

Diocese of Austin

Pastoral Center
6225 East US 290 Highway SVRD EB
Austin, TX 78723
(512) 949-2400
www.austindiocese.org

February 16, 2022

Dianna Tinkler
Agent for City of Manor
City of Manor
Easements & Acquisitions
105 E Eggleston St
Manor, TX 78653

Re: Easement Acquisition for Water Line and Wastewater – St. Joseph Catholic Church in Manor; and Release of Prior Easement

Diana:

Thank you for your assistance. I enclose the following items for delivery to the City of Manor subject to any requests, instructions, or conditions in this letter.

- (1) City of Manor Purchase Contract (signed by Bishop Vasquez). After execution by the City of Manor, please return a signed copy to me. A scan copy by email is sufficient.
- (2) Water Line and Wastewater Utility Easement (signed by Bishop Vásquez). After execution by the City of Manor, please ask the City or title company to insert the date of acceptance as the Date of the Easement on Page 1. Please have the Easement recorded and send me a copy of the recorded easement. A scan copy by email is sufficient.
- (3) Release of Easement (unsigned). After the City of Manor executes the Release of Easement, please have it recorded and send me a copy of the recorded Release or send the original to me and I will have it recorded.
- (4) Affidavit of Successors of the Bishop of Austin. I understand that the title company or the title reviewer requested this affidavit.
- (5) Release of Lien (KJT Lien). I obtained and recorded this Release of Lien from the KJT. I enclose a copy for your and the City's reference.

Finally, the City may tender the consideration by check payable to the Catholic Diocese of Austin and deliver it to my office. If the City prefers to wire funds, please let me know and I can send you wiring instructions. Let me know if you have any questions. Thank you.

Sincerely in Christ,

Deacon Ron Walker
Chancellor

Enclosures

cc: Reverend Henry Cuellar
Very Reverend James A. Misko, V.G.
Most Reverend Joe S. Vásquez

CITY OF MANOR PURCHASE CONTRACT

THE STATE OF TEXAS

COUNTY OF TRAVIS

THIS CONTRACT WITNESSETH that the undersigned herein called Owner, whether one or more, for good and valuable consideration, the receipt of which is hereby acknowledged agree to grant a Water Line and Waste Water Utility Easement with a temporary construction easement to the City of Manor, herein called the City, a Texas municipal corporation situated in Travis County, State of Texas, or its assigns, and the City agrees to acquire the permanent and temporary easement property rights for the consideration and subject to the terms herein stated, upon the following describe real property, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described in **EXHIBIT "A"** and depicted on **EXHIBIT "B"**, respectively, attached hereto and made apart hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TOTAL PRICE: \$13,008.00 shall be paid by the City for the easement property rights to such property, and for which no lien or encumbrance expressed or implied, is retained, together with the delivery of a Release of Easement by the City to Owner of City's interest in the Waste Water Utility Easement dated March 8, 2005 and recorded in Instrument No. 2005066487 of the Official Public Records of Travis County, Texas

Owner agrees to convey to the City easement property rights to the above-described property for the consideration herein stated, or whatever interest therein found to be owned by the Owner for a proportionate part of the above consideration.

Owner at closing shall deliver to the City a duly executed and acknowledged Water Line and Waste Water Utility Easement in the form and substance as the attached instrument shown as **EXHIBIT "C"**.

Owner and the City will finalize the transaction by closing on or before thirty (30) days after the City is tendered an original release or subordination of any liens, which date is hereinafter referred to as the closing date. This date may be extended upon agreement by the Owner and City. Should the closing documents not be ready or any other incident which reasonably delays the closing, the parties shall close at the first available date for closing.

Owner hereby agrees to comply with the terms of this contract and agrees that the Water Line and Waste Water Utility Easement to the above-described property shall be effective at the time of closing.

The City agrees to prepare the Water Line and Waste Water Utility Easement for the above-described property and to deliver the Release of Easement described above at no expense to the Owner.

The City agrees to pay to Owner, upon delivery of the properly executed Water Line and Waste Water Utility Easement instrument, the above-stated amount or the proportionate part of that price for whatever interest owner may have. The validity of this contract is contingent upon City Management approval.

This agreement supersedes any and all other agreements, either oral or in writing, between the Owner and the City hereto with respect to said matter.

