

YOU 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.

VACATION, ABANDONMENT AND RELEASE OF EASEMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, by that certain instrument recorded October 18, 1988, as Document Number 00102422 of the Official Public Records of Travis County, Texas, a Water Line and Sewer Line Easement ("Easement") was granted to City of Pflugerville, Texas affecting property known as 129.65 acres of land lying and being situated in the County of Travis, State of Texas ("Property"), recorded in Volume 2458, Page 312, Deed Records, Official Public Records of Travis County, Texas; and

WHEREAS, John Paul Otto Wuthrich, Jr, Angeline Smith, Eileen Gant and Julie Reeves Stiewert ("Owners") is the current fee simple owner of the Property underlying and encompassing the Easement and has petitioned the City to vacate, abandon, and release the Easement that is in, along, over, upon, and across the Property.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City does hereby for all purposes: (i) VACATE, ABANDON AND RELEASE the Easement described in **Exhibit A**, which is attached hereto and incorporated herein; and (ii) relinquish all of its rights, title, and interest in and to the Easement.

FURTHER, OWNER, HAVING PETITIONED FOR THIS VACATION, ABANDONMENT AND RELEASE OF EASEMENT, IS TAKING THE VACATED, ABANDONED AND RELEASED EASEMENT "AS IS, WHERE IS" AND WITH ANY AND ALL DEFECTS. UPON RECORDING OF THIS DOCUMENT, THE CITY OF PFLUGERVILLE SHALL HAVE NO FURTHER OBLIGATION FOR ANY RESTORATION OR MAINTENANCE OF THE PROPERTY THAT IS SUBJECT TO THIS VACATION, ABANDONMENT AND RELEASE.

IN WITNESS WHEREOF the City of Pflugerville, Texas has executed this Vacation, Abandonment and Release of Easement on this __ day of _____ 2020.

Sereniah Breland, City Manager
City of Pflugerville, Texas

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STATE OF TEXAS §
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COUNTY OF TRAVIS §

BEFORE ME, this undersigned, a Notary Public in and for the said County and State, on this day personally appeared Sereniah Breland, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes herein expressed.

GIVEN under my hand and seal of office this the __ day of _____ 2020.

[Seal]

Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

City of Pflugerville
Development Services Center – Engineering Dept.
201-B East Pecan Street
Pflugerville, Texas 78691

EXHIBIT A

DOC. NO.

00102422

FILM CODE

000044208761.00

WATER LINE EASEMENT & SEWER LINE EASEMENT

STATE OF TEXAS

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COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

3:43 PM 0984

11.00 INDX
2 2 11/03/88
1024-22-DOC#
69.19-CHK#

THAT, JOHN PAUL OTTO WUTHRICH, JR., ANGELINE SMITH, EILEEN GANT AND JULIE REEVES STIEWERT, of the County of Travis, State of Texas, hereinafter referred to as "Grantors", whether one or more, for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, to Grantors in hand paid by the CITY OF PFLUGERVILLE, Texas, the receipt and sufficiency of which is hereby ACKNOWLEDGED AND CONFESSED, and for which no lien, expressed or implied, is retained, have this day GRANTED AND CONVEYED, and by these presents do GRANT AND CONVEY unto the CITY OF PFLUGERVILLE, a municipal corporation situated in the County of Travis, a permanent SEWER LINE EASEMENT being 15 feet in width on each side of the centerline of the installed SEWER LINE and a temporary 50-foot wide overlapping construction easement for the construction and maintenance of said SEWER LINE, and a permanent WATER LINE EASEMENT being 10 feet in width on each side of the centerline of the installed WATER LINE and a temporary 50-foot wide overlapping construction easement for the construction and maintenance of said WATER LINE, in, upon and across the following described property, to-wit:

All that certain 129.65 acres of land lying and being situated in the County of Travis, State of Texas, more particularly described in instrument recorder in Volume 2458, Page 312, Deed Records, Travis County.

Grantee is hereby authorized to designate the course of easement herein conveyed, except that when the pipelines are installed the easement herein granted shall be limited to a strip of land (15' SEWER, 10' WATER) on either side of the centerline of the pipeline as installed.

TO HAVE AND TO HOLD the said wide easements perpetually to the CITY OF PFLUGERVILLE, and its successors and assigns, together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing and maintaining said WATER LINE and SEWER LINE, and for making connections therewith; all upon the following conditions being performed by the CITY OF PFLUGERVILLE:

1. The CITY OF PFLUGERVILLE will at all times after doing any work in connection with the construction or repair of said public utility lines restore the surface of said premises to the condition in which the same was found before such work was undertaken.
2. The CITY OF PFLUGERVILLE will install for the Grantors one (1) 1" Water Service for their use only, waiving the expense of the capital recovery fee and the tap fee.

THE TEMPORARY overlapping construction easements shall terminate upon completion and acceptance by the City of the original construction.

IN WITNESS WHEREOF, Grantors have caused this instrument to be executed on this 18 day of OCTOBER.

JOHN PAUL OTTO WUTHRICH, JR.

By: John Paul Otto Wuthrich, Jr.

ANGELINE SMITH

By: Angeline W. Smith

EILEEN GANT

By: Eileen W. Gant

JULIE REEVES STIEWERT

By: Julia Reeves Stiewert

NWA 1016-88 (R)

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10810 1202
10810 1202

ACKNOWLEDGEMENT

STATE OF TEXAS

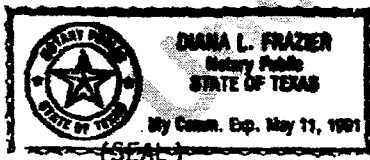
COUNTY OF TRAVIS

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BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared Angelyn W Smith

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 21st day of September, 1988.



Diana L. Frazier
Notary Public in and for
the State of Texas

My Commission Expires: 5-11-91

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10810 1203

ACKNOWLEDGEMENT

STATE OF TEXAS

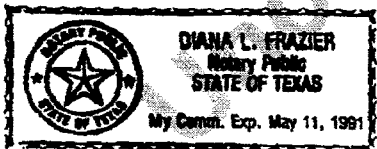
COUNTY OF TRAVIS

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BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared Eileen W Gant

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 21st day of September, 1988.



(SEAL)

Diana L. Frazier
Notary Public in and for
the State of Texas

My Commission Expires: 5-11-91

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

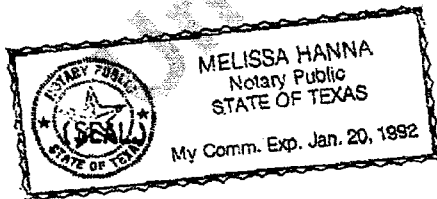
10810 1204

STATE OF TEXAS
COUNTY OF TRAVIS

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BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared John Paul Otto Wuthrich, Jr. known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18 day of OCTOBER, 1988.



Melissa Hanna
Notary Public in and for
the State of Texas

My Commission Expires: 1-20-92

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10810 1205

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF TRAVIS

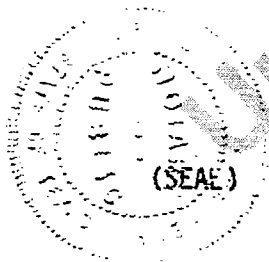
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BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared JULIA REEVES

STIEWERT

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 20th day of September, 1988.



NOTARY SEAL

Geraldine Behrens
Notary Public in and for
the State of Texas

My Commission Expires: 10-22-88

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

NOV 8 1988



Lana Robinson
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

1988 NOV -3 PM 3:36

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

City of Pflugerville
P.O. Box 589
Pflugerville, TX 78660

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10810 1206