

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE TEXAS CLOSING, VACATING, ABANDONING AND CONVEYING A PORTION OF THE E.W. PFLUGER ADDITION PUBLIC RIGHT-OF-WAY IN THE CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City of Pflugerville desires to continue to protect and ensure the public health, safety, and welfare of its residents and businesses by effectively managing the City's real property interests that are held in trust for the public; and

WHEREAS, Section 311.007 of the Texas Transportation Code authorizes home-rule cities to vacate, abandon and close any street or alley; and

WHEREAS, Section 272.001(b)(2) of the Texas Local Government Code authorizes the conveyance of City streets and alleys owned in fee or used by easement to abutting property owners; and

WHEREAS, the City of Pflugerville has received a request from the abutting property owners, Nicole Field, Bruce Allen Gist, Damian Reisner and Erin Lightfoot, and Trelton K. Bohls, (the "Requestors"), requesting that the City close, vacate, abandon and convey a portion of the E.W. Pfluger Addition Right-of-Way as more specifically described in **Exhibit A** (the "Property"), which is attached hereto and incorporated herein for all purposes; and

WHEREAS, the City, after vetting the request and confirming with all franchised public utility providers and appropriate City departments, has determined that the Property is no longer needed for a public right of way, with the exception of a reservation of a public utility easement interest, and that it is in the public interest to close, vacate, abandon and convey the Property to the Requestors in accordance with Section 3.14 of the City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

SECTION 1. Finding of Fact.

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. All of the Property described in **Exhibit A** is hereby closed, abandoned and vacated as a right of way or passage by the City of Pflugerville, Texas, as the Property has been found to no longer be necessary for public purposes, with the exception of a reservation of a public utility easement, and it being found to be in the public interest by the City of Pflugerville to close, vacate

and abandon the same to the extent of the public right, title and interest in and to the Property that the City may lawfully abandon.

SECTION 3. That the Property was possessed by the City as a dedicated right of way and shall be abandoned and released to the abutting property owners in proportion to their abutting share, in accordance with Section 272.001(b)(2) of the Texas Local Government Code, and that the City Manager of the City of Pflugerville, Texas is hereby authorized, empowered and directed to convey said Property to the Requestors, their successors, heirs and assigns, by virtue of a Deed without Warranty, subject to a reservation of a public utility easement interest, in substantially the form provided as **Exhibit B**, which is attached hereto and incorporated herein for all purposes.

SECTION 4. Cumulative/Repealer.

This Ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this Ordinance shall not operate to repeal, amend or otherwise affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed or amended to the extent of such conflict.

SECTION 5. Severability.

Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. Effective Date.

This Ordinance will take effect upon its passage and adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED, APPROVED, AND ADOPTED on the _____ day of _____,
2018.

Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

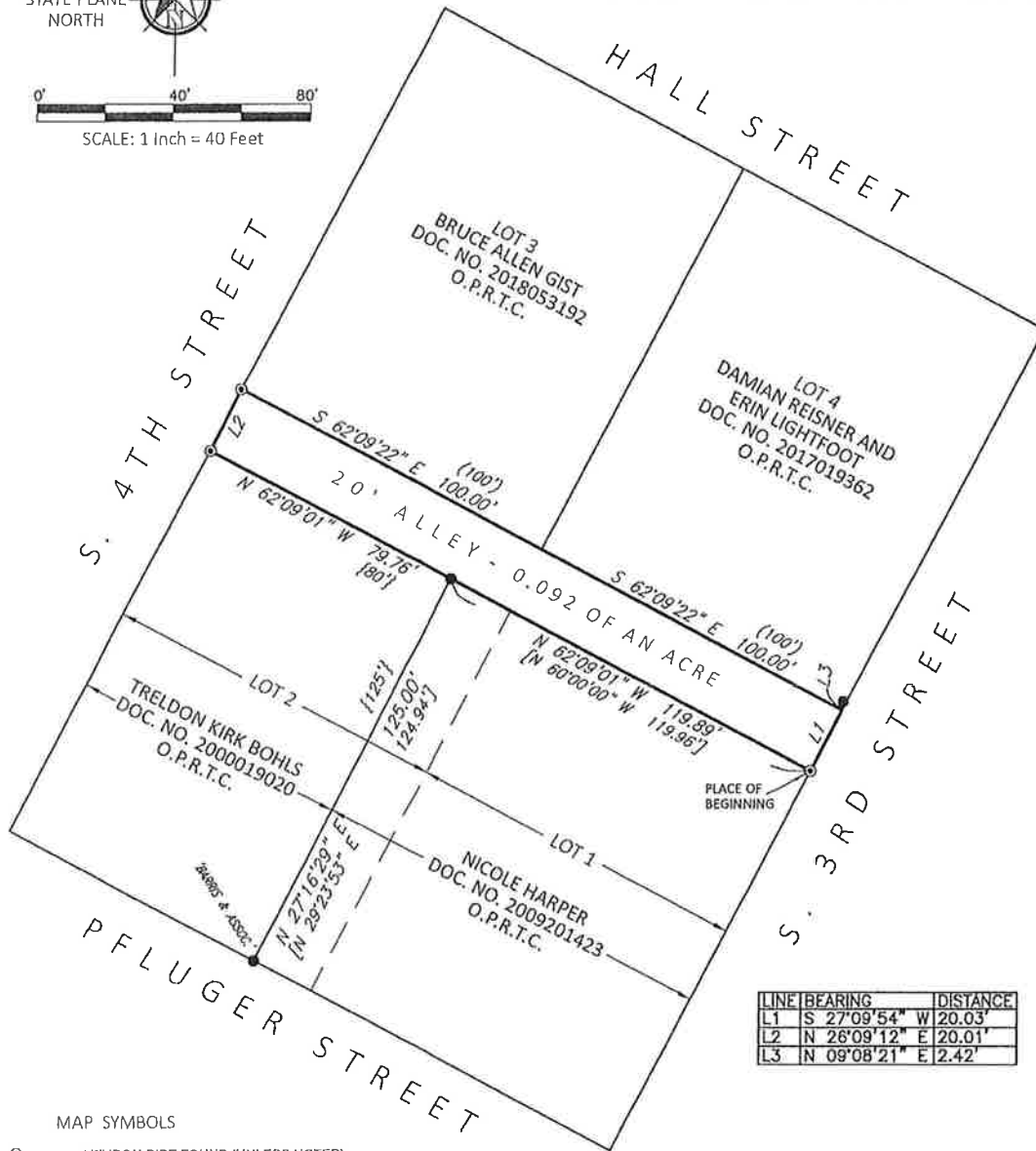
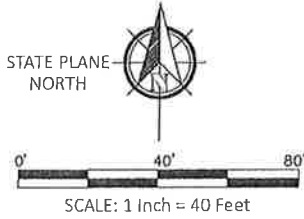
Charles E. Zech, City Attorney
DENTON, NAVARRO, ROCHA, BERNAL & ZECH, P.C.

