

ORDINANCE NO. 690

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, CLOSING, VACATING, AND ABANDONING 2.491 ACRES (APPROXIMATELY 108,524 SQUARE FEET) IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING PORTIONS OF E. LANE AVENUE (60' PUBLIC RIGHT-OF-WAY), SAN MARCOS STREET (80' PUBLIC RIGHT-OF-WAY), A 12' PORTION OF RECTOR STREET RIGHT-OF-WAY, FOUR 20' ALLEYS CROSSING BLOCKS 17, 18, 19 AND 20, AND A 17' ALLEY ABUTTING BOTH BLOCK 19 AND A 0.397 ACRE TRACT, ALL DEDICATED BY THE A.E. LANE'S ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT OF RECORD IN BOOK 2, PAGE 223 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS WELL AS A 46' PORTION OF RECTOR STREET RIGHT-OF-WAY DEDICATED BY THE TOWN OF MANOR SUBDIVISION PLAT RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AUTHORIZING CONVEYANCE TO ABUTTING PROPERTY OWNERS IN PROPORTION TO ABUTTING OWNERSHIP; PROVIDING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH ABANDONED STREET AND ALLEY RIGHT-OF-WAY BY SPECIAL WARRANTY DEED; PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the street rights-of-way as shown in Exhibit "A", commonly known as San Marcos Street, E. Lane Avenue, and Rector Street are surplus and not necessary for use by the City, the general public, or the landowners adjacent thereto as a street;

WHEREAS, the four 20' alleys crossing Blocks 17, 18, 19 and 20, and a 17' alley abutting both Block 19 and a 0.0397 acre tract, all dedicated by the A.E. Lane's Addition, a Subdivision in Travis County, Texas according to the map or plat of record in Book 2, Page 223 of the Plat Records of Travis County, Texas, as respectively shown in Exhibit "A", are surplus and not necessary for use by the City, the general public, or the landowners adjacent thereto as an alley or a street;

WHEREAS, retaining an eighty foot (80') wide, more or less, public utility and drainage easement within the vacated San Marcos Street, a sixty foot (60') wide, more or less, public utility and drainage easement within the vacated E. Lane Avenue, and a fifty-eight foot (58') wide, more or less, public utility and drainage easement within the vacated Rector Street are necessary for use by the City for public utility and drainage purposes;

WHEREAS, retaining a 20 foot (20') wide, more or less, public utility and drainage easement within the four vacated 20' alleys crossing Blocks 17, 18, 19 and 20, and retaining a seventeen foot (17') wide, more or less, public utility and drainage easement within the vacated 17' alley abutting both Block 19 and a 0.0397 acre tract, all dedicated by the A.E. Lane's Addition, a Subdivision in Travis County, Texas according to the map or plat of record in Book 2, Page 223 of the Plat Records of Travis County, Texas, are necessary for use by the City for public utility and drainage purposes;

WHEREAS, Chapter 272 of the Texas Local Government Code authorizes political subdivisions to sell and convey rights-of-way to abutting owners in proportion to abutting ownership at an appraised fair market value; and

WHEREAS, the City has established the fair market value of the above described street rights-of way and alleys as being \$1.97 per square foot.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are incorporated into this Ordinance as findings of fact by the City Council of Manor, Texas.

Section 2. 80' Street Public Right-of-Way. The portion of the eighty foot (80') public right-of-way commonly known as San Marcos Street located in Manor, Travis County, Texas, as shown in the plat filed in Book 2, Page 223 of the Official Public Records of Travis County, Texas, and as more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes (the "80' street public right-of-way"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 3. 60' Street Public Right-of-Way. The portion of the sixty foot (60') public right-of-way commonly known as E. Lane Avenue located in Manor, Travis County, Texas, as shown in the plat filed in Book 2, Page 223 of the Official Public Records of Travis County, Texas, and as more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes (the "60' street public right-of-way"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 4. 58' Street Public Right-of-Way. The portion of the fifty-eight foot (58') public right-of-way commonly known as Rector Street located in Manor, Travis County, Texas, as shown in the plat filed in Book 2, Page 223 of the Official Public Records of Travis County, Texas, and in the Town of Manor Subdivision in the plat filed in Volume V, Page 796 of the Official Public Records of Travis County, Texas, and as more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes (the "58' street public right-of-way"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 5. 20' Alleys. The portion of the four twenty foot (20') wide alleys crossing Blocks 17, 18, 19 and 20, all dedicated by the A.E. Lane's Addition, a Subdivision in Travis County, Texas according to the map or plat of record in Book 2, Page 223 of the Plat Records of Travis County, Texas, as more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes (the "20' wide alleys"), are hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 6. 17' Alley. The portion of the seventeen foot (17') wide alley abutting both Block 19 and a 0.0397 acre tract, dedicated by the A.E. Lane's Addition, a Subdivision in Travis County, Texas according to the map or plat of record in Book 2, Page 223 of the Plat Records of Travis County, Texas, as more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes (the "17' wide alley"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 7. Consideration and Authorization to Execute Special Warranty Deed. The Mayor and the City Secretary are hereby authorized, empowered, instructed and directed to execute a special warranty deed or deeds, from time to time, in a form substantially similar to that set forth in Exhibit "B", conveying the rights and interests of the City in the properties described in this ordinance to abutting property owners, in proportion to their ownership of the abutting properties; provided that an owner in fee of an abutting property may, by a written notarized instrument, release and assign his or her right to purchase a portion of the street and/or alley right-of-way to any other owner of property that abuts such street and/or alley right-of-way, in a form substantially similar to that set forth in Exhibit "C" (the "Release"), thereby authorizing the City to convey such interest to such assignee; provided that said special warranty deed shall reserve a drainage easement and a public utility easement to be held by the City as described in the special warranty deed attached as Exhibit "B", and provided that the purchase price to be paid for such property shall be \$1.97 per square foot of such tract of right-of-way. Upon the payment of the purchase price, any surveying fees, and a proportionate amount of attorneys fees related to drafting and reviewing documents necessary to convey the property/properties, the execution and filing of a Release in the county real property records, as necessary, and the execution of such deed, such deed shall be and become a valid and binding act and deed of the City of Manor, Texas.

