

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:**

Claudine Schoen (“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 11 day of February, 2013.

**GRANTOR:**

Claudine Schoen

By: *Claudine Schoen*  
{Grantor's Signature}

**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 11<sup>th</sup> day of December, 2013, by Claudine Schogv, Owner.

*Rodney Sheppard*



\_\_\_\_\_  
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.

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

(seal)

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

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

**EXHIBIT "A"**

**EASEMENT TRACT**

PROFESSIONAL  
LAND SURVEYORS

1515 Chestnut Street (512) 303-0952  
Bastrop, Texas 78621 Fax: (512) 332-0961

## EXHIBIT A, METES AND BOUNDS DESCRIPTION

8382 SQUARE FEET OR 0.192 ACRE  
UTILITY EASEMENT

8382 SQUARE FEET OR 0.192 ACRE OF LAND FOR A UTILITY EASEMENT OUT OF THE ALEXANDER WALTER SURVEY 67, ABSTRACT 791 IN TRAVIS COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED AS 3.93 ACRES TO CLAUDEINE SCHOEN PER VOLUME 11387, PAGE 1094, REAL PROPERTY RECORDS OF TRAVIS COUNTY, SAID 8382 SQUARE FEET OR 0.192 ACRE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found for the northwest corner hereof, the common west corner of said 3.93 acres and a 2.929 acre portion of that tract conveyed as 3.93 acres to Susann Schoen Cunningham per Document 2009199225 Official Public Records of Travis County and a point on the east right-of-way line of Dessau Road (r.o.w. varies);

THENCE S  $63^{\circ}37'32''$  E, 15.00 feet along the common line of said 3.93 acres and said 2.929 acres to a point for the northeast corner hereof;

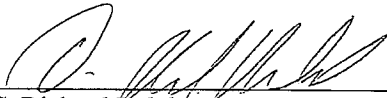
THENCE S  $26^{\circ}20'10''$  W, 559.05 feet over and across said 3.93 acres along a line 15.00 feet easterly of and parallel to the east line of said Dessau Road to a point on the common line of said 3.93 acres and Lot 15, Pflugerville Estates, Section 2-A, a Subdivision per Volume 80, Page 81, Plat Records of Travis County, for the southeast corner hereof;

THENCE N  $61^{\circ}42'17''$  W, 15.01 feet along the common line of said 3.93 acres and said Lot 15 to an iron rod set for the southwest corner hereof, the common west corner of said 3.93 acres and said Lot 15 and a point on the east line of said Dessau Road;

THENCE N  $26^{\circ}20'10''$  E, 558.54 feet along the east line of said Dessau Road to the POINT OF BEGINNING, containing 8382 square feet or 0.192 acre for a Utility Easement.

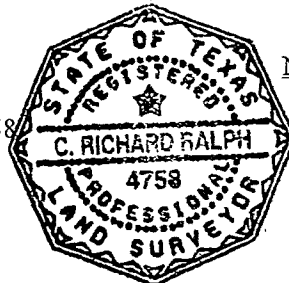
SEE EXHIBIT B, SURVEY PLAT FOR DRAWING PREPARED HEREWITH

Surveyed by:



