

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.

PUBLIC UTILITY EASEMENT AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

GRANT OF EASEMENT:

THAT **RICHARD Z. RADY** and **AGATHA O. RADY** as co-trustees of the **RADY FAMILY TRUST**, together with **REALTRON, INC.**, a Texas Corporation (collectively "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 when the claim is by, through, or under Grantor but not otherwise except as to reservations from and exceptions to conveyance and warrant.

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 utility facilities and related appurtenances, or making connections thereto.



The Easement shall be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the public utility facilities and related appurtenances. Public utilities to include water, wastewater, and gas lines only.

DURATION OF EASEMENT:

The Easement shall be perpetual.

EXCLUSIVENESS OF EASEMENT:

The Easement shall be non-exclusive, and Grantor may dedicate all or any portions of the Easement Tracts to any utility so long as such dedication and use recognizes, accepts and does not unreasonably interfere or conflict with the use of the Easement Tract by Grantee for the purposes, uses and rights herein provided. Grantor may use the Easement Tract in any manner that is not inconsistent with this Easement.

MAINTENANCE:

Grantee shall maintain the surface area or the Easement Property, which shall include but shall not be limited to regular mowing.

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 4th day of September, 2014.

**GRANTORS:
RADY FAMILY TRUST**

By: Richard Z. Rady Co-Trustee

Richard Z. Rady Co-Trustee

By: Agatha O. Rady Co-Trustee

Agatha O. Rady Co-Trustee

By: Richard Z. Rady

Richard Z. Rady,
Vice President Realtron Inc.

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

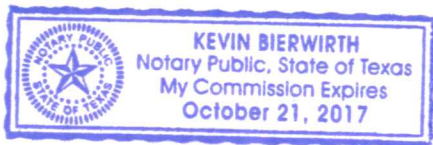
By: _____
Brandon Wade, City Manager

ATTEST:

Karen Thompson, City Secretary

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

SUBSCRIBED AND SWORN TO before me on SEPTEMBER 4, 2014 by Richard Z. Rady, as Co-Trustee of the RADY FAMILY TRUST date September 8, 1994, on behalf of said Trust.

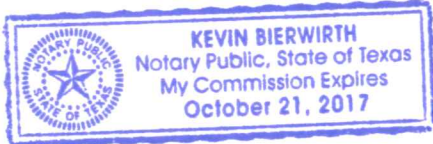


[Signature]
Notary Public Signature

(seal)

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

SUBSCRIBED AND SWORN TO before me on SEPTEMBER 4, 2014 by Agatha O. Rady, as Co-Trustee of the RADY FAMILY TRUST, on behalf of said Trust.



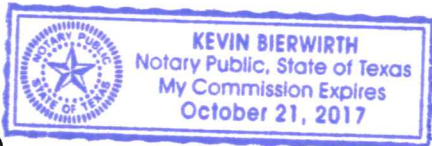
(seal)

[Handwritten Signature]

Notary Public Signature

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

SUBSCRIBED AND SWORN TO before me on SEPTEMBER 4, 2014 by Richard Z. Rady, as Vice President of Realtron Inc., on behalf of said corporation.



(seal)

[Handwritten Signature]

Notary Public Signature

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

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)

After recordation please return to: City of Pflugerville
Attn: Brandon E. Wade, City Manager
P.O. Box 589,
Pflugerville, Texas 78691

EXHIBIT "A"

EASEMENT TRACT

DESCRIPTION

DESCRIPTION OF A 538 SQUARE FOOT TRACT OF LAND SITUATED IN THE JOHN VAN WINKLE SURVEY, ABSTRACT 70, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.999 ACRE TRACT CONVEYED TO THE RADY FAMILY TRUST BY SPECIAL WARRANTY DEED OF RECORD IN VOLUME 12784, PAGE 1019, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 538 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½ inch iron rod found with cap stamped "HALFF ASSOC INC" on the north boundary of New Meister, a 60 foot right-of-way as dedicated in Document No. 200700211, of the Official Public Records of Travis County, Texas, at its intersection with the west boundary line of that certain tract of land conveyed to the State of Texas by Special Warranty Deed of record in Volume 11339 Page 2005, of said Deed Records of Travis County, Texas, for the southeast corner of Lot 4, Block A, RESUBDIVISION OF LOT 1, BLOCK A, SPRINGBROOK CORPORATE CENTER, a map of which is recorded in Document No. 200800318, of said Official Public Records, from which point a ½ inch iron rod found with cap stamped "HALFF ASSOC INC" on the south boundary line of Lot 4, Block A, RESUBDIVISION OF LOT 1, BLOCK A, SPRINGBROOK CORPORATE CENTER for a point of curvature in the north boundary of New Meister Lane, bears South 87°51'26" West, a distance of 327.36 feet;