Section 8. Retain Utility Easement. Drainage easements and public utility easements in, upon, under, and across the properties described in this ordinance are hereby retained by the City and the general public for use as drainage and public utility easements as described in the special warranty deed attached as Exhibit "B".

Section 9. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 10. Effective Date. This ordinance shall take effect immediately from and after its passage.

Section 11. Open Meetings. It is hereby officially found and determined that the meeting at

which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter. 551, Texas Government Code.

PASSED AND APPROVED on this 15th day of February 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Exhibit “A”



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

CITY OF MANOR
(RIGHT-OF-WAY TO BE VACATED)

2.491 ACRES
JAMES MANOR SURVEY NO. 40, ABSTRACT NO.
CITY OF MANOR, TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 2.491 ACRES (APPROXIMATELY 108,524 SQ. FT.) IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING PORTIONS OF E. LANE AVENUE [60' PUBLIC RIGHT-OF-WAY (R.O.W.)], SAN MARCOS STREET (80' PUBLIC R.O.W.), A 12' PORTION OF RECTOR STREET R.O.W., FOUR 20' ALLEYS CROSSING BLOCKS 17, 18, 19 AND 20, AND A 17' ALLEY ABUTTING BOTH BLOCK 19 AND A 0.397 ACRE TRACT, ALL DEDICATED BY THE A.E. LANE'S ADDITION RECORDED IN BOOK 2, PAGE 223 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS WELL AS A 46' PORTION OF RECTOR STREET R.O.W. DEDICATED BY THE TOWN OF MANOR SUBDIVISION PLAT RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 2.491 ACRES BEING ADJACENT TO TRACTS OF LAND CONVEYED TO JUNCTION DEVELOPMENT, LLC BY SPECIAL WARRANTY DEED DATED JUNE 27, 2022 IN DOCUMENT NO. 2022114493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.491 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with "Chaparral" cap found in the north terminus of San Marcos Street for the northeast corner of Lot 10, Block 17, said A.E. Lane's Addition;

THENCE with the north and east lines of San Marcos Street, the following four (4) courses and distances:

1. **South 62°09'55" East**, a distance of **4.74 feet** to a 1/2" rebar with "Waterloo" cap found for the southeast corner of Lot 7B2 and southwest corner of Lot 7C2, both of Block A, Resubdivision of Lot 7B1, Amended Plat of Lots 7A and 7B, Resubdivision of Lot 7, Cottonwood Commercial South Section One and Lot 6B Resubdivision of Lot 6, Cottonwood Commercial South Section One, a subdivision of record in Document No. 200900096 of the Official Public Records of Travis County, Texas;
2. **South 62°09'22" East**, a distance of **62.33 feet** to a 1/2" rebar found;

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3. **South 62°19'21" East**, a distance of **16.87 feet** to a 1/2" rebar with "Chaparral" cap found for the northwest corner of Lot 3, Block 20, said A.E. Lane's Addition;
4. **South 10°11'18" West**, a distance of **153.54 feet** to a 1/2" rebar with "Chaparral" cap found at the northeast intersection of San Marcos Street and E. Lane Avenue for the southwest corner of Lot 1, said Block 20;

THENCE South 79°48'42" East, a distance of **115.00 feet** to a calculated point at the northwest intersection of E. Lane Avenue and a 20' Alley for the southeast corner of said Lot 1, Block 20;

THENCE with the west, north and east right-of-way line of said 20' Alley, the following three (3) courses and distances:

1. **North 10°11'18" East**, a distance of **117.28 feet** to a calculated point at the north terminus of the 20' alley for the northeast corner of said Lot 3, Block 20;
2. **South 62°19'21" East**, a distance of **20.97 feet** to a calculated point for the northwest corner of Lot 5, said Block 20;
3. **South 10°11'18" West**, a distance of **110.97 feet** to a calculated point at the northeast intersection of the 20' Alley and E. Lane Avenue for the southwest corner of Lot 4, said Block 20;

THENCE with the north, east and south right-of-way lines of E. Lane Avenue, the following three (3) courses and distances:

1. **South 79°48'42" East**, a distance of **157.01 feet** to a 1/2" rebar with "Chaparral" cap found in the east terminus of E. Lane Avenue for the southeast corner of said Lot 4, Block 20, same being in the west line of said 0.397 acre tract;
2. **South 27°18'09" West**, a distance of **62.36 feet** to a 1/2" rebar with "Chaparral" cap found for the northeast corner of Lot 6, Block 19, said A.E. Lane's Addition;
3. **North 79°48'42" West**, a distance of **138.66 feet** to a calculated point at the southeast intersection of E. Lane Avenue and a 20' Alley for the northwest corner of said Lot 6, Block 19;