EXHIBIT A
THE PROPERTY

SURVEY OF A 0.092 OF AN ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING THE 20' ALLEY OVER BLOCK 4, E. W. PFLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

NOTES:

- 1) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, HAVING A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE OF 01°23'44".
- 2) SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS, SETBACKS, OR OTHER MATTERS OF RECORD THAT EXIST THAT ARE NOT SHOWN HEREON.



LINE	BEARING	DISTANCE
L1	S 27°09'54" W	20.03'
L2	N 28°09'12" E	20.01'
L3	N 09°08'21" E	2.42'

MAP SYMBOLS

- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- CM CONTROL MONUMENT
- D.R.T.C. DEED RECORDS, TRAVIS COUNTY, TEXAS
- P.R.T.C. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- R.P.R.T.C. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION 2/176
- [] RECORD INFORMATION DOC. NO. 2009201423
- { } RECORD INFORMATION DOC. NO. 2000019020



Fred L. Dodd Jr.
 FRED L. DODD, JR. RPLS NO. 6392
 DATE: 05/04/2018 JOB NO. TC18057

ORDER A SURVEY EMAIL US AT:
 INFO@DODDSURVEYING.COM
 OFFICE (512) 953-5705

8019 W. GRAND PKWY.
 SUITE 1060 #464
 RICHMOND, TX 77407

EXHIBIT B

DEED WITHOUT WARRANTY FORM

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.

THE STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

DEED WITHOUT WARRANTY

THE CITY OF PFLUGERVILLE, TEXAS ("**Grantor**"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **Nicole Field** whose mailing address is 202 South 3rd Street ("**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, Grantor has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee that certain parcel of land lying and being situated in the State of Texas and County of Travis, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference ("**Property**").

This conveyance is made by Grantor and accepted by Grantee expressly subject to any and all restrictions, covenants, conditions, ordinances, easements, encroachments, maintenance charges and the liens securing the same, all outstanding royalty or mineral interests, and all other matters, of record or otherwise, to the extent the same are now in force and effect and relate to the Property (the "**Permitted Exceptions**").

The Grantor hereby reserves a public utility easement ("**Easement**") over the Property, as more particularly described in **Exhibit "A"**. Grantor, its successors, assigns, or agents, and owners of other public utilities as approved by the Grantor shall have the right and privilege to enter upon, under, over, across and along the tract or parcel covered by the Easement, and all premises adjacent to the outside boundaries of said Easement, to the extent necessary and at any time that Grantor or approved public utility providers deem proper for the purpose of exercising their rights and privileges for the purpose of constructing, reconstructing, operating, maintaining and repairing publicly owned utilities within said Easement; and for the purpose of ingress and egress to and from said Easement.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the Property to have and to hold it to Grantee, Grantee's heirs, successors or assigns forever, **without express or implied warranty**, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

Grantee agrees to be responsible for any ad valorem taxes with respect to the Property accruing after the date of this conveyance and Grantee assumes and agrees to pay the same and to

indemnify and hold Grantor harmless with respect thereto. Any and all ad valorem taxes with respect to the Property assessed for periods prior to the date hereof shall be the sole responsibility of Grantor, including any rollback taxes due to a change in use of the Property, and Grantor assumes and agrees to pay the same and to indemnify and hold harmless Grantee and Grantee's assigns with respect thereto.

EXECUTED AND DELIVERED the ____ day of _____, 2018.

THE CITY OF PFLUGERVILLE, TEXAS

By: _____
Sereniah Breland, City Manager

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sereniah Breland, City Manager of the City of Pflugerville, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of the City of Pflugerville, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2018.