THENCE, North 87°51'26" East, crossing said State of Texas Tract, a distance of 105.34 feet, to a point on the east boundary line of said State of Texas Tract, same line being the west boundary line of said Rady Family Trust Tract, for the northwest corner of that certain 0.091 acre tract of land of record in Document No. 2007101078, said Official Public Records, for the southwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, North 23°51'09" West, with the boundary line of said State of Texas Tract and said Rady Family Tract, a distance of 10.76 feet to a point for the northwest corner of the herein described tract;

THENCE, over and across said Rady Family Tract, the following two (2) courses and distances:

1. North 87°51'26" East, a distance of 55.98 feet to a point for the northeast corner of the herein described tract;
2. South 02°08'36" East, a distance of 10.00 feet to a point on the north boundary line of said 0.091 acre tract of land for the southeast corner of the herein described tract;

THENCE, South 87°51'26" West, with the said north boundary of said 0.091 acre tract of land, a distance of 52.00 feet, to the **POINT OF BEGINNING** and containing 538 square feet of land within these metes and bounds.

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

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

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD_83 (2011)). All distances were adjusted to the surface using a Surface Adjustment Factor of 1.0001. (Surface = Grid X Surface Adjustment Factor)

I certify that this description was prepared from a survey made on the ground on July 10, 2014 under my supervision.

