

**PARTIAL ABANDONMENT AND RELEASE OF EXISTING DRAINAGE
EASEMENT**

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, by those certain instruments, one dated February 28, 2008, recorded under Document Number 2008034698, which was amended in Document No. 2012203353 of the Official Public Records of Travis County, Texas, Travis County was the owner of a variable width Drainage Easement ("Easement") in, along, over, upon, and across certain property more particularly described therein; and

WHEREAS, the City of Pflugerville, Texas ("City") obtained jurisdiction over the Easement by annexing the Easement under City Ordinance Number 554-99-08-10; and

WHEREAS, The Highlands Wells Branch, LLC, a Texas limited liability company, is the sole owner of the properties which abut the Easement; and

WHEREAS, The Highlands Wells Branch, LLC has petitioned the City to vacate, abandon, and release a 9,763 square foot portion of the Easement that is in, along, over, upon, and across the property.

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 does hereby for all purposes (i) vacate, abandon, and release that 9,763 square foot portion of the Easement described in Exhibits A (Field Notes) and B (Survey) (hereinafter "Partially Vacated Easement"); and (ii) relinquishes all of its rights, title, and interest in and to the Partially Vacated Easement.

HIGHLANDS WELLS BRANCH, LLC, HAVING PETITIONED FOR THIS PARTIAL ABANDONMENT AND RELEASE OF EASEMENT IS TAKING THE RELEASED AND ABANDONED EASEMENT "AS IS, WHERE IS" AND WITH ANY AND ALL DEFECTS. UPON HIGHLAND WELLS BRANCH, LLC'S ACCEPTANCE OF THIS PARTIAL ABANDONMENT AND RELEASE, THE CITY OF PFLUGERVILLE SHALL HAVE NO FUTHER OBLIGATION FOR ANY RESTORATION OR MAINTENANCE OF THE PROPERTY THAT IS SUBJECT TO THIS ABANDONMENT AND RELEASE.

IN WITNESS WHEREOF the City of Pflugerville has executed this Partial Abandonment and Release on this 25th day of May 2016.

Brandon Wade, City Manager
City of Pflugerville, Texas

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

GIVEN under my hand and seal of office this the 25th day of May 2016.

Notary Public in and for
Travis County, Texas

AFTER RECORDING, RETURN TO:

City of Pflugerville
Development Services Center – Engineering Dept.
201-B East Pecan Street
Pflugerville, Texas 78691