

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE VACATION OF A 20' INGRESS AND EGRESS EASEMENT GRANTED TO THE FORMER NORTH TRAVIS COUNTY MUD NO. 5, WHEREBY THE CITY OF PFLUGERVILLE IS SUCCESSOR IN INTEREST THROUGH ANNEXATION; AND IS MORE SPECIFICALLY DESCRIBED AS A 0.460 ACRE TRACT OF LAND OUT OF THE THOMAS G. STEWART SURVEY NO. 6, OF RECORD IN VOLUME 10722, PAGE 128, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

WHEREAS, the North Travis County Municipal Utility District No. 5, Texas, (hereinafter the "District"), received an Easement from Springbrook Austin, Inc., as a controlled accessway, across the Grantor's Property, and said Easement Instrument was recorded in the Public Records of Travis County on June 30, 1988, in Volume 10722, Page 128 (hereinafter the "Easement"); and

WHEREAS, in accordance with Annexation Ordinance No. 478-97-12-23, passed and approved by the City Council of Pflugerville on December 23, 1997, the City of Pflugerville, (hereinafter the "City"), inter alia, *"assumed all powers, duties, assets, and obligations of the District and the District [was] abolished"*;

WHEREAS, the City has determined that the Easement is no longer necessary as it relates to the Property; and

WHEREAS, the City desires to terminate and grant a release of the Easement; and

WHEREAS, a copy of the Easement Instrument, which includes a more particular description of the Easement is shown in **Exhibit "A"** attached hereto and incorporated herein for all purposes and has authorized such termination and release.

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 13th day of May.

ATTEST:

Jeff Coleman, Mayor

Karen Thompson, City Secretary

EXHIBIT "A"

DOC. NO:
00058610

FILM CODE

00004376439

INGRESS AND EGRESS EASEMENT

9:53 AM 5829

11.00 INDX

2 4 06/30/88

586.10-DCC*

34.13-CHK*

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That Springbrook Austin, Inc., a Texas corporation, the owner of the following described property, acting herein by and through its duly authorized officer, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by North Travis County Municipal Utility District No. 5, a political subdivision of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitution ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and for which no lien or encumbrance, express or implied, is retained, has this day GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY, unto Grantee, an easement for ingress and egress and an easement to construct, maintain, repair and replace a controlled accessway in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is here made for a more particular description of said property.

TO HAVE AND TO HOLD the same perpetually to Grantee, and its successors and assigns forever, together with the right and privilege to enter upon and use said property for an accessway.

Grantee's Address: c/o Armbrust & Brown
2600 One American Center
600 Congress Avenue
Austin, Texas 78701
Attn: Sharlene Collins

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 27 day of JUNE, 1988.

SPRINGBROOK AUSTIN, INC., a Texas corporation

By: [Signature]
John S. Lloyd, President

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 27 day of JUNE, 1988, by John S. Lloyd, President of Springbrook Austin, Inc., a Texas corporation, on behalf of said corporation.

[Signature]
Notary Public, State of Texas

Name Printed: _____

Commission Expires: _____

1-688.43

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10722 0128

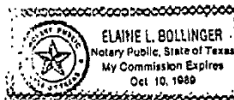


EXHIBIT 'A'

0.460 Acres
20' Wide Ingress/Egress Easement

Thomas G. Stewart Survey No.6
January 5, 1988
87516.33/3316/sl/Page 1

John S. Lloyd, Trustee
to
North Travis County M.U.D. #5

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

A FIELDNOTE DESCRIPTION of a 0.460 acre tract of land out of the Thomas G. Stewart Survey No. 6, Travis County, Texas; the said 0.460 acre tract of land being a portion of a 327.30 acre tract of land described in a deed to John S. Lloyd, Trustee as recorded in Volume 8580, Page 579 of the Deed Records of Travis County, Texas; the said 0.460 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found at the northeast corner of the intersection of Wilke Lane, 60' wide right-of-way, and Pflugerville Loop, 60' wide right-of-way; the said iron rod being the southwest corner of the said 327.30 acre tract;

THENCE, leaving the north line of Pflugerville Loop, with the east line of Wilke Lane being the west line of the 327.30 acre tract, the following two (2) courses and distances:

- 1) N 29° 05' 18" E, a distance of 955.05 feet to an iron rod found for an angle point; and
- 2) N 29° 06' 38" E, passing at a distance of 1001.96 feet an iron rod found, for a total distance of 1017.88 feet to an iron rod set for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, continuing with the said east line of Wilke Lane and the west line of the 327.30 acre tract, N 29° 06' 38" E, a distance of 20.00 feet to an iron rod set for the northwest corner of the herein described tract;

THENCE, leaving the east line of Wilke Lane and crossing the said 327.30 acre tract for the north line of the herein described tract, the following three (3) courses and distances:

- 1) S 60° 53' 22" E, a distance of 929.28 feet to an iron rod set for a point of curvature;
- 2) a distance of 55.77 feet with the arc of a curve to the left having a central angle of 16° 49' 00", a radius of 190.00 feet and a chord which bears S 69° 17' 52" E, a distance of 55.57 feet to an iron rod set for a point of tangency; and
- 3) S 77° 42' 22" E, a distance of 9.14 feet to an iron rod set in the west line of the Missouri-Kansas-Texas 100' wide Railroad right-of-way, for the northeast corner of the herein described tract;

