

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.

**WASTEWATER EASEMENT AGREEMENT**

THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

**GRANT OF EASEMENT:**

**GATTIS 130 PARTNERS, L.P.**, a Texas limited partnership, ("Grantor"), 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 Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through or under Grantor but not otherwise, subject to all documents recorded of record in Travis County, Texas, other than conveyances of the surface estate by Grantor.

**CHARACTER OF EASEMENT:**

The Easement is an easement in gross.

**PURPOSE OF EASEMENT:**

The Easement shall be used for the placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of a public underground wastewater line 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 public underground wastewater line and related appurtenances.

**DURATION OF EASEMENT:**

The Easement shall be perpetual.

**EXCLUSIVENESS OF EASEMENT:**

The Easement shall be non-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 and subsurface of the Easement Tract for any purpose which does not conflict with Grantee's subsurface use, including but not limited to installation of utility lines (provided that such utility lines shall be crossings only and not parallel lines and such utility lines comply with City of Pflugerville rules and regulations), landscaping, parking, driveways, signage, and roadways, but not buildings or other similar structures.

**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 in whole or in part by Grantee.

Signature page to follow

In witness whereof, this instrument is executed this 19<sup>th</sup> day of December, 2014.

**GRANTOR:**

GATTIS 130 PARTNERS, L.P., a Texas limited partnership

By: Gattis 130 GP, LLC, a Texas limited liability company, its general partner

By:   
Steve Durhman, Manager

**AGREED AND ACCEPTED:**

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

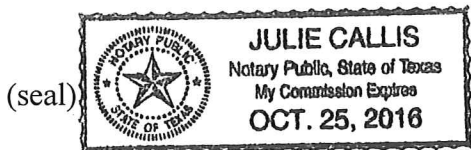
By: \_\_\_\_\_  
Brandon Wade, City Manager

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF TRAVIS     §

This instrument was acknowledged before me on December 19, 2014, by Steve Durhman, Manager of Gattis 130 GP, LLC, a Texas limited liability company, the general partner of Gattis 130 Partners, L.P., a Texas limited partnership, on behalf of said entities..



Julie Callis  
Notary Public Signature

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF \_\_\_\_\_ §

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.

(seal)

\_\_\_\_\_  
Notary Public Signature

**EXHIBIT "A"**

**DESCRIPTION OF A TRACT OF LAND CONTAINING 0.7960 ACRES (34,675 SQ. FT.) SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 1, 6, AND 7, BLOCK A, GATTIS CROSSING, A SUBDIVISION IN TRAVIS AND WILLIAMSON COUNTIES, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED AS DOCUMENT NO. 200800079 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND RECORDED IN CABINET EE, SLIDES 228-229, OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.7960 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½-inch iron rod with "Doucet" cap found on a easterly line of said Lot 7, located at the northeast corner of the Drainage Easement within said Lot 7, said point being on the westerly line of Block E of THE RIDGE AT STEEDS CROSSING, SECTION TWO, PHASE B, according to plat thereof recorded as Document No. 1999900231 of the Official Public Records of Travis County, Texas for the **POINT OF BEGINNING** hereof;

**THENCE**, along the common boundary line of said Lot 7 and of said Block E, S09°57'38"W, a distance of 67.69 feet to a calculated point located on the westerly terminus of the right-of-way of Darley Arabian Drive;

**THENCE**, over and across said Lot 7, and then said Lot 6, the following seventeen (17) courses and distances:

1. N79°18'20"W, a distance of 19.42 feet to a calculated point;
2. N09°56'54"E, a distance of 233.07 feet to a calculated point;
3. N78°42'22"W, a distance of 8.76 feet to a calculated point;
4. N10°02'50"E, a distance of 15.00 feet to a calculated point;
5. S78°54'20"E, a distance of 8.76 feet to a calculated point;
6. N09°57'42"E, a distance of 213.78 feet to a calculated point;
7. N35°01'01"W, a distance of 16.02 feet to a calculated point;

