

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:**

**GERALDINE TIMMERMANN** ("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:

\_\_\_\_\_, 2014.5

Geraldine Timmermann  
GERALDINE TIMMERMANN

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)

# LAND DESCRIPTION

SHOPS AT 685 UTILITY EASEMENT - TO BE DEDICATED  
LOCATED IN THE T.G. STUART SURVEY, ABSTRACT NO. 689  
CITY OF PFLUGERVILLE, COUNTY OF TRAVIS, STATE OF TEXAS

## Legal Description: Shops at 685 - Utility Easement Dedication

Being a tract of land being a portion of a 65.6722 acres of land, more or less, out of the T.G. Stuart Survey, Abstract NO. 689, in Travis county, Texas, being a portion of that certain property conveyed in deed recorded in volume 12483, page 71, real property records, Travis county, Texas, being more or less 291,076 SF (6.682 AC.)

## Being More Fully Described below:

**COMMENCING** at a #4 rebar with yellow plastic cap found at the West right-of-way line of FM 685 (width varies) also being the Northeast corner of said 65.6722 acre tract of land out of the T.G. Stuart Survey, Abstract NO. 689 and also being the Southeast corner of Stone Hill Town Center recorded under reception NO. 200700201. Thence S57°27'48"W, a distance of 748.30 feet; TO THE **POINT OF BEGINNING**;

Thence S27°08'54"E, a distance of 1396.42 feet;  
Thence S12°17'31"E, a distance of 138.74 feet;  
Thence S77°42'29"W, a distance of 20.00 feet;  
Thence N12°17'31"W, a distance of 145.91 feet;  
Thence N27°08'54"E, a distance of 1387.41 feet;  
Thence N62°20'46"W, a distance of 5.38 feet;  
Thence N27°39'42"E, a distance of 16.36 feet;  
Thence S62°20'18"E, a distance of 25.23 feet; to the **POINT OF BEGINNING**.

Said described parcel shall be the portion of the existing utility easement to be **dedicated** consisting of 30,935 SF (0.710 AC.) more or less.

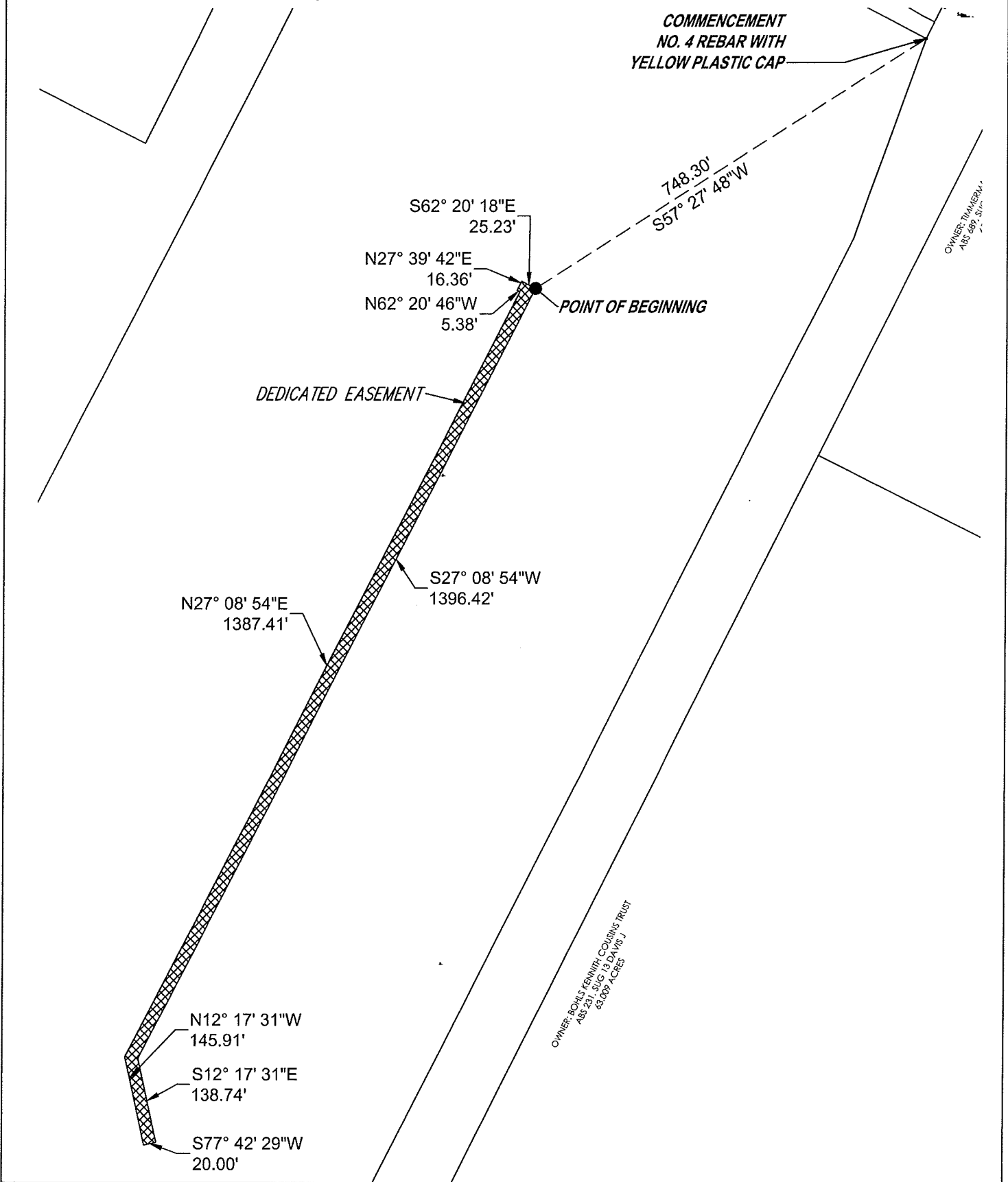
*Karl W. Franklin*



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# SHOPS AT 685 EASEMENT DEDICATION EXHIBIT A



LEGEND: ————— LOT BOUNDARY      - - - - - EASEMENT TIE

DRAWN BY: CDF

CHECKED BY: ETB

JOB NUMBER: TX-018

DATE: 5/19/15

SCALE: 1"=200'

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