COBB, FENDLEY & ASSOCIATES



16 July 2014

Miguel A. Escobar, LSLS, RPLS
Texas Registration No. 5630



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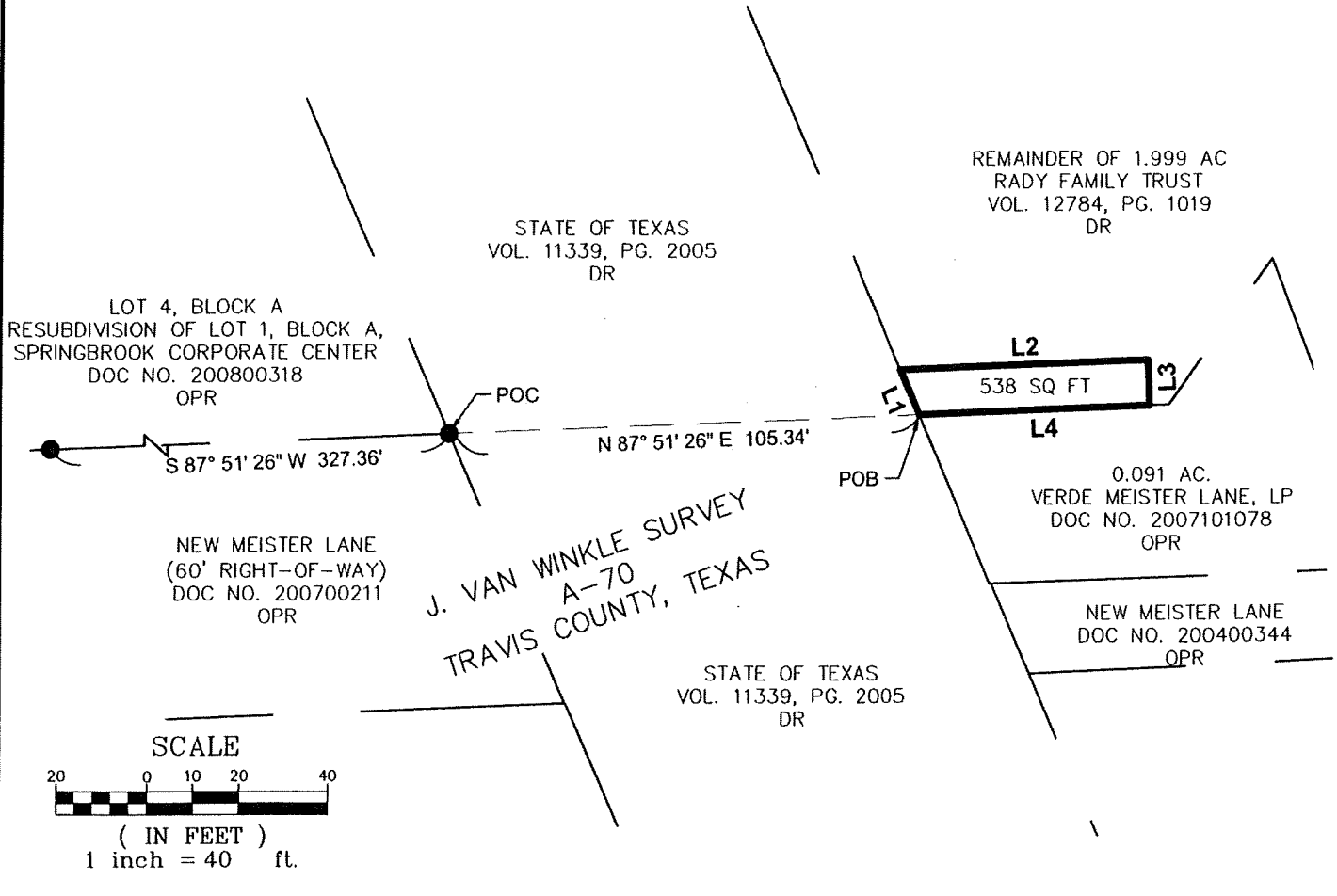
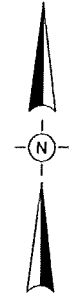


U:\SURVEY\... ESCOBAR
 PROJECT: MUD NO. 5
 JOB NUMBER: 1402-010-01_T02
 DATE: 2014-07-10
 SURVEYOR: M.A. ESCOBAR
 PARTY CHIEF: N/A

Line Table		
Line #	Direction	Length
L1	N 23°51'09" W	10.76'
L2	N 87°51'26" E	55.98'
L3	S 02°08'34" E	10.00'
L4	S 87°51'26" W	52.00'

LEGEND

- DR - DEED RECORDS OF TRAVIS COUNTY, TEXAS
- RPR - REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- OPR - OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- - 3" IRON ROD WITH CAP STAMPED "HALFF ASSOC INC", EXCEPT AS NOTED



REFERENCE IS HEREIN MADE TO THE METES AND BOUNDS DESCRIPTION OF THIS TRACT ACCOMPANYING THIS SKETCH

SUBJECT TRACT DESCRIBED HEREIN IS AN EASEMENT. NO MONUMENTATION SET FOR CORNERS.

BEARING REFERENCE: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (NAD_83 (2011)). ALL DISTANCES WERE ADJUSTED TO THE SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.0001. (SURFACE = GRID X SURFACE ADJUSTMENT FACTOR)



I CERTIFY THAT THIS DESCRIPTION WAS PREPARED FROM A SURVEY MADE ON THE GROUND ON JULY 10, 2014 UNDER MY SUPERVISION.

COBB, FENDLEY & ASSOCIATES, INC.

Miguel A. Escobar
 16 July 2014

MIGUEL A. ESCOBAR, LLSL, RPLS
 TEXAS REG NO. 5630

TBPLS FIRM REG 10046701

PROJECT: MUD NO. 5
JOB NUMBER: 1402-010-01_T02
DATE: 2014-07-10
SURVEYOR: M.A. ESCOBAR
PARTY CHIEF: N/A

CobbFendley
 505 East Huntland Drive, Suite 485
 Austin, Texas 78754-5136
 512.834.9798 | fax 512.834.9553

Easement Exhibit " " " " " "
 10' Wide Easement Description