

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:

REAGAN C. STEPHENS ("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, limited to placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of public wastewater utility facilities and related appurtenances, or making connections thereto. A wastewater service connection will be provided at no cost to the Grantor for future connection as illustrated on Exhibit B attached hereto. The Grantor at the time of wastewater connection is required to submit all required City of Pflugerville

applications and pay all required fees included but not limited to application fees, tap fees, meter deposits, and community impact fees.

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. Upon any future access, improvements, maintenance, repair, replacement of the public wastewater utility facilities and related appurtenances by the City, any damage to existing private fences on property will be repaired or replaced by the City to existing quality conditions.

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, fencing, parking, driveways, signage and roadways but not buildings.

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 to an entity which requires authority to provide wastewater service to the area.

SUBJECT TO:

Any and all restrictions, easements, rights-of-way, covenants and conditions, if any, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of Travis County, Texas, and further subject to all rights, rules, regulations, easements and rights-of-way in favor of any water district in which the property is located, including but not limited to the following:

- (1) any easements or rights of way either on the surface or above or below ground for whatever purpose and set back lines as set forth on the subdivision plat of the property and any such easements or rights of way appearing of record in the public records of Travis County, Texas.
- (2) all easements visible or apparent upon the ground.
- (3) any restrictive covenants or conditions of record.

- (4) All easements or rights of way and all statutory rights, rules and regulations in favor of any irrigation district, water or drainage district within which the property is situated or any property that any of said entities may claim to own in fee.
- (5) all leases for oil, gas or other minerals together with all rights, privileges and immunities relating thereto, appearing in the public records.
- (6) Easements recorded in Volume 5652, Page 1561, Deed Records, Travis County, Texas; recorded in Volume 551, Page 111, Deed Records, Travis County, Texas, recorded in Volume 692, Page 329, Deed Records, Travis County, Texas, recorded in Volume 1339, Page 546, Deed Records, Travis County, Texas, recorded in Volume 4822, Page 1689, Deed Records, Travis County, Texas, recorded in Volume 5827, Page 1975, Deed Records, Travis County, Texas, recorded in Volume 6260, Page 759, Deed Records, Travis County, Texas.

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.

Signature page to follow:

In witness whereof, this instrument is executed this 5 day of January, 2015.

GRANTOR:

REAGAN C. STEPHENS

Reagan Stephens

AGREED AND ACCEPTED:

CITY OF PFLUGERVILLE, TEXAS,
a Texas home-rule municipality

By: _____
Brandon Wade, City Manager

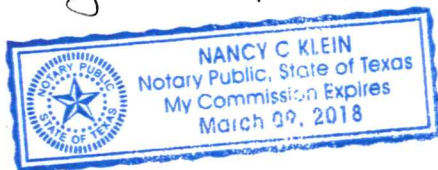
ATTEST:

Karen Thompson, City Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Travis §

This instrument was acknowledged before me on January 5, 2015, by Reagan C. Stephens, an individual residing in Travis County, Texas.

(seal)



Nancy C. Klein
Notary Public Signature

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

 This instrument was acknowledged before me on _____,
2015, 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)

WASTEWATER EASEMENT

FIELD NOTES

0.3561 ACRE, 15,513 SQUARE FEET WASTEWATER EASEMENT OUT OF THE JACOB CASNER SURVEY NO. 9, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 7.85 ACRE TRACT CONVEYED TO REAGAN CURTIS STEPHENS BY DEED RECORDED IN DOCUMENT NO. 2001088318, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with cap found in the east line of a 7.85 acre tract conveyed to Reagan Curtis Stephens by deed recorded in Document No. 2001088318, Official Public Records, Travis County, Texas, also being in the west line of a Public Utility, Drainage and Open Space Easement, and being the SW corner of Wind Vane West, a fifty foot ROW, as shown on the plat of The Commons at Rowe Lane, Phase B, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201100082, Official Public Records, and being the NW corner of a 0.714 acre Lot 15, Block EE, from which point, a 1/2" iron rod found with cap at the NE corner of said Lot 15 bears S81°51'28"E at a distance of 39.76 feet;

THENCE S8°03'28"W, along the common east line of said Stephens tract and the west line of said Lot 15 for a distance of 406.34 feet to a point, being the calculated S.E. Corner of the Stephens tract, also being the NE corner of a 5.21 acre tract conveyed to Mark A. and Kimberly V. Donnell by deed recorded in Document No. 1999002082, Official Public Records, for the S.E. corner hereof;

THENCE N81°25'54"W along the common line of the Stephens tract and the Donnell tract for a distance of 15.00 feet to a point, for the S.W. corner hereof, from which point, a 1/2" iron rod found in the curving East ROW of Rowe Loop, being the SW corner of said Stephens and the NW corner of the Donnell tract bears N81°25'54"W at a distance of 591.19 feet;

THENCE the following five(5) courses and distances crossing through said Stephens tract:

