

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.

**VACATION, ABANDONMENT AND RELEASE OF A PORTION OF A DRAINAGE AND PUBLIC UTILITY EASEMENT**

STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

WHEREAS, by that certain instrument dated July 7, 1999, recorded as Document No. 1999062525 of the Official Real Property Records of Travis County, Texas a drainage and public utility easement (“Easement”) was granted to the City of Pflugerville, Texas (“City”) described as an 1.614-acre tract situated in Travis County, Texas (“Property”), being more particularly described in Exhibit “A”, attached hereto and incorporated herein for all purposes; and

WHEREAS, right-of-way has been dedicated along a portion of the Olympic Drive alignment that is coincident with a portion of the Easement; and

WHEREAS, the City desires to abandon the portion of the Easement that is coincident with the right-of-way, being more particularly described in Exhibit “B”, attached hereto and incorporated herein for all purposes.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City does hereby for all purposes: (i) VACATE, ABANDON AND RELEASE the portion of the Easement described in Exhibit B, which is attached hereto and incorporated herein, “AS IS”, WHERE IS AND WITH ALL FAULTS AND THE CITY OF PFLUGERVILLE SHALL HAVE NO FURTHER OBLIGATION FOR ANY RESTORATION OR MAINTENANCE OF THE PROPERTY SO VACATED, ABANDONED AND RELEASED; and (ii) relinquish all of its rights, title, and interest in and to that portion of the Easement described in Exhibit “B”, while retaining all rights, title and interest in the remainder of the Easement area described in Exhibit “A”.

IN WITNESS WHEREOF the City of Pflugerville, Texas has executed this Vacation, Abandonment, and Release of a Portion of an Existing Drainage and Public Utility Easement on this \_\_ day of \_\_\_\_\_ 2023.

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Sereniah Breland, City Manager  
City of Pflugerville, Texas

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Sereniah Breland, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes herein expressed.

GIVEN under my hand and seal of office this the \_\_ day of \_\_\_\_\_ 2023.

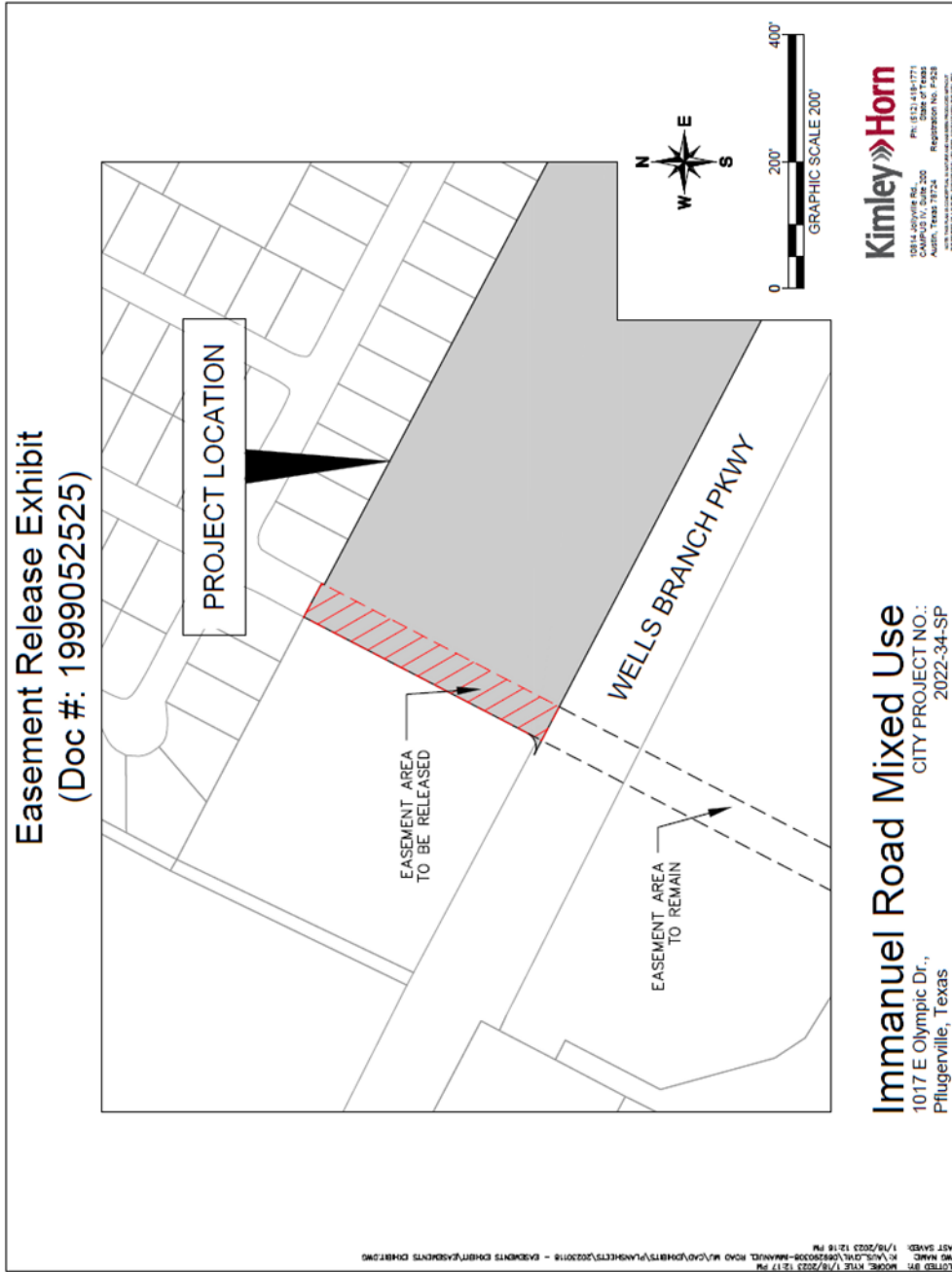
[Seal]

