

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.

### **WATER LINE EASEMENT AGREEMENT**

THE STATE OF TEXAS     §

§

COUNTY OF TRAVIS     §

#### **GRANT OF EASEMENT:**

Temple Real Estate Investment ("Grantor", whether one or more), 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 easements herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to all title exceptions of record, to the extent the same are valid and subsisting against the Easement Tract, and the matters set forth herein.

#### **CHARACTER OF EASEMENT:**

The Easement is an easement in gross.

#### **PURPOSE OF EASEMENT:**

The Easement shall be used for public utility purposes, including placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of a water line, public utility facilities, and related appurtenances, or making connections thereto.

The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the water line and related public utility facilities.

#### **DURATION OF EASEMENT:**

The Easement shall be perpetual.

**EXCLUSIVENESS OF EASEMENT:**

The Easement shall be exclusive. Grantor shall have the right to access the utility facilities, provided such access complies with the City of Pflugerville subdivision and/or site plan application process and shall have the right to use the surface of the Property for any purpose which does not conflict with the subsurface use, including but not limited to landscaping, parking, driveways, signage and roadways but not buildings.

**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 by Grantee so long as the assignee utilizes the Easement as contemplated herein.

Signature page to follow:

[illegible]

This instrument was acknowledged before me on \_\_\_\_\_, 2014, by  
Brandon Wade, City Manager of the City of Pflugerville, Texas, a Texas home-rule  
municipality, on behalf of said municipality.

(seal)

\_\_\_\_\_  
Notary Public Signature

# Legend

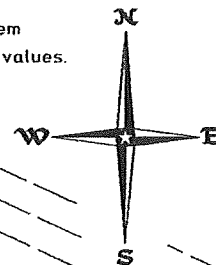
- \* Spindle Found with shiner
- ⊙ Calculated Point
- ⊗ Chiseled "X" Found
- POB Place of Beginning
- (Record Bearing and Distance)

NUMBERED COURSES	
1	S 56°49'23" W - 69.77'
2	S 24°48'00" W - 15.00'
3	N 65°12'00" W - 36.18'
4	N 20°12'00" W - 17.51'
5	N 24°48'00" E - 266.88'
6	S 65°35'30" E - 15.00'
7	S 24°48'00" W - 260.76'
8	S 20°12'00" E - 5.10'
9	S 65°12'00" E - 29.96'

## Orientation Note:

Orientation for this survey is based upon the State Plane Coordinate System NAD83 (4203 Texas Central Zone). All distances shown hereon are surface values.  
Combined Scale Factor: 0.99989724

SCALE: 1" = 100'



THOMAS STUART SURVEY NO. 6  
ABSTRACT NO. 669

LOT 2  
City of Pflugerville  
Wastewater Easement  
Agreement  
Document No. 2014155966

LOT 7

Public Wastewater Easement  
per plot  
Document No. 201400074

LOT 1  
REPLAT OF LOT 1A  
AMENDED FINAL PLAT OF  
LOTS 1, 2, 3 AND 6, BLOCK A  
PFLUGER CROSSING SOUTH,  
PHASE 1  
DOCUMENT NO. 201400074

LOT 8  
BLOCK "A"  
PFLUGER CROSSING SOUTH,  
PHASE 1  
DOCUMENT NO. 200700289

PROPOSED  
4,621  
SQUARE FEET  
PUBLIC WATERLINE  
EASEMENT

Water Easement per plot  
Document No. 200700289

LOT 1A  
BLOCK "A"  
RESUBDIVISION OF LOT 1, BLOCK A,  
PFBNNIG LAND/FM685 COMMERCIAL SUBDIVISION  
DOCUMENT NO. 200800039

City of Pflugerville  
Water Line Easement  
Document No. 2014155962

F.M. HIGHWAY NO. 685  
(R.O.W. VARIES)

## SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF

4,621 SQUARE FEET OF LAND OVER AND ACROSS A PORTION OF LOT 1, REPLAT OF LOT 1A AMENDED FINAL PLAT OF LOTS 1, 2, 3 AND 6, BLOCK A, PFLUGER CROSSING SOUTH, PHASE 1, ACCORDING TO THE MAP OR PLAT RECORDED IN DOCUMENT NO. 201400074 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

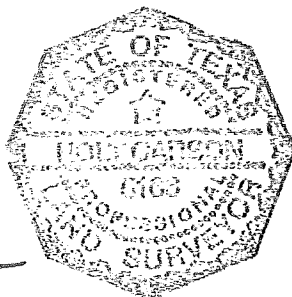
see accompanying field note description

Prepared: June 8, 2015.

