

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

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

LANDMARK AT MANOR PROP HOLDINGS, LLC, a Texas limited liability company (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto **THE CITY OF MANOR, TEXAS**, a home-rule city located in Travis County, Texas (“Grantee”), a wastewater easement (“Easement”) upon and across the property of Grantor which is more particularly described on Exhibit ”A”, attached hereto and incorporated herein by reference (“Easement Tract”). The location of the Easement Tract is further detailed and depicted in Exhibit “B”, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights and privileges and on the terms and conditions set forth below.

Grantor does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

CHARACTER OF EASEMENT:

The Easement is an easement in gross.

PURPOSE OF EASEMENT:

The Easement shall be used for public wastewater utility purposes, including placement, construction, installation, replacement, repair, maintenance, rebuild, relocation, removal, and operation of public wastewater utility facilities and related appurtenances, or making connections thereto.

The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the public wastewater utility facilities and related appurtenances.

DURATION OF EASEMENT:

The Easement shall be perpetual. The ten (10) foot wide temporary construction easement described in Exhibit A shall automatically expire upon the City of Manor's acceptance of the public wastewater utility facilities and related appurtenances constructed within the Easement Tract.

EXCLUSIVENESS OF EASEMENT:

The Easement shall be exclusive. Grantor and Grantor's successors and assigns shall have the right to access the Easement Tract, provided such access complies with the City of Manor subdivision and/or site plan application process and shall have the right to use the surface of the Easement Tract for any purpose which does not conflict with the subsurface use, including but not limited to landscaping, landscaping irrigation, surface parking, and driveways, but not buildings. 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.

RESTORATION/REPAIR:

Grantee agrees that the initial construction and installation of the public wastewater utility facilities and related appurtenances to be constructed within the Easement Tract shall be subject to a requirement that any damage to Grantor's then existing improvements within the Easement Tract caused by the initial construction and installation of public wastewater utility facilities by Grantee's agents or contractors shall be repaired and restored 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 Easement Tract that were removed as a result of such work. After completion and City acceptance of the initial construction of the public wastewater utility facilities and related appurtenances, Grantor agrees that restoration and repair of any damage to Grantor's improvements within the Easement Tract caused by subsequent placement, construction, installation, replacement, repair, maintenance, relocation, removal and operation of public wastewater utility facilities and related appurtenances shall be Grantor's responsibility.

BINDING EFFECT:

The covenants and terms of this Easement are covenants running with the land and shall bind and inure to the benefit of the respective parties hereto, their heirs, legal representatives, successors, and assigns.

ASSIGNABILITY:

This Easement and the rights of Grantee hereunder may be assigned in whole or in part by Grantee.

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

[Signature pages to follow]

In witness whereof, this instrument is executed this _____ day of _____, 2024.

GRANTOR:

LANDMARK AT MANOR PROP HOLDINGS, LLC,
a Texas limited liability company

By: Landmark at Manor Residential Holdings, LLC,
a Texas limited liability company
Its: Sole Member

By: Landmark at Manor Holdings, LLC, a Texas limited liability company
Its: General Partner

By: The EBS Revocable Trust dated December 14, 2018
Its: Sole Member
By: _____
Printed Name: Julia Baytler
As Its: Sole Trustee

THE STATE OF _____ §
 §
COUNTY OF _____ §

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of () physical presence or () online notarization, this ___ day of _____, 2024, by Julia Baytler, as Sole Trustee of The EBS Revocable Trust dated December 14, 2018, the Sole Member of Landmark at Manor Holdings, LLC, a Texas limited liability company, the General Partner of Landmark at Manor Residential Holdings, LLC, a Texas limited liability company, the Sole Member of Landmark at Manor Prop Holdings, LLC, a Texas limited liability company, on behalf of the company, who is () personally known to me or () has produced _____ as identification and who did take an oath.

(seal)

Notary Public Signature
Typed or Printed Name: _____
Notary Public in and for the State of _____
My commission expires: _____

AGREED AND 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 [s]he 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

CONSENT OF LIENHOLDER

THE UNDERSIGNED, being the holder of a lien on the property of which the Wastewater Easement Agreement is a part, pursuant to the _____, dated _____, recorded in Document No. _____ of the Official Public Records of Travis County, Texas, hereby consents to the foregoing Wastewater Easement Agreement and agrees that its lien is subject and subordinate to the Wastewater Easement Agreement, and that the undersigned has authority to execute and deliver this Consent of Lienholder, and that all necessary acts necessary to bind the undersigned lienholder have been taken.

NAME OF LIENHOLDER:

By: _____
Name: _____
Title: _____

Date: _____

ACKNOWLEDGEMENT

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, Lienholder herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that [s]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 __.

