

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:

Pflugerville Independent School District ("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, enjoyment, 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 20th day of September, 2012.

GRANTOR:



Elva Gladney

President, PISD Board of Trustees

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 _____ §

This instrument was acknowledged before me on _____,
2012, by _____, an individual residing in Travis County, Texas.

Notary Public Signature

(seal)

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____,
2012, 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)

EXHIBIT "A"

DESCRIPTION OF A STRIP OF LAND TWENTY (20) FEET IN WIDTH CONTAINING 0.017 ACRES (768 SQUARE FEET) OF LAND SITUATED IN THE JAMES P. KEMPE SURVEY NO. 12, ABSTRACT NO. 462, LOCATED IN TRAVIS COUNTY, TEXAS, BEING OUT OF 135.31 ACRE TRACT OF LAND CONVEYED TO PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT RECORD IN DOCUMENT NUMBER 2008092209 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMENCING at an iron rod found for the southwest corner of said 135.31 acre tract, being on the east right of way line of Hodde Ln,

THENCE, N 25° 07' 02" E 24.63 feet following the west property line of said 135.31 acre tract, same being the east Right of Way of Hodde Ln, to the **POINT OF BEGINNING**,

THENCE, N 25° 07' 02" E 20.01 feet following the west property line of said 135.31 acre tract, same being the east Right of Way of Hodde Ln, to a point,

THENCE, S 62° 50' 58" E 38.75 feet leaving the west line and crossing said 135.31 acre tract, to a point,

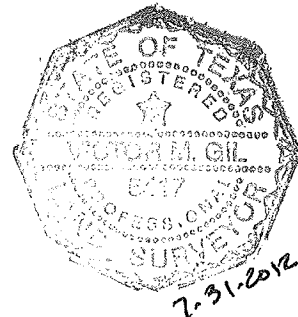
THENCE, S 27° 09' 02" W 20.00 feet to a point,

THENCE, N 62° 50' 58" W 38.04 feet to the point of the **POINT OF BEGINNING** and containing

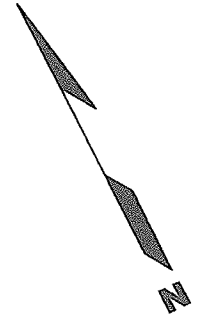
THENCE, S 62° 50' 58" E 60.13 feet to the **POINT OF BEGINNING** and containing 0.017 acre.

That I, Victor M. Gil, a Registered Professional Land Surveyor, do hereby state that the description provided hereon is true and correct to the best of my knowledge.


Victor M. Gil R.P.L.S No. 5417



20' WIDE WASTE WATER EASEMENT



PFLUGERVILLE INDEPENDENT
SCHOOL DISTRICT
135.31 ACRES
DOC#2008092209

KM AVALON, LTD
DOC. No. 2005118418
O.P.R.T.C.

S62° 50' 58"E 38.75'
S27° 09' 02"W 20.00'
N25° 07' 02"E 20.01'
N25° 07' 02"E 24.63'
P.O.B.
P.O.C.

CELE RD

20' WASTE WATER EASEMENT
DOC# 2006105953 O.P.R.T.C.

20' WASTE WATER EASEMENT
Doc# 2005016798 O.P.R.T.C.

WEISS LN

EAGLE POINT COMMUNITY,
LTD
DOCUMENT No. 2006224774
O.P.R.T.C. TX
1.44 ACRES

DRAINAGE
EASEMENT TO
TRAVIS COUNTY
DOC No.
1999033595

EAGLE POINT
COMMUNITY, LTD
DOCUMENT No.
2006224774
O.P.R.T.C. TX
0.832 ACRES

MANGAN WAY

EAGLE POINT
COMMUNITY, LTD
DOCUMENT No.
2006224774
O.P.R.T.C. TX
0.579 ACRES

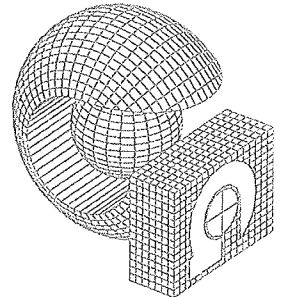
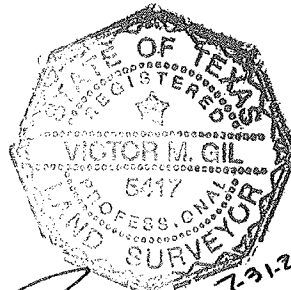
10' SWB TELE. ESMNT
DOC No. 2003200163
10' R.O.W. DOC
No. 1999033594

EAGLE POINT COMMUNITY, LTD
DOCUMENT No. 2001206536
O.P.R.T.C. TX
172.33 ACRES



SCALE: 1" = 100'

20' WASTE WATER EASEMENT
768 SQFT



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Associates Inc.

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