8. N79°44'41"W, a distance of 179.03 feet to a calculated point;
9. S10°38'25"W, a distance of 5.00 feet to a calculated point;
10. N79°36'59"W, a distance of 98.25 feet to a calculated point;
11. S28°50'19"W, a distance of 70.29 feet to a calculated point;
12. S25°53'02"W, a distance of 185.61 feet to a calculated point;
13. N62°57'00"W, a distance of 4.98 feet to a calculated point;
14. S25°18'05"W, a distance of 251.94 feet to a calculated point;
15. N64°41'47"W, a distance of 2.51 feet to a calculated point;
16. S24°48'55"W, a distance of 220.79 feet to a calculated point;
17. S69°29'48"W, a distance of 37.89 feet to a calculated point on the common boundary line of said Lot 6 and of Lot 5 of said Block A;

**THENCE**, along the common boundary line of said Lot 6 and of said Lot 5, the following two (2) courses and distances:

1. N10°21'25"E, a distance of 11.51 feet to a ½-inch iron rod with "Doucet" cap found at an angle point in last said common boundary line;
2. N21°34'17"E, a distance of 6.90 feet to a calculated point;

**THENCE**, over and across said Lot 6, the following three (3) courses and distances;

1. N69°29'48"E, a distance of 21.20 feet to a calculated point;
2. N24°48'55"E, a distance of 207.19 feet to a calculated point;
3. N65°10'56"W, a distance of 19.61 feet to a calculated point on the common boundary line of said Lot 6 and of Lot 4 of said Block A;

**THENCE**, along the common boundary line of said Lot 6 and of said Lot 4, N24°40'29"E, a distance of 15.00 feet to a calculated point;

**THENCE**, over and across said Lot 6 and then said Lot 7, the following three (3) courses and distances;

1. S65°10'56"E, a distance of 17.22 feet to a calculated point;

2. N25°18'05"E, a distance of 229.25 feet to a calculated point;
3. S82°46'01"W, a distance of 21.32 feet to a calculated point on the common boundary line of said Lot 7 and of Lot 3 of said Block A;

**THENCE**, along the common boundary line of said Lot 7 and of said Lot 3, N25°57'41"E, a distance of 17.93 feet to a calculated point;

**THENCE**, over and across said Lot 7, the following four (4) courses and distances;

1. N82°46'01"E, a distance of 15.12 feet to a calculated point;
2. N25°53'02"E, a distance of 187.22 feet to a calculated point;
3. N28°50'19"E, a distance of 58.72 feet to a calculated point;
4. S76°54'26"W, a distance of 32.59 feet to a calculated point on the common boundary line of said Lot 2 of said Block A;

**THENCE**, along the common boundary line of said Lot 2, N10°00'00"E, a distance of 16.31 feet to a calculated point, to which a found ½-inch iron rod with "Doucet" cap bears S10°00'00"W, a distance of 35.30 feet;

**THENCE**, over and across said Lot 7, and then Lot 1 of said Block A, and then again of said Lot 7, the following nine (9) courses and distances:

1. N76°54'26"E, a distance of 39.66 feet to a calculated point;
2. N28°50'19"E, a distance of 13.79 feet to a calculated point;
3. S79°36'59"E, a distance of 119.87 feet to a calculated point;
4. S10°38'25"W, a distance of 5.00 feet to a calculated point;
5. S79°44'41"E, a distance of 158.88 feet to a calculated point;
6. N34°56'41"W, a distance of 10.26 feet to a calculated point;
7. N25°39'13"E, a distance of 17.22 feet to a calculated point;
8. S34°56'41"E, a distance of 36.21 feet to a calculated point;
9. S35°00'33"E, a distance of 39.41 feet to a calculated point on the westerly line of said Block E;

**THENCE**, along the common line of said Lot 7 and of said Block E, S09°57'38"W, a distance of 396.19 feet to the **POINT OF BEGINNING**, and containing 0.7960 acres of land, more or less.



