

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:

CSN Pflugerville LLC (“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:

In witness whereof, this instrument is executed this 23rd day of July, 2015.

GRANTOR:

Todd Wallace

AGREED AND ACCEPTED:

CITY OF PFLUGERVILLE, TEXAS,
a Texas home-rule municipality

By: _____
Brandon Wade, City Manager

ATTEST:

Karen Thompson, City Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on July 23, 2015, by Todd Wallace, an individual residing in Travis County, Texas.

Shannon L. Taylor
Notary Public Signature



THE STATE OF TEXAS §

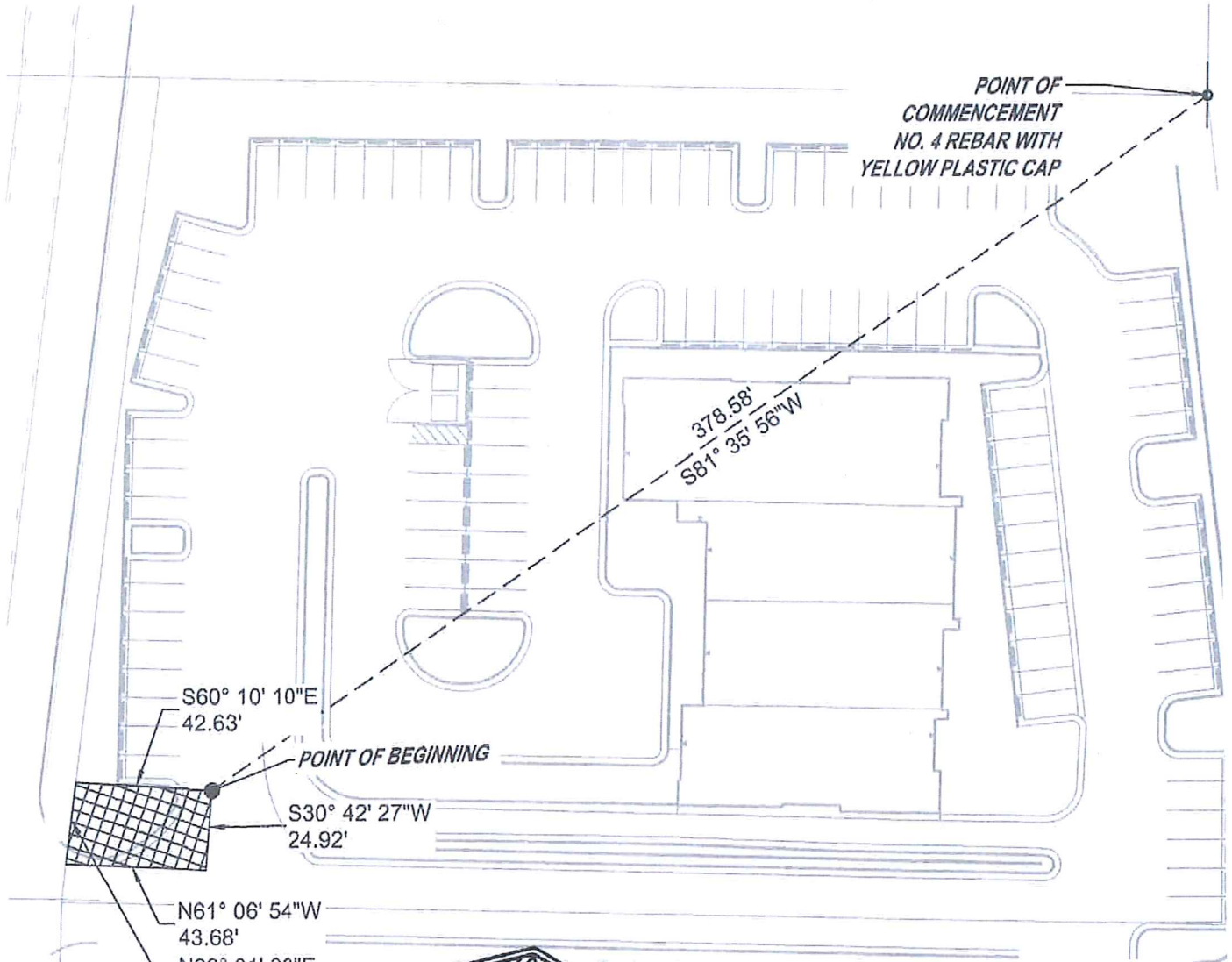
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2015, 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)

SHOPS AT 685 EASEMENT DEDICATION EXHIBIT A



Karl W. Franklin

LEGEND: ————— LOT BOUNDARY - - - - - EASEMENT TIE

DRAWN BY: CDF

CHECKED BY: ETB

JOB NUMBER: TX-018

DATE: 6/15/15

SCALE: 1"=50'

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LAND DESCRIPTION

SHOPS AT 685 UTILITY EASEMENT - TO BE DEDICATED
LOCATED IN THE T.G. STUART SURVEY, ABSTRACT NO. 689
CITY OF PFLUGERVILLE, COUNTY OF TRAVIS, STATE OF TEXAS

Legal Description: Shops at 685 - Utility Easement Dedication

Being a tract of land being a portion of a 65.6722 acres of land, more or less, out of the T.G. Stuart Survey, Abstract NO. 689, in Travis county, Texas, being a portion of that certain property conveyed in deed recorded in volume 12483, page 71, real property records, Travis county, Texas, being more or less 291,076 SF (6.682 AC.)

Being More Fully Described below:

COMMENCING at a #4 rebar with yellow plastic cap found at the West right-of-way line of FM 685 (width varies) also being the Northeast corner of said 65.6722 acre tract of land out of the T.G. Stuart Survey, Abstract NO. 689 and also being the Southeast corner of Stone Hill Town Center recorded under reception NO. 200700201. Thence S81°35'56"W, a distance of 378.58 feet; TO THE **POINT OF BEGINNING**;

Thence S30°42'27"W, a distance of 24.92 feet;

Thence N61°06'54"W, a distance of 43.68 feet;

Thence N33°01'03"E, a distance of 25.68 feet;

Thence S60°10'10"E, a distance of 42.63 feet; to the **POINT OF BEGINNING**.

Said described parcel shall be the portion of the existing utility easement to be **dedicated** consisting of 1090 SF (0.025 AC.) more or less.

NOTE: ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203).



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