NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRAINAGE EASEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

GRANT OF EASEMENT:

TERRABROOK FALCON POINTE, LLC, a Delaware limited liability company ("Grantor"), for and in consideration 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 and convey unto the CITY OF PFLUGERVILLE, TEXAS, a homerule city located in Travis County, Texas ("Grantee"), a public drainage easement (the "Easement") upon and across the property of Grantor which is more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Easement Tract").

TO HAVE AND TO HOLD the Easement 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 Easement 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 enforceable, and the matters set forth herein.

CHARACTER OF EASEMENT:

The Easement is an easement in gross.

PURPOSE OF EASEMENT:

The Easement shall be a drainage easement over the Easement Tract to be used by Grantee for access, construction, operation and maintenance of an open drainage channel and/or enclosed drainage lines and associate improvements for the conveyance of stormwater runoff and drainage.

DURATION OF EASEMENT:

The Easement shall be perpetual.

EXCLUSIVENESS OF EASEMENT:

The Easement is non-exclusive. To the extent that such entry or use by Grantor does not interfere with Grantee's use of the Easement as a drainage easement, Grantor hereby reserves, for itself and its successors and assigns, the right to enter upon and use the surface of the Easement Tract, and the air space over the Easement Tract. It is acknowledged that Grantor, or its successors and assigns, may need to grant additional public or private easements across the Easement Tract to provide access to and from and/or to bring utility services to the property adjacent to the Easement Tract, and that such access and/or utility service are critical to the development, use and enjoyment of such adjacent property. Grantor agrees, however, that the plans for the construction of any improvements or utility lines on or under the Easement Tract shall be subject to the prior approval of Grantee, which approval shall not be unreasonably conditioned, withheld or delayed so long as such proposed improvements or lines do not cause any damage to any of Grantee's drainage lines or other facilities or interferes with the conveyance of stormwater drainage over the open drainage channel, whichever is applicable, and the plans comply with applicable codes and construction standards. Grantor shall not otherwise use the Easement Tract in any other manner or otherwise grant any easement on or across the Easement Tract that interferes in any material way or is inconsistent with the easements, rights, and privileges granted hereunder or the terms and conditions hereof.

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 exception for any subsequent modification in writing, signed by the party to be charged.

BINDING EFFECT:

This instrument shall bind and inure to the benefit of Grantor and Grantee and their respective successors and assigns.

ASSIGNABILITY:

The Easement and the rights of Grantee hereunder may be assigned by Grantee so long as the assignee utilizes the Easement as contemplated herein.

IN WITNESS WHEREOF, this instrument is executed this the ____ day of September, 2013.

GRANTOR:	
TERRABROOK FALCON POINTE, LI	LC
By:E. William Meyer, Vice President	

		GRANTEE:
		AGREED AND ACCEPTED:
		CITY OF PFLUGERVILLE, TEXAS, a Texas home-rule municipality
		By: * Brandon Wade, City Manager
		ATTEST:
		Karen Thompson, City Secretary
	ACK	NOWLEDGEMENT
STATE OF TEXAS	§	
COUNTY OF TRAVIS	§	
This instrument was ac William Meyer, as Vice Pres limited liability company, on be	ident of	od before me on the day of September, 2013, by ETERRABROOK FALCON POINTE, LLC, a Delaward limited liability company.
		Notary Public, State of Texas Print Name:
(seal)		My commission expires:

ACKNOWLEDGEMENT

THE STATE OF TEXAS	Š		
	§		
COUNTY OF	§		10
This instrument w	vas acknov	wledged before me on September, 2013, by Brand	don Wade,
City Manager of the City municipality.	of Pfluge	rville, Texas, a Texas home-rule municipality, on beh	alf of said
		Notary Public Signature	
(seal)			
		Printed Name of Notary Public	
		My commission expires:	

AFTER RECORDING, PLEASE RETURN TO:

City of Pflugerville

Attn: Brandon E. Wade, City Manager P.O. Box 589, Pflugerville, Texas 78691

PROPOSED 2.470 ACRE DRAINAGE EASEMENT THE JOHN DAVIS SURVEY, ABSTRACT 13 CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