1/23/15

Sydney Smith Xinos, R.P.L.S.      Date  
Texas Registration No. 5361  
Doucet & Associates Inc.,  
7401 B Hwy. 71 West, Suite 160  
Austin, Texas 78735  
Firm Registration No. 10105800





MATCHLINE SEE SHEET 2

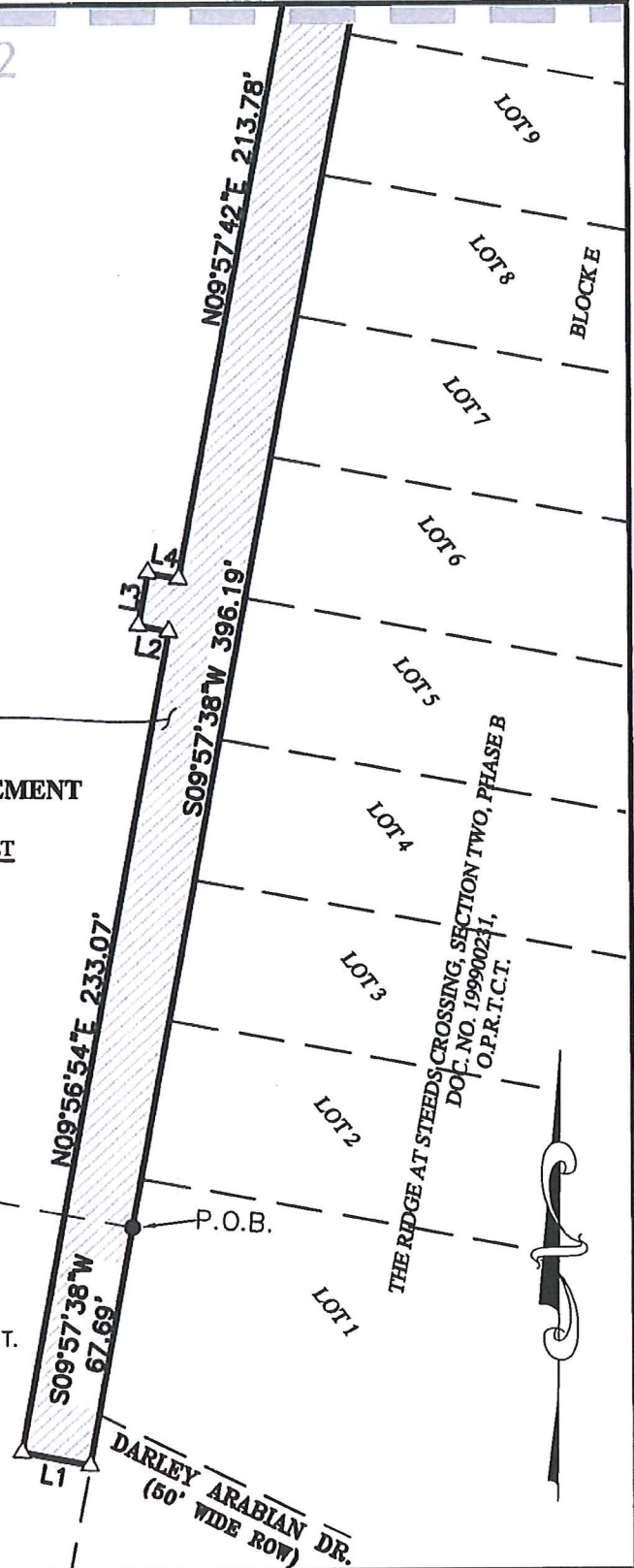
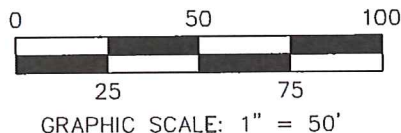


LOT #7, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.

**WASTEWATER EASEMENT**  
**0.7960 ACRES**  
**34,675 SQUARE FEET**

LOT #6, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.

DRAINAGE EASEMENT  
1.517 ± AC.  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND CABINET EE,  
SLIDES 228 AND 229, P.R.W.C.T.



P:\455-008\survey\DA\_drawings\455-008 WASTEWATER EASEMENT.dwg

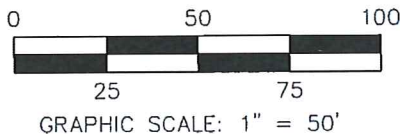
**WASTEWATER  
EASEMENT**  
**TRAVIS COUNTY, TEXAS**

**DA DOUCET  
& ASSOCIATES**

Civil Engineering - Planning - Surveying/Mapping  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetandassociates.com  
Survey Firm Registration Number: 10105800

Date:	1/23/2015
Scale:	1"=50'
Drawn by:	ESH
Reviewer:	SSX
Project:	455-008
Sheet:	1 of 5
Field Book:	399
Party Chief:	MORA
Survey Date:	07/21/2014

MATCHLINE SEE SHEET 3



**WASTEWATER  
EASEMENT  
0.7960 ACRES  
34,675 SQUARE FEET**

APPROXIMATE LOCATION OF  
WILLIAMSON COUNTY LINE  
APPROXIMATE LOCATION OF  
TRAVIS COUNTY LINE

LOT #1, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.

