

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:

St. Elizabeth’s Catholic Church (“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 Construction Easement and the rights of Grantee hereunder may be assigned by Grantee so long as the assignee utilizes the Easement and Construction Easement as contemplated herein.

Signature page to follow:

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.

Notary Public Signature

(seal)

WATERLINE EASEMENT
CITY OF PFLUGERVILLE
ST. ELIZABETH'S CATHOLIC CHURCH

EXHIBIT "A"
PROPERTY DESCRIPTION
21,421 SQUARE FEET,
0.492 OF ONE ACRE OF LAND

BEING 21,421 SQUARE FEET, 0.492 OF ONE ACRE OF LAND IN THE E. BEBEE SURVEY NO. 5, ABSTRACT NO. 53, TRAVIS COUNTY, TEXAS AND BEING A PORTION THE PROPERTY KNOW AS FINAL PLAT OF ST. ELIZABETH'S CATHOLIC CHURCH OF RECORD IN VOLUME 97, PAGE 111 OF THE TRAVIS COUNTY PLAT RECORDS; SAID 21,421 SQUARE FEET, 0.492 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.

COMMENCING at a ½-inch iron rod found at the most westerly corner of said Final Plat, from which an iron rod with cap stamped 4835 bears S28°18'13"W, 39.81 feet and an iron rod with cap stamped 4835 at the most southerly corner of a called 11.22 acre tract as described in a deed recorded in Document No. 2005110394 of the Official Public Records of Travis County, Texas bears S27°12'22"W, 144.44 feet;

THENCE, with the southwesterly line of said Final Plat S62°36'55"E, 213.90 feet to a calculated point;

THENCE, leaving said southwesterly line and crossing said Final Plat N27°36'55"E, 307.73 feet to the **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing across said Final Plat the following forty three (43) courses and distances:

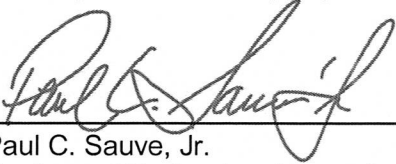
1. N27°23'05"E, 2.77 feet to a calculated point;
2. N62°36'55"W, 15.00 feet to a calculated point;
3. N27°23'05"E, 15.00 feet to a calculated point;
4. S62°36'55"E, 15.00 feet to a calculated point;
5. N27°23'05"E, 172.44 feet to a calculated point;
6. N62°36'55"W, 31.98 feet to a calculated point;
7. N27°23'05"E, 15.00 feet to a calculated point;
8. S62°36'55"E, 248.14 feet to a calculated point;
9. S27°23'05"W, 96.50 feet to a calculated point;
10. S62°36'55"E, 177.44 feet to a calculated point;
11. N72°22'43"E, 11.55 feet to a calculated point at the beginning of a non-tangent curve to the right on the westerly line of a Public Utility Easement as shown on said Final Plat;
12. with the westerly line of said easement and said non-tangent curve to the right an arc length of 15.04 feet, said curve having a radius of 2191.88 feet, a central angle of 00°23'36", and having long chord which bears S13°17'23"E, for a distance of 15.04 feet to a calculated point;
13. leaving said easement, S72°22'43"W, 16.63 feet to a calculated point;

14. N62°36'55"W, 1.66 feet to a calculated point;
15. S27°19'34"W, 111.49 feet to a calculated point;
16. S17°37'17"E, 82.75 feet to a calculated point;
17. S27°22'43"W, 168.74 feet to a calculated point;
18. N62°36'55"W, 182.92 feet to a calculated point;
19. N27°23'05"E, 15.00 feet to a calculated point;
20. S62°36'55"E, 167.92 feet to a calculated point;
21. N27°22'43"E, 147.52 feet to a calculated point;
22. S72°22'43"W, 12.00 feet to a calculated point;
23. N17°37'17"W, 10.00 feet to a calculated point;
24. N72°22'43"E, 12.00 feet to a calculated point;
25. N17°37'17"W, 72.74 feet to a calculated point;
26. N27°19'34"E, 117.71 feet to a calculated point;
27. N62°36'55"W, 27.70 feet to a calculated point;
28. S27°23'05"W, 10.00 feet to a calculated point;
29. N62°36'55"W, 15.00 feet to a calculated point;
30. N27°23'05"E, 10.00 feet to a calculated point;
31. N62°36'55"W, 124.30 feet to a calculated point;
32. S27°23'05"W, 103.46 feet to a calculated point;
33. N62°36'55"W, 25.99 feet to a calculated point;
34. N27°21'23"E, 15.00 feet to a calculated point;
35. S62°36'55"E, 11.00 feet to a calculated point;
36. N27°23'05"E, 184.96 feet to a calculated point;
37. N62°36'55"W, 186.16 feet to a calculated point;
38. S27°23'05"W, 136.33 feet to a calculated point;
39. S62°36'55"E, 20.20 feet to a calculated point;
40. S27°23'05"W, 15.00 feet to a calculated point;
41. N62°36'55"W, 20.20 feet to a calculated point;
42. S27°23'05"W, 38.87 feet to a calculated point and;