Being a 2.470 acre (107,588 square feet) of land in the John Davis Survey, Abstract 13, City of Pflugerville, Travis Country, Texas, being out of a Remainder of a called 149.599 acre tract and a called 44.341 acre tract of record to Terrabrook Falcon Pointe, L.P. as recorded for name change from Terrabrook Falcon Ridge, L.P. TRV 200119445, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.) and TRV 2000105424 O.P.R.T.C.T. for the description of the properties and being more particularly described by Meets and Bounds as follows:

COMMENCING at a found 1/2-inch iron rod (no cap) at the southwesterly corner of a called 197.270 acres of record to Timmerman & Hagn, LTD, as recorded in Volume 8394, Page 542 of the Deed Records Travis County, Texas (P.R.M.C.T.), being at a southeasterly corner of said Terrabrook Falcon Pointe, L.P., called 149.599 acre tract, and being on the northerly right-of-way (80.00-foot) line of Pfluger Lane as recorded in Volume 2268, Page 185 of the (D.R.T.C.T.), also being in the south line of a proposed 20.00- foot additional Right-of Way dedication of the Proposed Falcon Pointe-South Tract Major Facilities, Final Plat (Final Plat);

THENCE, North 60° 28' 09" West, with the north line of (80.00' Right-of-Way) line of Pfluger Lane, the south line of said 149.599 acre tract of said Proposed Final Plat 362.55 feet to a 1/2-inch iron rod with "MCKCRD" cap set for a point of reference;

THENCE, North 29° 31' 51" East departing said south line of said 149.599 acre tract, over and across said 149.599 acre tract, 20.00 feet to a 1/2-inch iron rod set with "MCKCRD" cap in the proposed north line (100.00-foot Right-of-Way at this point) of Pfluger Lane, of said Final Plat, for the POINT OF BEGINNING, being a point in the south line of proposed additional 20.00-foot dedication of right-of-way for said Pfluger lane as shown on Proposed Final Plat;

THENCE, departing said south line of proposed additional 20.00-foot right-of-way dedication for said Pfluger lane as shown on said Proposed Final Plat, and over and across said Terrabrook Falcon Pointe, L.P. called 149.599 acres, tract the following forty-four (44) courses:

- 1. North 29° 13' 46" East, 179.60 feet to a point for the beginning of a tangent curve to the left:
- 2. 65.94 feet along the arc of said curve to the left having a Radius of 425.00 feet, a Central angle of 08° 53' 21", a chord which bears North 24° 47' 06" East, 65.87 feet to a point for compound curvature to the left hereof;

- 3. 1.93 feet along the arc of said curve to the left having a radius of 10.00', with a delta angle of 11° 04' 31", with a chord which bears North 14° 48' 09" East, 1.93 feet to a point hereof;
- 4. North 09° 15' 54" East, 56.63 feet, to a point for the beginning of a tangent curve to the left;
- 5. 9.16 feet along the arc of said curve to the left having a radius of 25.00 feet delta angle of 21° 00' 05", with a chord which bears North 01° 14' 08" West, 9.11 feet to a point hereof;
- 6. North 11° 44' 11" West, 8.61 feet to a point for the beginning of a tangent curve to the right;
- 7. 6.74 feet along the arc of said curve to the right having a radius of 25.00 feet, delta angle of 15° 27' 19", with a chord which bears North 04° 00' 31" West, 6.72 feet to a point hereof;
- 8. North 03° 43' 09" East, 75.68 feet to a point for the beginning of a tangent curve to the left;
- 9. 7.16 feet, along the arc of said curve to the left having a radius of 25.00 feet delta angle of 16° 24' 52", with a chord which bears North 04° 29' 17" West, 7.14 feet to a point hereof;
- 10. North 12° 41' 43" West, 90.34 feet to a point for the beginning of a tangent curve to the left;
- 11. 10.80 feet along the arc of said curve to the left having a radius of 25.00 feet, delta angle of 24° 45' 10", with a chord which bears North 25° 04' 18" West, 10.72 feet to a point hereof;
- 12. North 37° 26' 53" West, 34.55 feet to a point for the beginning of a tangent curve to the right;
- 13. 13.20 feet along the arc of said curve to the right having a radius of 25.00 feet, delta angle of 30° 15′ 00″, with a chord which bears North 22° 19′ 23″ West, 13.05 to a point hereof;
- 14. North 12° 54' 07" West, 57.68 feet to a point for the beginning of a tangent curve to the right;
- 15. 6.68 feet along the arc of said curve to the right having a radius of 25.00 feet, a delta angle of 15° 18' 11", with a chord which bears North 05° 15' 02" West, 6.66 feet, to a point hereof;