THENCE South 10°11'18" West, a distance of **250.11 feet** to a calculated point at the northeast intersection of Rector Street and said 20' Alley for the southwest corner of Lot 10, said Block 19;

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THENCE South 79°48'42" East, with the north line of Rector Street, a distance of **177.33 feet** to a 1/2" rebar with "Chaparral" cap found at the west right-of-way line of a 17' Alley for the southeast corner of said Lot 10, Block 19;

THENCE with the west, north and east right-of-way lines of said 17' Alley, the following two (2) courses and distances:

1. **North 27°12'37" East**, a distance of **347.91 feet** to a calculated point to a 1/2" rebar with "Chaparral" cap found in the north terminus of said 17' Alley for the northeast corner of said 0.397 acre tract;
2. **South 62°18'16" East**, a distance of **17.00 feet** to a 1/2" rebar found for the northwest corner of a called 5.0954 acre tract known as the City of Manor Cemetery, same being the northeast corner of said A.E. Lane's Addition;

THENCE South 27°12'37" West, with the east line of said A.E. Lane's Addition, a distance of **355.11 feet** to a calculated point at the intersection with the south right-of-way line of Rector Street;

THENCE North 79°48'42" West, with the south right-of-way line of Rector Street, a distance of **74.74 feet** to a calculated point at the east terminus of Rector Street;

THENCE South 10°11'18" West, with the east terminus of Rector Street, a distance of **46.18 feet** to a 1/2" rebar with "Chaparral" cap found in the south right-of-way line of Rector Street for the northeast corner of Lot 5, Block 75, said Town of Manor subdivision;

THENCE North 79°48'42" West, with the south right-of-way line of Rector Street, a distance of **250.00 feet** to a 1/2" rebar with "Chaparral" cap found at the southeast intersection of Rector Street and San Marcos Street for the northwest corner of Lot 1, said Block 75;

THENCE North 08°30'52" East, over and across Rector Street, a distance of **58.21 feet** to a 1/2" rebar with "Chaparral" cap found at the northeast intersection of Rector Street and San Marcos Street, for the southwest corner of Lot 1, said Block 19;

THENCE South 79°48'42" East, with the north right-of-way line of Rector Street, a distance of **115.00 feet** to a calculated point at the northwest intersection of Rector Street and a 20' Alley for the southeast corner of said Lot 1, Block 19;

THENCE North 10°11'18" East, a distance of 250.11 feet to a calculated point at the southwest intersection of E. Lane Avenue and said 20' Alley for the northeast corner of Lot 5, said Block 19;

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THENCE North 79°48'42" West, with the south right-of-way line of E. Lane Avenue, a distance of **115.00 feet** to a 1/2" rebar with "Chaparral" cap found at the southeast intersection of E. Lane Avenue and San Marcos Street for the northwest corner of said Lot 5, Block 19;

THENCE South 10°11'18" West, with the east right-of-way line of San Marcos Street, a distance of **250.11 feet** to 1/2" rebar with "Chaparral" cap found at the northeast intersection of San Marcos Street and Rector Street for the southwest corner of Lot 1, Block 19;

THENCE North 79°48'42" West, over and across San Marcos Street, a distance of **80.00 feet** to a 1/2" rebar with "Chaparral" cap found for the southeast corner of Lot 1, Block 18, said A.E. Lane's Addition;

THENCE North 10°11'18" East, with the west right-of-way line of San Marcos Street, a distance of **115.00 feet** to a calculated point at the south intersection of San Marcos Street and a 20' Alley for the northeast corner of said Lot 1, Block 18;

THENCE North 79°48'42" West, a distance of **250.00 feet** to a calculated point at the southeast intersection of La Grange Street (80' public right-of-way) and said 20' Alley for the northwest corner of Lot 5, said Block 18;

THENCE North 10°11'18" East, over and across the 20' Alley, a distance of **20.11 feet** to a calculated point at the northeast intersection of La Grange Street and the 20' Alley for the southwest corner of Lot 6, said Block 18;

THENCE South 79°48'42" East, a distance of **250.00 feet** to a calculated point at the north intersection of San Marcos Street and the 20' Alley for the southeast corner of Lot 10, said Block 18;

THENCE North 10°11'18" East, with the west right-of-way line of San Marcos Street, a distance of **115.00 feet** to a 1/2" rebar with "Chaparral" cap found at the southwest intersection of San Marcos Street and E. Lane Avenue for the northeast corner of said Lot 10, Block 18;

THENCE North 79°48'42" West, with the south right-of-way line of E. Lane Avenue, a distance of **250.00 feet** to a 1/2" iron pipe found at the southeast intersection of E. Lane Avenue and La Grange Street for the northwest corner of said Lot 6, Block 18;

THENCE North 10°11'18" East, over and across E. Lane Avenue, a distance of **59.60 feet** to a 1/2" rebar with "Chaparral" cap found at the northeast intersection of E. Lane Avenue and La Grange Street for the southwest corner of Lot 5, said Block 17;

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THENCE South 79°48'42" East, a distance of **250.00 feet** to a 1/2" rebar with "Chaparral" cap found at the northwest intersection of E. Lane Avenue and San Marcos Street for the southeast corner of Lot 1, said Block 17;