Notary Public in and for the State of Texas

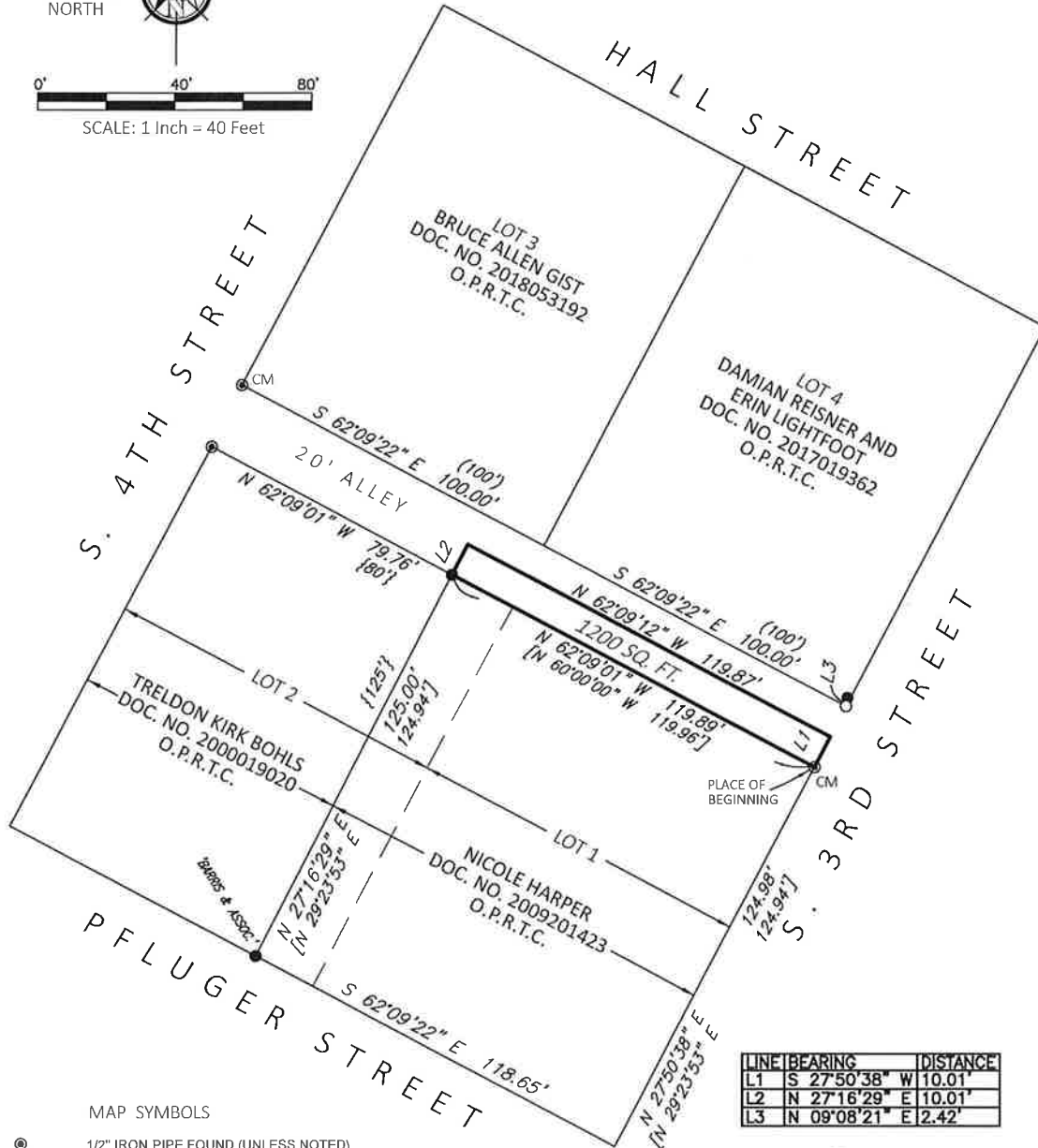
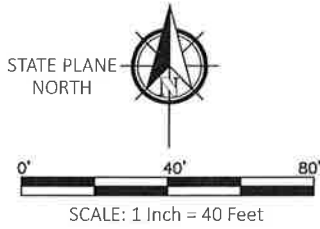
EXHIBIT A

The Property

SURVEY OF A 1200 SQUARE FOOT TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 20' ALLEY OVER BLOCK 4, E. W. PFLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

NOTES:

- 1) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, HAVING A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE OF 01°23'44".
- 2) SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS, SETBACKS, OR OTHER MATTERS OF RECORD THAT EXIST THAT ARE NOT SHOWN HEREON.



MAP SYMBOLS

- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- CM CONTROL MONUMENT
- D.R.T.C. DEED RECORDS, TRAVIS COUNTY, TEXAS
- P.R.T.C. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- R.P.R.T.C. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION 2/176
- [] RECORD INFORMATION DOC. NO. 2009201423
- { } RECORD INFORMATION DOC. NO. 2000019020

LINE	BEARING	DISTANCE
L1	S 27°50'38" W	10.01'
L2	N 27°16'29" E	10.01'
L3	N 09°08'21" E	12.42'



Fred L. Dodd Jr.
 FRED L. DODD, JR. RPLS NO. 6392
 DATE: 08/23/2018 JOB NO. TC18057-2D

ORDER A SURVEY EMAIL US AT:
 INFO@DODDSURVEYING.COM
 OFFICE (512) 953-5705

8019 W. GRAND PKWY.
 SUITE 1060 #464
 RICHMOND, TX 77407

METES AND BOUNDS DESCRIPTION

OF A 1200 SQUARE FOOT TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 20' ALLEY OVER BLOCK 4, E. W. PLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID 1200 SQUARE FOOT TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2 INCH IRON PIPE FOUND IN THE NORTHWEST LINE OF S. THIRD STREET FOR THE NORTHWEST CORNER OF LOT 1, AND NORTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO NICOLE HARPER, RECORDED IN DOCUMENT NO. 2009201423 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE SOUTHWEST CORNER OF SAID 20' ALLEY, AND SOUTHWEST CORNER HEREOF;

THENCE, N 62°09'01" W, WITH THE COMMON LINE OF SAID HARPER TRACT AND SAID 20' ALLEY, A DISTANCE OF 119.89 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID HARPER TRACT, AND SOUTHWEST CORNER HEREOF;

THENCE, N 27°16'29" E, A DISTANCE OF 10.01 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID 20' ALLEY FOR THE NORTHWEST CORNER HEREOF;

THENCE, S 62°09'12" E, WITH THE CENTERLINE OF SAID 20' ALLEY, A DISTANCE OF 119.87 FEET TO A CALCULATED POINT IN THE NORTHWEST LINE OF SAID S. THIRD STREET FOR THE NORTHEAST CORNER HEREOF;

THENCE, S 27°50'38" W, WITH THE NORTHWEST LINE OF SAID S. THIRD STREET, A DISTANCE OF 10.01 FEET TO THE **PLACE OF BEGINNING**, AND CONTAINING 1200 SQUARE FEET OF LAND, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE 01°23'44".