- 16. North 02° 24' 04" East, 60.97 feet to a point for the beginning of a tangent curve to the left;
- 17. 3.29 feet along the arc of said curve to the left having a radius of 25.00 feet, delta angle of 07° 32′ 34″, with a chord which bears North 01° 22′ 13″ West, 3.29 feet, to a point for corner hereof;
- 18. North 05° 08' 31" West, 92.07 feet, to a point for the beginning of a tangent curve to the left;
- 19. 5.68 feet along the arc of said curve to the left having a radius of 47.00', delta angle of 06° 55' 44", with a chord which bears North 09° 44' 48" West, 5.68 feet, to a point hereof;
- 20. North 13° 12' 40" West, 312.87 feet, to a point for the beginning of a tangent curve to the left;
- 21. 10.54 feet along the arc of said curve to the left having a radius of 25.00feet, delta angle of 24° 09' 52", with a chord which bears North 25° 17' 36" West, 10.47 feet to a point for corner hereof;
- 22. North 37° 22' 32" West, 3.93 feet, to a point for the beginning of a tangent curve to the right;
- 23. 11.66 feet along the arc of said curve to the right having a radius of 25.00 feet, delta angle of 26° 43' 57", with a chord which bears North 24° 00' 33" West, 11.56 feet to a point of compound curvature hereof;
- 24. 110.02 feet along the arc of said curve to the right having a radius of 1030.00 feet, delta angle of 06° 07' 12", with a chord which bears North 07° 34' 59" West, 109.97 feet, to a point of compound curvature hereof;
- 25. 6.75 feet along the arc of said curve to the right having a radius of 25.00 feet, delta angle of 15° 28' 28", with a chord which bears North 03° 12' 51" East, 6.73 feet, to a point for corner hereof;
- 26. North 10° 57' 05" East, 1.80 feet, to a point for the beginning of a tangent curve to the left;
- 27. 34.76 feet, along the arc of said curve to the left having a radius of 100.00 feet, delta angle of 19° 54′ 48″, with a chord which bears North 00° 59′ 41″ East, 34.58 feet;
- 28. North 08° 57' 43" West, 51.29 feet to a point for the beginning of a tangent curve to the right;

- 29. 28.36 feet, along the arc of said curve to the right having a radius of 100.00 feet delta angle of 16° 14' 52", with a chord which bears North 00° 50' 17" West, 28.26 feet, to a point for corner hereof;
- 29 North 07° 17' 09" East, 216.49 feet to a point for the beginning of a tangent curve to the right;
- 30. 5.09 feet, along the arc of said curve to the right, having a radius of 100.00 feet delta angle of 02° 54′ 56″, with a chord which bears North 08° 44′ 37″ East, 5.09 feet, to a point for corner hereof;
- 31. North 10° 12' 05" East, 144.98 feet; to a point for the beginning of a tangent curve to the right:
- 32. 10.63', along the arc of said curve to the right, having a radius of 100.00 feet, delta angle of 06° 05' 17", with a chord which bears North 07° 09' 27" East, 10.62 feet;
- 33. North 04° 06' 49" East, 63.74 feet, to a point for the beginning of a tangent curve to the left;
- 34. 16.93 feet, along the arc of said curve to the left, having a radius of 100.00 feet, delta angle of 09° 42′ 00", with a chord which bears North 08° 57′ 48" East, 16.91 feet to a point of hereof;
- 35. North 13° 48' 48" East, 108.70 feet, to a point for the beginning of a tangent curve to the left;
- 36. 21.52 feet, along the arc of said curve to the left, having a radius of 100.00 feet, delta angle of 12° 19' 50", with a chord which bears North 07°38'53" East, 21.48 feet to a point;
- 37. North 01° 28' 58" East, 69.40 feet, to a point for the beginning of a tangent curve to the right;
- 38. 2.66 feet, along the arc of said curve to the right, having a radius of 100.00 feet, delta angle of 01° 31' 29", with a chord which bears North 02° 14' 43" East, 2.66 feet, to a point of reverse curvature to the left;
- 39. 112.51 feet, along the arc of said curve to the left, having a radius of 850.00 feet, delta angle of 07° 35' 01", with a chord which bears North 00° 47' 03" West, 112.42 feet, to a point of reverse curvature to the right;
- 40. 7.15 feet, along the arc of said curve to the right, having a radius of 25.00 feet, delta angle of 16° 23' 41", with a chord which bears North 03° 37' 17" East, 7.13 feet to a point;