LOT #7, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T. AND  
CABINET EE,  
SLIDES 228 AND  
229  
P.R.W.C.T.

LOT #7, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T. AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

BLOCK E  
THE RIDGE AT STEEDS CROSSING, SECTION TWO, PHASE B  
DOC. NO. 199900231,  
O.P.R.T.C.T.

L26

L25

L21

L6

S79°44'41"E 158.88'

N79°44'41"W 179.03'

L23

L24

S35°00'33"E  
39.41'

N09°57'42"E  
213.78'

S09°57'38"W  
396.19'

MATCHLINE SEE SHEET 1

P:\455-008\survey\DA\_drawings\455-008 WASTEWATER EASEMENT.dwg

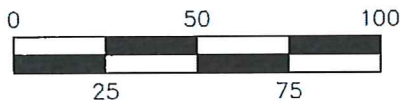
**WASTEWATER  
EASEMENT  
TRAVIS COUNTY, TEXAS**

**DA DOUCET  
& ASSOCIATES**

Civil Engineering - Planning - Surveying/Mapping  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetandassociates.com  
Survey Firm Registration Number: 10105800

Date:	1/23/2015
Scale:	1"=50'
Drawn by:	ESH
Reviewer:	SSX
Project:	455-008
Sheet:	2 of 5
Field Book:	399
Party Chief:	MORA
Survey Date:	07/21/2014





LOT #3, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT #6, BLOCK "A" GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T. AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT #4, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT #1, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T. AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT #2, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T. 35.30'  
AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

LOT #7, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.

**WASTEWATER EASEMENT**  
**0.7960 ACRES**  
**34,675 SQUARE FEET**

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 4

P:\455-008\survey\DA\_drawings\455-008 WASTEWATER EASEMENT.dwg

**WASTEWATER  
EASEMENT  
TRAVIS COUNTY, TEXAS**

**DA DOUCET  
& ASSOCIATES**

Civil Engineering - Planning - Surveying/Mapping  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetandassociates.com  
Survey Firm Registration Number: 10105800

Date:	1/23/2015
Scale:	1"=50'
Drawn by:	ESH
Reviewer:	SSX
Project:	455-008
Sheet:	3 of 5
Field Book:	399
Party Chief:	MORA
Survey Date:	07/21/2014

MATCHLINE SEE SHEET 3

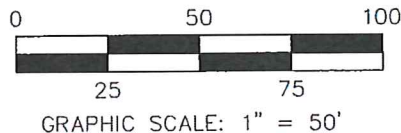


LOT #4, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079 O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228 AND 229  
P.R.W.C.T.

WASTEWATER EASEMENT  
0.7960 ACRES  
34,675 SQUARE FEET

LOT #6, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.

LOT #5, BLOCK "A"  
GATTIS CROSSING  
DOC. NO. 200800079  
O.P.R.T.C.T.  
AND  
CABINET EE, SLIDES 228  
AND 229  
P.R.W.C.T.



P:\455-008\survey\DA\_drawings\455-008 WASTEWATER EASEMENT.dwg

WASTEWATER  
EASEMENT  
TRAVIS COUNTY, TEXAS

**DA DOUCET  
& ASSOCIATES**

Civil Engineering - Planning - Surveying/Mapping  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetandassociates.com  
Survey Firm Registration Number: 10105800

Date:	1/23/2015
Scale:	1"=50'
Drawn by:	ESH
Reviewer:	SSX
Project:	455-008
Sheet:	4 of 5
Field Book:	399
Party Chief:	MORA
Survey Date:	07/21/2014