*Holt Carson*

Holt Carson

Registered Professional Land Surveyor No. 5166



HOLT CARSON, INCORPORATED  
PROFESSIONAL LAND SURVEYORS  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990

Texas Licensed Surveying Firm Registration No. 10050700

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C 891072

# HOLT CARSON, INCORPORATED

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
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June 8, 2015

**DESCRIPTION OF 4,621 SQUARE FEET OF LAND OUT OF THE THOMAS STUART SURVEY NO. 6, ABSTRACT NO. 669, IN TRAVIS COUNTY, TEXAS AND BEING A PROPOSED PUBLIC WATERLINE EASEMENT, OVER AND ACROSS A PORTION OF LOT 1, REPLAT OF LOT 1A, AMENDED FINAL PLAT OF LOTS 1, 2, 3 AND 6, BLOCK A, PFLUGER CROSSING SOUTH, PHASE 1, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 201400074 OF THE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR REFERENCE** at a cut "X" found in the concrete curb at an angle corner in the Northwest line of Lot 9, Block A, Pfluger Crossing South, Phase 1, a subdivision in Travis County, Texas according to the map of plat thereof recorded in Document No. 200700289 of the Official Public Records of Travis County, Texas, same being an angle corner in the Southeast line of Lot 1, Replat of Lot 1A, Amended Final Plat of Lots 1, 2, 3 and 6, Block A Pfluger Crossing South, Phase 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201400074 of the Official Public Records of Travis County, Texas, from which an additional cut "X" found in the concrete curb at the North corner of said Lot 9, same being the West corner of Lot 8, Block "A" Pfluger Crossing South, Phase 1, bears, N 24 deg. 36'42" E 144.74 ft. and again from said reference point a cotton gin spindle with a shiner found at the West corner of said Lot 9, same being a point in the North line of Lot 1A, Block "A", Resubdivision of Lot 1, Block A, Pfennig Land/FM685 Commercial Subdivision, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Document No. 200800039 of the Official Public Records of Travis County, Texas bears, N 24 deg. 36'42" E 144.74 ft.;

**THENCE** entering the interior of Lot 1, Replat of Lot 1A, Amended Final Plat of Lots 1, 2, 3 and 6, Block A Pfluger Crossing South, Phase 1, S 56 deg. 49'23" W 69.77 ft. to a calculated point in the interior of said Lot 1, same being a point in the Northwest line of that certain waterline easement granted to the City of Pflugerville by instrument recorded in Document No. 2014155962 of the Official Public Records of Travis County, Texas and being an angle corner and the **PLACE OF BEGINNING** of the herein described easement;

**THENCE** continuing through the interior of said Lot 1, the following four (4) courses:

- 1.) S 24 deg. 48'00" W 15.00 ft. with the Northwest line of said water line easement recorded in Document No. 2014155962 of the Official Public Records of Travis County, Texas, to a calculated point for the most Southerly corner of the herein described easement;
- 2.) leaving the Northwest line of said water line easement, N 65 deg. 12'00" W 36.18 ft. to a calculated point;
- 3.) N 20 deg. 12'00" W 17.51 ft. to a calculated point;
- 4.) N 24 deg. 48'00" E 266.88 ft. to a calculated point in a Northeast line of said Lot 1, same being a point in a Southwest line of Lot 2, Replat of Lot 1A, Amended Final Plat of Lots 1, 2, 3 and 6, Block A Pfluger Crossing South, Phase 1 and the most Northerly corner of the herein described easement;

**THENCE** with the common line of said Lot 1 and Lot 2, Replat of Lot 1A, Amended Final Plat of Lots 1, 2, 3 and 6, Block A Pfluger Crossing South, Phase 1, S 65 deg. 35'30" E 15.00 ft. to a calculated point for the most Northeasterly corner of the herein described easement;

**4,621 Square Feet  
Public Waterline Easement**

**THENCE** reentering the interior of said Lot 1, the following three (3) courses:

- 1.) S 24 deg. 48'00" W 260.76 ft. to a calculated point;
- 2.) S 20 deg. 12'00" E 5.10 ft. to a calculated point;
- 3.) S 65 deg. 12'00" E 29.96 ft. the **PLACE OF BEGINNING** and containing 4,621 square feet of land.

PREPARED: June 8, 2015



Holt Carson

Registered Professional Land Surveyor No. 5166

Holt Carson, Incorporated

Reference map: C891072