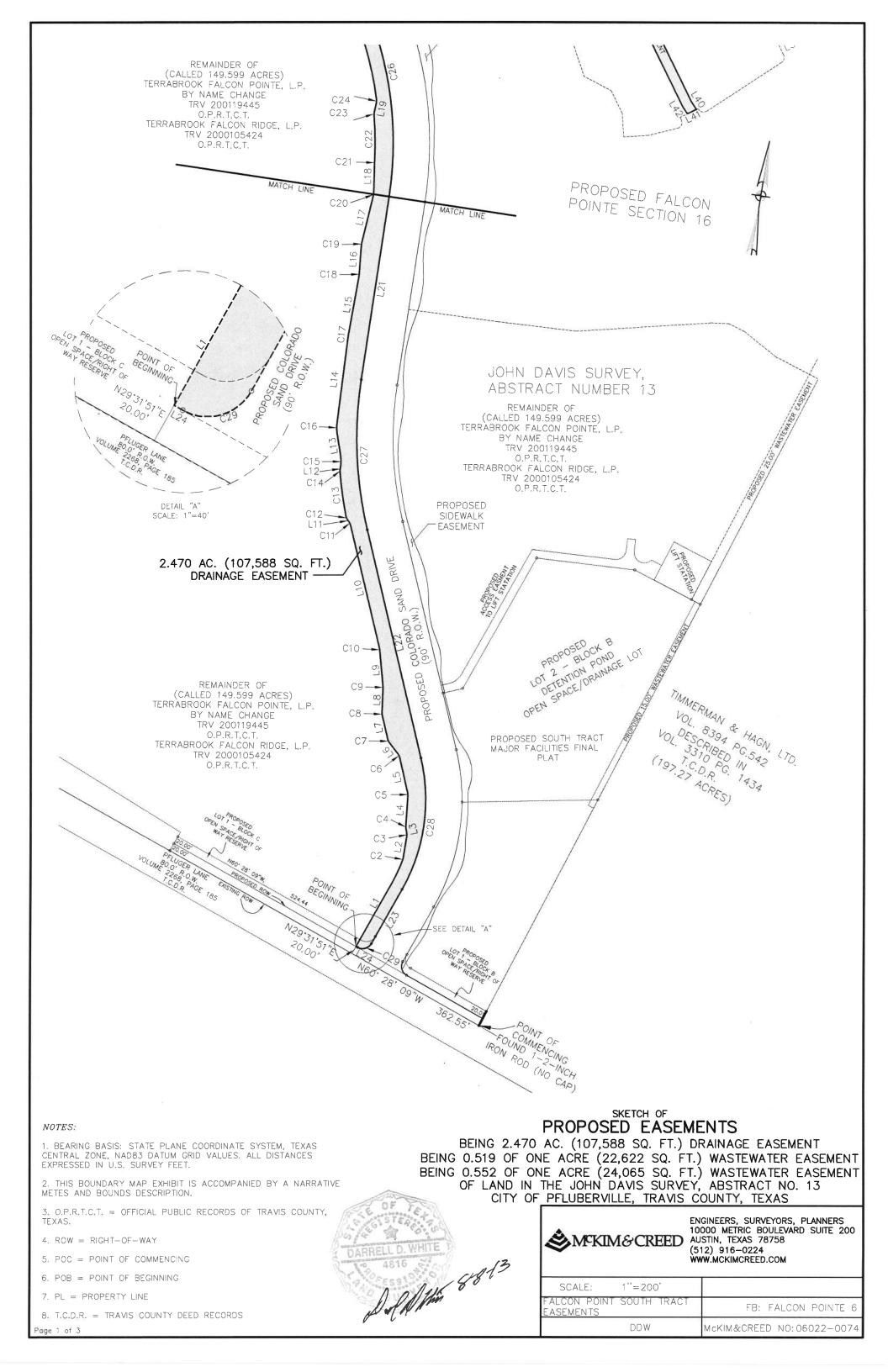
- 41. North 11° 49' 07" East, 25.13 feet, to a point for the beginning of a tangent curve to the Left;
- 42. 8.30 feet, along the arc of said curve to the left, having a radius of 25.00 feet, delta angle of 19° 01' 05", with a chord which bears North 02° 18' 35" East, 8.26 feet to a point of compound curvature to the left;
- 43. 356.52 feet, along the arc of said curve to the left, having a radius of 860.00 feet, a delta angle of 23° 45' 09", with a chord which bears North 19° 04' 32" West, 353.97 feet for a corner hereof;
- 44. North 59° 02' 53" East, 35.00 feet to a point in the curving proposed west (90.00 foot Right-of-Way) line of said Colorado Sand Drive, said curve being to right;