(SEAL)

Notary Public-State of _____

EXHIBIT A
EASEMENT TRACT

Exhibit "A"

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.6399 ACRE (27,874 SQUARE FEET) OF LAND, BEING OUT OF THE GREENBERRY GATES SURVEY NO. 63, ABSTRACT NO. 315, IN TRAVIS COUNTY, TEXAS, BEING OUT OF LOT 1, MANOR ADDITION, A SUBDIVISION RECORDED IN DOCUMENT NO. 202200036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING OUT OF A CALLED 24.0681 ACRE TRACT (BEING A PORTION OF SAID LOT 1) CONVEYED TO LANDMARK AT MANOR PROP HOLDINGS IN DOCUMENT NO. 2022116632 (O.P.R.T.C.T.), SAID 0.6399 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wards.com
www.4wards.com

COMMENCING, at a 1/2-inch iron rod found in the east line of said Lot 1, being in the east line of the remainder of a called 30.8643 acre tract conveyed to Manor RV Park, LLC in Document No. 2019179489, and being within the right-of-way of an abandoned County Road (no dedication/vacation information found), from which a leaning TxDot Type 1 concrete monument found for an angle point in the east line of said Lot 1, being an angle point in the east line of said 30.8643 acre remainder tract, bears, N61°43'23"W, a distance of 30.06 feet;

THENCE, over and across said abandoned County Road, with the east line of said Lot 1 and the east line of said 30.8643 acre remainder tract, S27°05'58"W, a distance of 222.57 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the common east corner of said 30.8643 acre remainder tract and said 24.0681 acre tract;

THENCE, in part over and across said abandoned County Road, over and across said Lot 1, with the common line of said 30.8643 acre remainder tract and said 24.0681 acre tract, S85°56'14"W, a distance of 50.15 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE, in part over and across said abandoned County Road, over and across said Lot 1, and over and across said 24.0681 acre tract, S04°03'46"E, a distance of 82.93 feet to a calculated point for an angle point hereof, said point being within the right-of-way of said abandoned County Road, being in the east line of said Lot 1, also being in the east line of said 24.0681 acre tract,

THENCE, in part over and across said abandoned County Road, with the east line of said Lot 1, and with the east line of said 24.0681 acre tract, S27°05'58"W, a distance of 1,471.80 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being an angle point in the east line of said Lot 1, being an angle point in the east line of said 24.0681 acre tract, and being an angle point in the west line of a called 84.2717 acre tract (described as "Tract 1") conveyed to Manor 290 OZ Real Estate LP in Document No. 2021182435 (O.P.R.T.C.T.), and corrected in Document No. 2022056842 (O.P.R.T.C.T.);

THENCE, in part over and across said abandoned County Road, with the east line of said Lot 1, with the east line of said 24.0681 acre tract, and with the west line of said 84.2717 acre tract, S27°58'47"W, a distance of 317.86 feet to a calculated point for the southeast corner hereof, from which a 1/2-inch iron rod with "4Ward Boundary" cap set for the southeast corner of said Lot 1, being the southeast corner of said 24.0681 acre tract, being an angle point in the west line of said 84.2717 acre tract, and being in the north line of Lot 22, Block I, Bell Farms Phase Two-A, a subdivision recorded in Document No. 200700061 (O.P.R.T.C.T.), bears, S27°58'47"W, a distance of 16.87 feet;

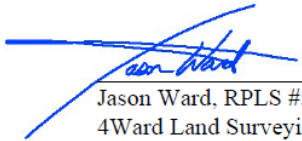
THENCE, in part over and across said abandoned County Road, over and across said Lot 1, and over and across said 24.0681 acre tract, the following four (4) courses and distances:

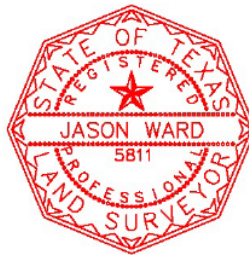
- 1) **N08°50'24"W**, a distance of **25.03** feet to a calculated point for an angle point hereof,
- 2) **N27°58'47"E**, a distance of **297.71** feet to a calculated point for an angle point hereof,
- 3) **N27°05'58"E**, a distance of **1,467.50** feet to a calculated point for an angle point hereof, and
- 4) **N04°03'46"W**, a distance of **78.75** feet to a calculated point for the northwest corner hereof, said point being in the common line of said 24.0681 acre tract and said 30.8643 acre remainder tract;