THENCE North 10°11'18" East, a distance of **115.00 feet** to a calculated point at the south intersection of San Marcos Street and a 20' Alley for the northeast corner of said Lot 1, Block 17;

THENCE North 79°48'42" West, a distance of **250.00 feet** to a calculated point at the southeast intersection of said 20' Alley and La Grange Street for the northwest corner of said Lot 5, Block 17;

THENCE North 10°11'18" East, over and across the 20' Alley, a distance of **20.00 feet** to a calculated point at the northeast intersection of the 20' Alley and La Grange Street for the southwest corner of Lot 6, said Block 17;

THENCE South 79°48'42" East, a distance of **250.00 feet** to a calculated point at the north intersection of San Marcos Street and the 20' Alley for the southeast intersection of said Lot 10, Block 17;

THENCE North 10°11'18" East, a distance of **43.95 feet** to the **POINT OF BEGINNING**, containing **2.491 acres** of land, more or less.

Surveyed on the ground February 8, 2022.

Bearing basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203), based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User System (OPUS).

Attachments: 1890-001-ROW

Paul J. Flugel 1-30-2023

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
T.B.P.L.S. Firm No. 10124500



A DESCRIPTION OF 2.491 ACRES (APPROXIMATELY 108,524 SQ. FT.) IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING PORTIONS OF E. LANE AVENUE [60' PUBLIC RIGHT-OF-WAY (R.O.W.)], SAN MARCOS STREET (80' PUBLIC R.O.W.), A 12' PORTION OF RECTOR STREET R.O.W., FOUR 20' ALLEYS CROSSING BLOCKS 17, 18, 19 AND 20, AND A 17' ALLEY ABUTTING BOTH BLOCK 19 AND A 0.397 ACRE TRACT, ALL DEDICATED BY THE A.E. LANE'S ADDITION RECORDED IN BOOK 2, PAGE 223 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS WELL AS A 46' PORTION OF RECTOR STREET R.O.W. DEDICATED BY THE TOWN OF MANOR SUBDIVISION PLAT RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.491 ACRES BEING ADJACENT TO TRACTS OF LAND CONVEYED TO JUNCTION DEVELOPMENT, LLC BY SPECIAL WARRANTY DEED DATED JUNE 27, 2022 IN DOCUMENT NO. 2022114493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

●

1/2" REBAR FOUND (OR AS NOTED)

●^W

1/2" REBAR WITH "WATERLOO" CAP FOUND

●^{CH}

1/2" REBAR WITH "CHAPARRAL" CAP FOUND

⊙

1/2" IRON PIPE FOUND

▲

MAG NAIL FOUND (OR AS NOTED)

△

CALCULATED POINT

⊗

FENCE POST FOUND

R.O.W. RIGHT-OF-WAY

P.O.B. POINT OF BEGINNING

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RECORD INFORMATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S62°09'55"E	4.74'
L2	S62°19'21"E	16.87'
L3	S62°19'21"E	20.97'
L4	S62°18'16"E	17.00'
L5	S10°11'18"W	46.18'
L6	N10°11'18"E	20.11'
L7	N10°11'18"E	20.00'
L8	N10°11'18"E	43.95'