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Notary Public, State of Texas

AFTER RECORDING, RETURN TO:  
City of Pflugerville  
Development Engineering  
100 W Main Street  
P.O. Box 589  
Pflugerville, Texas 78691

EXHIBIT A



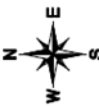
Easement Release Exhibit  
(Doc #: 1999052525)

PROJECT LOCATION

EASEMENT AREA  
TO BE RELEASED

EASEMENT AREA  
TO REMAIN

WELLS BRANCH PKWY



**Kimley-Horn**

10114 Katyville Rd.  
Cypress, TX 77429  
PH: (832) 419-1771  
FAX: (832) 419-1771  
www.kimley-horn.com

**Immanuel Road Mixed Use**  
CITY PROJECT NO.:  
2022-34-SP  
1017 E Olympic Dr.,  
Pflugerville, Texas

## EXHIBIT B

**METES & BOUNDS LEGAL DESCRIPTION OF A:**

**PARTIAL RELEASE OF A DRAINAGE AND PUBLIC UTILITY EASEMENT- 0.5814 ACRE**

BEING A 0.5814 ACRE (25,326 SQ. FT.) TRACT OF LAND SITUATED IN THE ALEXANDER WALTERS SURVEY, ABSTRACT 791, TRAVIS COUNTY, TEXAS; AND BEING A PORTION OF A CALLED 10.342 ACRES TRACT OF LAND DESCRIBED TO BOOM RIGHT THERE MEDIA LLC, AS SHOWN ON INSTRUMENT RECORDED UNDER DOCUMENT NO. 2022087873 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND ROERS PFLUGERVILLE APARTMENTS LLC, AS SHOWN ON INSTRUMENT RECORDED UNDER DOCUMENT NO. 2022087872, O.P.R.T.C.T., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WELLS BRANCH PARKWAY (VARIABLE RIGHT-OF-WAY WIDTH) RECORDED UNDER DOCUMENT NO. 2005191991, O.P.R.T.C.T.; FOR THE WEST CORNER OF SAID 10.342 ACRES TRACT, SAME BEING THE SOUTH CORNER OF A CALLED 4.191 ACRES TRACT OF LAND DESCRIBED TO UNITY FOUR 2150 INVESTMENT LLC, AS SHOWN ON INSTRUMENT RECORDED UNDER DOCUMENT NO. 2022096277, O.P.R.T.C.T.;

