

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.

### **SPECIAL WARRANTY DEED**

THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

KNOW ALL MEN BY THESE PRESENTS: That **PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT** located at 1401 W. Pecan, Pflugerville, Travis County, Texas 78660 ("Grantor"), for a full valuable cash consideration to Grantor in hand paid by the **CITY OF PFLUGERVILLE, TEXAS**, a home-rule municipality located in Travis County, Texas ("Grantee"), whose mailing address is P.O. Box 589, Pflugerville, Travis County, Texas 78691, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on Exhibit "A", attached hereto and incorporated herein by reference ("Property").

Exceptions to Warranty: Validly existing easements, rights-of-way, and prescriptive rights of record; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; and any encroachments or overlapping of improvements.

**GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AND "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT THE LIMITED WARRANTY OF TITLE CONTAINED IN THIS AGREEMENT. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.**

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's 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, except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years.

Grantor's conveyance of this Property to Grantee terminates the Temporary Access and Utility Easement Agreement between Grantor and Grantee under Document Number 2016008825 in the Official Public Records of Travis County, Texas per the terms of the Temporary Access and Utility Easement Agreement.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED effective as of this the 18th day of August, 2016.

**GRANTOR:**

**PFLUGERVILLE INDEPENDENT  
SCHOOL DISTRICT**

By: Vernagene Mott  
Vernagene Mott, President  
Board of Trustees

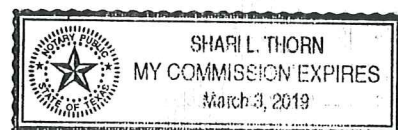
THE STATE OF TEXAS    §  
                                     §  
COUNTY OF TRAVIS    §

BEFORE ME, a Notary Public, on this day personally appeared Vernagene Mott, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon her oath stated that she is the President of the Board of Trustees of the Pflugerville Independent School District; that she was authorized to execute such instrument pursuant to resolution of the Board of Trustees adopted on August 18, 2016; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 18th day of August, 2016.

Shari L. Thorn  
Notary Public Signature

(seal)



**GRANTEE:**

**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 \_\_\_\_\_, 2016, 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

**AFTER RECORDING, RETURN TO:**

City of Pflugerville  
Attention: Emily Barron, Planning Director  
Development Services Center  
P.O. Box 589  
Pflugerville, Texas 78691



EXHIBIT "A"



**80 FOOT WIDE (4.814 ACRE) ACCESS AND UTILITY EASEMENT  
LOCATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT 802  
TRAVIS COUNTY, TEXAS**

FIELD NOTES FOR A 80 FOOT WIDE (4.814 ACRE) ACCESS AND UTILITY EASEMENT LOCATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT 802, TRAVIS COUNTY, TEXAS, AND BEING OUT OF THE REMAINDER OF A CALLED 66-3/16 ACRE TRACT DESCRIBED IN A DEED TO TIMMERMAN FARMS, LTD. RECORDED IN TRAVIS COUNTY CLERK'S DOCUMENT (T.C.C.D.) 2004240373 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.). SAID 4.814 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED SURVEY AND EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD IN ASPHALT FOUND IN THE EAST MARGIN OF WEISS LANE (NO FORMAL DEDICATION FOUND) MARKING THE NORTHWEST CORNER OF A CALLED 1.893 ACRE TRACT DESCRIBED AS TRACT II IN A DEED TO SIVARAMAKRISHNAN VENKATRAMAN AND DURGA SETHURAMAN RECORDED IN T.C.C.D. 2013093529 OF THE O.P.R.T.C.T., SAME BEING THE SOUTHWEST CORNER OF SAID 66-3/16 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

**THENCE N 27°33'45" E – 80.00'** WITH THE COMMON LINE OF SAID WEISS LANE AND SAID 66-3/16 ACRE TRACT TO POINT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE** DEPARTING SAID COMMON LINE AND ACROSS THE INTERIOR OF SAID 66-3/16 ACRE TRACT THE FOLLOWING THREE (3) CALLS;

- 1) **S 62°17'39" E – 778.01'** TO A POINT,
- 2) **S 62°30'08" E – 600.61'** TO A POINT,
- 3) **S 62°15'30" E – 1242.63'** TO A POINT IN THE EAST LINE OF THE 66-3/16 ACRE TRACT, SAME BEING THE WEST LINE OF A CALLED 31.782 ACRE TRACT DESCRIBED AS TRACT 2A IN A DEED TO 130 CACTUS INVESTMENTS, LP, A TEXAS LIMITED PARTNERSHIP RECORDED IN T.C.C.D. 2008121344 OF THE O.P.R.T.C.T. FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE S 27°17'18" W – 80.00'** WITH THE COMMON LINE OF SAID 66-3/16 ACRE TRACT AND SAID 31.782 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "CS LTD" FOUND IN THE NORTH LINE OF A CALLED 46.615 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED TO ARP AUTUMN RIDGE PARTNERS, LP, A TEXAS LIMITED PARTNERSHIP RECORDED IN T.C.C.D. 2007059997 OF THE O.P.R.T.C.T. MARKING THE SOUTHWEST CORNER OF THE 31.782 ACRE TRACT, SAME BEING THE SOUTHEAST CORNER OF THE 66-3/16 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

**THENCE N 62°15'30" W – 1243.09'** WITH THE COMMON LINE OF SAID 66-3/16 ACRE TRACT AND SAID 46.615 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP FOUND MARKING THE NORTHWEST CORNER OF THE 46.615 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF A CALLED 5.00 ACRE TRACT DESCRIBED IN A DEED TO C. J. KING AND WIFE, IRENE KING RECORDED IN VOLUME 5426, PAGE 1856 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS;

**THENCE N 62°30'08" W – 600.58'** WITH THE COMMON LINE OF SAID 66-3/16 ACRE TRACT AND SAID 5.00 ACRE TRACT TO A 1/2" IRON ROD FOUND MARKING THE NORTHWEST CORNER OF THE 5.00 ACRE TRACT, SAME BEING AN OUTSIDE ELL CORNER OF THE ABOVE MENTIONED 1.893 ACRE TRACT;

EXHIBIT "A"

- 2 -

October 7, 2015

**THENCE N 62°17'39" W – 777.95' WITH THE COMMON LINE OF SAID 66-3/16 ACRE TRACT AND SAID 1.893 ACRE TRACT RETURNING TO THE POINT OF BEGINNING AND CONTAINING 4.814 ACRES OF LAND.**

**THIS DESCRIPTION IS BASED ON THE ATTACHED SURVEY AND EXHIBIT DRAWING MADE BY DANA B. SPIGENER, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4809.**

**BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.**

SURVEY DATE: JANUARY – MARCH, 2014, SEPTEMBER, 2015  
REVISED EASEMENT WIDTH: AUGUST 28, 2015  
RELEASE DATE: OCTOBER 8, 2015

Dana B. Spigener  
DANA B. SPIGENER, R.L.S. 4809

PROJ NO. 1-02406  
PLAT NO. B1-0363  
FIELD NOTE NO. 09  
MAP CHECKED 08-28-15