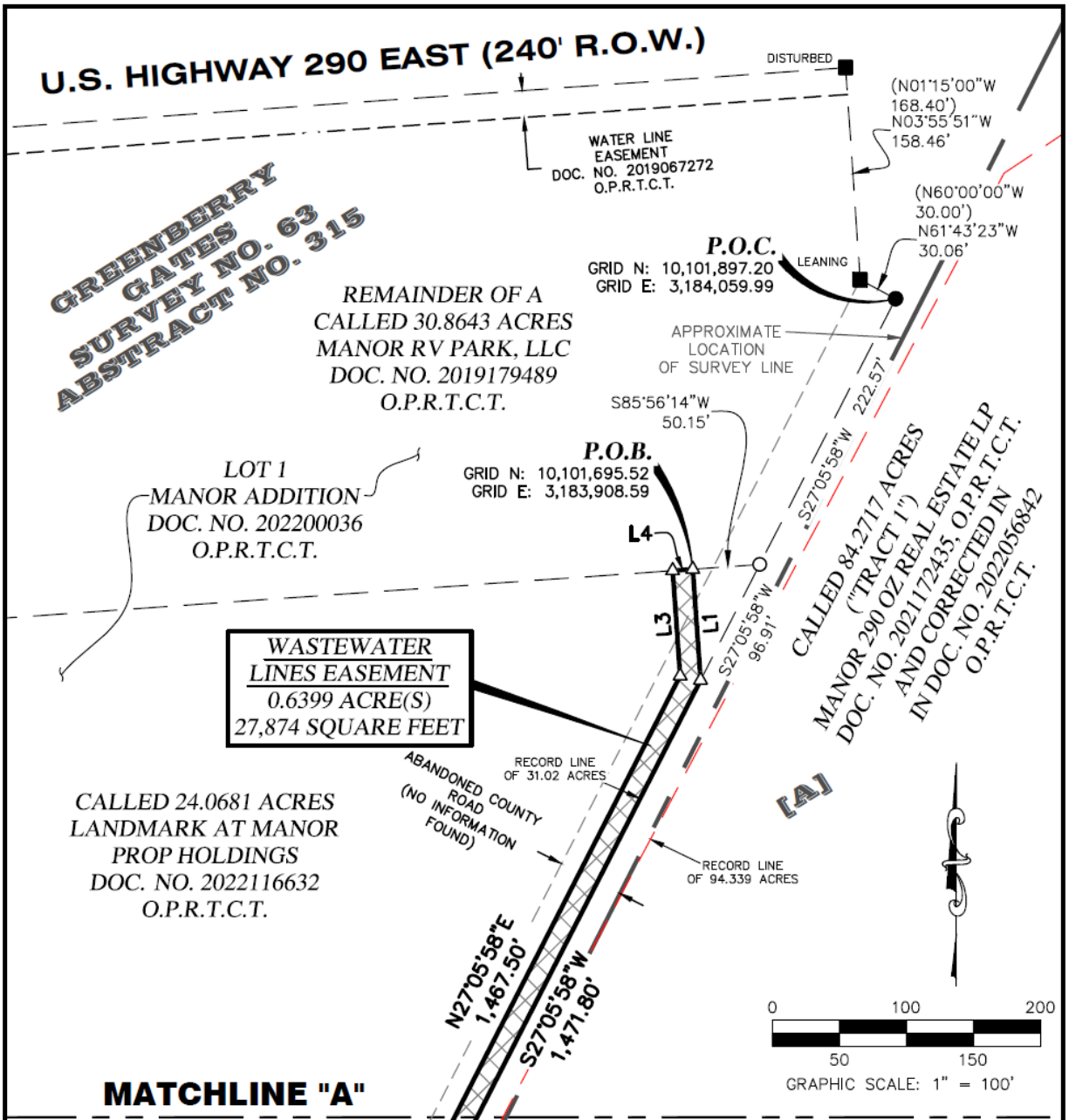
THENCE, with the common line of said 24.0681 acre tract and said 30.8643 acre remainder tract, **N85°56'14"E**, a distance of **15.00** feet to the **POINT OF BEGINNING**, and containing 0.6399 Acre (27,874 Square Feet) more or less.