SEE PLAT OF EVEN DATE

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 08-23-2018
FRED L. DODD, JR, SURVEYOR, INC.
8019 W. GRAND PKWY.
SUITE 1060 #464
RICHMOND, TX 77407



Fred L. Dodd, Jr.
FRED L. DODD JR.
R.P.L.S.NO.6392
STATE OF TEXAS

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.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

DEED WITHOUT WARRANTY

THE CITY OF PFLUGERVILLE, TEXAS ("**Grantor**"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **Bruce Allen Gist** whose mailing address is 303 West Hall Street ("**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, Grantor has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee that certain parcel of land lying and being situated in the State of Texas and County of Travis, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference ("**Property**").

This conveyance is made by Grantor and accepted by Grantee expressly subject to any and all restrictions, covenants, conditions, ordinances, easements, encroachments, maintenance charges and the liens securing the same, all outstanding royalty or mineral interests, and all other matters, of record or otherwise, to the extent the same are now in force and effect and relate to the Property (the "**Permitted Exceptions**").

The Grantor hereby reserves a public utility easement ("**Easement**") over the Property, as more particularly described in **Exhibit "A"**. Grantor, its successors, assigns, or agents, and owners of other public utilities as approved by the Grantor shall have the right and privilege to enter upon, under, over, across and along the tract or parcel covered by the Easement, and all premises adjacent to the outside boundaries of said Easement, to the extent necessary and at any time that Grantor or approved public utility providers deem proper for the purpose of exercising their rights and privileges for the purpose of constructing, reconstructing, operating, maintaining and repairing publicly owned utilities within said Easement; and for the purpose of ingress and egress to and from said Easement.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the Property to have and to hold it to Grantee, Grantee's heirs, successors or assigns forever, **without express or implied warranty**, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

Grantee agrees to be responsible for any ad valorem taxes with respect to the Property accruing after the date of this conveyance and Grantee assumes and agrees to pay the same and to

indemnify and hold Grantor harmless with respect thereto. Any and all ad valorem taxes with respect to the Property assessed for periods prior to the date hereof shall be the sole responsibility of Grantor, including any rollback taxes due to a change in use of the Property, and Grantor assumes and agrees to pay the same and to indemnify and hold harmless Grantee and Grantee's assigns with respect thereto.

EXECUTED AND DELIVERED the ____ day of _____, 2018.

THE CITY OF PFLUGERVILLE, TEXAS

By: _____
Seremiah Breland, City Manager

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Seremiah Breland, City Manager of the City of Pflugerville, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of the City of Pflugerville, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2018.

Notary Public in and for the State of Texas

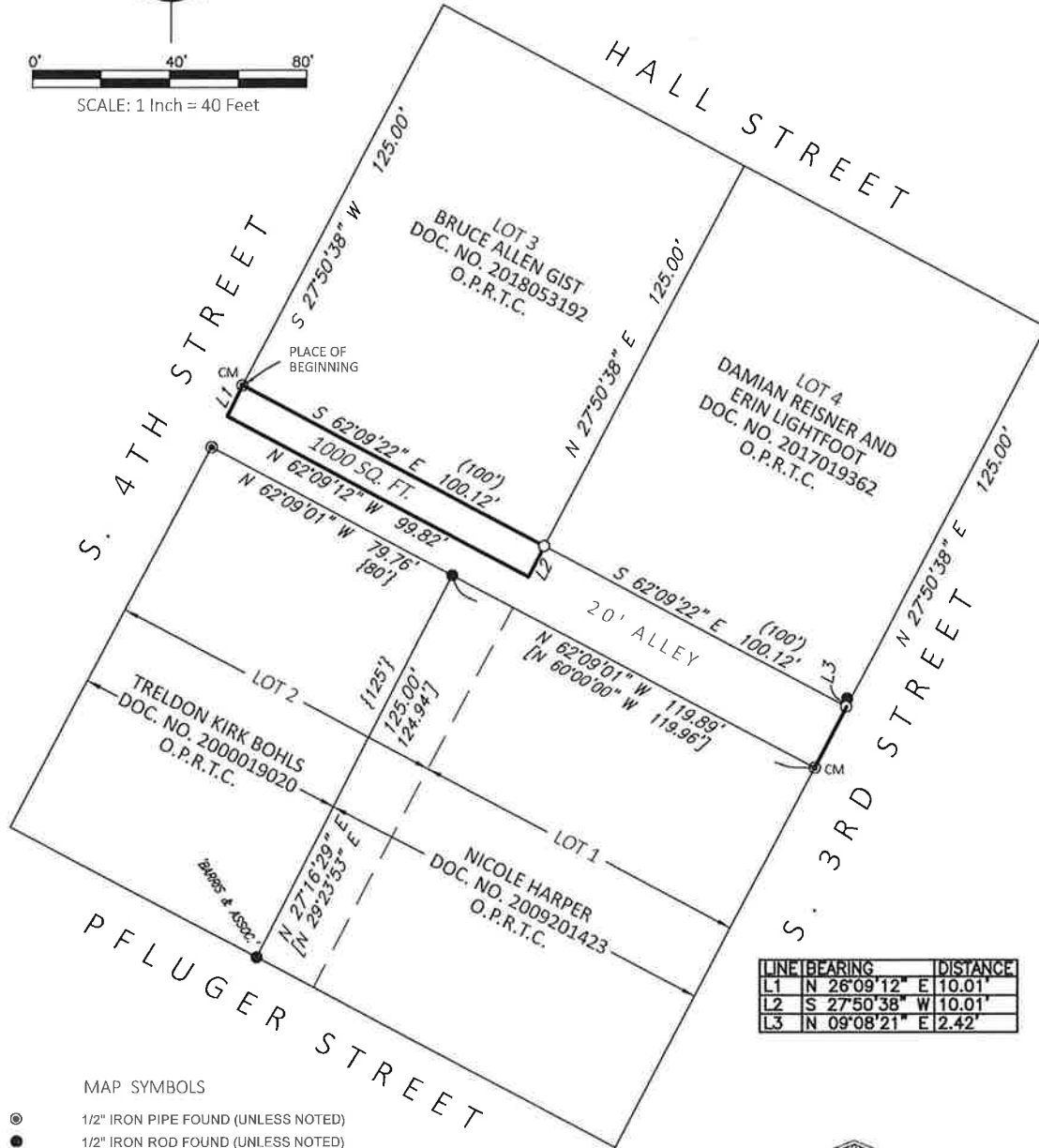
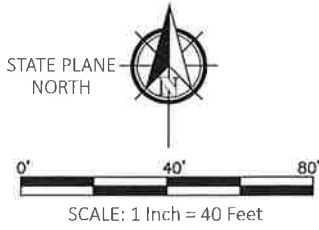
EXHIBIT A