43. N62°36'55"W, 15.00 feet to the **POINT OF BEGINNING** and containing 21,421 square feet, 0.492 of one acre of land, more or less.

SURVEYOR'S STATEMENT

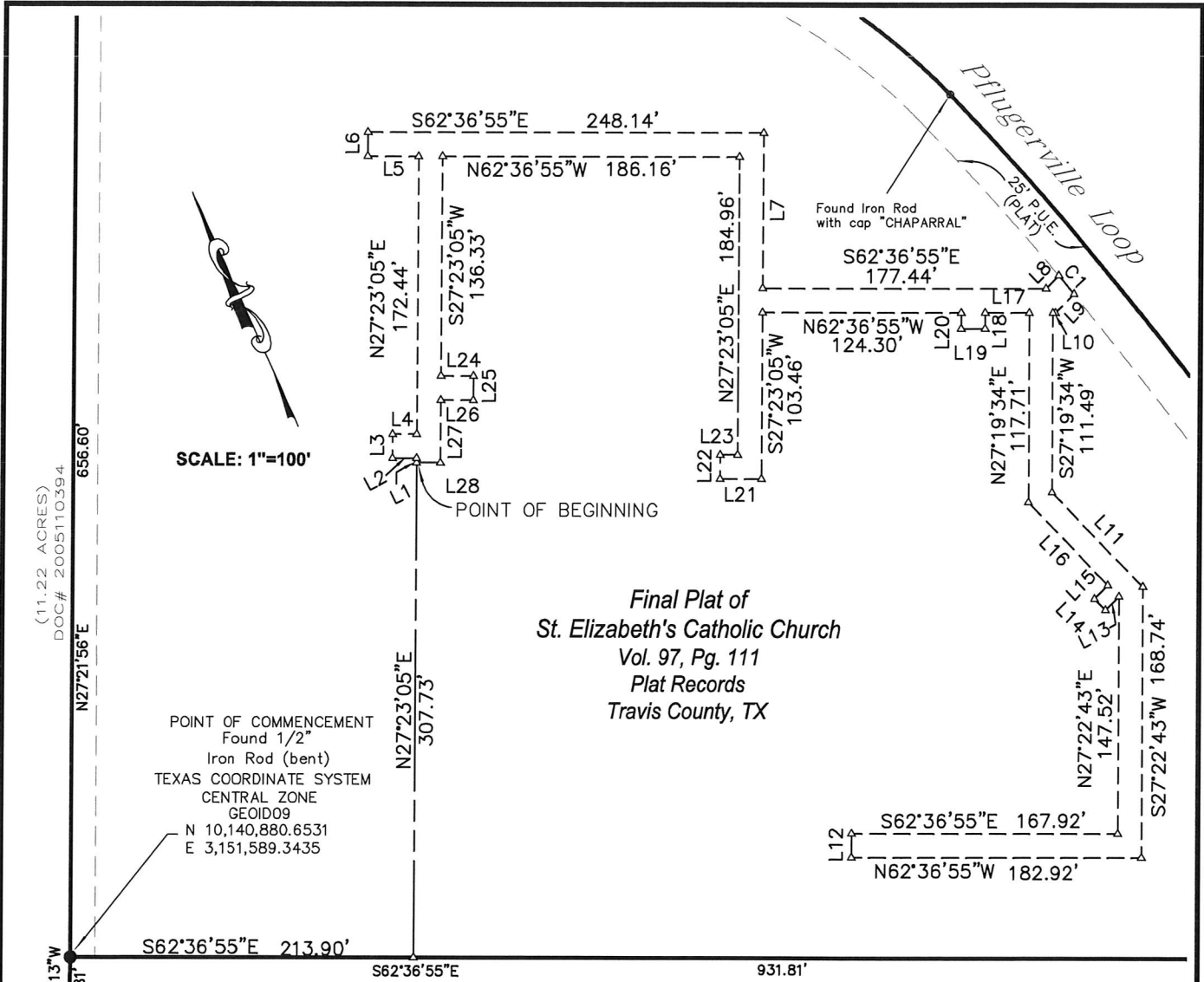
I hereby state that the included field note description was prepared from an actual survey made on the ground under my supervision and is true and correct, to the best of knowledge and belief.