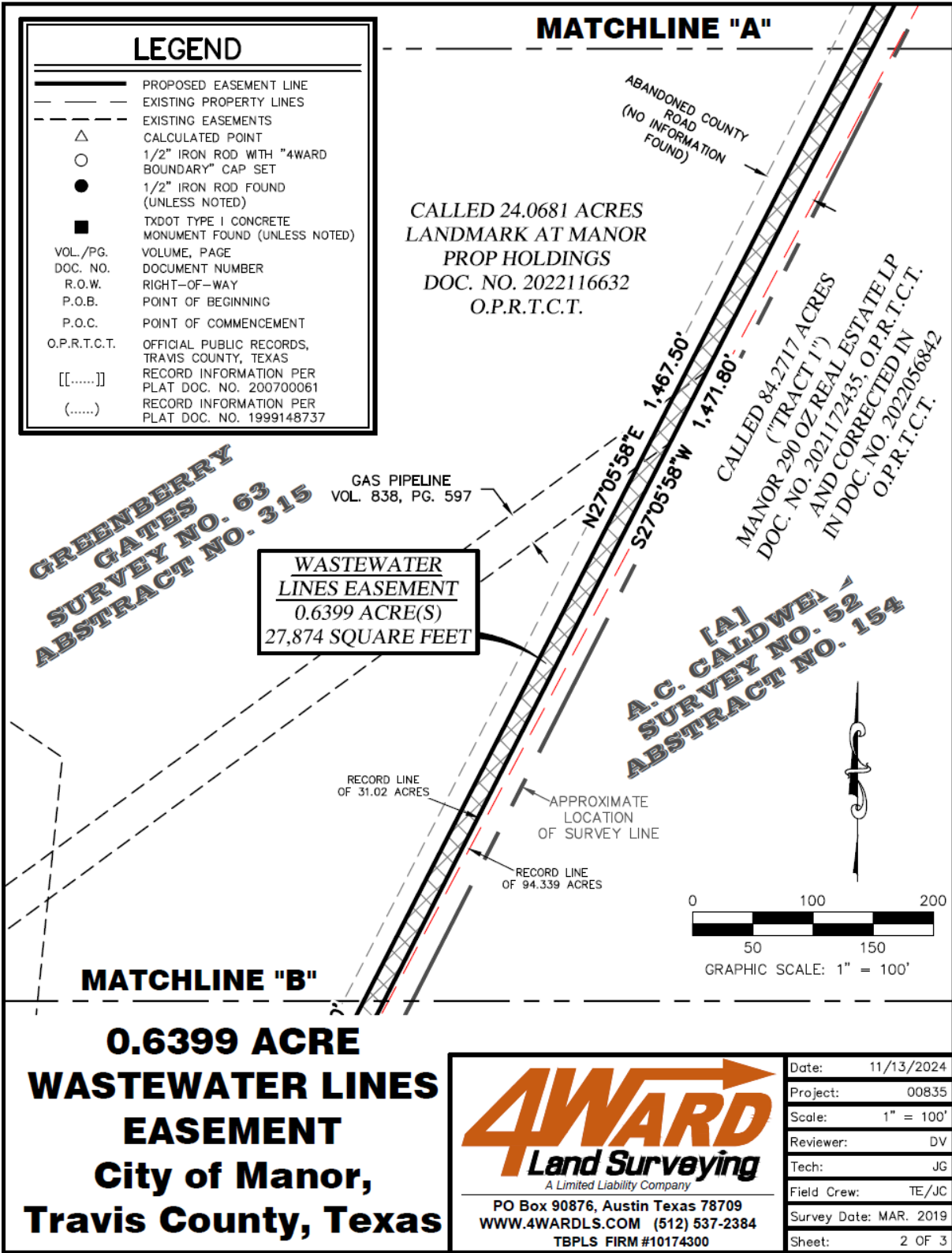
Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000079893396. See attached sketch (reference drawing: 00835_WWE 3.dwg.)

