

## EASEMENT AND RIGHT OF WAY

www

KNOW ALL MEN BY THESE PRESENTS:

That **CITY OF PFLUGERVILLE, TEXAS, a Texas home-rule municipality**, hereinafter called "Grantor", whether one or more, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC, a Delaware limited liability company**, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows:

**SEE EXHIBIT "A" (ATTACHED)**

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such is widened in the future; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the reasonable judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the reasonable judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee, which shall not be unreasonably withheld.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the reasonable judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

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

BEFORE ME, the undersigned authority, on this day personally appeared Brandon Wade, as the City Manager of the City of Pflugerville, a Texas home-rule municipality, 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, in the capacity therein stated and he is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2017.

\_\_\_\_\_  
Notary Public in and for the State of Texas



600 Austin Ave., Suite 20  
Waco, Texas 76701

**10 FEET WIDE (0.025 ACRE) ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT  
LOCATED IN THE JOHN LEISSE SURVEY, ABSTRACT 496  
TRAVIS COUNTY, TEXAS**

FIELD NOTES FOR A 10 FEET WIDE (0.025 ACRE) ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT LOCATED IN THE JOHN LEISSE SURVEY, ABSTRACT 496, TRAVIS COUNTY, TEXAS, AND BEING OUT OF CALLED 0.682 ACRE TRACT DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, TEXAS, A HOME RULE MUNICIPALITY RECORDED IN TRAVIS COUNTY CLERK'S DOCUMENT (T.C.C.D.) 2015173064 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.). SAID 0.025 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 1" IRON PIPE FOUND IN THE EAST LINE OF A CALLED 7.140 ACRE TRACT DESCRIBED IN A DEED TO CE DEVELOPMENT, INC, A TEXAS CORPORATION RECORDED IN T.C.C.D. 2015146187 OF THE O.P.R.T.C.T. MARKING THE NORTHWEST CORNER OF A CALLED 85.00 ACRE TRACT DESCRIBED AS TRACT 2 IN A DEED TO CE DEVELOPMENT, INC, A TEXAS CORPORATION RECORDED IN T.C.C.D. 2015162822 OF THE O.P.R.T.C.T.;

THENCE S 27°22'24" W – 697.08' WITH THE COMMON LINE OF SAID 7.140 ACRE TRACT AND SAID 85.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET MARKING THE SOUTHWEST CORNER OF THE 85.00 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A CALLED 31.99 ACRE TRACT DESCRIBED AS TRACT 2 IN A DEED TO THE CITY OF PFLUGERVILLE, TEXAS, A HOME RULE MUNICIPALITY RECORDED IN T.C.C.D. 2015165200 OF THE O.P.R.T.C.T.;

THENCE S 62°54'31" E – 3184.86' WITH THE SOUTH LINE OF SAID 85.00 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE NORTH LINE OF A CALLED 211.71 ACRE TRACT DESCRIBED AS TRACT 1 IN SAID DEED TO THE CITY OF PFLUGERVILLE, TEXAS, A HOME RULE MUNICIPALITY IN T.C.C.D. 2015165200 OF THE O.P.R.T.C.T. FOR THE **POINT OF BEGINNING** AT THE SOUTHWEST CORNER OF SAID 0.682 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

**THENCE N 27°00'00" E – 10.00'** WITH THE COMMON LINE OF THE REMAINDER OF SAID 85.00 ACRE TRACT AND SAID 0.682 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE** ACROSS THE INTERIOR OF SAID 0.682 ACRE TRACT THE FOLLOWING TWO (2) CALLS;

- 1) **S 62°54'31" E – 109.00'** TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) **S 27°00'00" W – 10.00'** TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE SOUTH LINE OF THE 0.682 ACRE TRACT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,

**THENCE N 62°54'31" W – 109.00'** WITH THE COMMON LINE OF SAID 0.682 ACRE TRACT AND SAID 211.71 ACRE TRACT RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.025 ACRE 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.**

SURVEYED: NOVEMBER, 2016  
RELEASED: NOVEMBER 29, 2016  
REVISED TITLE: DECEMBER 21, 2016

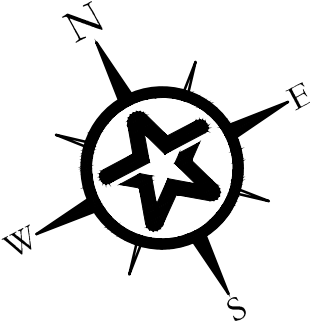
*Dana B. Spigener*  
DANA B. SPIGENER, R.P.L.S. 4809



PROJ NO. 1-02406  
PLAT NO. B1-0385  
FIELD NOTE NO. 34  
MAP CHECKED 11-22-16 DBS

EXHIBIT A

AUGUST KUHN ESTATE  
TRACT 3  
CALLED 15.623 ACRES  
T.C.C.D. 2012081067  
O.P.R.T.C.T.



CE DEVELOPMENT, INC. A TEXAS CORPORATION  
TRACT 1  
CALLED 7.94 ACRES  
T.C.C.D. 2015162829  
O.P.R.T.C.T.