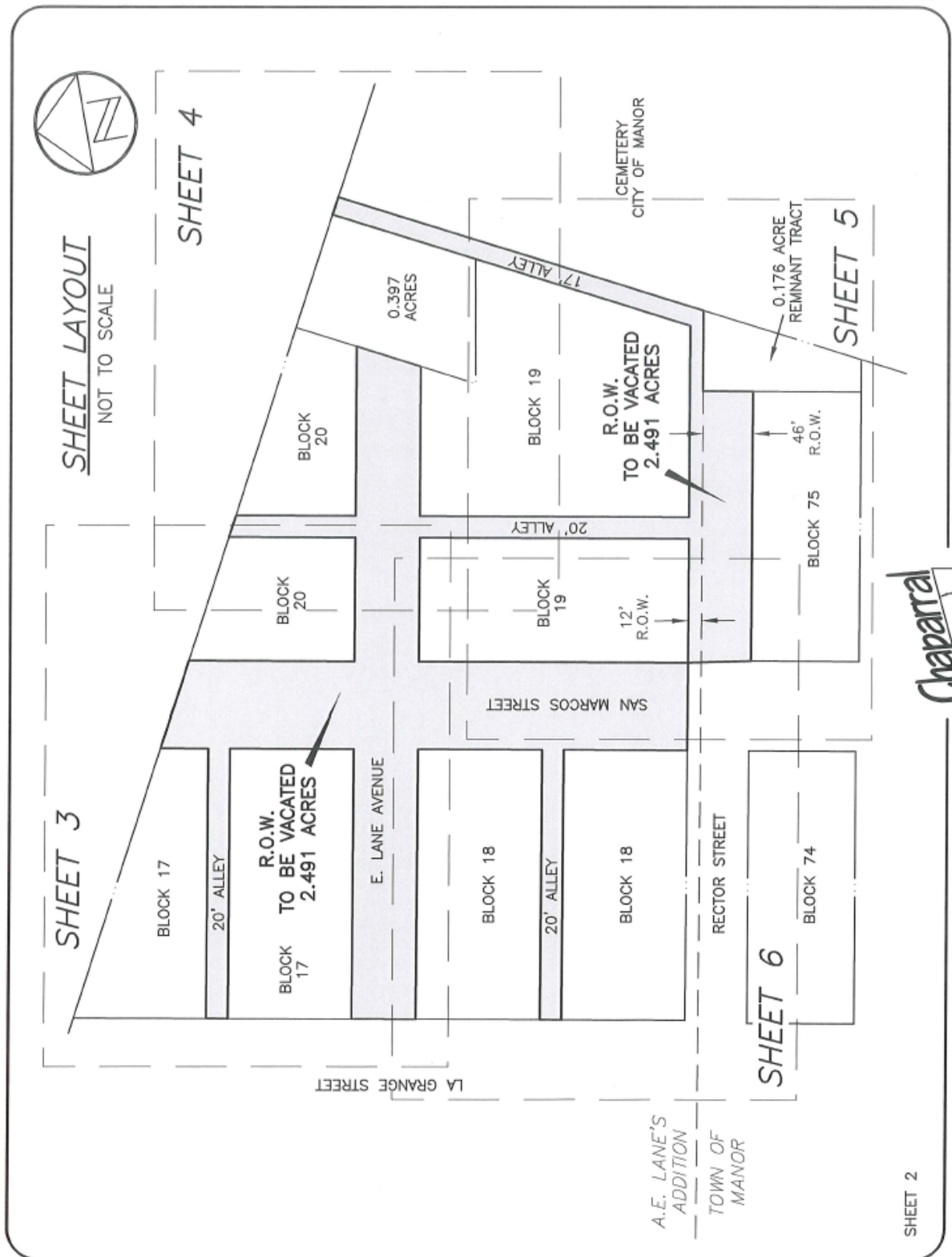


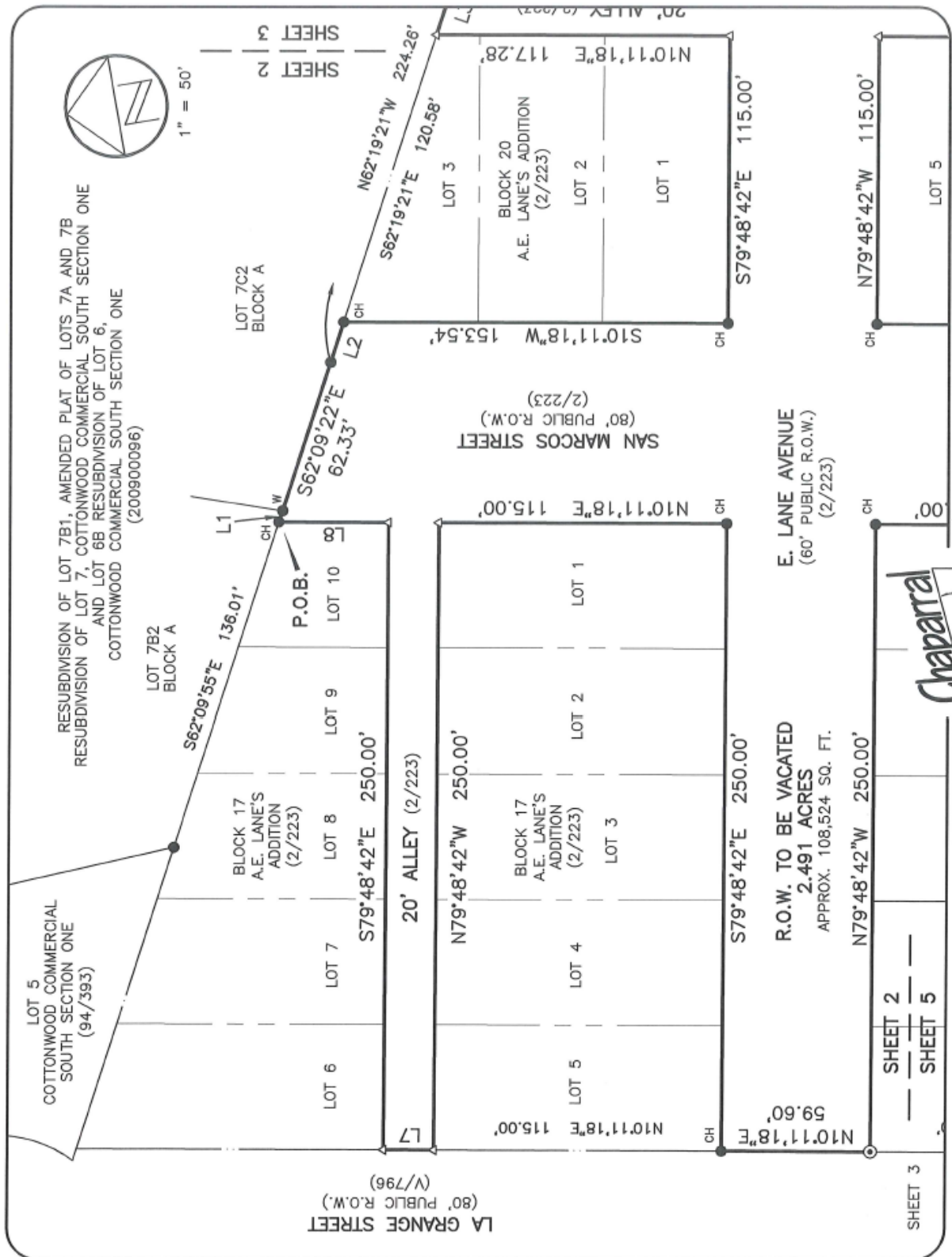
1-23-2023
Paul J. Flugel