THENCE, SOUTH 62°23'48" EAST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID WELLS BRANCH PARKWAY AND THE SOUTHWEST BOUNDARY LINE OF SAID 10.342 ACRES TRACT, A DISTANCE OF 25.04 FEET TO THE POINT OF BEGINNING;

THENCE, NORTH 27°25'58" EAST, DEPARTING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID WELLS BRANCH PARKWAY, OVER AND ACROSS SAID 10.342 ACRES TRACT, A DISTANCE OF 25.08 FEET PASSING A 1/2" IRON ROD FOUND AT THE NORTH END OF A CUTBACK CURVE TO THE LEFT, IN ALL A DISTANCE OF 422.02 FEET TO A PK NAIL FOUND IN THE SOUTHWEST TERMINUS OF OLYMPIC DRIVE (CALLED 60' RIGHT-OF-WAY WIDTH) ACCORDING TO MOUNTAIN CREEK EAST PHASE A - SECTION ONE, A LEGAL SUBDIVISION ACCORDING TO THE PLAT OF RECORD IN DOCUMENT NO. 199900296, O.P.R.T.C.T., AT THE SOUTH CORNER OF LOT 1, BLOCK A, SAID MOUNTAIN CREEK EAST PHASE A - SECTION ONE, SAME BEING THE EAST CORNER OF SAID 4.191 ACRES TRACT, FOR THE NORTH CORNER OF SAID 10.342 ACRES TRACT;

THENCE, SOUTH 62°33'46" EAST, ALONG SAID SOUTHWEST TERMINUS OF OLYMPIC DRIVE AND A NORTHEAST BOUNDARY LINE OF SAID 10.342 ACRES TRACT, A DISTANCE OF 60.00 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "KHA" SET IN THE NORTHWEST BOUNDARY LINE OF LOT 14, BLOCK B, SAID MOUNTAIN CREEK EAST PHASE A - SECTION ONE, FOR A NORTHEAST CORNER OF SAID 10.342 ACRES TRACT;

THENCE, SOUTH 27°25'58" WEST, ALONG SAID NORTHWEST BOUNDARY LINE OF LOT 14 AND A SOUTHEAST BOUNDARY LINE OF SAID 10.342 ACRES TRACT, A DISTANCE OF 5.00 FEET, DEPARTING THE SOUTHEAST BOUNDARY LINE OF SAID 10.342 ACRES TRACT AND THE NORTHWEST BOUNDARY LINE OF SAID LOT 14, IN ALL A DISTANCE OF 422.19 FEET TO A CALCULATED POINT IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID WELLS BRANCH PARKWAY, SAME BEING THE SOUTHWEST BOUNDARY LINE OF SAID 10.342 ACRES TRACT;

THENCE, NORTH 62°23'48" WEST, ALONG THE SOUTHWEST BOUNDARY LINE OF SAID 10.342 ACRES TRACT AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID WELLS BRANCH PARKWAY, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.5814 ACRES OF LAND, MORE OR LESS, IN TRAVIS COUNTY, TEXAS. THIS DOCUMENT WAS PREPARED IN THE OFFICE OF KIMLEY-HORN INC. IN AUSTIN, TEXAS.

**SURVEYOR'S NOTES:**

THE BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (TEXAS STATE PLANE FIPS 4203) SCALED TO SURFACE, BASED ON A COMBINED GRID TO SURFACE SCALE FACTOR OF 1.000095849, AS DETERMINED BY THE GLOBAL POSITIONING SYSTEM (GPS). TO CONVERT SURFACE DISTANCES TO GRID, USE THE COMBINED SURFACE TO GRID SCALE FACTOR OF 0.99990416. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET.

AN EASEMENT BOUNDARY EXHIBIT AND A LINE & CURVE TABLE WERE CREATED IN CONJUNCTION WITH THIS METES & BOUNDS DESCRIPTION.

THE UNDERSIGNED, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFIES THAT THE FOREGOING DESCRIPTION ACCURATELY SETS OUT THE METES AND BOUNDS OF THIS EASEMENT TO BE PARTIALLY RELEASED.