C. Richard Ralph

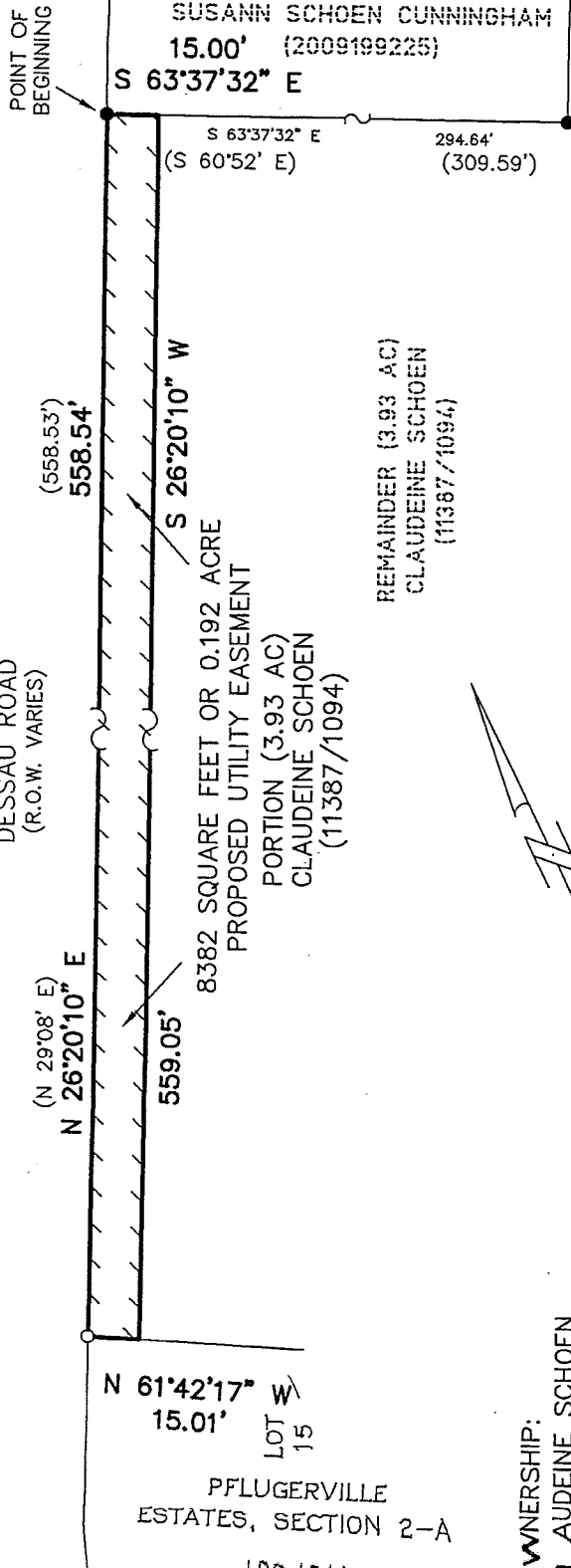
Registered Professional Land Surveyor No. 4758  
Project No. 13045WW3 - 128/72



November 25, 2013

**LEGEND**

- IRON ROD SET
- IRON ROD FOUND
- (XXX) RECORD DATA



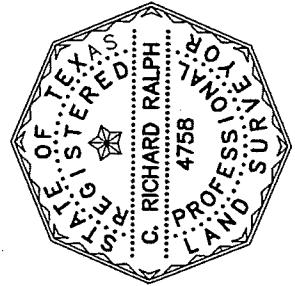
**OWNERSHIP:**  
 CLAUDEINE SCHOEN  
 4605 STRASS DRIVE  
 AUSTIN, TEXAS 78731  
 (11387/1094)

PREPARED BY:

*C. Richard Ralph*

11/25/2013  
 DATE

REGISTERED PROFESSIONAL LAND SURVEYOR  
**PROFESSIONAL LAND SURVEYORS**  
 1515 CHESTNUT STREET  
 BASTROP, TEXAS 78602  
 PH: (512) 303-0952  
 FAX: (512) 332-0961  
 PROF.LNDSUR@AOL.COM



**EXHIBIT B, SURVEY PLAT**

REFERENCE: ADNOUNA AWAD  
 PROJECT: UTILITY EASEMENT  
 8382 SQUARE FEET OR 0.192 ACRE OUT OF THE  
 ALEXANDER WALTERS SURVEY 67, ABSTRACT 791,  
 TRAVIS COUNTY, TEXAS

DRAWN: CRR DATE: 11/25/13 REVISED:  
 CHECKED: CRR PROJECT NO.: 13045.1UE FB: 128/72  
 SEE EXHIBIT A FOR METES AND BOUNDS  
 DESCRIPTION PREPARED HERewith