

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 UTILITY EASEMENT

DATE: **October __, 2023**

GRANTOR: **TIMMERMANN COMMERCIAL INVESTMENTS, LP**

GRANTOR'S MAILING ADDRESS: **501 Vale Street
Austin, Travis County, Texas 78746**

GRANTEE: **CITY OF MANOR, TEXAS**

GRANTEE'S MAILING ADDRESS: **105 E. Eggleston Street
Manor, Travis County, Texas 78653**

LIENHOLDER: **N/A**

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

EASEMENT TRACT: That certain tract more particularly described and shown on Exhibit "A" attached hereto and incorporated herein as if fully transcribed herein.

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, a non-exclusive, perpetual easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary and useful for wastewater mains, lines and pipes, and for the supplying of wastewater service in, upon, under and across the **EASEMENT TRACT** (the "Wastewater Utility Easement").

GRANTOR agrees not to use the Easement Tract in any manner that interferes or is inconsistent with the rights granted hereunder. **GRANTOR** shall have the right to construct or locate in a near perpendicular fashion, utilities, landscaping and driveways, across, but not along or solely along, within or under the Easement Tract. **GRANTOR** assumes all responsibility in the cost of constructing, paving and maintaining said driveways within easement crossing areas.

TO HAVE AND TO HOLD the above-described Wastewater Utility Easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto **GRANTEE**, and **GRANTEE**'s successors and assigns forever; and **GRANTOR** does hereby binds itself, its heirs,

executors, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor 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, however, to all valid and subsisting easements, reservations, covenants, restrictions and other documents or matters related to the Easement Tract, to the extent, and only to the extent, that the same are valid and enforceable against the Easement Tract as of the date hereof, and either shown by instruments filed in the Official Public Records of Travis County, Texas, or visible or apparent on the ground that a true, correct and current survey would reveal.


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

Dated as of the date first written above but acknowledged as of the dates set forth below.

GRANTOR:

**TIMMERMANN COMMERCIAL INVESTMENTS,
LP, a Texas limited partnership**


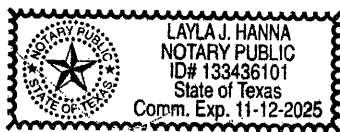
By: Timmermann GP, LLC,
a Texas limited liability company
its General Partner

By: 
Barth Timmermann, Manager

STATE OF TEXAS §
 §
COUNTY OF Travis §

This instrument was acknowledged before me this 18th day of October, 2023, by Barth Timmermann of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(SEAL)



Notary Public Signature

ACCEPTED:

GRANTEE: City of Manor, Texas:

By: Dr. Christopher Harvey, Mayor

THE STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this the ____ day of _____ 20__, personally appeared Dr. Christopher Harvey, Grantee herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

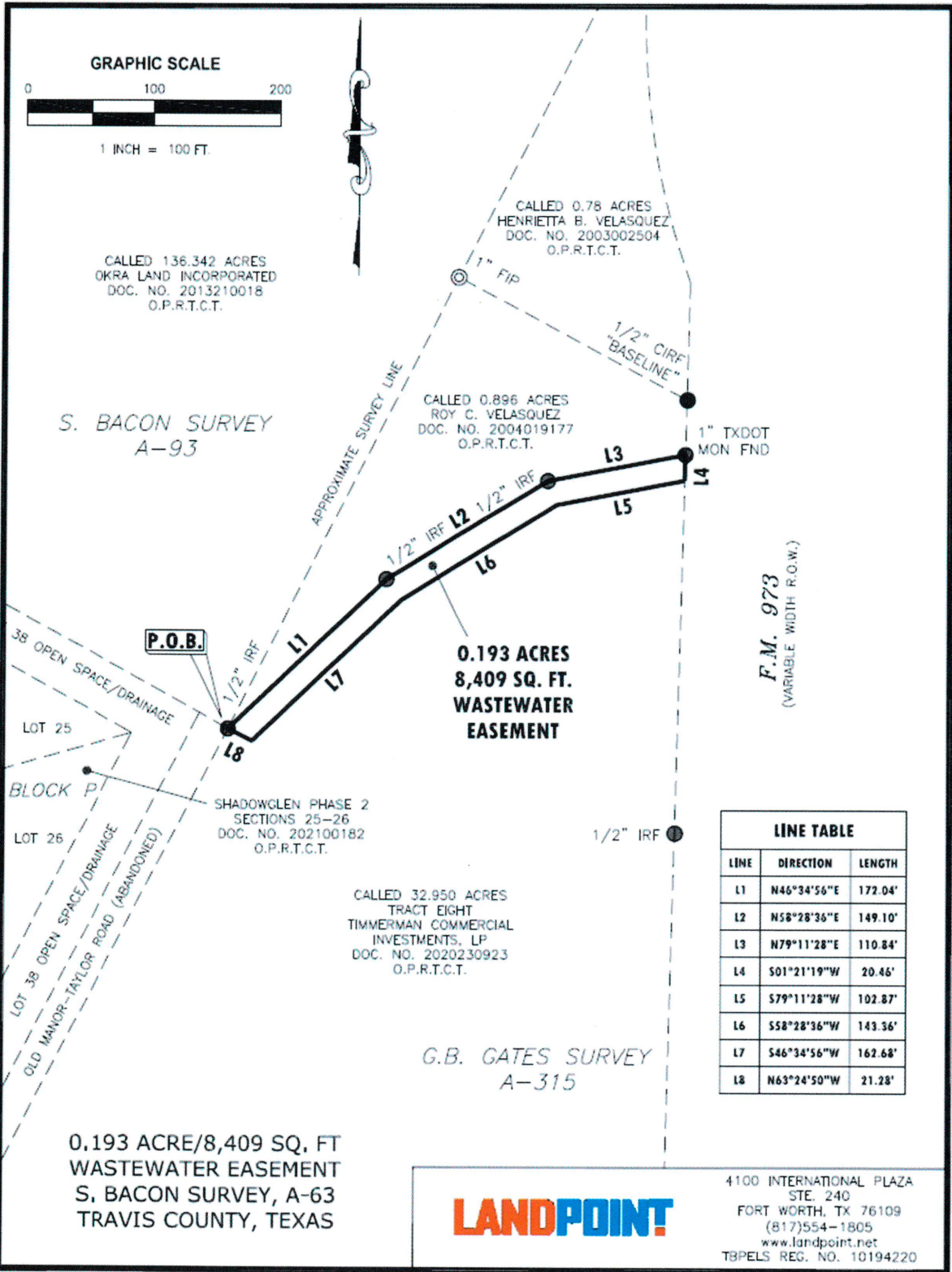
(SEAL)

