

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:

SORENTO HOLDINGS 2012 LLC, (“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, subject to all validly existing restrictions, covenants, conditions, easements, royalty and mineral reservations, and all other matters of record, if any, affecting the Property.

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 except that Grantor has the right to convey other easements crossing perpendicular to (or as near to perpendicular as is reasonably practical under the circumstances) said City exclusive wastewater easement; provided further that any subsequent grant of such perpendicular (or nearly perpendicular) easement or easements must first be approved in writing by Grantee, and shall not be effective until such approval is obtained, with such approval not being unreasonably withheld, conditioned or delayed. In the event Grantee approves such perpendicular (or nearly perpendicular) easement, Grantee's easement shall remain superior to and retain priority rights over the new easement.

Grantor hereby retains, reserves, and shall continue to enjoy the use of the Easement Tract for purposes of landscaping and amenities including but not limited to vegetation, trees, sidewalks, and trails in accordance with criteria stated in the City of Pflugerville Unified Development Code.

MAINTENANCE:

Except for Grantee's facilities, Grantor shall maintain the surface area of the Easement Tract and shall keep the Easement free from any obstruction not authorized by Grantee. Upon completion of any activity by Grantee on the Easement Tract, Grantee shall promptly remove from the Easement Tract all surplus material and will cause such area to be left as nearly as practical in the condition as it existed prior to such activity.

Grantee has the right to trim and cut down trees and shrubbery and to remove other improvements and structures to the extent reasonably necessary to prevent interference with the operation or repairs to Grantee's facilities in the Easement.

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 14th day of May, 2013.

GRANTOR:

SORENTO HOLDINGS 2012 LLC
3 Joaquin Plaza, Suite 100
New Port Beach, CA 72660

By: [Signature]
Thomas Rielly, President

AGREED AND ACCEPTED:

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

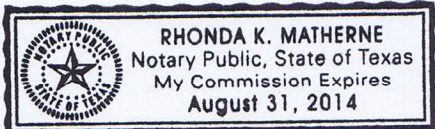
By: _____
Brandon Wade, City Manager

ATTEST:

Karen Thompson, City Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Travis §

This instrument was acknowledged before me on May, 14, 2013, by Thomas J. Rielly, President of Sorento Holdings 2012 LLC, a Texas limited liability company, on behalf of said limited liability company.



(seal)

Rhonda K. Matherne
Notary Public Signature

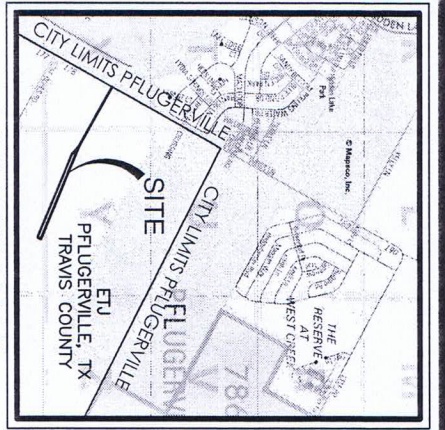
THE STATE OF TEXAS §
 §
COUNTY OF _____ §

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)

AFTER RECORDING, RETURN TO:
City of Pflugerville
Planning Dept.
P.O. Box 589
Pflugerville, Texas 78691



MAPSCO MAP GRID: 439
NOT-TO-SCALE

LOCATION MAP

- LEGEND:**
- DR DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - OPR OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 - DPR DEED AND PLAT RECORDS OF TRAVIS COUNTY, TEXAS
 - FR FOUND 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON"

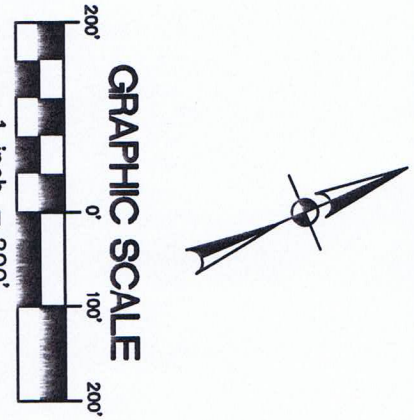
- NOTES:**
1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
 2. THE BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
 3. TCAD PARCEL NO. 706141

EXHIBIT OF A

LINE TABLE		
LINE	BEARING	LENGTH
L1	S27°39'19"W	42.93'
L2	S88°31'42"W	17.62'

VARIABLE WIDTH WASTEWATER EASEMENT

A 1.513 ACRE, OR 65,920 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF THE REMAINING PORTION OF A CALLED 119,023 ACRE TRACT RECORDED IN DOCUMENT NO. 2012164042 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, OUT OF THE JOHN C. BRAY, SURVEY NO. 10, ABSTRACT 73, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS.



