

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: November _____, 2024

GRANTOR: ESTATE OF GERALDINE TIMMERMANN

GRANTOR'S MAILING ADDRESS (including County):

501 Vale St.
Austin, Travis County, Texas 78746

GRANTEE: **City of Manor, Texas**

GRANTEE'S MAILING ADDRESS (including County):

**105 E. Eggleston Street
Manor, Travis County, Texas 78653**

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

PROPERTY:

A Fifteen Foot (15') Wide wastewater utility easement being 0.029 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, in Travis County, Texas, over and across a portion of the remainder of that certain 82.254 Acre tract of land as conveyed to Terrell Timmermann, by Special Warranty Deed recorded in Volume 11208, Page 824 of the Official Public Records of Travis County, Texas, said tract being more particularly described in 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 **PROPERTY** more fully described and as shown in Exhibit "A" attached hereto (the "Wastewater Utility Easement").

This Wastewater Utility Easement is subject to the following covenants:

1. Grantor reserves the right to use the Property for all purposes that do not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. Specifically, and without limiting the generality of the forgoing, Grantor has the right to place, construct, operate, repair, replace and maintain roadways, driveways, drainage, landscaping and signage on, in, under, over and across the Property, so long as such use does not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. But Grantor may not construct any buildings or similar improvements on the Property. Grantor shall be responsible for the cost of replacing such improvements in the event the Grantee removes or alters the improvement to exercise Grantee's rights hereunder.
2. Grantee shall restore the surface of Property as close to the condition in which it was found before such work was undertaken as is reasonably practicable, except for trees, shrubs and structures within the Property that were removed as a result of such work.
3. This Wastewater Utility Easement is granted and accepted subject to any and all easements, covenants, rights-of-way, conditions, restrictions, encumbrances, mineral reservations and royalty reservations, if any, relating to the Property to the extent and only to the extent, that the same may still be in force and effect, and either shown of record in the Office of the County Clerk of Travis County, Texas, or apparent on the ground.

The covenants and terms of this Wastewater Utility Easement are covenants running with the land, and inure to the benefit of, and are binding upon, Grantor, Grantee, and their respective heirs, executors, administrators, legal representatives, successors and assigns.

TO HAVE AND TO HOLD the above-described 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 Wastewater Utility Easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

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

[Signature Page Follows]

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

GRANTOR:

Barth Timmermann
ESTATE OF GERALDINE TIMMERMANN
501 Vale St.
Austin, Texas 78716

By: _____
Name: _____
Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2024, by _____, as legal representative for the Estate of Geraldine Timmermann

(SEAL)

Notary Public, State of _____

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 _____ 2024, 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
PROPERTY DESCRIPTION
[see attached]

HOLT CARSON, INCORPORATED

PROFESSIONAL LAND SURVEYORS
Texas Licensed Surveying Firm Registration No. 10050700
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
E-mail: survey@hciaustin.com

October 21, 2024

DESCRIPTION OF 0.029 ACRE OF LAND, OUT OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT NO. 315, IN TRAVIS COUNTY, TEXAS, BEING A WASTEWATER EASEMENT OVER AND ACROSS A PORTION OF THE REMAINDER OF THAT CERTAIN (82.254 ACRE) TRACT OF LAND AS CONVEYED TO TERRELL TIMMERMANN, BY SPECIAL WARRANTY DEED RECORDED IN VOLUME 11208, PAGE 824 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT HAVING BEEN BEQUEATHED TO GERALDINE TIMMERMANN AS SET FORTH IN THE LAST WILL AND TESTAMENT OF TERRELL TIMMERMANN, RECORDED IN CASE NO. C-1-PB-14-001888 OF THE PROBATE RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND AS FOLLOWS.

BEGINNING FOR REFERENCE at a ½" iron rod with a plastic cap imprinted "Holt Carson, Inc." found at the intersection of the Northwest right-of-way line of FM. Highway 973 and the Northeast right-of-way line of Ring Road, a variable width private roadway, same being the most Southerly corner of Lot 7C-1C, Block A, Short Form Final Plat of Manor Commons SW Establishing Lot 7C-1A, Lot 7C-1B and Lot 7C-1C, Block A, Replat of Short Form Final Plat of Manor Commons SW Establishing Lot 7C-1 and Lot 7C-2, Block A, Replat of Short Form Plat of Manor Commons SW Establishing Lot 7B and 7C, Block A, according to the map or plat thereof recorded in Document No. 202400015 of the Official Public Records of Travis County, Texas, also being the Northeast corner of the remainder of that (certain 82.254 acre) tract of land and conveyed to Terrell Timmermann by Special Warranty Deed recorded in Volume 11208, Page 824 of the Real Property Records of Travis County, Texas;

THENCE leaving the Northwest right-of-way line of FM. Highway 973, with the Southwest line of said Lot 7C-1C, same being the Northeast line of the remainder of said (82.254 acre) Timmermann tract and being the Northeast right-of-way line of Ring Road, the following two (2) courses:

- 1.) N 67 deg. 28'16" W 182.10 ft. to a MAG nail with washer imprinted "JPH" found in concrete at a point of curvature;
- 2.) Along a curve to the right with a radius of 620.00 ft. for an arc length of 30.93 ft. and which chord bears, N 65 deg. 36'13" W 30.93 ft. to a calculated point for the Northeast corner and the **PLACE OF BEGINNING** of the herein described easement;

0.029 Acre – Wastewater Easement
End of Page 1 of 2

0.029 Acre – Wastewater Easement

Page 2 of 2

THENCE leaving the Southwest line of said Lot 7C-1C and crossing through the interior of the remainder of said (82.254 acre) Timmermann tract, the following three (3) courses:

- 1.) **S 30 deg. 47'51" W 86.14 ft.** to a calculated point at the Southeast corner of the herein described easement;
- 2.) **N 59 deg. 12'09" W 15.00 ft.** to a calculated point at the Southwest corner of the herein described easement
- 3.) **N 30 deg. 47'51" E 85.02 ft.** to a calculated point in the Southwest line of said Lot 7C-1C, same being a point in the Northeast line of the remainder of said (82.254 acre) Timmermann tract and being the Northwest corner of the herein described easement, from which a ½" iron rod with a plastic cap imprinted "Holt Carson, Inc." found at the Southwest corner of said Lot 7C-1C bears, **N 62 deg. 41'40" W 1.94 ft.** (chord bearing and distance);

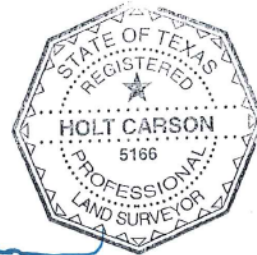
THENCE with the Southwest line of said Lot 7C-1C, same being the Northeast line of the remainder of said (82.254 acre) Timmermann tract, along a curve to the left with a radius of 620.00 ft. for an arc length of 15.04 ft. and which chord bears, **S 63 deg. 28'45" E 15.04 ft.** to the **PLACE OF BEGINNING** and containing **0.029 acre** of land.

PREPARED: October 21, 2024

Holt Carson

Registered Professional Land Surveyor No. 5166

reference map: C 1123078



BEARING BASIS:
 Orientation for this survey is based upon the State Plane Coordinate System
 (4203 - Texas Central Zone) Combined Scale Factor 0.99992587. All distances
 shown hereon are surface values.

Legend

- ✱ Calculated Point
- ◇ ½" Iron Rod Found with plastic cap
imprinted with "Holt Carson, Inc."
- ◀ MAG Nail Found with washer "JPH"
- ⊙ MAG Nail Found with washer

CURVE DATA

(C1)	(C2)	(C3)
$\Delta = 2^{\circ}51'31''$ R= 620.00' T= 15.47' C= 30.93' A= 30.93' CB= N65°36'13"W	$\Delta = 0^{\circ}10'46''$ R= 620.00' T= 0.97' C= 1.94' A= 1.94' CB= N62°41'40"W	$\Delta = 1^{\circ}23'24''$ R= 620.00' T= 7.52' C= 15.04' A= 15.04' CB= S63°28'45"E

**SKETCH TO ACCOMPANY DESCRIPTION OF:
 0.029 ACRE OF LAND, OUT OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT NO. 315,
 IN TRAVIS COUNTY, TEXAS, AND BEING A WASTEWATER EASEMENT OVER AND ACROSS A
 PORTION OF THE REMAINDER OF THAT CERTAIN (82.254 ACRE) TRACT OF LAND AS CONVEYED
 TO TERRELL TIMMERMANN BY SPECIAL WARRANTY DEED RECORDED IN VOLUME 11208,
 PAGE 824 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT
 HAVING BEEN BEQUEATHED TO GERALDINE TIMMERMANN AS SET FORTH IN THE LAST WILL
 AND TESTAMENT OF TERRELL TIMMERMANN, RECORDED IN CASE NO. C-1-PB-14-001888 OF THE
 PROBATE RECORDS OF TRAVIS COUNTY, TEXAS.**

Prepared: October 21, 2024.