Pursuant to Tex. Prop. Code Sec. 21.023, the City hereby advises, and Owner hereby acknowledges he or she has been advised, of the following: if Owner's property is acquired through eminent domain, (1) Owner or Owner's heirs, successors, or assigns are entitled to repurchase the property if the public use for which the property was acquired through eminent domain is canceled before the 10th anniversary of the date of acquisition; and (2) the repurchase price is the price paid to Owner at the time the City acquires the property through eminent domain.

Owner and the City agree that said permanent and temporary easement rights are being conveyed to the City of Manor under the imminence of condemnation, as that term is used in the United States Internal Revenue Code.

TO BE EFFECTIVE ON THE LAST DATE INDICATED BELOW:

**BUYER: THE CITY OF MANOR,
a Texas municipal corporation**

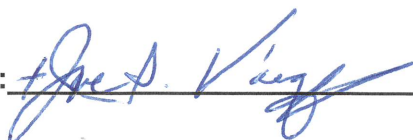
Date: _____

By: _____
Dr. Christopher Harvey, Mayor

SELLERS:

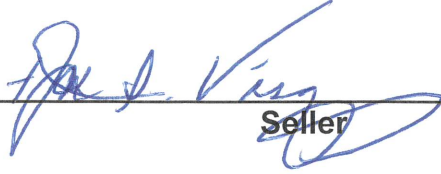
**Most Reverend Joe S. Vásquez, Bishop of
the Catholic Diocese of Austin, and his
successors in office, as successor to the
Most Reverend Vincent M. Harris, Bishop
of Austin, and for the benefit of St. Joseph
Catholic Church – Manor, Texas**

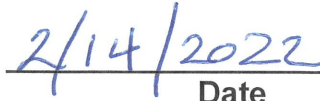
Date: 2/14/2022

By: 

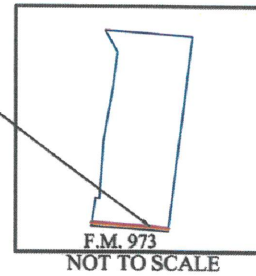
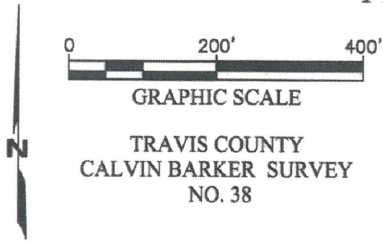
Project: FM 973 Waterline CIP 5-15
Parcel No.: 4
TCAD No.: 526038

If there are no leasehold interests, written or verbal, please sign here.

 _____
Seller

 _____
Date

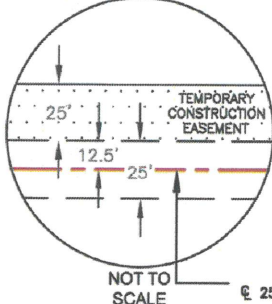
**PLAT OF 25' WATER LINE AND
WASTEWATER
UTILITY EASEMENT
EXHIBIT "B"
TRAVIS COUNTY, TEXAS**



EASEMENT CENTERLINE LENGTH
299.21'
WATERLINE AND WASTEWATER UTILITY EASEMENT AREA
0.17 ACRE (7,427 SQUARE FEET)
TEMPORARY CONSTRUCTION EASEMENT AREA
0.17 ACRE (7,457 SQUARE FEET)

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N09°27'16"E	12.55'
L2	S85°49'26"E	299.21'
L3	N06°57'50"E	740.70'