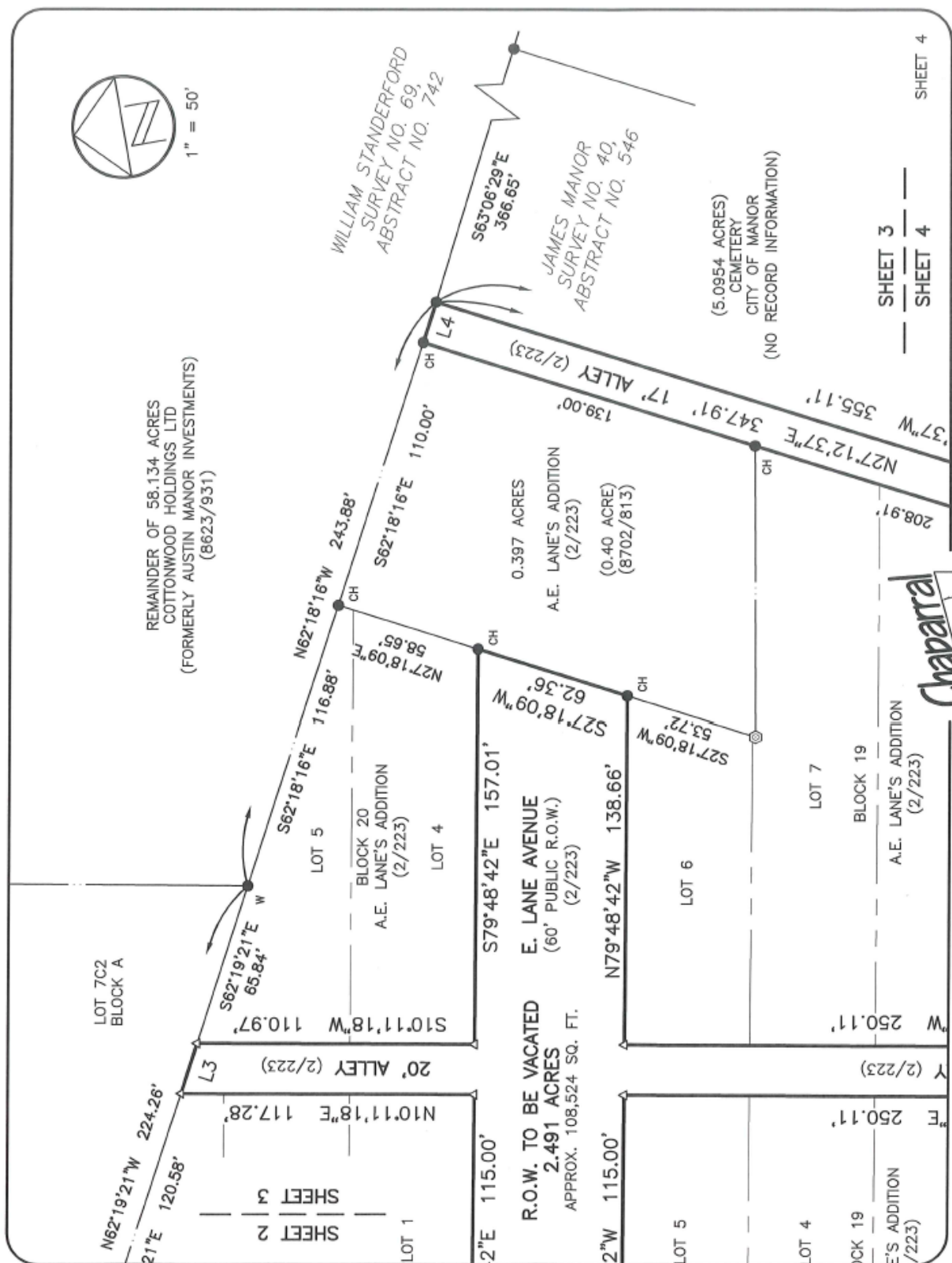
BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1890-001-ROW