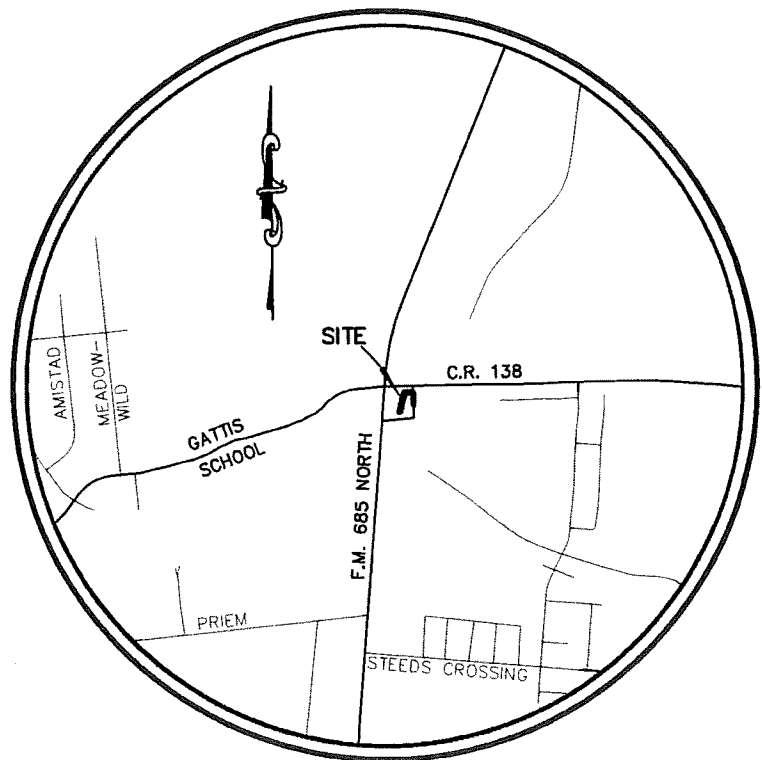
### SURVEY CONTROL:

ALL BEARINGS BASED ON MONUMENTATION FOUND FOR  
THE EASTERLY EXISTING RIGHT-OF-WAY LINE OF FARM  
TO MARKET ROAD (FM) 685 (R.O.W. VARIES)

### LEGEND

	SIDEWALK EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	EXISTING R.O.W. LINES
	IRON ROD FOUND (SIZE NOTED)
	CALCULATED POINT
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
P.R.W.C.T.	PLAT RECORDS, WILLIAMSON COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	N79°18'20"W	19.42'
L2	N78°42'22"W	8.76'
L3	N10°02'50"E	15.00'
L4	S78°54'20"E	8.76'
L5	N35°01'01"W	16.02'
L6	S10°38'25"W	5.00'
L7	N62°57'00"W	4.98'
L8	N64°41'47"W	2.51'
L9	S69°29'48"W	37.89'
L10	N21°34'17"E	6.90'
L11	N69°29'48"E	21.20'
L12	N65°10'56"W	19.61'
L13	N24°40'29"E	15.00'
L14	S65°10'56"E	17.22'
L15	S82°46'01"W	21.32'
L16	N25°57'41"E	17.93'
L17	N82°46'01"E	15.12'
L18	S76°54'26"W	32.59'
L19	N10°00'00"E	16.31'
L20	N76°54'26"E	39.66'
L21	S10°38'25"W	5.00'
L22	N34°56'41"W	10.26'
L23	N25°39'13"E	17.22'
L24	S34°56'41"E	36.21'
L25	N79°36'59"W	98.25'
L26	S79°36'59"E	119.87'
L27	N10°21'25"E	11.51'
L28	N28°50'19"E	13.79'



### VICINITY MAP

NOT TO SCALE

P: \455-008\survey\DA\_drawings\455-008 WASTEWATER EASEMENT.dwg

## WASTEWATER EASEMENT TRAVIS COUNTY, TEXAS



Civil Engineering - Planning - Surveying/Mapping  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
[www.doucetandassociates.com](http://www.doucetandassociates.com)  
Survey Firm Registration Number: 10105800

Date:	1/23/2015
Scale:	1"=40'
Drawn by:	ESH
Reviewer:	SSX
Project:	455-008
Sheet:	5 of 5
Field Book:	399
Party Chief:	MORA
Survey Date:	07/21/2014