The Property

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NOTES:

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L2	S 27°50'38" W	10.01'
L3	N 09°08'21" E	2.42'

MAP SYMBOLS

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- () RECORD INFORMATION 2/176
- [] RECORD INFORMATION DOC. NO. 2009201423
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Fred L. Dodd Jr.
 FRED L. DODD, JR.
 DATE: 08/23/2018

RPLS NO. 6392
 JOB NO. TC18057-2B

FRED L. DODD JR.
SURVEYOR, INC.
 PROFESSIONAL LAND SURVEYING

ORDER A SURVEY EMAIL US AT:
 INFO@DODDSURVEYING.COM
 OFFICE (512) 953-5705

8019 W. GRAND PKWY.
 SUITE 1060 #464
 RICHMOND, TX 77407

METES AND BOUNDS DESCRIPTION

OF A 1000 SQUARE FOOT TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 20' ALLEY OVER BLOCK 4, E. W. PLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID 1000 SQUARE FOOT TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2 INCH IRON PIPE FOUND IN THE SOUTHEAST RIGHT-OF-WAY OF S. 4TH STREET FOR THE SOUTHWEST CORNER OF LOT 3 OF SAID BLOCK 4, E.W. PFLUGER ADDITION, AS CONVEYED IN THE DEED TO BRUCE ALLEN GIST, RECORDED IN DOCUMENT NO. 2018053192 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE NORTHWEST CORNER OF SAID 20' ALLEY, AND NORTHWEST CORNER HEREOF;

THENCE, S 62°09'22" E, WITH THE COMMON LINE OF SAID LOT 3 AND SAID 20' ALLEY, A DISTANCE OF 100.12 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER HEREOF;

THENCE, S 27°50'38" W, A DISTANCE OF 10.01 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID 20' ALLEY FOR THE SOUTHEAST CORNER HEREOF;

THENCE, N 62°09'12" W, WITH THE CENTERLINE OF SAID 20' ALLEY, A DISTANCE OF 99.82 FEET TO A CALCULATED POINT IN THE SOUTHWEST LINE OF SAID S. 4TH STREET FOR THE SOUTHWEST CORNER HEREOF;

THENCE, N 26°09'12" W, WITH THE SOUTHWEST LINE OF SAID S. 4TH STREET AND NORTHWEST LINE OF SAID 20' ALLEY, A DISTANCE OF 10.01 FEET TO THE **PLACE OF BEGINNING**, AND CONTAINING 1000 SQUARE FEET OF LAND, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE 01°23'44".

SEE PLAT OF EVEN DATE

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 08-23-2018
FRED L. DODD, JR., SURVEYOR, INC.
8019 W. GRAND PKWY.
SUITE 1060 #464
RICHMOND, TX 77407



Fred L. Dodd Jr.
FRED L. DODD JR.
R.P.L.S.NO.6392
STATE OF TEXAS

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THE STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

DEED WITHOUT WARRANTY

THE CITY OF PFLUGERVILLE, TEXAS ("**Grantor**"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **Damian Reisner and Erin Lightfoot** whose mailing address is 200 South 3rd Street ("**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, Grantor has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee that certain parcel of land lying and being situated in the State of Texas and County of Travis, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference ("**Property**").

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Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the Property to have and to hold it to Grantee, Grantee's heirs, successors or assigns forever, **without express or implied warranty**, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

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EXECUTED AND DELIVERED the ____ day of _____, 2018.

THE CITY OF PFLUGERVILLE, TEXAS

By: _____

Sereniah Breland, City Manager

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sereniah Breland, City Manager of the City of Pflugerville, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of the City of Pflugerville, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2018.

