

District: ROUND ROCK
WR #: 3250231
ER # _____

EASEMENT AND RIGHT OF WAY

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That **THE CITY OF PFLUGERVILLE, TEXAS**, a home rule city located in Travis County, Texas, hereinafter called "Grantor", whether one or more, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC, a Delaware limited liability company**, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows:

SEE EXHIBIT "A" (ATTACHED)

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such is widened in the future; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2015.

(CORPORATE NAME)

By: _____

Name Brandon Wade

Title: City Manager

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, as the _____ of _____, 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 and consideration therein expressed, in the capacity therein stated and that he is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ___ day of _____, A. D. 2015.

Notary Public in and for the State of Texas

Exhibit "A"

DESCRIPTION

FOR A 0.005 ACRE (232 SQUARE FOOT) TRACT OF LAND SITUATED IN THE E. BEBEE SURVEY NO. 5, ABSTRACT NO. 53, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 1.75 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO THE CITY OF PFLUGERVILLE AND RECORDED IN DOCUMENT NO. 2007209804 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 0.005 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron rod with cap found for the northwest corner of said 1.75 acre tract, same being the southwest corner of Lot 1, Block A, Kuempel Tract, Phase 3, Section Five, a subdivision recorded in Document No. 200200318 of the Official Records of said County, being on the east right-of-way line of Black Locust Drive (70' right-of-way width);

THENCE with the west line of said 1.75 acre tract, same being the east right-of-way line of said Black Locust Drive, S 04° 22' 12" E for a distance of 72.72 feet to a calculated point, from which a ½" iron rod found for a point of tangency on the west line of said 1.75 acre tract, same being the intersection of the east right-of-way line of said Black Locust Drive and the north right-of-way line of Pfenning Lane (70' right-of-way width) bears, S 04° 22' 12" E for a distance of 157.13 feet;

THENCE through the interior of said 1.75 acre tract, N 85° 37' 14" E for a distance of 41.01 feet to a point on the east line of an electric easement to the City of Pflugerville and recorded in Document No. 2009194027 of the Official Public Records of said County, for the southwest corner and **POINT OF BEGINNING** hereof;

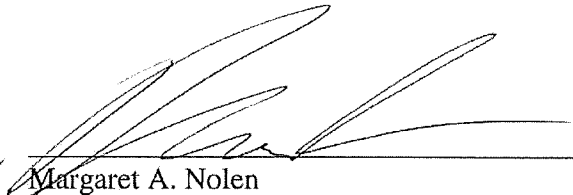
THENCE through the interior of said 1.75 acre tract, the following eight (8) courses and distances:

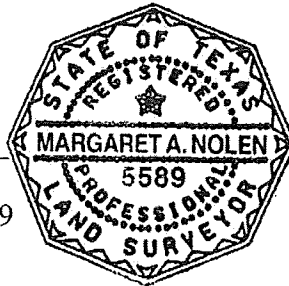
- 1) with a east line of said electric easement, N 00° 42' 48" W for a distance of 10.02 feet for the northwest corner hereof,
- 2) departing the east line of said electric easement, continuing through the interior of said 1.75 acre tract, N 85° 48' 41" E for a distance of 11.19 feet for an interior corner hereof,

- 3) N 04° 11' 19" W for a distance of **1.69** feet for an angle point hereof,
- 4) N 85° 48' 41" E for a distance of **10.80** feet for the northeast corner hereof,
- 5) S 04° 11' 19" E for a distance of **10.80** feet for the southeast corner hereof,
- 6) S 85° 48' 41" W for a distance of **10.80** feet for an interior corner hereof,
- 7) S 04° 11' 19" E for a distance of **0.89** feet for an angle point hereof, and
- 8) S 85° 48' 41" W for a distance of **11.80** feet to the **POINT OF BEGINNING** hereof and containing 0.005 acre of land.

Bearing basis is grid north for the Texas Central Zone (4203) NAD 83/93 HARN.

Surveyed under the direct supervision of the undersigned during June, 2014:


Margaret A. Nolen
Registered Professional Land Surveyor No. 5589
BAKER-AICKLEN & ASSOCIATES, INC.
507 West Liberty Avenue
Round Rock, TX 78664
(512) 244-9620



Job No.: 1336-3-017

Filename:
K:\PROJECTS\1336-3-017_Pfenning Lane H2O Tank Site\BA-Survey\DESCRIPTIONS\METES AND BOUNDS\Pfenning Lane Easement-01-Electric.doc

E. BEBEE SURVEY NO. 5, ABSTRACT NO. 53

LOT 1, BLOCK A
 KUEMPEL TRACT, PHASE 3, SECTION FIVE
 DOC. NO. 200200318
 OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS

ELECTRIC EASEMENT TO
 CITY OF PFLUGERVILLE
 DOC. NO. 2009194027



SUBJECT TRACT
 (0.005 ACRE
 232 SQ. FT.)

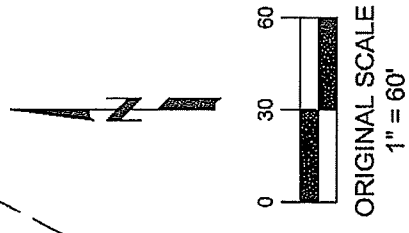
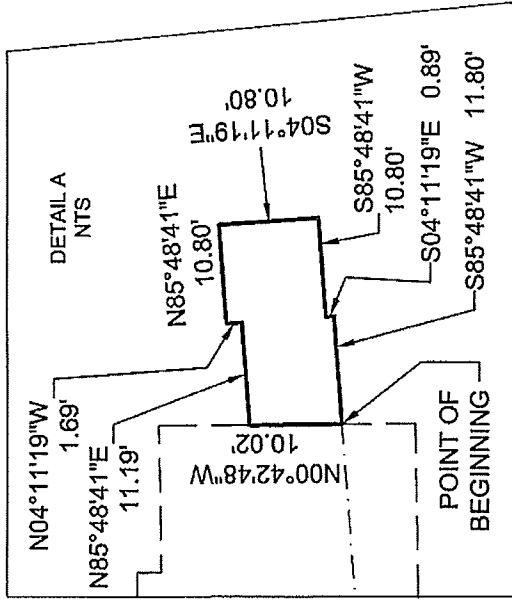
POINT OF BEGINNING
 N85°37'14"E
 41.01'
 CALLED 1.75 ACRES
 CITY OF PFLUGERVILLE
 DOC. NO. 2007209804
 OFFICIAL PUBLIC RECORDS,
 TRAVIS COUNTY, TEXAS

PHENNING LANE
 (70' RIGHT-OF-WAY WIDTH)

BLACK LOCUST DRIVE (70' RIGHT-OF-WAY WIDTH)

BEGINNING FOR
 REFERENCE

LEGEND	
1/2" 	1/2" IRON ROD FOUND
	IRON ROD WITH CAP FOUND



PHENNING LANE
 JUNE, 2014

PROJECT NO. 1336-3-017

PAGE 3 OF 3



BAKER-AICKLEN & ASSOCIATES, INC.
 507 WEST LIBERTY AVE.
 ROUND ROCK, TEXAS 78664
 (512) 244-9520
 ENGINEERING FIRM # F45
 SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS | SURVEY FIRM # 100231-D
 TBAE # 1757
 ROUND ROCK