FINAL PLAT OF PFLUGERVILLE INDUSTRIAL PARK
DOC. NO. 200800320 (O.P.R.)

CITY OF PFLUGERVILLE, TEXAS

JOHN C. BRAY SURVEY NO. 10
ABSTRACT 73

REMAINDER OF A CALLED
158.1 ACRE
VOL. 11080, PG. 27
(R.P.R.)

A CALLED 10.00 ACRE TRACT
VOL. 13115, PGS. 987-990
(O.P.R.)

WEISS LANE
VARIABLE WIDTH ROW

F.L.R.
S67°15'22"E
783.83'

P.O.B.

P.O.C. N 48°13'59" W
153.40'

1.513 ACRES
(65,920 SQUARE FEET MORE OR LESS)

ETJ
PFLUGERVILLE, TEXAS

A CALLED 119,023 ACRE TRACT
DOC NO. 2012164042
(O.P.R.)

N 67°15'22" W 1229.41'

S 67°15'22" E 1394.18'

CITY LIMITS LINE

S27°39'19"W
205.95'

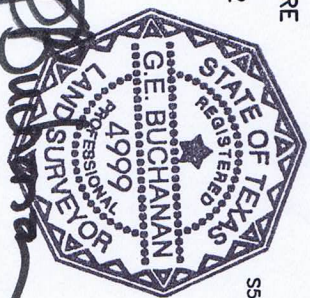
L2

S59°54'51"E
8.35'

F.L.R.

PAPE-DAWSON ENGINEERS

535 EAST RAUSEY | SAN ANTONIO TEXAS 78216 | PHONE: 210.375.9000
TEAS BOARD OF PROFESSIONAL ENGINEERS, FROM REGISTRATION # 470
TXS: 210.375.9010
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MARCH 28, 2013

JOB No.:

SHEET 1 OF 1

50703-51

FIELD NOTES
FOR A
VARIABLE WIDTH WASTEWATER EASEMENT

A 1.513 acre, or 65,920 square feet more or less, tract of land out of the remaining portion of a called 119.023 acre tract recorded in Document No. 2012164042 of the Official Public Records of Travis County, Texas, out of the John C. Bray, Survey No. 10, Abstract 73, in the City of Pflugerville, Travis County, Texas. Said 1.513 acre tract being more fully described as follows, with the bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the Central Zone:

COMMENCING: From a found ½" iron rod with yellow cap marked "Pape-Dawson", a point in the west right of way line of Weiss Lane, a variable width right of way, the northwest corner of said called 119.023 acre tract and the southwest corner of the Final Plat of Pflugerville Industrial Park recorded in Document No. 200800320 of the Official Public Records of Travis County, Texas;

THENCE: S 67°15'22" E, departing the west right of way line of said Weiss Lane, along and with the north line of said called 119.023 acre tract and the south line of said Final Plat of Pflugerville Industrial Park, a distance of 783.83 feet to a calculated point, the POINT OF BEGINNING;

THENCE: S 67°15'22" E, along and with the north line of said called 119.023 acre tract and the south line of said Final Plat of Pflugerville Industrial Park, at a distance of 261.76 feet, passing the southwest corner of a called 158.1 acre tract recorded in Volume 11080, Page 27 of the Official Public Records of Travis County, Texas and the southeast corner of said Final Plat of Pflugerville Industrial Park, continuing along and with the north line of said called 119.023 acre tract and the south line of said called 158.1 acre tract, for a total distance of 1394.18 feet to a calculated point, a northeast corner of said called 119.023 acre tract, the northwest corner of a called 10.00 acre tract recorded on Volume 13115, Pages 987-990 of the Official Public Records of Travis County, Texas and a point in the south line of said called 158.1 acre tract;

THENCE: S 27°39'19" W, along and with an east line of said called 119.023 acre tract and a west line of said called 10.00 acre tract, a distance of 42.93 feet to a calculated point,

THENCE: Departing the west line of said called 10.00 acre tract, over and across said called 119.023 acre tract the following calls and distances;

S 88°31'42" W, a distance of 17.62 feet to a calculated point;

N 67°15'22" W, a distance of 1229.41 feet to a calculated point;

N 48°13'59" W, a distance of 153.40 feet to the POINT OF BEGINNING and containing 1.513 acres in the ETJ of the City of Pflugerville, Travis County, Texas. Said tract being described in accordance with an exhibit prepared under Job No. 50703-51 by Pape Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: March 28, 2013
JOB No.: 50703-51
DOC.ID.: H:\AUSTIN SURVEY\CIVIL\50703-51\1.513 Acre Drainage Esm't.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00
TCAD PARCEL NO.: 706141