Notary Public in and for the State of Texas

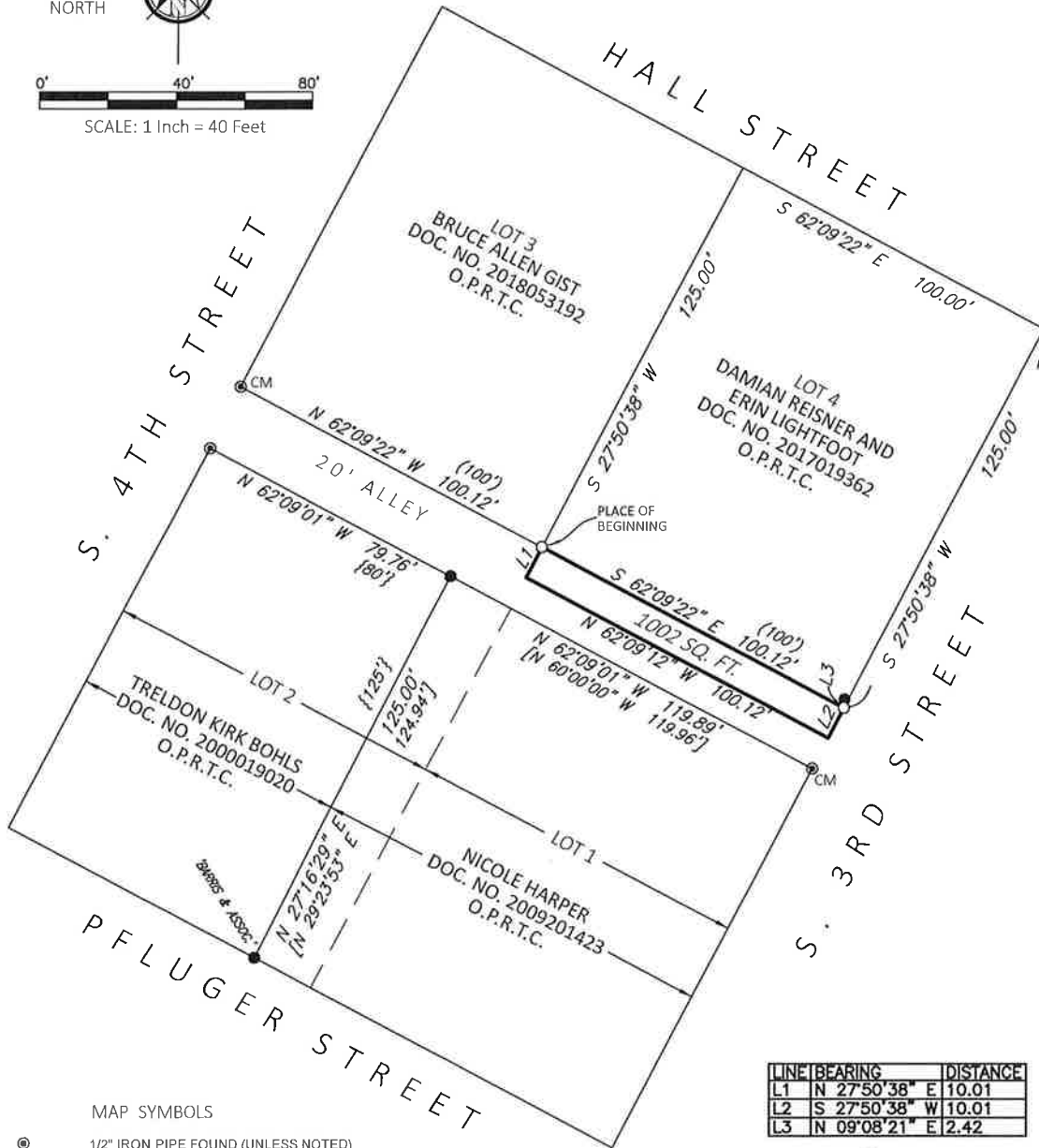
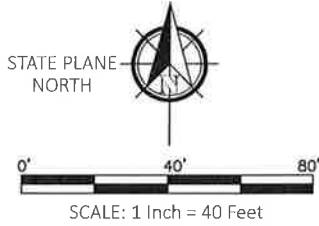
EXHIBIT A

The Property

SURVEY OF A 1002 SQUARE FOOT TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 20' ALLEY OVER BLOCK 4, E. W. PFLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

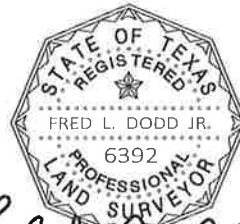
NOTES:

- 1) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, HAVING A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE OF 01°23'44".
- 2) SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS, SETBACKS, OR OTHER MATTERS OF RECORD THAT EXIST THAT ARE NOT SHOWN HEREON.



LINE	BEARING	DISTANCE
L1	N 27°50'38" E	10.01
L2	S 27°50'38" W	10.01
L3	N 09°08'21" E	2.42

- MAP SYMBOLS
- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - 1/2" IRON ROD SET
 - CM CONTROL MONUMENT
 - D.R.T.C. DEED RECORDS, TRAVIS COUNTY, TEXAS
 - P.R.T.C. PLAT RECORDS, TRAVIS COUNTY, TEXAS
 - O.P.R.T.C. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
 - R.P.R.T.C. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
 - () RECORD INFORMATION 2/176
 - [] RECORD INFORMATION DOC. NO. 2009201423
 - { } RECORD INFORMATION DOC. NO. 2000019020



Fred L. Dodd Jr.
 FRED L. DODD, JR.
 DATE: 05/04/2018

RPLS NO. 6392
 JOB NO. TC18057

FRED L. DODD JR.
SURVEYOR, INC.
 PROFESSIONAL LAND SURVEYING

ORDER A SURVEY EMAIL US AT:
 INFO@DODDSURVEYING.COM
 OFFICE (512) 953-5705

8019 W. GRAND PKWY.
 SUITE 1060 #464
 RICHMOND, TX 77407

METES AND BOUNDS DESCRIPTION

OF A 1002 SQUARE FOOT TRACT OF LAND, MORE OR LESS, OUT OF THE A. WALTERS SURVEY, ABSTRACT NO. 791, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 20' ALLEY OVER BLOCK 4, E. W. PFLUGER ADDITION TO PFLUGERVILLE, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 276, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID 1002 SQUARE FOOT TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF LOT 4 OF SAID BLOCK 4, E.W. PFLUGER ADDITION, AS CONVEYED IN THE DEED TO DAMIAN REISNER AND ERIN LIGHTFOOT, RECORDED IN DOC. NO. 2017019362 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, FROM W 1/2 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF LOT 3, OF SAID BLOCK 4, E.W. PFLUGER ADDITION BEARS, N 62°09'22" W, 100.12 FEET;