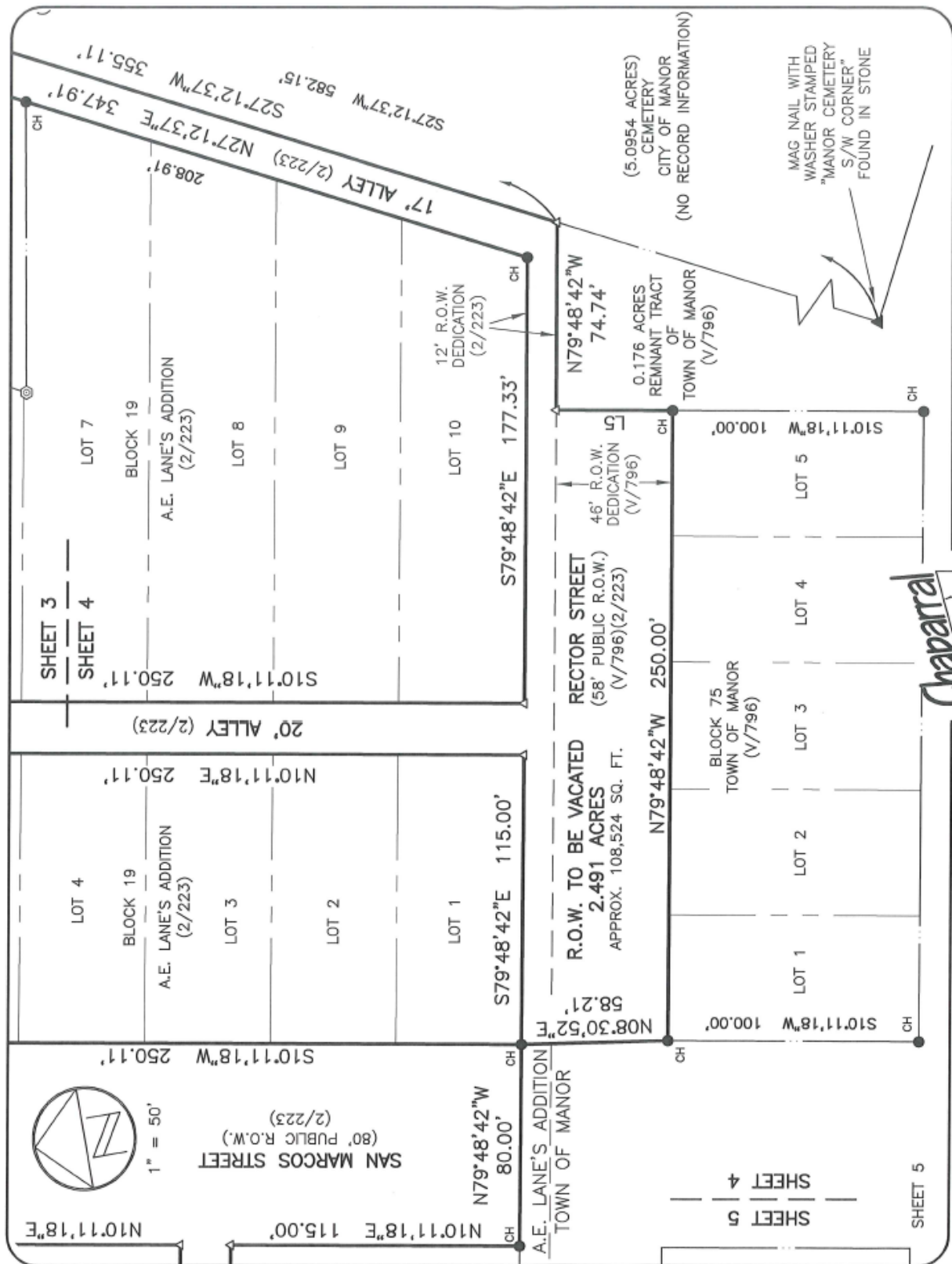
DATE OF SURVEY: 02/08/2022
PLOT DATE: 01/30/2023
DRAWING NO.: 1890-001-ROW
PROJECT NO.: 1890-001
T.B.P.E.L.S. FIRM NO. 10124500
DRAWN BY: PAQ
SHEET 1 OF 6