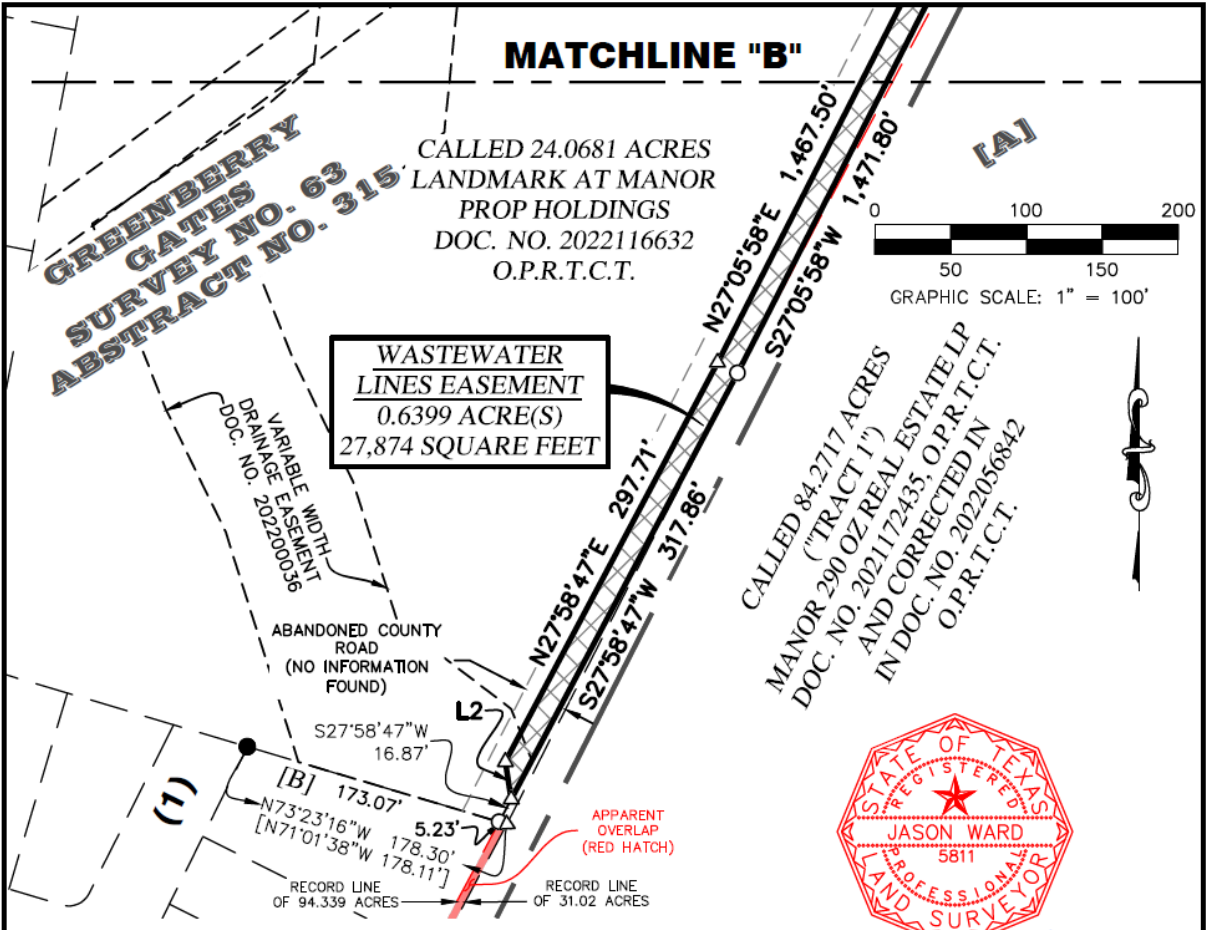

11/14/24
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC







P:\00835\Dwg\00835_WWE 3.dwg



Jason Ward
11/13/2024

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S04°03'46"E	82.93'
L2	N08°50'24"W	25.03'
L3	N04°03'46"W	78.75'
L4	N85°56'14"E	15.00'

[B]
LOT 22, BLOCK "I"
BELL FARMS
PHASE TWO-A
DOC. NO. 200700061
O.P.R.T.C.T.

(1)
CARILLON WAY
(50' R.O.W.)

BEARING BASIS:

- ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000079893396.
- SEE ATTACHED METES AND BOUNDS DESCRIPTION

**0.6399 ACRE
WASTEWATER LINES
EASEMENT
City of Manor,
Travis County, Texas**

4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

TCAD PARCELS #967909
COA GRIDS #U29 & V29

Date:	11/13/2024
Project:	00835
Scale:	1" = 100'
Reviewer:	DV
Tech:	JG
Field Crew:	TE/JC
Survey Date:	MAR. 2019
Sheet:	3 OF 3

P:\00835\Dwg\00835_WWE 3.dwg

Exhibit "A"

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4307 ACRE (18,761 SQUARE FEET) OF LAND, BEING OUT OF THE GREENBERRY GATES SURVEY NO. 63, ABSTRACT NO. 315, IN TRAVIS COUNTY, TEXAS, BEING OUT OF LOT 1, MANOR ADDITION, A SUBDIVISION RECORDED IN DOCUMENT NO. 202200036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING OUT OF A CALLED 24.0681 ACRE TRACT (BEING A PORTION OF SAID LOT 1) CONVEYED TO LANDMARK AT MANOR PROP HOLDINGS IN DOCUMENT NO. 2022116632 (O.P.R.T.C.T.), SAID 0.4307 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wards.com
www.4wards.com

COMMENCING, at a 1/2-inch iron rod found in the east line of said Lot 1, being in the east line of the remainder of a called 30.8643 acre tract conveyed to Manor RV Park, LLC in Document No. 2019179489, and being within the right-of-way of an abandoned County Road (no dedication/vacation information found), from which a leaning TxDot Type 1 concrete monument found for an angle point in the east line of said Lot 1, being an angle point in the east line of said 30.8643 acre remainder tract, bears, N61°43'23"W, a distance of 30.06 feet;

THENCE, over and across said abandoned County Road, with the east line of said Lot 1 and the east line of said 30.8643 acre remainder tract, S27°05'58"W, a distance of 222.57 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the common east corner of said 30.8643 acre remainder tract and said 24.0681 acre tract;

THENCE, in part over and across said abandoned County Road, over and across said Lot 1, with the common line of said 30.8643 acre remainder tract and said 24.0681 acre tract, S85°56'14"W, a distance of 65.15 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE, in part over and across said abandoned County Road, over and across said Lot 1, and over and across said 24.0681 acre tract, the following four (4) courses and distances:

- 1) S04°03'46"E, a distance of 78.75 feet to a calculated point for an angle point hereof,
- 2) S27°05'58"W, a distance of 1,467.50 feet to a calculated point for an angle point hereof,
- 3) S27°58'47"W, a distance of 297.71 feet to a calculated point for an angle point hereof, and
- 4) S08°50'24"E, a distance of 25.03 feet to a calculated point for an angle point hereof, said point being in the east line of said Lot 1, being in the east line of said 24.0681 acre tract, and being in the west line of a called 84.2717 acre tract (described as "Tract 1") conveyed to Manor 290 OZ Real Estate LP in Document No. 2021182435 (O.P.R.T.C.T.), and corrected in Document No. 2022056842 (O.P.R.T.C.T.);

THENCE, over and across said abandoned County Road, with the east line of said Lot 1, with the east line of said 24.0681 acre tract, and being in the west line of said 84.2717 acre tract, S27°58'47"W, a distance of 16.69 feet to a calculated point for the south corner hereof, from which a 1/2-inch iron rod with "4Ward Boundary" cap set for the southeast corner of said Lot 1, being the southeast corner of said 24.0681 acre tract, being an angle point in the west line of said 84.2717 acre tract, and being in the north line of Lot 22, Block I, Bell Farms Phase Two-A, a subdivision recorded in Document No. 200700061 (O.P.R.T.C.T.), bears, S27°58'47"W, a distance of 0.19 feet;

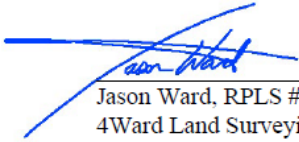
THENCE, in part over and across said abandoned County Road, over and across said Lot 1, and over and across said 24.0681 acre tract, the following four (4) courses and distances:

- 1) N08°50'24"W, a distance of 41.72 feet to a calculated point for an angle point hereof,
- 2) N27°58'47"E, a distance of 300.96 feet to a calculated point for an angle point hereof,
- 3) N27°05'58"E, a distance of 1,464.64 feet to a calculated point for an angle point hereof, and
- 4) N04°03'46"W, a distance of 75.96 feet to a calculated point for the northwest corner hereof, said point being in the common line of said 24.0681 acre tract and said 30.8643 acre remainder tract;

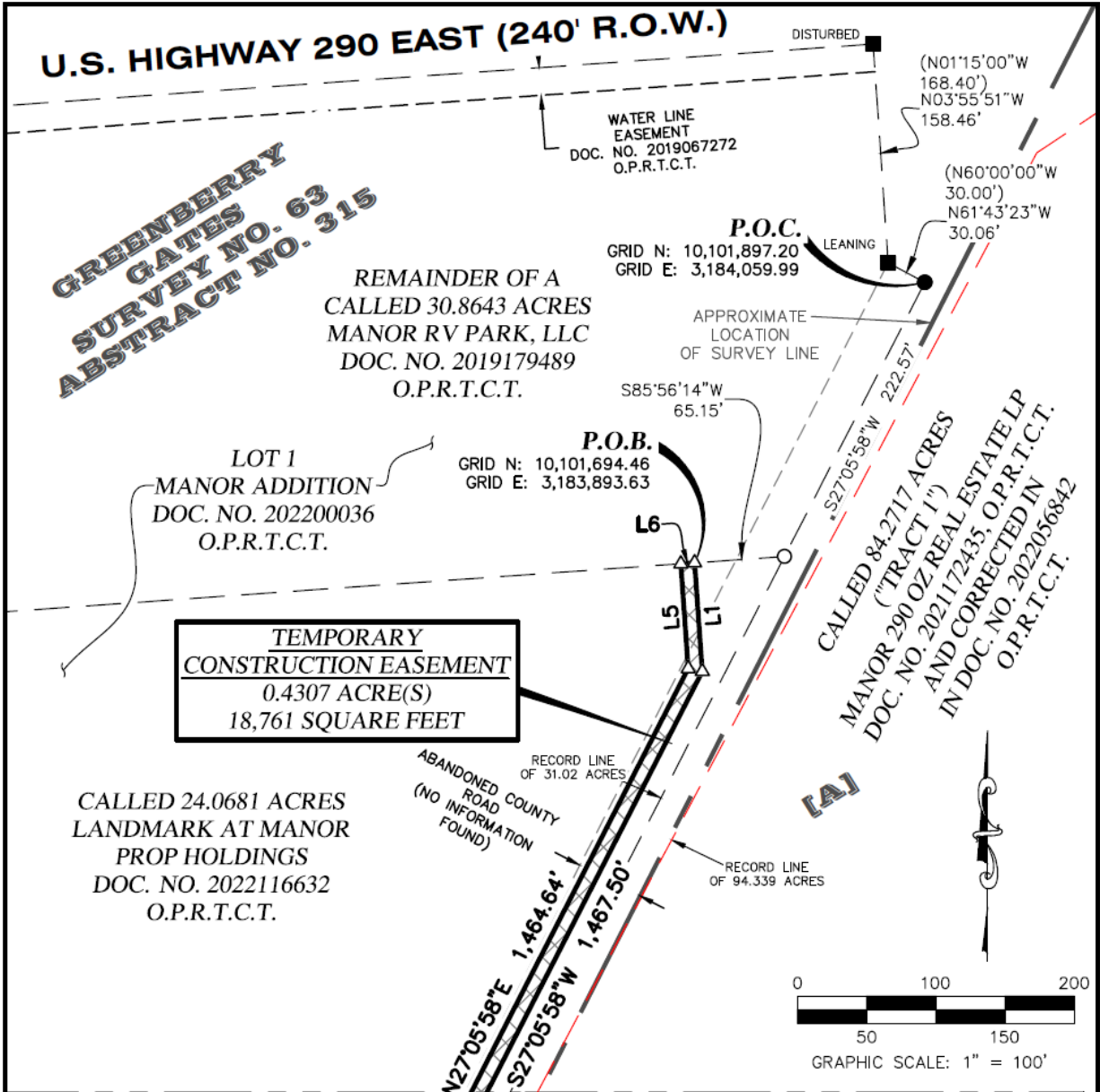
THENCE, over and across said Lot 1, and with the common line of said 24.0681 acre tract and said 30.8643 acre remainder tract, N85°56'14"E, a distance of 10.00 feet to the POINT OF BEGINNING, and containing 0.4307 Acre (18,761 Square Feet) more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000079893396. See attached sketch (reference drawing: 00835_TCE.dwg.)