Paul C. Sauve, Jr.
Registered Professional Land Surveyor
No. 2518 – State of Texas
October 16, 2014

Austin Spatial Technologies, LLC
11209 Cherisse Dr.
Austin, TX 78739
TBPLS Firm Registration No. 10173100
512-573-6730





**Final Plat of
St. Elizabeth's Catholic Church
Vol. 97, Pg. 111
Plat Records
Travis County, TX**

POINT OF COMMENCEMENT
Found 1/2"
Iron Rod (bent)
TEXAS COORDINATE SYSTEM
CENTRAL ZONE
GEOID09
N 10,140,880.6531
E 3,151,589.3435

- = FOUND IRON ROD AS NOTED
- △ = CALCULATED POINT

SURVEYORS STATEMENT
I HEREBY STATE THAT THE INFORMATION SHOWN HEREON IS THE RESULT OF AN ACTUAL SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION IN OCTOBER 2014 AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Paul C. Sauve, Jr.
PAUL C. SAUVE, JR., RPLS# 2518



EXHIBIT "A"

Sheet 1 of 2

SKETCH TO ACCOMPANY PROPERTY DESCRIPTION
21,451 SQ. FT. 0.492 OF ONE ACRE
ST. ELIZABETH'S CATHOLIC CHURCH
CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

DATE : 10/16/2014
SCALE : 1"=100'
CHECKED BY: PC
DRAFTED BY: PCS
DESIGNED BY:

AST
AUSTIN SPATIAL TECHNOLOGIES, LLC
LAND SURVEYORS - GEOMATIC SPECIALISTS
www.austinspatial.com PH: 612-673-6736
TPLS FIRM REGISTRATION NO. 10173100

LINE DATA TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N27°23'05"E | 2.77' |
| L2 | N62°36'55"W | 15.00' |
| L3 | N27°23'05"E | 15.00' |
| L4 | S62°36'55"E | 15.00' |
| L5 | N62°36'55"W | 31.98' |
| L6 | N27°23'05"E | 15.00' |
| L7 | S27°23'05"W | 96.50' |
| L8 | N72°22'43"E | 11.55' |
| L9 | S72°22'43"W | 16.63' |
| L10 | N62°36'55"W | 1.66' |
| L11 | S17°37'17"E | 82.75' |
| L12 | N27°23'05"E | 15.00' |
| L13 | S72°22'43"W | 12.00' |
| L14 | N17°37'17"W | 10.00' |
| L15 | N72°22'43"E | 12.00' |
| L16 | N17°37'17"W | 72.74' |
| L17 | N62°36'55"W | 27.70' |
| L18 | S27°23'05"W | 10.00' |
| L19 | N62°36'55"W | 15.00' |
| L20 | N27°23'05"E | 10.00' |
| L21 | N62°36'55"W | 25.99' |
| L22 | N27°21'23"E | 15.00' |
| L23 | S62°36'55"E | 11.00' |
| L24 | S62°36'55"E | 20.20' |
| L25 | S27°23'05"W | 15.00' |
| L26 | N62°36'55"W | 20.20' |
| L27 | S27°23'05"W | 38.87' |
| L28 | N62°36'55"W | 15.00' |

CURVE DATA TABLE

| NUM | DELTA | ARC | RADIUS | BEARING | DISTANCE |
|-----|----------|--------|----------|-------------|----------|
| C1 | 0°23'36" | 15.04' | 2191.88' | S13°17'23"E | 15.04' |

EXHIBIT "A"

Sheet 2 of 2

SKETCH TO ACCOMPANY PROPERTY DESCRIPTION
 21,451 SQ. FT. 0.492 OF ONE ACRE
 ST. ELIZABETH'S CATHOLIC CHURCH
 CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

DATE : 10/16/2014
 SCALE : 1"=100'
 CHECKED BY: PC
 DRAFTED BY: PCS
 DESIGNED BY:



AUSTIN SPATIAL TECHNOLOGIES, LLC
 LAND SURVEYORS - GEOMATIC SPECIALISTS
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