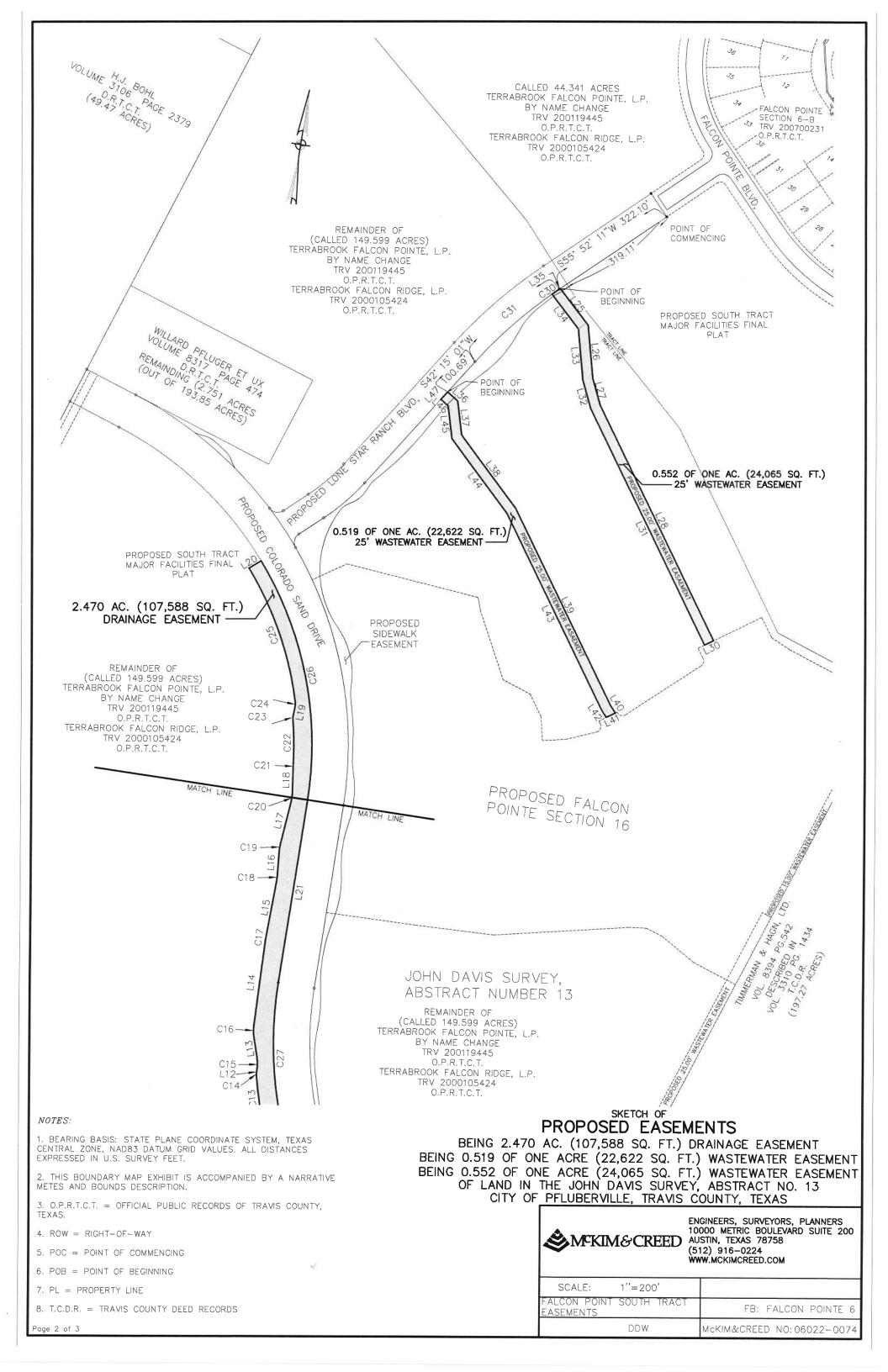
THENCE, over and across said remainder of 149.599 acre Terrabrook Falcon Pointe, L.P. tract and along the proposed west right- of way line of said Colorado Sand Drive (90-foot right-of-way) the following eight (8) courses:

- 1. 618.37 feet, along the arc of said curve to the right, having a radius of 895.00 feet, delta angle of 39° 35' 11", a chord which bears South 11° 09' 31" East, 606.14 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD";
- 2. South 08° 38' 04" West, 460.50 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD" for the beginning of a tangent curve to the left;
- 3. 375.56 feet, along the arc of said curve to the left, a radius of 985.00 feet, delta angle of 21° 50′ 44″, a chord which bears South 02° 17′ 18″ East, 373.29 feet, to a set 1/2-inch iron rod with cap stamped "MCKCRD" hereof;
- 4. South 13° 12' 40" East, 582.91 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD"; for the beginning of a tangent curve to the right;
- 5. 337.03', along the arc of said curve to the right, a radius of 455.00 feet, delta angle of 42° 26' 26", a chord which bears South 08° 00' 33" West, 329.38 feet, to a set 1/2-inch iron rod with cap stamped "MCKCRD" hereof;
- 6. South 29° 13' 46" West, 154.63 feet to a set 1/2-inch iron rod with cap stamped "MCKCRD"; for the beginning of a tangent curve to the right;
- 7. 39.40 feet, along the arc of said curve to the right, a radius of 25.00 feet, a delta angle of 90° 18' 04", a chord which bears South 74° 22' 49" West, 35.45 feet;
- 8. Thence, North 60° 28' 09" West, 4.87 feet, to the **POINT OF BEGINNING** and containing a computed area of 2.470 acres (107,588 square feet) of land.

Prepared by McKim & Creed, August, 2013 Job No. 06022 – 0074

Darrell D. White, RPLS





	LINE TA	DLL
LINE	LENGTH	BEARING
L1	179.60	N 29°13'46" E
L2	56.63	N 09°15′54" E
L3	8.61	N 11°44'11" W
L4	75.68	N 03°43'09" E
L5	90.34	N 12°41'43" W
L6	34.55	N 37°26'53" W
L7	57.68	N 12°54'07" W
L8	60.97	N 02°24'04" E
L9	92.07	N 05°08'31" W
L10	312.87	N 13°12'40" W
L11	3.93	N 37°22'32" W
L12	1.80	N 10°57'05" E
L13	51.29	N 08°57'43" W
L14	216.49	N 07°17'09" E
L15	144.98	N 10°12'05" E
L16	63.74	N 04°06'49" E
L17	108.70	N 13°48'48" E
L18	69.40	N 01°28′58" E
L19	25.13	N 11°49'07" E
L20	35.00	N 59°02'53" E
L21	460.50	S 08°38'04" W
L22	582.91	S 13°12'40" E
L23	154.63	S 29°13'46" W
L24	4.87	N 60°28'09" W
L25	115.02	S 37°06'49" E
L26	132.12	S 04°59'49" E
L27	68.22	S 15°24'42" E
L28	649.30	S 25°49'36" E
L30	25.00	S 64°10′24" W
L31	651.58	N 25°49'36" W
L32	72.78	N 15°24'42" W
L33	127.22	N 04°59'49" W
L34	108.91	N 37°07'12" W
L35	2.99	N 55°52'11" E
L36	33.87	S 47°44'59" E
L37	84.40	S 06°33'05" E
L38	226.05	S 36°24'20" E
L39	543.46	S 25°49'36" E
L40	22.19	S 33°15'08" E
L41	25.21	S 64°10′24" W
L42 L43	20.55 542.76	N 33°15'08" W
L43	230.40	N 25°49'36" W
L44 L45		N 36°24'20" W
L45 L46	81.67 24.47	N 06°33'05" W
		N 47°44'59" W
L47	25.00	N 42°15'01" E