11/14/24
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC





MATCHLINE "A"
0.4307 ACRE
TEMPORARY
CONSTRUCTION
EASEMENT
City of Manor,
Travis County, Texas

4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	11/13/2024
Project:	00835
Scale:	1" = 100'
Reviewer:	DV
Tech:	JG
Field Crew:	TE/JC
Survey Date:	MAR. 2019
Sheet:	1 OF 3

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LEGEND	
	PROPOSED EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	CALCULATED POINT
	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
	1/2" IRON ROD FOUND (UNLESS NOTED)
	TXDOT TYPE I CONCRETE MONUMENT FOUND (UNLESS NOTED)
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
[[.....]]	RECORD INFORMATION PER PLAT DOC. NO. 200700061
(.....)	RECORD INFORMATION PER PLAT DOC. NO. 1999148737

MATCHLINE "A"

CALLED 24.0681 ACRES
LANDMARK AT MANOR
PROP HOLDINGS
DOC. NO. 2022116632
O.P.R.T.C.T.

ABANDONED COUNTY ROAD
(NO INFORMATION FOUND)

CALLED 84.2717 ACRES
("TRACT 1")
MANOR 290 OZ REAL ESTATE LP
AND CORRECTED IN
IN DOC. NO. 2022056842
O.P.R.T.C.T.

**GREENBERRY
GATES
SURVEY NO. 63
ABSTRACT NO. 315**

GAS PIPELINE
VOL. 838, PG. 597

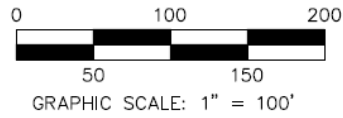
**TEMPORARY
CONSTRUCTION
EASEMENT
0.4307 ACRE(S)
18,761 SQUARE FEET**

**[A]
A.C. CALDWELL
SURVEY NO. 52
ABSTRACT NO. 154**

RECORD LINE
OF 31.02 ACRES

APPROXIMATE
LOCATION
OF SURVEY LINE

RECORD LINE
OF 94.339 ACRES



MATCHLINE "B"