EASEMENT DETAIL

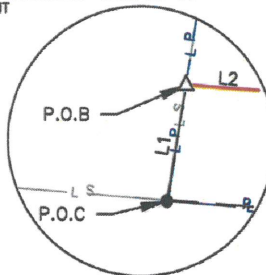
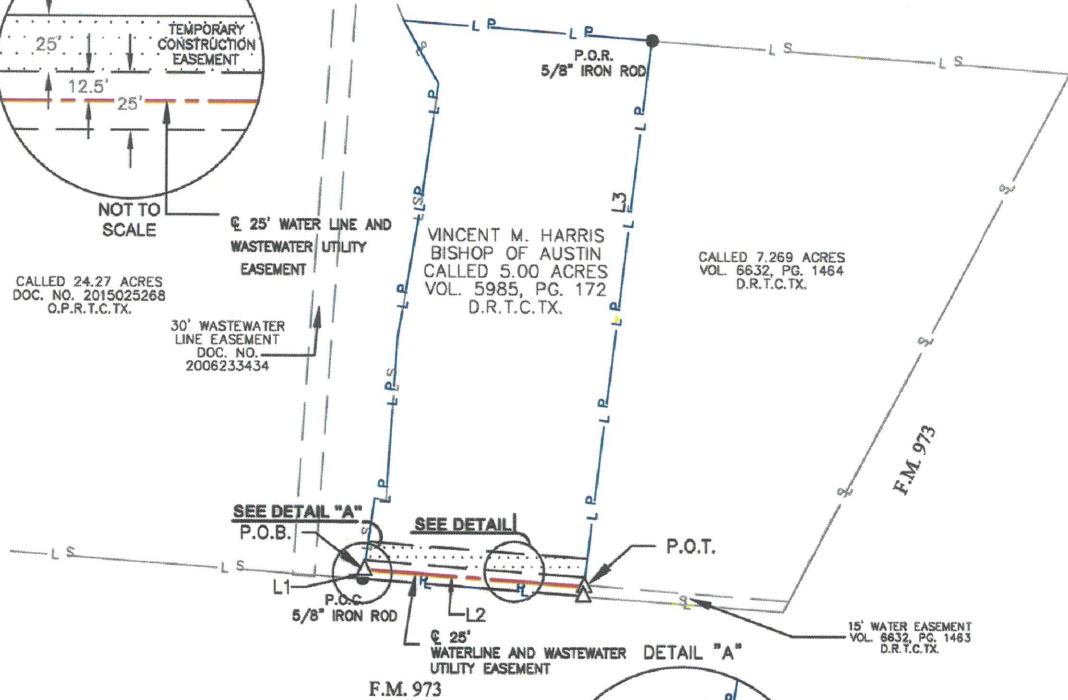


CALLED 24.27 ACRES
DOC. NO. 2015025268
O.P.R.T.C.TX.

30' WASTEWATER
LINE EASEMENT
DOC. NO.
2006233434

VINCENT M. HARRIS
BISHOP OF AUSTIN
CALLED 5.00 ACRES
VOL. 5985, PG. 172
D.R.T.C.TX.

CALLED 7.269 ACRES
VOL. 6632, PG. 1464
D.R.T.C.TX.



NOTES:

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83. ALL DISTANCES ARE REPRESENTED IN GRID VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM.
- RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY SAM, LLC.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT "A") MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT OF EASEMENT.
- THIS EASEMENT PLAT AND THE ATTACHED DESCRIPTION (EXHIBIT "A") WERE PREPARED FOR THE PURPOSES OF CREATING AN EASEMENT AND ARE NOT INTENDED FOR USE AS A PROPERTY BOUNDARY SURVEY.

LEGEND

- R — PARCEL LIMITS
- S — APPROXIMATE SURVEY LINE
- — — ADJOINER PROPERTY
- — — CENTERLINE OF 20' WIDE UTILITY EASEMENT
- — — IRON ROD FOUND (AS NOTED)
- P.O.B. POINT OF BEGINNING
- △ P.O.T. POINT OF TERMINATION
- P.O.C. POINT OF COMMENCEMENT
- P.O.R. POINT OF REFERENCE
- D.R.T.C.TX. DEED RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- [] 25' WIDE WATERLINE AND WASTEWATER UTILITY EASEMENT
- [] 25' WIDE TEMPORARY WORKSPACE

Jon V. Nolting 2-17-22
JON V. NOLTING DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4523 - STATE OF TEXAS



REVIEWED BY:
JOB NUMBER: 1021060329
DATE: 07/23/2021
SCALE: 1"=200'
SURVEYOR: JON V. NOLTING
TECHNICIAN: CALVIN BARKER
DRAWING TRACT 4 FN 48817
TRACT 10:4
PARTICULARS:
FIELD BOOKS:



4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz
Texas Firm Registration No. 10064300

PROJECT: MANOR F.M. 973 WATERLINE

SHEET 2
OF 2