therewith; all public wastewater lines will be located underground, but facilities and appurtenances related to the wastewater lines may be located above ground.

Grantee shall have the right to access to the Easement Property 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, and Grantor covenants that Grantor will not convey any other easement or conflicting rights within the Easement Tract.

**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.

In witness whereof, this instrument is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**GRANTOR:**

**THE LSR FAMILY LIVING TRUST**

By: \_\_\_\_\_  
Scott Rohrman, Trustee

**GRANTEE:**

**AGREED AND ACCEPTED:**

**CITY OF PFLUGERVILLE,  
TEXAS,**

a Texas home-rule municipality

By: \_\_\_\_\_  
Brandon Wade, City Manager

**ATTEST:**

\_\_\_\_\_  
Karen Thompson, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Scott Rohrman, of THE LSR FAMILY LIVING TRUST, on behalf of said Trust.

(seal)

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Printed Name of Notary Public

My commission expires: \_\_\_\_\_

ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on \_\_\_\_\_, 2013, by Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-rule municipality, on behalf of said municipality.

(seal)

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Printed Name of Notary Public

My commission expires: \_\_\_\_\_

DESCRIPTION

DESCRIPTION OF A 2,522 SQUARE FOOT TRACT OF LAND SITUATED IN THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT NO. 787, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE REMAINING ACREAGE CONVEYED TO RGT/CHARLESTON PARTNERS IN DEED OF RECORD IN DOCUMENT NO. 2003116960, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2,522 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** a ½ inch iron found with cap stamped "CBD 5780" on the north boundary line of SPRING TRAIL PHASE 1-B, a map of which is recorded in Document No. 200700171, said Official Public Records of Travis County, Texas, for the common north corner of Lot 25, Block "M", and Lot 24, Block "M", and for the southern most southeast corner of the herein described tract;

**THENCE**, South 67°16'43" West, with the north line of said SPRING TRAIL PHASE 1-B, a distance of 15.00 feet to a point for the southwest corner of the herein described tract;

**THENCE**, North 22°49'59" West, over and across said RGT/Charleston Partners Tract, a distance of 23.10 feet to a point;

**THENCE**, North 48°36'52" West, continuing over and across said RGT/Charleston Partners Tract, a distance of 29.85 feet to a point on the south boundary line of that certain called 16.625 acre tract of land described as "Parcel 3C", in that certain Substitute Trustee's Deed, of record in Document No. 2010003839, of the Official Public Records of Travis County, Texas, for the northwest corner of the herein described tract, from which point a ½ inch iron rod found with cap stamped "CBD 5780" on said south boundary line of the 16.625 acre tract of land bears South 67° 16' 43" West, a distance of 164.25 feet;

**THENCE**, North 67°16'43" East, with said south boundary line of the 16.625 acre tract of land, a distance of 16.67 feet to a point;

**THENCE**, over and across said RGT/Charleston Partners Tract the following three (3) courses and distances:

1. South 48°36'52" East, a distance of 19.58 feet to a point;
2. North 67°14'39" East, a distance of 85.81 feet to a point;
3. North 15°05'35" West, a distance of 17.72 feet to a point on aforementioned south boundary line of the 16.625 acre tract of land;

**THENCE**, North 67°16'43" East, with said south boundary line of the 16.625 acre tract of land, a distance of 15.13 feet to a point for the northeast corner of the herein described tract, from which point the southeast corner of said 16.625 acre tract of land bears North 67° 16' 43" East, a distance of 62.81 feet, from said southeast corner of the 16.625 acre tract of land a ½ inch iron rod found with cap stamped "T.J. DODD RPLS 1882" bears South 62° 21' West, a distance of 0.16 feet;

**THENCE**, over and across said RGT/Charleston Partners Tract of land the following three (3) courses and distances:

1. South 15°05'35" East, a distance of 32.85 feet to a point;
2. South 67°14'39" West, a distance of 96.12 feet to a point;
3. South 22°49'59" East, a distance of 17.34 feet to the POINT OF BEGINNING containing 2,522 square feet of land within these metes and bounds.

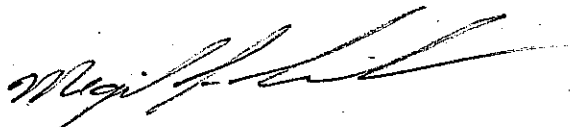
Reference is herein made to the sketch of this tract accompanying this description.

Bearing Basis: 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 1.0001112142. (Surface = Grid X Surface Adjustment Factor).

Subject tract described herein is an easement. No monumentation set for corners.

I certify that this description was prepared from a survey made in May and June, 2013, on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.



2 July 2013

Miguel A. Escobar, L.S.L.S., R.P.L.S.  
Texas Registration No. 5630  
3103 Bee Caves Rd., Ste. 202  
Austin, TX 78746  
512.327.2946

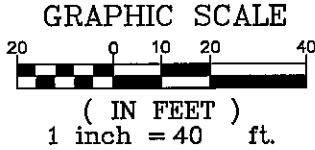
Date



# SKETCH TO ACCOMPANY DESCRIPTION

WASTEWATER EASEMENT

SHEET 1 OF 1



CENTERLINE OF 10'  
WIDE EASEMENT & R.O.W.  
CONVEYED TO TXU IN  
DOC. NO. 2007076147, OPR  
NOTE THAT THE EASEMENT IS BASED  
ON ACTUAL LINES AS CONSTRUCTED

STATE OF TEXAS  
EXHIBIT "A"  
PARCEL NO. 2-PART FIVE  
VOL. 11339, PG. 2005, RPR

(16.625 AC)  
BRANCH BANKING  
AND TRUST COMPANY  
DOC. # 2010003839

OPR

S48°36'52"E  
19.58'

N15°05'35"W  
17.72'

N67°16'43"E  
15.13'

N67°16'43"E  
62.81'

S62°21'W  
0.16'

N67°16'43"E  
16.67'

N67°14'39"E  
85.81'

2,522 SQ.FT.

96.12'  
S67°14'39"W

N48°36'52"W  
29.85'  
N22°49'59"W  
23.10'

S22°49'59"E  
17.34'

25 (M)

RGT/CHARLESTON  
PARTNERS  
DOC. # 2003116960  
OPR

SPRING TRAIL PHASE I-B  
DOC. NO. 200700171, OPR

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

P.O.B.  
S67°16'43"W  
15.00'  
15' WASTEWATER  
EASEMENT

## LEGEND

- 1/2" IRON ROD WITH CAP FOUND MARKED CBD 5780 (UNLESS OTHERWISE NOTED)
- DODD CAP STAMPED "T. J. DODD RPLS 1882"
- HALFF CAP STAMPED "HALFF ASSOCIATES"
- RPR REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT OF WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- P.O.B. POINT OF BEGINNING

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.

BEARING REFERENCE:  
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 1.0001112142. (SURFACE = GRID X SURFACE ADJUSTMENT FACTOR)

DATE OF LAST FIELD WORK: JUNE 25, 2013

SURVEYED BY:

MIGUEL A. ESCOBAR, LSLs, RPLS  
TX REG. NO. 5630  
DATE: 2 July 2013



**CA**  
Cunningham|Allen  
Engineers • Surveyors  
TBPE REG. NO. F-284

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

CLIENT: -  
DATE: 6/2013 CREW: -

OFFICE: MAE  
F.B.: -

PROJ #: 579.0101  
FILE NAME: ESMNT\_WASTEWATER COPYRIGHT 2013 CUNNINGHAM-ALLEN, INC.