BY



Holt Carson
 Registered Professional Land Surveyor No. 5166

**HOLT CARSON, INCORPORATED
 PROFESSIONAL LAND SURVEYORS
 1904 FORTVIEW ROAD
 AUSTIN, TX 78704
 (512) 442-0990**

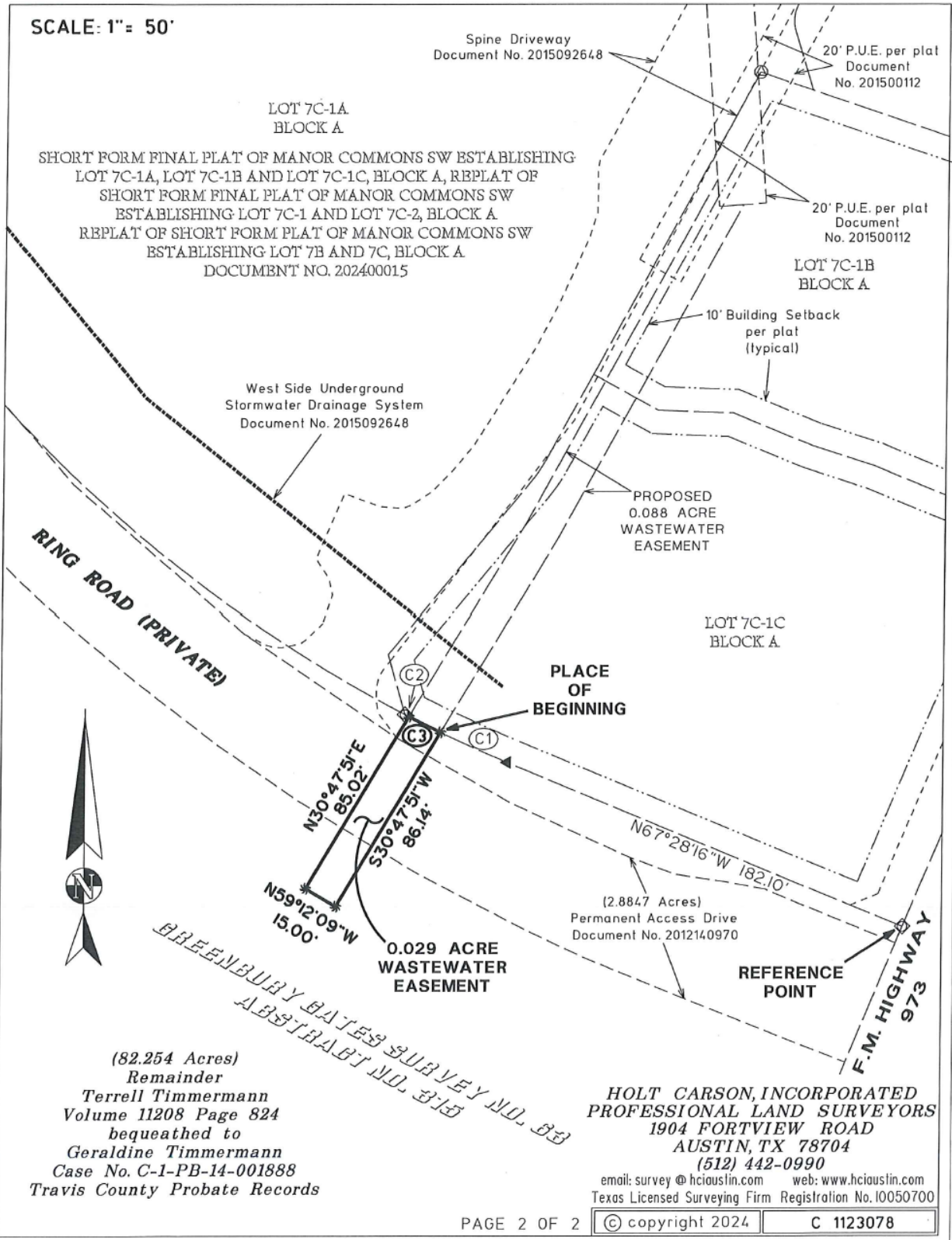
email: survey@hciaustin.com web: www.hciaustin.com
 Texas Licensed Surveying Firm Registration No. I0050700

PAGE 1 OF 2

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C 1123078

SCALE: 1" = 50'



LOT 7C-1A
BLOCK A

SHORT FORM FINAL PLAT OF MANOR COMMONS SW ESTABLISHING LOT 7C-1A, LOT 7C-1B AND LOT 7C-1C, BLOCK A, REPLAT OF SHORT FORM FINAL PLAT OF MANOR COMMONS SW ESTABLISHING LOT 7C-1 AND LOT 7C-2, BLOCK A REPLAT OF SHORT FORM PLAT OF MANOR COMMONS SW ESTABLISHING LOT 7B AND 7C, BLOCK A DOCUMENT NO. 202400015

West Side Underground Stormwater Drainage System Document No. 2015092648

Spine Driveway Document No. 2015092648

20' P.U.E. per plat Document No. 201500112

20' P.U.E. per plat Document No. 201500112

LOT 7C-1B
BLOCK A

10' Building Setback per plat (typical)

PROPOSED 0.088 ACRE WASTEWATER EASEMENT

LOT 7C-1C
BLOCK A

PLACE OF BEGINNING

N30°47'51"E 85.02'
S30°47'51"W 86.14'
N59°12'09"W 15.00'

0.029 ACRE WASTEWATER EASEMENT

(2.8847 Acres) Permanent Access Drive Document No. 2012140970

N67°28'16"W 182.10'

REFERENCE POINT

F.M. HIGHWAY 973



GREENBURY GATES SURVEY NO. 335
ABSTRACT NO. 315

(82.254 Acres)
Remainder
Terrell Timmermann
Volume 11208 Page 824
bequeathed to
Geraldine Timmermann
Case No. C-1-PB-14-001888
Travis County Probate Records

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