THENCE, continuing across the 327.30 acre tract with the west line of the Missouri-Kansas-Texas Railroad right-of-way, S 16° 04' 30" E, a distance of 22.73 feet to an iron rod set for the southeast corner of the herein described tract;

THENCE, leaving the west line of the Missouri-Kansas-Texas Railroad right-of-way, and continuing across the said 327.30 acre tract, for the south line of the herein described tract, the following three (3) courses and distances:

- 1) N 77° 42' 22" W, a distance of 19.94 feet to an iron rod set for a point of curvature;
- 2) a distance of 61.64 feet with the arc of a curve to the left having a central angle of 16° 49' 00", a radius of 210.00 feet and a chord which bears N 69° 17' 52" W, a distance of 61.42 feet to an iron rod set for a point of tangency; and

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10722 0129

EXHIBIT 'A'

0.460 Acres
20' Wide Ingress/Egress Easement

Thomas G. Stewart Survey No.6
January 5, 1988
87516.33/3316/sl/Page 2

John S. Lloyd, Trustee
to
North Travis County M.U.D. #5

- 3) N 60° 53' 22" W, a distance of 929.28 feet to the POINT OF BEGINNING of the herein described tract and CONTAINING 0.460 acres of land.

That I, Sam Long, A Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

7TH day of Jan, 1988, A.D. WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the



Sam Long
Sam Long
Registered Public Surveyor
No. 4331 - State of Texas

SURVEY OF A 0.460 ACRE 20' WIDE INGRESS-EGRESS EASEMENT
OUT OF THE THOMAS G. STEWART SURVEY NO. 6,
TRAVIS COUNTY, TEXAS

MISSOURI-KANSAS-TEXAS
RAILROAD R.O.W.
100' R.O.W.
V. 197 / P. 205
887.56
N 16°04'30"W
S 16°04'30"E
22.73
S 77°42'22"E
31.4
19.94
N 77°42'22"W

THOMAS G. STEWART

CURVE DATA:

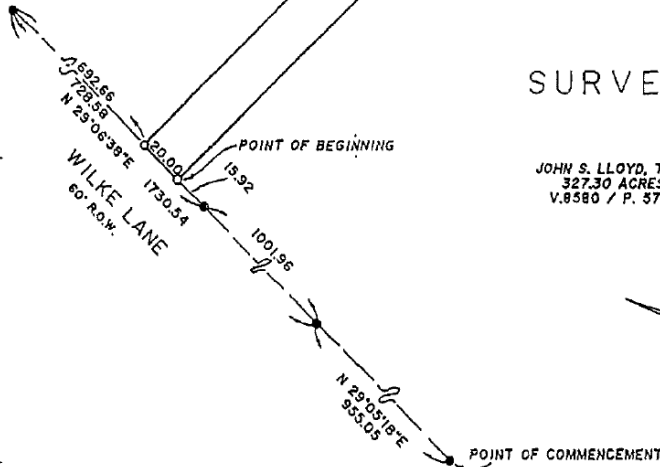
| | ① | ② |
|----|--------------|--------------|
| Δ | 16°49'00" | 16°49'00" |
| R | 190.00 | 210.00 |
| A | 55.77 | 61.64 |
| CB | S 69°17'52"E | N 69°17'52"W |

929.28
0.460 ACRE
929.28

PROPOSED
20' WIDE
INGRESS-EGRESS
EASEMENT

SURVEY NO. 6

JOHN S. LLOYD, TRUSTEE
327.30 ACRES
V. 8580 / P. 579



LEGEND:

- FOUND IRON ROD ●
- SET IRON ROD ○

EXHIBIT 'A'



I, SAM LONG, A REGISTERED PUBLIC SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULTS OF AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION.

Sam Long 1/7/88
SAM LONG DATE
REGISTERED PUBLIC SURVEYOR
NO. 4331, STATE OF TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

10722 0131

10722

| | | |
|--|---------------------|--|
| CSEI | | CAPITAL SURVEYING COMPANY INCORPORATED |
| 1250 Capital of Texas Highway South Austin, Texas 78746 | | Building 1 Suite 340 15121 327-4006 |
| DRAWN BY: DD | SCALE: NOT TO SCALE | F. B. 421 |
| JOB NO.: 87816.33 | DATE: 12/28/87 | SHEET NO.: |
| FILE NO.: C87022 | DISC: 8AM 3M | |

FILED

JUN 1988 30 AM 8:41

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stated herein by me, and
was duly RECORDED, in the Volume and Page of the
indexed RECORDS of Travis County, Texas, on

JUN 30 1988



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:
At the time of recording, this instrument was
found to be inadequate for the best photographic
reproduction because of illegibility, carbon of
photo copy, discolored paper, etc. All blockouts,
additions, and changes were present at the time
the instrument was filed and recorded.

*Ret. P. Armbrust - Brown
Center
2100 One American
600 Congress Ave.
Austin, TX. 78701*