**METES & BOUNDS LEGAL DESCRIPTION OF A  
PARTIAL RELEASE OF A DRAINAGE AND  
PUBLIC UTILITY EASEMENT**

**0.5814 ACRE**

BEING A PORTION OF THE  
ALEXANDER WALTERS SURVEY, ABSTRACT 791  
CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

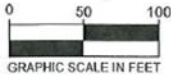
*Michael A. Montgomery II*  
12/12/2022  
MICHAEL A. MONTGOMERY II, R.P.L.S.  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6890





10814 JOLLYVILLE ROAD, CAMPUS IV  
SUITE 200, AUSTIN, TEXAS 78759    TBPELS FIRM # 10194624    TEL. NO. (512) 418-1771  
WWW.KIMLEY-HORN.COM

SCALE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
N/A	TJR	MMII	12/12/2022	069290308	1 OF 2



BLOCK A  
MOUNTAIN CREEK EAST PHASE  
A - SECTION ONE  
DOC. NO. 199900296  
OPRTC

BLOCK B  
MOUNTAIN CREEK EAST  
PHASE A - SECTION ONE  
DOC. NO. 199900296  
OPRTC

LOT 2

LOT 1

OLYMPIC  
DRIVE  
(CALLED 60'  
R.O.W. WIDTH)

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

PKF

1/2" IRSC  
"KHA"

LINE TABLE		
NO.	BEARING	LENGTH
L1	S62°23'48"E	25.04'
L2	N27°25'58"E	422.02'
L3	S62°34'02"E	60.00'
L4	S27°25'58"W	422.19'
L5	N62°23'48"W	60.00'

**PARTIAL RELEASE OF A DRAINAGE  
AND PUBLIC UTILITY EASEMENT  
0.5814 ACRE  
(25,326 SQ. FT.)**

CALLED 4.191 ACRES  
UNITY FOUR 2150  
INVESTMENT LLC  
DOC. NO. 2022096277  
OPRTC

CALLED 10.342 ACRES  
BOOM RIGHT THERE MEDIA LLC,  
DOC. NO. 2022087873  
ROERS PFLUGERVILLE  
APARTMENTS LLC,  
DOC. NO. 2022087872  
OPRTC

1/2" IRON ROD  
P.O.C.  
1/2" IRON  
ROD

**WELLS BRANCH PARKWAY**  
(VARIABLE R.O.W. WIDTH)  
DOC. NO. 2005191991  
OPRTC

P.O.B.

(REMAINDER OF)  
CALLED 1.614 ACRES  
DRAINAGE & P.U.E.  
DOC. NO. 1999062525  
OPRTC

**LEGEND:**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- OPRTC = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY
- △ = CALCULATED POINT
- ⊙ = FOUND MONUMENT AS NOTED
- = SET MONUMENT

**SURVEYOR'S NOTES:**

THE BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (TEXAS STATE PLANE FIPS 4203) SCALED TO SURFACE, BASED ON A COMBINED GRID TO SURFACE SCALE FACTOR OF 1.000095849, AS DETERMINED BY THE GLOBAL POSITIONING SYSTEM (GPS). TO CONVERT SURFACE DISTANCES TO GRID, USE THE COMBINED SURFACE TO GRID SCALE FACTOR OF 0.99990416. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET. A METES & BOUNDS LEGAL DESCRIPTION AND A LINE & CURVE TABLE EXHIBIT WERE CREATED IN CONJUNCTION WITH THIS EASEMENT EXHIBIT. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SURVEY AND DOES NOT REFLECT THE LOCATION OF ANY EXISTING EASEMENTS. THIS IS NOT A LAND TITLE SURVEY.

LINE TYPE LEGEND	
	PROPERTY LINE
	EASEMENT BOUNDARY LINE
	EXISTING EASEMENT LINE

**EASEMENT BOUNDARY EXHIBIT OF A  
PARTIAL RELEASE OF A DRAINAGE &  
PUBLIC UTILITY EASEMENT**

**0.5814 ACRE**

BEING A PORTION OF THE  
ALEXANDER WALTERS SURVEY, ABSTRACT 791  
CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

**Kimley»Horn**

10614 JOLLYVILLE ROAD, CAMPUS IV TEL. NO. (512) 416-1771  
SUITE 200, AUSTIN, TEXAS 78759 TBPELS FIRM # 10194624 WWW.KIMLEY-HORN.COM

SCALE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
1" = 100'	TJR	MNII	12/12/2022	069290308	2 OF 2