THENCE, S 62°09'22" E, WITH THE COMMON LINE OF SAID LOT 4 AND SAID 20' ALLEY, A DISTANCE OF 100.12 FEET TO A 1/2 INCH IRON ROD SET IN THE NORTHWEST LINE OF S. 3RD STREET FOR THE NORTHEAST CORNER HEREOF;

THENCE, S 27°50'38" W, WITH THE NORTHWEST LINE OF SAID S. 3RD STREET AND SOUTHEAST LINE OF SAID 20' ALLEY, A DISTANCE OF 10.01 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID 20' ALLEY FOR THE SOUTHEAST CORNER HEREOF;

THENCE, N 62°09'12" W, WITH THE CENTERLINE OF SAID 20' ALLEY, A DISTANCE OF 100.12 FEET TO A CALCULATED POINT FOR THE SOUTHWEST CORNER HEREOF;

THENCE, N 27°50'38" E, A DISTANCE OF 10.01 FEET TO THE **PLACE OF BEGINNING**, AND CONTAINING 1002 SQUARE FEET OF LAND, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE 01°23'44".

SEE PLAT OF EVEN DATE

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 08-23-2018
FRED L. DODD, JR, SURVEYOR, INC.
8019 W. GRAND PKWY.
SUITE 1060 #464
RICHMOND, TX 77407



Fred L. Dodd Jr.
FRED L. DODD JR.
R.P.L.S.NO.6392
STATE OF TEXAS

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.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

DEED WITHOUT WARRANTY

THE CITY OF PFLUGERVILLE, TEXAS ("**Grantor**"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **Treldon K. Bohls** whose mailing address is 302 West Pfluger Street ("**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, Grantor has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee that certain parcel of land lying and being situated in the State of Texas and County of Travis, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference ("**Property**").

This conveyance is made by Grantor and accepted by Grantee expressly subject to any and all restrictions, covenants, conditions, ordinances, easements, encroachments, maintenance charges and the liens securing the same, all outstanding royalty or mineral interests, and all other matters, of record or otherwise, to the extent the same are now in force and effect and relate to the Property (the "**Permitted Exceptions**").

The Grantor hereby reserves a public utility easement ("**Easement**") over the Property, as more particularly described in **Exhibit "A"**. Grantor, its successors, assigns, or agents, and owners of other public utilities as approved by the Grantor shall have the right and privilege to enter upon, under, over, across and along the tract or parcel covered by the Easement, and all premises adjacent to the outside boundaries of said Easement, to the extent necessary and at any time that Grantor or approved public utility providers deem proper for the purpose of exercising their rights and privileges for the purpose of constructing, reconstructing, operating, maintaining and repairing publicly owned utilities within said Easement; and for the purpose of ingress and egress to and from said Easement.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the Property to have and to hold it to Grantee, Grantee's heirs, successors or assigns forever, **without express or implied warranty**, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

Grantee agrees to be responsible for any ad valorem taxes with respect to the Property accruing after the date of this conveyance and Grantee assumes and agrees to pay the same and to indemnify and hold Grantor harmless with respect thereto. Any and all ad valorem taxes with respect to the Property assessed for periods prior to the date hereof shall be the sole responsibility

of Grantor, including any rollback taxes due to a change in use of the Property, and Grantor assumes and agrees to pay the same and to indemnify and hold harmless Grantee and Grantee's assigns with respect thereto.

EXECUTED AND DELIVERED the ____ day of _____, 2018.

THE CITY OF PFLUGERVILLE, TEXAS

By: _____

Sereniah Breland, City Manager

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sereniah Breland, City Manager of the City of Pflugerville, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of the City of Pflugerville, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2018.

