

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE PARTIAL ABANDONMENT AND RELEASE OF AN EXISTING 15' WASTEWATER EASEMENT GRANTED TO THE CITY OF PFLUGERVILLE IN DOCUMENT NUMBER 2002244986 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

WHEREAS, by that certain instrument dated December 5, 2002, recorded under Document Number 2002244986 of the Official Public Records of Travis County, Texas, the City of Pflugerville, Texas ("City") is the owner of a Fifteen Foot Wastewater Easement ("Easement") in, along, over, upon, and across certain property more particularly described therein; and

WHEREAS, Continental Homes of Texas, L.P., a Texas limited partnership is the sole owner of the properties which abut the portion of the Easement that affects Lots 3 and 22 of Block K of the proposed Highland Park, Phase 'C', Section 2; and

WHEREAS, Continental Homes of Texas, L.P. has petitioned the City to vacate, abandon, and release the portion of the Easement that is in, along, over, upon, and across Lots 3 and 22 of Block K.

KNOW ALL MEN 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 of Pflugerville, Texas does hereby for all purposes (i) vacates, abandons, and releases that portion of the Easement described in **Exhibits A** (field notes) and **B** (Boundary Exhibit, hereinafter Vacated Easement); and (ii) relinquishes all of its rights, title, and interest in and to the Vacated Easement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE:

The City Council of the City of Pflugerville hereby authorizes the City Attorney to prepare all documents necessary to terminate the easement and the City Manager to execute any such documents on behalf of the City.

PASSED AND APPROVED this 12th day of January, 2016.

ATTEST:

Jeff Coleman, Mayor

Karen Thompson, City Secretary

EXHIBIT "A"

FIELD NOTES

JOB NO. 0584-00

DATE: 11-17-15

PAGE 1 OF 2

0.09 ACRES

Being 0.09 acres of land situated in Travis County, Texas, out of the Thomas G. Stuart Survey No. 6, Abstract No. 689, and being a portion of a called 0.92 acre tract conveyed to the City of Pflugerville, Texas in a 15' Offsite Wastewater Line Easement Agreement dated December 5, 2002, as recorded in Document No. 2002244986, of the Official Public Records of Travis County, Texas, and further described by metes and bounds as follows:

BEGINNING: at a calculated point in the west line of said 0.92 acre tract, the east line of Cumberland Gap Street, the west line of Lot 3, Block 'K', of the proposed Highland Park, Phase 'C', Section 2, an unrecorded Subdivision in Travis County, Texas, for the northwest corner of this parcel, from which a 5/8" iron rod found in the east line of Heatherwilde Blvd., for the northwest corner of a called 322.40 acres conveyed to WDP, LTD. in a General Warranty Deed dated June 20, 2002, as recorded in Document No. 2002120519 of said Official Public Records bears N 18°51'34" W, 1185.50 feet.

THENCE: S 62°39'38" E, 255.00 feet, along the west line of said 0.92 acre tract, parallel to the north and south lot lines of said Lot 3, to a calculated point in the west line of Catoctin Drive, and the east line of Lot 22, Block 'K', of said proposed Subdivision, for the northeast corner of this parcel, from which a 5/8" iron rod found in the east line of Heatherwilde Blvd., for the northwest corner of said WDP, LTD. tract bears N 26°12'05" W, 1381.17 feet.

THENCE: S 27°20'22" W, 15.00 feet, crossing said 0.92 acre tract, and along the west line of Catoctin Drive, and the east line of said Lot 22, to a calculated point in the east line of said 0.92 acre tract, for the southeast corner of this parcel.

THENCE: N 62°39'38" W, 255.00 feet, along the east line of said 0.92 acre tract, parallel to the north and south lot lines of said Lot 22, to a calculated point in the east line of Cumberland Gap Street, and the west line of said Lot 3, for the southwest corner of this parcel.

THENCE: N 27°20'22" E, 15.00 feet, crossing said 0.92 acre tract, and along the east line of Cumberland Gap Street, and the west line of said Lot 3 to the Point of Beginning.

Bearings cited hereon based on Grid North Texas State Plane Coordinate System Central Zone (NAD83).

 11-17-15
Kenneth Louis Crider, R.P.L.S. No. 5624
Texas Land Surveying, Inc.
3613 Williams Drive, Suite 903
Georgetown, Texas 78628



Texas Land Surveying, Inc.