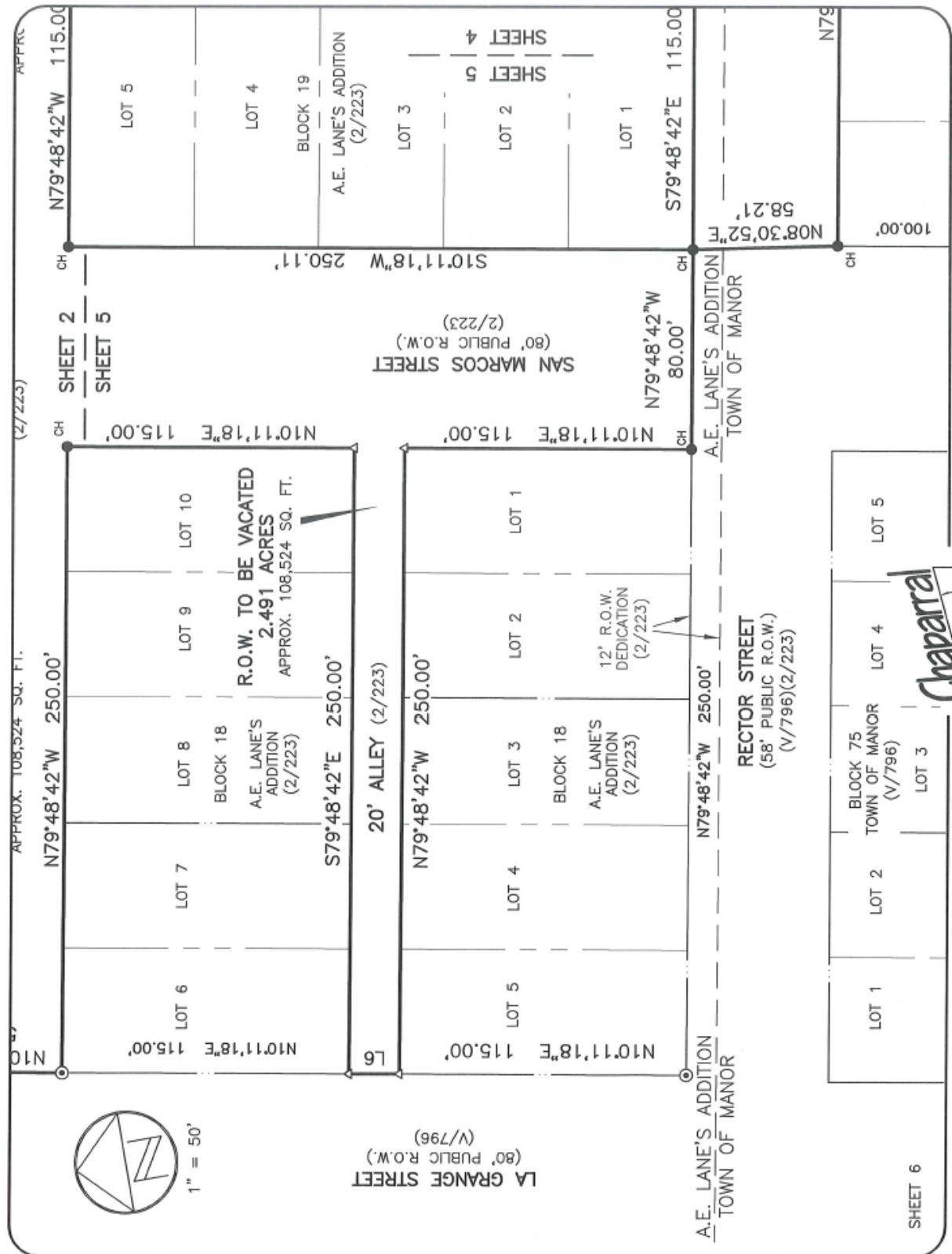


Exhibit "B"

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 PERSONS BY THESE PRESENTS:

That the **City of Manor, Texas**, a Texas municipal corporation, hereinafter called "**GRANTOR**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to **GRANTOR** cash in hand paid by

(insert name(s) of buyer(s)), hereinafter called "**GRANTEE**", the receipt of which is hereby acknowledged, has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto the said **GRANTEE**, all that certain lot, tract or parcel of land known and described as follows:

PROPERTY: (insert property description)

This conveyance is expressly made subject to the easements reserved in this instrument, and the restrictions, covenants and easements, if any, apparent on the ground, in use or existing of record in the office of the County Clerk of Travis County, Texas, to which reference is here made for all purposes.

GRANTOR hereby expressly reserves an exclusive, perpetual drainage and public utility 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 drainage and conveyance of storm water run-off, the City's drainage system, or the supplying of water, sanitary sewer service, and/or any other utility services or public facility in, upon, under and across the Property.

GRANTEE covenants and agrees to use the Property only in those ways consistent with the drainage and public utility easement herein reserved and agrees to do nothing which would impair, damage, or destroy or interfere with the drainage or public utility easement or any structure, facility, or improvement placed thereon, and it is further understood and agreed that the covenants and agreements set forth herein regarding the drainage and public utility easement shall be considered covenants running with the land, fully binding upon **GRANTEE** and Grantee's successors and assigns.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said **GRANTEE**, the heirs, executors, successors and assigns forever, and **GRANTOR** does hereby bind its successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto the said **GRANTEE**, the heirs, executors, successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under the City of Manor, Texas, but not otherwise.

This deed is subject to the drainage and public utility easements reserved in this instrument and all other easements, restrictions, covenants, conditions and other instruments of record.

[signature page follows]

EXECUTED at Manor, Travis County, Texas, this the ___ day of _____ 20__.

Attest:

City of Manor, Texas

Lluvia T. Almaraz, City Secretary

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 day personally appeared Dr. Christopher Harvey, Mayor, of the City of Manor, Texas, 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 and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ___ day of _____ 20__.

Notary Public-State of Texas

AFTER RECORDING PLEASE RETURN TO:

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

Exhibit “C”

RELEASE AND ASSIGNMENT OF INTEREST IN PROPERTY

THE STATE OF TEXAS §

COUNTY OF TRAVIS § KNOW ALL PERSONS BY THESE PRESENTS:

I/We, _____
 (“**RELEASOR(S)**”), am/are the owner(s) in fee of property that abuts the street or alley right-of-way commonly known as _____, located in Manor, Travis County, Texas (the “**ROW**”). The City Council of the City of Manor, Texas, has authorized conveyance of the ROW to abutting property owners in proportion to their ownership of the abutting ROW.

I/We do not wish to exercise my/our right to purchase any portion of the ROW, and I/we hereby release and assign to _____ (the “**ASSIGNEE**”), who own property abutting the ROW, any interest I/we may have to purchase a portion of the ROW in proportion to my/our ownership of abutting property, said portion more particularly described as follows:

PROPERTY:

(insert property description)

I/we hereby authorize the City of Manor, Texas to convey the Property to the **ASSIGNEE**, subject to the reserved drainage and public utility easements.

EXECUTED at _____, _____ County, Texas, this the ____ day of _____ 20__.

RELEASOR(S)

By: _____ (printed name)

By: _____ (printed name)

THE STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, Releasor herein, 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 and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the __ day of ____ 20__.

Notary Public-State of Texas

THE STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, Releasor herein, 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 and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the __ day of ____ 20__.

Notary Public-State of Texas

AFTER RECORDING PLEASE RETURN TO:

City of Manor
Attn: City Secretary

105 E. Eggleston Street
Manor, Texas 78653