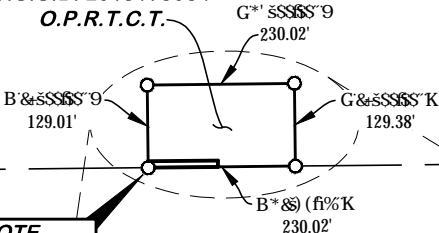
FIELD NOTE  
POINT OF COMMENCEMENT

APPROXIMATE SURVEY LINE  
G\* & SSSSS' K 129.38'

GRID COORDINATES  
N: 10128159.86, E: 3171110.51  
(SEE SURVEYOR'S NOTES)

CE DEVELOPMENT, INC  
A TEXAS CORPORATION  
TRACT 2  
CALLED 85.00 ACRES  
T.C.C.D. 2015162822  
O.P.R.T.C.T.

CITY OF PFLUGERVILLE, TEXAS  
A HOME RULE MUNICIPALITY  
CALLED 0.682 ACRE  
T.C.C.D. 2015173064  
O.P.R.T.C.T.



FIELD NOTE  
POINT OF BEGINNING  
GRID COORDINATES  
N: 10126709.59, E: 3173945.65  
(SEE SURVEYOR'S NOTES)

CITY OF PFLUGERVILLE, TEXAS  
HOME RULE MUNICIPALITY  
TRACT 1  
CALLED 211.71 ACRES  
T.C.C.D. 2015165200  
O.P.R.T.C.T.

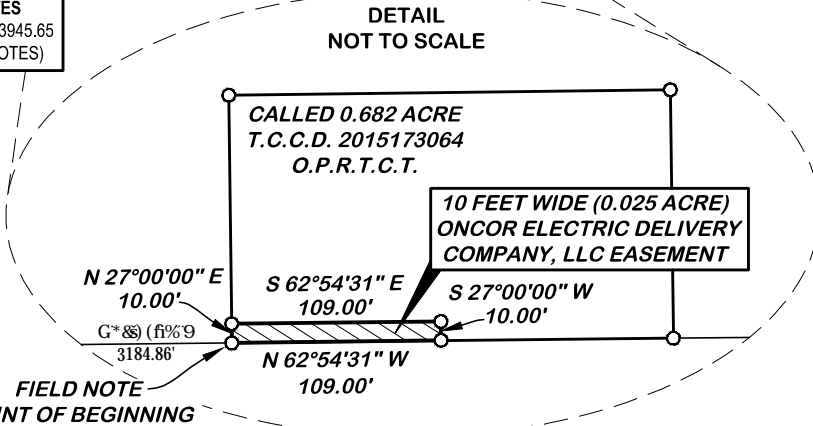
CE DEVELOPMENT, INC  
A TEXAS CORPORATION  
TRACT 3  
CALLED 6.43 ACRES  
T.C.C.D. 2015162822  
O.P.R.T.C.T.

CITY OF PFLUGERVILLE, TEXAS  
HOME RULE MUNICIPALITY  
TRACT 2  
CALLED 31.99 ACRES  
T.C.C.D. 2015165200  
O.P.R.T.C.T.

CE DEVELOPMENT, INC  
A TEXAS CORPORATION  
TRACT 6  
CALLED 7.140 ACRES  
T.C.C.D. 2015146187  
O.P.R.T.C.T.

JOHN LEISSE SURVEY  
ABSTRACT 496  
TRAVIS COUNTY, TEXAS

JOHN LEISSE SURVEY  
ABSTRACT 496  
TRAVIS COUNTY, TEXAS



SURVEYOR'S NOTES:

SURVEY DATE: NOVEMBER, 2016.

RELEASE DATE: NOVEMBER 29, 2016.

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:  
10 FEET WIDE (0.025 ACRE) ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT, LOCATED IN THE JOHN LEISSE SURVEY, ABSTRACT 496, TRAVIS COUNTY, TEXAS.

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.

THE BEARINGS AND GRID COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS. DISTANCES ARE SURFACE VALUES USING A COMBINED SCALE FACTOR OF 1.00010 (GRID TO SURFACE).

T.C.C.D. = TRAVIS COUNTY CLERK'S DOCUMENT

O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

○ = 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET



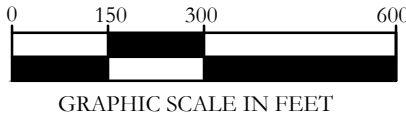
Dana B. Spigener

EXHIBIT OF  
10 FEET WIDE (0.025 ACRE) ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT  
LOCATED IN THE JOHN LEISSE SURVEY, ABSTRACT 496,  
TRAVIS COUNTY, TEXAS AND BEING OUT OF A CALLED 0.682 ACRE TRACT  
DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, TEXAS, A HOME RULE MUNICIPALITY  
RECORDED IN TRAVIS COUNTY CLERK'S DOCUMENT 2015173064 OF THE  
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

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600 AUSTIN AVENUE, SUITE 20 • WACO, TEXAS 76701  
PHONE: 1-254-714-1402 • T.B.P.E. REGISTRATION NO. 8053  
T.B.P.L.S. REGISTRATION NO. 10032500



PLAT NO. B1-0385 DRAFT DATE 11-21-16 FB/PG 358/63  
PROJ. NO. 1-02406 TAB NO. NA FIELD NOTE NO. 34  
DWG. NAME 1-02406ESMT PUE LS TRACT DRAWN BY DBS

REVISIONS

12-21-16: REVISED TITLE