3613 Williams Drive, Suite 903 - Georgetown, Texas 78628
(512) 930-1600 www.texas-ls.com
TBPLS FIRM No. 10056200

EXHIBIT "B"

RECEIVED DEC 15 2015

BOUNDARY EXHIBIT, OR PARTIAL VACATION OF A 15' OFFSITE WASTE WATER
EASEMENT, AS RECORDED IN DOCUMENT NO. 2002244986 OF THE OFFICIAL
PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

JOB NO: 0584
DATE: RJT
F.C.: CC/JB

Being 0.00 acres of land situated in Travis County, Texas, out of the Thomas G. Stuart Survey No. 6, Abstract No. 889, and being a portion of a called 35.92 acre tract (Area 1) conveyed to Continental Homes of Texas, L.P. in a Special Warranty Deed dated June 28, 2007, as recorded in Document No. 2007122920, of the Official Public Records of Travis County, Texas, and further described by metes and bounds as follows:

BEGINNING: at a calculated point in the east line of Cumberland Gap Street, and the west line of Lot 3, Block 'K', of the proposed Highland Park, Phase 'C', Section 2, a Subdivision in Travis County, Texas, for the northwest corner of this parcel, from which a 5/8" iron rod found in the east line of Heatherwilde Blvd., for the southwest corner of a called 11.138 acres conveyed to Bruce Cash in a Warranty Deed dated January 11, 2000, as recorded in Document No. 2000010268 of said Official Public Records bears N 18°51'34" W, 1185.50 feet.

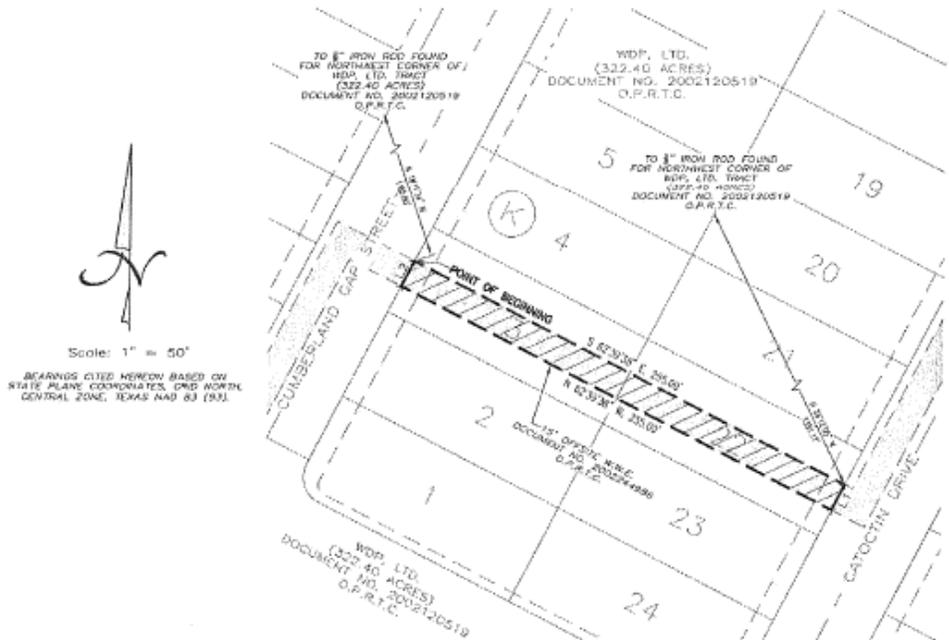
THENCE: S 62°39'38"E, 255.00 feet, parallel to the north and south lot lines of said Lot 3, to a calculated point in the west line of Cotocotin Drive, and the east line of Lot 22, Block 'K', of said proposed Subdivision, for the northeast corner of this parcel, from which a 5/8" iron rod found in the east line of Heatherwilde Blvd., for the southwest corner of said Bruce Cash tract bears N 26°12'05" W, 1381.17 feet.

THENCE: S 27°20'22" W, 15.00 feet, along the west line of Cotocotin Drive, and the east line of said Lot 22, to a calculated point, for the southeast corner of this parcel.

THENCE: N 62°39'38" W, 255.00 feet, parallel to the north and south lot lines of said Lot 22, to a calculated point in the east line of Cumberland Gap Street, and the west line of said Lot 3, for the southeast corner of this parcel.

THENCE: N 27°20'22" E, 15.00 feet, along the east line of Cumberland Gap Street, and the west line of said Lot 3 to the Point of Beginning.

Bearings cited hereon based on Grid North Texas State Plane Coordinate System Central Zone (NAD83).



LEGEND	
☐	CALCULATED POINT
○	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	S 27°20'22" W	15.00'
L2	N 27°20'22" E	15.00'

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF WILLAMSON §

THAT SURVEYOR FOR TEXAS LAND SURVEYING, INC., HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING PLATTED TRACT OF SAID AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHOWINGS IN AREA ENCROACHMENTS, VISIBLE UTILITY LINES OR MARKS IN PLACE, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

Texas Land Surveying, Inc.
3813 Williams Drive, Suite 903 - Georgetown, Texas 78626
(512) 830-1600 / (512) 930-9389 fax
www.texas-land.com
TEPLS FIRM NO. 10056200

IF THIS DOCUMENT REFLECTS PARTIAL PAYMENT OF THE NET STATE AND COUNTY TAXES ON THE DESCRIBED PROPERTY, IT IS CALLED AN UNDEVELOPED PROPERTY AND SHOULD BE RECORDED WITHIN 90 DAYS OF THE DATE OF RECORDING OF THIS DOCUMENT.

THE AREA DOES NOT APPEAR TO BE IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP AND/OR FEDERAL FLOOD INSURANCE STUDY. THIS STATEMENT IS NOT MADE IN LIEU OF AN EVIDENCE CERTIFICATE.

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