- (1) N8°03'28"E for a distance of 406.19 feet to a point, for a corner hereof;
- (2) N7°58'19"E for a distance of 220.75 feet to a point for an interior angle point, for a corner hereof;
- (3) N81°29'24"W for a distance of 351.12 feet to an interior angle point, for a corner hereof;
- (4) S35°38'17"W, for a distance of 28.12 feet to an angle point for a corner hereof;
- (5) N81°54'05"W for a distance of 16.92 feet to a point in the SE line of a 5.05 acre tract conveyed to Lawrence and Beverly Koch by deed recorded in Volume 10121, Page 831, Real Property Records, for the most westerly corner of the herein described tract;

THENCE N35°38'17"W for a distance of 45.11 feet to a point in the south line of Steeds Crossing, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 88, Page 99, Plat Records, Travis County, Texas, for the NW corner hereof;

MAPSCO 409 MS-41

THENCE S81°29'24"E for a distance of 375.15 feet to a point, being the calculated NE corner of said Stephens tract, for the NE corner hereof;

REFERENCES

TCAD Property No.282332
MAPSCO 409 MS-41

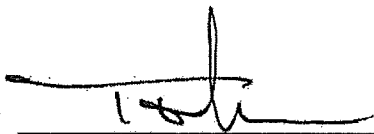
EXHIBIT "A"
J13705WWE6
PAGE 2 OF 3

WASTERWATER EASEMENT
2004 ROWE LOOP
REAGAN CURTIS STEPHENS

WASTEWATER EASEMENT

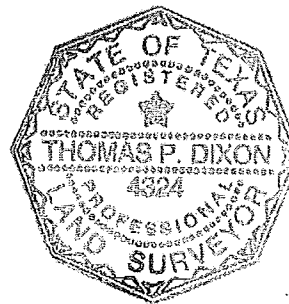
THENCE S7°58'19"W along the east line of said Stephens tract for a distance of 235.62 feet to the **POINT OF BEGINNING** containing 0.3561 acre of land, more or less

BEARING BASE: CENTRAL TEXAS ZONE STATE PLANE COORDINATES



Thomas P. Dixon R.P.L.S. 4324
Waterloo Surveyors, Inc.
P.O. Box 160176
Austin, Texas 78716
Ph: 512-481-9602

1/15/14
Date



REFERENCES
TCAD Property No.282332
MAPSCO 409 MS-41

WASTEWATER LINE EASEMENT Sketch to Accompany Field Notes Exhibit " " _____

J13705WWE6
Page 3 of 3

LOT 11
4.361 AC
OPEN SPACE
& DRAINAGE
EASEMENT
DOC#201100082

STEEDS CROSSING
BK 88/PG 99

LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12

25' Force. Main Maintenance Easement

LEGAL DESCRIPTION:

BEING A 0.3561 ACRE, 15,513 SQUARE FEET WASTEWATER LINE EASEMENT OUT OF THE JACOB CASNER SURVEY NO. 9, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 7.85 ACRE TRACT CONVEYED TO REAGAN CURTIS STEPHENS BY DEED RECORDED IN DOCUMENT NO. 2001088318, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

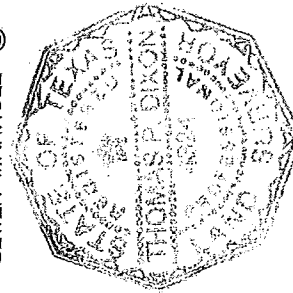
LAWRENCE M. & BEVERLY ANN KOCH
(5.05 AC)
10121/831

REAGAN CURTIS STEPHENS
(7.85 AC)
DOC#2001088318

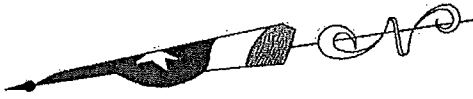
15,513 Sq.ft.
0.3561 AC
15' WASTEWATER
LINE EASEMENT

LEGEND

FOUND 1/2" IRON ROD W/CAP FIRC
SEWER MANHOLE S



Thomas Dixon R.P.L.S. 4323
Waterloo Surveyors Inc.
P.O. Box 160176
Austin, Texas 78746



SCALE
1"=100'

BEARING BASE: CENTRAL TEXAS ZONE
STATE PLANE COORDINATES

#	BEARING	DISTANCE
L1	N81°25'54"W	15.00'
L2	S35°38'17"W	28.12'
L3	N81°54'05"W	16.92'
L4	N35°38'17"E	45.11'
L5	N81°51'28"E	39.76'
L6	S8°05'00"W	62.36'
L7	S7°58'29"W	55.04'

(591.19') N81°25'54"W
To Found 1/2" Iron Rod
@ S.W. corner 7.85 AC

MARK A. AND KIMBERLY V. DONNELL
(5.21 AC)
DOC#1999002082

ROWE LOOP

THE COMMONS AT ROWE LANE, L.P.
9.735 AC "SAVE AND EXCEPT TRACT"
DOC#2005022370

LOT 15
S8°03'28"W 406.34'
S7°58'19"W 235.62'
LOT 15
S8°03'28"W 406.34'
S7°58'19"W 235.62'
LOT 15
S8°03'28"W 406.34'
S7°58'19"W 235.62'

POINT OF BEGINNING

WIND VANE
WEST
50' R.O.W.

FIRC
L5
L6
L7