Notary Public in and for the State of Texas

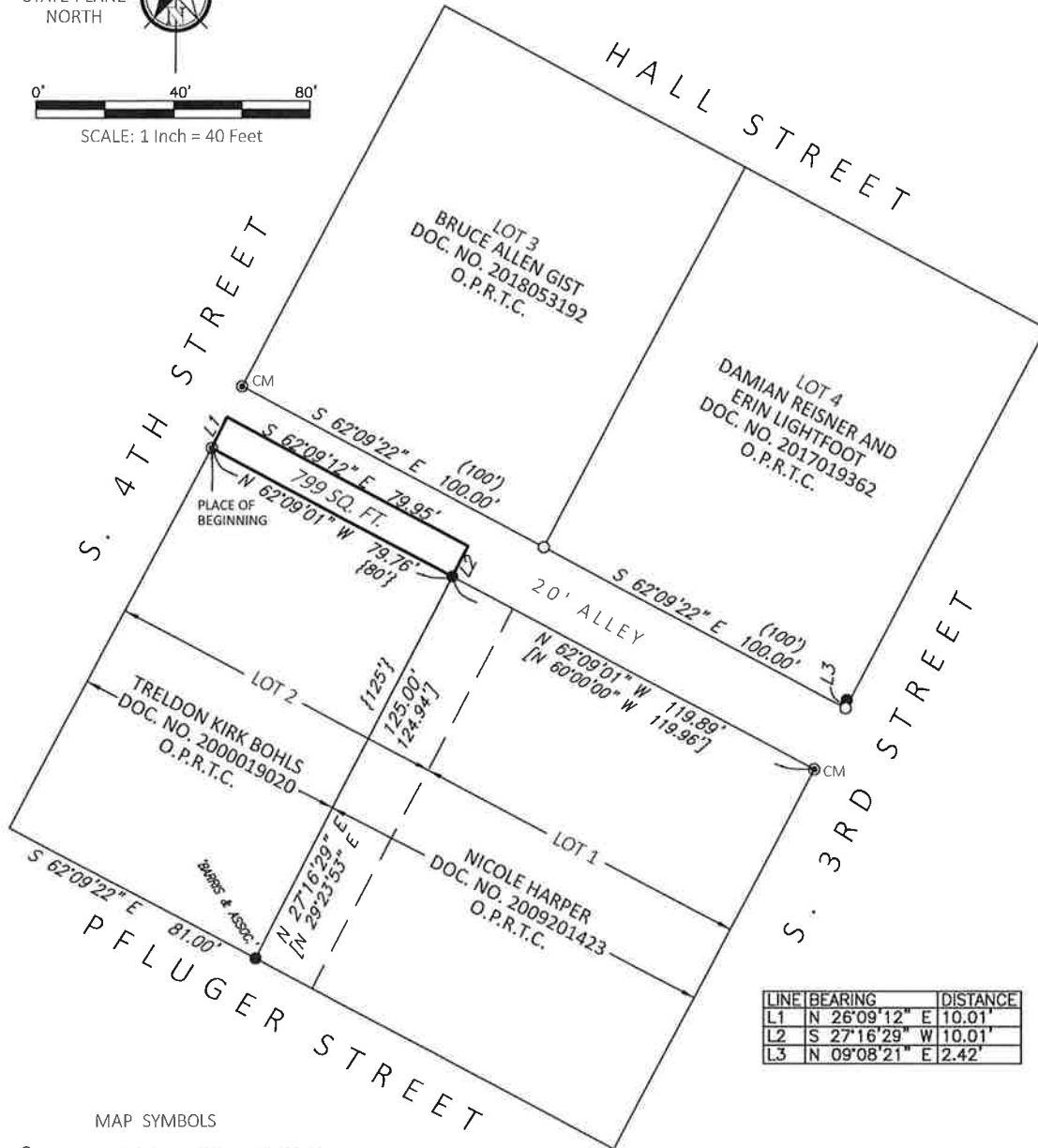
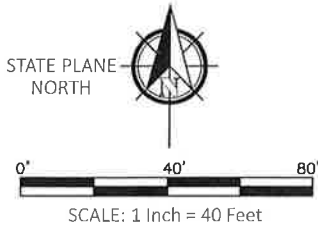
EXHIBIT A

The Property

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NOTES:

- 1) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, HAVING A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE OF 01°23'44".
- 2) SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS, SETBACKS, OR OTHER MATTERS OF RECORD THAT EXIST THAT ARE NOT SHOWN HEREON.



LINE	BEARING	DISTANCE
L1	N 26°09'12" E	10.01'
L2	S 27°16'29" W	10.01'
L3	N 09°08'21" E	2.42'

MAP SYMBOLS

- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- CM CONTROL MONUMENT
- D.R.T.C. DEED RECORDS, TRAVIS COUNTY, TEXAS
- P.R.T.C. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
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- () RECORD INFORMATION 2/176
- [] RECORD INFORMATION DOC. NO. 2009201423
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Fred L. Dodd Jr.
 FRED L. DODD, JR.
 DATE: 08/23/2018

RPLS NO. 6392
 JOB NO. TC18057-2A

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METES AND BOUNDS DESCRIPTION

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BEGINNING, AT A 1/2 INCH IRON PIPE FOUND IN THE SOUTHEAST RIGHT-OF-WAY OF S. 4TH STREET FOR THE NORTHWEST CORNER OF LOT 2 OF SAID BLOCK 4, E.W. PFLUGER ADDITION, THE NORTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO TRELTON KIRK BOHLS, RECORDED IN DOCUMENT NO. 2000019020 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE SOUTHWEST CORNER OF SAID 20' ALLEY, AND SOUTHWEST CORNER HEREOF;

THENCE, N 26°09'12" E, WITH THE SOUTHEAST RIGHT-OF-WAY OF SAID 4TH STREET AND THE NORTHWEST LINE OF SAID 20' ALLEY, A DISTANCE OF 10.01 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID ALLEY FOR THE NORTHWEST CORNER HEREOF;

THENCE, S 62°09'12" E, WITH THE CENTERLINE OF SAID 20' ALLEY, A DISTANCE OF 79.95 FEET TO A CALCULATED POINT FOR THE NORTHEAST CORNER HEREOF;

THENCE, S 27°16'29" W, A DISTANCE OF 10.01 FEET TO A 1/2 INCH IRON ROD FOUND IN THE SOUTHWEST LINE OF SAID 20' ALLEY FOR THE NORTHEAST CORNER OF SAID BOHLS TRACT, THE NORTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO NICOLE HARPER, RECORDED IN DOCUMENT NO. 2009201423 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND SOUTHEAST CORNER HEREOF;

THENCE, N 62°09'01" W, WITH THE SOUTHWEST LINE OF SAID 20' ALLEY, AND NORTHEAST LINE OF SAID BOHLS TRACT, A DISTANCE OF 79.76 FEET TO THE **PLACE OF BEGINNING**, AND CONTAINING 799 SQUARE FEET OF LAND, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.99989369 AND CONVERGENCE ANGLE 01°23'44".

SEE PLAT OF EVEN DATE

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 09-11-2018
FRED L. DODD, JR, SURVEYOR, INC.
8019 W. GRAND PKWY.
SUITE 1060 #464
RICHMOND, TX 77407



Fred L. Dodd, Jr.
FRED L. DODD JR.
R.P.L.S.NO.6392
STATE OF TEXAS