LINE TABLE

			urve tabli		
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	LENGTH
C1	65.94	425.00	08°53'21"	N 24°47'06" E	65.87
C2	1.93	10.00	11°04'31"	N 14°48'09" E	1.93
С3	9.16	25.00	21°00'05"	N 01°14'08" W	9.11
C4	6.74	25.00	15°27'19"	N 04°00'31" W	6.72
C5	7.16	25.00	16°24'52"	N 04°29'17" W	7.14
C6	10.80	25.00	24°45'10"	N 25°04'18" W	10.72
C7	13.20	25.00	30°15'00"	N 22°19'23" W	13.05
C8	6.68	25.00	15°18'11"	N 05°15'02" W	6.66
C9	3.29	25.00	07°32'34"	N 01°22'13" W	3.29
C10	5.68	47.00	06°55'44"	N 09°44'48" W	5.68
C11	10.54	25.00	24°09'52"	N 25°17'36" W	10.47
C12	11.66	25.00	26°43'57"	N 24°00'33" W	11.56
C13	110.02	1030.00	06°07'12"	N 07°34'59" W	109.97
C14	6.75	25.00	15°28'28"	N 03°12'51" E	6.73
C15	34.76	100.00	19°54'48"	N 00°59'41" E	34.58
C16	28.36	100.00	16°14'52"	N 00°50'17" W	28.26
C17	5.09	100.00	02°54'56"	N 08°44'37" E	5.09
C18	10.63	100.00	06°05'17"	N 07°09'27" E	10.62
C19	16.93	100.00	09°42'00"	N 08°57'48" E	16.91
C20	21.52	100.00	12°19'50"	N 07°38'53" E	21.48
C21	2.66	100.00	01°31'29"	N 02°14'43" E	2.66
C22	112.51	850.00	07°35'01"	N 00°47'03" W	112.42
C23	7.15	25.00	16°23'41"	N 03°37'17" E	7.13
C24	8.30	25.00	19°01'05"	N 02°18'35" E	8.26
C25	356.52	860.00	23°45'09"	N 19°04'32" W	353.97
C26	618.37	895.00	39°35'11"	S 11°09'31" E	606.14
C27	375.56	985.00	21°50'44"	S 02°17'18" E	373.29
C28	337.03	455.00	42°26'26"	S 08°00'33" W	329.38
C29	39.40	25.00	90°18'04"	S 74°22'49" W	35.45
C30	22.04	1165.00	01°05'02"	N 55°19'40" E	22.04
C31	276.93	1165.00	13°37'10"	S 49°03'38" W	276.26

NOTES:

- 1. BEARING BASIS: STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 DATUM GRID VALUES. ALL DISTANCES EXPRESSED IN U.S. SURVEY FEET.
- 2. THIS BOUNDARY MAP EXHIBIT IS ACCOMPANIED BY A NARRATIVE METES AND BOUNDS DESCRIPTION.
- 3. O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY,
- 4. ROW = RIGHT-OF-WAY
- 5. POC = POINT OF COMMENCING
- 6. POB = POINT OF BEGINNING
- 7. PL = PROPERTY LINE
- 8. T.C.D.R. = TRAVIS COUNTY DEED RECORDS Page 3 of 3

PROPOSED EASEMENTS

BEING 2.470 AC. (107,588 SQ. FT.) DRAINAGE EASEMENT
BEING 0.519 OF ONE ACRE (22,622 SQ. FT.) WASTEWATER EASEMENT
BEING 0.552 OF ONE ACRE (24,065 SQ. FT.) WASTEWATER EASEMENT
OF LAND IN THE JOHN DAVIS SURVEY, ABSTRACT NO. 13
CITY OF PFLUBERVILLE, TRAVIS COUNTY, TEXAS



ENGINEERS, SURVEYORS, PLANNERS 10000 METRIC BOULEVARD SUITE 200 AUSTIN, TEXAS 78758 (512) 916-0224 WWW.MCKIMCREED.COM

FALCON POINT SOUTH TRACT EASEMENTS	FB: FALCON POINTE 6
DDW	McKIM&CREED NO: 06022-0074