Notary Public-State of Texas

AFTER RECORDING RETURN TO:

City of Manor, Texas
Attn: City Secretary
105 E. Eggleston Street
Manor, Texas 78653

Exhibit "A"
[attached]



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X:\2023\21-0289-7\Survey\DWG\21-0289-7 WASTEWATER EASEMENT.dwg

LEGAL DESCRIPTION

BEING A 0.193 ACRE (8,409 SQ. FT.) WASTEWATER EASEMENT SITUATED IN THE S. BACON SURVEY, ABSTRACT NO. 63, BEING OUT OF THAT CERTAIN CALLED 32.950 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO TIMMERMAN COMMERCIAL INVESTMENTS, LP, RECORDED IN DOCUMENT NO. 2020230923, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AND FOLLOWS:

BEGINNING AT THE WEST CORNER OF THE EASEMENT BEING DESCRIBED HEREIN AT A 1/2-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 32.950 ACRE TRACT OF LAND AND THE SOUTHWEST CORNER OF THAT CERTAIN CALLED 0.896 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO ROY C. VELASQUEZ, RECORDED IN DOCUMENT NO. 2004019177, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS;

THENCE WITH THE NORTH LINE OF SAID 32.950 ACRE TRACT OF LAND AND THE SOUTH LINE OF SAID 0.896 ACRE TRACT OF LAND, THE FOLLOWING COURSES AND DISTANCES:

N 46° 34' 56" E, A DISTANCE OF 172.04 FEET TO A 1/2-INCH IRON ROD FOUND;

N 58° 28' 36" E, A DISTANCE OF 149.10 FEET TO A 1/2-INCH IRON ROD FOUND;

N 79° 11' 28" E, A DISTANCE OF 110.84 FEET TO A 1-INCH TXDOT MONUMENT FOUND IN THE WEST RIGHT-OF-WAY LINE OF F.M. 973 FOR THE NORTHEAST CORNER OF SAID EASEMENT HEREIN DESCRIBED;

THENCE S 01° 21' 19" W, WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.46 FEET TO THE SOUTHEAST CORNER OF SAID EASEMENT HEREIN DESCRIBED;

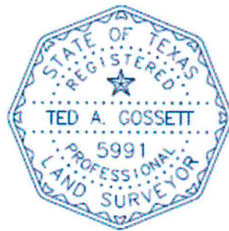
THENCE OVER AND ACROSS SAID 32.950 TRACT OF LAND, THE FOLLOWING COURSES AND DISTANCES:

S 79° 11' 28" W, A DISTANCE OF 102.87 FEET;

S 58° 28' 36" W, A DISTANCE OF 143.36 FEET;

S 46° 34' 56" W, A DISTANCE OF 162.68 FEET TO THE SOUTH CORNER OF SAID EASEMENT HEREIN DESCRIBED;

N 63° 24' 50" W, A DISTANCE OF 21.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.193 ACRES (8,409 SQ. FT.) OF LAND.



I, Ted Allen Gossett, certify that this plat was prepared under my direct supervision from a survey made on ground and that this plat correctly represents the facts found at the time of said survey.

Ted A. Gossett

Ted A. Gossett State of Texas R.P.L.S. No. 5991 08/24/2023

0.193 ACRE/8,409 SQ. FT
WASTEWATER EASEMENT
S. BACON SURVEY, A-63
TRAVIS COUNTY, TEXAS



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TBPELS REG. NO. 10194220