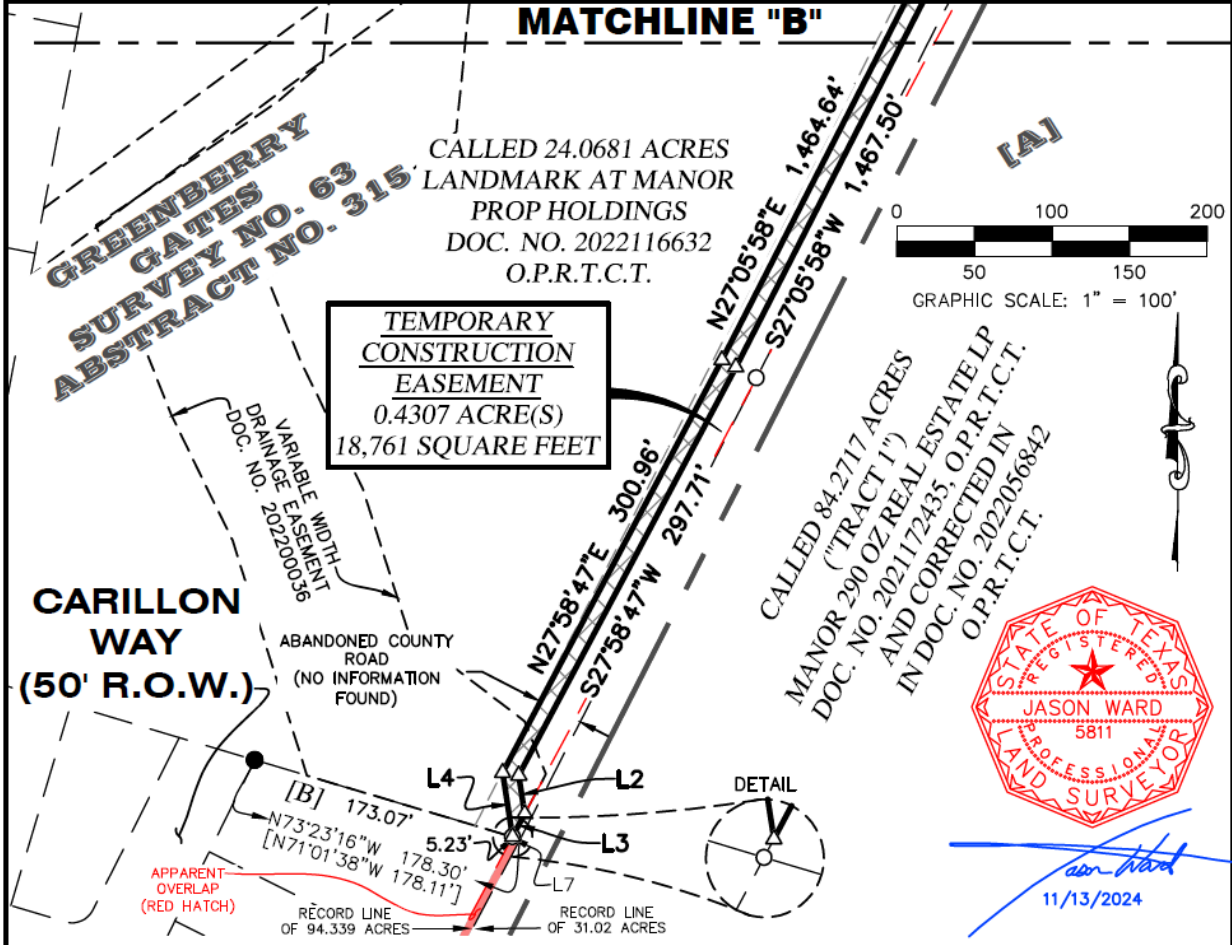
**0.4307 ACRE
TEMPORARY
CONSTRUCTION
EASEMENT
City of Manor,
Travis County, Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
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Sheet:	2 OF 3

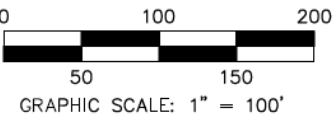
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**TEMPORARY
CONSTRUCTION
EASEMENT**
0.4307 ACRE(S)
18,761 SQUARE FEET

**GREENBERRY
GATES
SURVEY NO. 63
ABSTRACT NO. 315**

CALLED 24.0681 ACRES
LANDMARK AT MANOR
PROP HOLDINGS
DOC. NO. 2022116632
O.P.R.T.C.T.



Jason Ward
11/13/2024

**CARILLON
WAY
(50' R.O.W.)**

ABANDONED COUNTY
ROAD
(NO INFORMATION
FOUND)

MANOR 290 OZ REAL ESTATE LP
("TRACT 1")
DOC. NO. 2021172435, O.P.R.T.C.T.
AND CORRECTED IN
DOC. NO. 2022056842
O.P.R.T.C.T.

APPARENT
OVERLAP
(RED HATCH)

RECORD LINE
OF 94.339 ACRES

RECORD LINE
OF 31.02 ACRES

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S04°03'46"E	78.75'
L2	S08°50'24"E	25.03'
L3	S27°58'47"W	16.69'
L4	N08°50'24"W	41.72'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L5	N04°03'46"W	75.96'
L6	N85°56'14"E	10.00'
L7	S27°58'47"W	0.19'

[B]
LOT 22, BLOCK "T"
BELL FARMS
PHASE TWO-A
DOC. NO. 200700061, O.P.R.T.C.T.

BEARING BASIS:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000079893396.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION

**0.4307 ACRE
TEMPORARY
CONSTRUCTION
EASEMENT**
City of Manor,
Travis County, Texas

4WARD
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PO Box 90876, Austin Texas 78709
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TBPLS FIRM #10174300

TCAD PARCELS #967909
COA GRIDS #U29 & V29

Date:	11/13/2024
Project:	00835
Scale:	1" = 100'
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Tech:	JG
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Survey Date:	MAR. 2019
Sheet:	3 OF 3

P:\00835\Drawg\00835_TCE.dwg

EXHIBIT B
DEPICTION OF LOCATION OF EASEMENT TRACT

