

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 FIELD FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

UTILITY EASEMENT

DATE: **February 14, 2022**

GRANTOR: **Geraldine Timmermann**

GRANTOR'S MAILING ADDRESS (including County):
P. O. Box 4784, Austin, Travis County, Texas 78765-4784

GRANTEE: **CITY OF MANOR**

GRANTEE'S MAILING ADDRESS (including County):
105 E. Eggleston, Manor, Travis County, Texas 78653

LIENHOLDER: None

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

PROPERTY:

A twenty foot (20') wide utility easement, containing 0.37 acres, more or less, located in Travis County, Texas, said easement being more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and made a part hereof for all purposes.

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an 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 water mains, lines and pipes, and the supplying of water or other such utility services in, upon, under and across the **PROPERTY** (the "Facilities") more fully described in Exhibit "A" attached hereto (the "Utility Easement").

This 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, and to dedicate and grant public or private easements for such purposes, 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.
2. This 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.
3. Upon completing construction of the Facilities, Grantee shall restore the ground surface area within the easement to substantially the same condition as it existed on the date Grantee first begins to use and occupy the area within the easement.

The covenants and terms of this 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.

In addition, **GRANTOR, FOR THE CONSIDERATION** paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE, its successors and assigns, a temporary work and construction easement ("Temporary Work Easement") for the use by the Grantee, its contractors, subcontractors, agents and engineers, during the design and construction of a water lines, piping, pumps, and other facilities necessary for the supplying of water or other utilities (the "Facilities") on, over, and across land and easements owned by Grantee, upon, over and across the following described parcel of land:

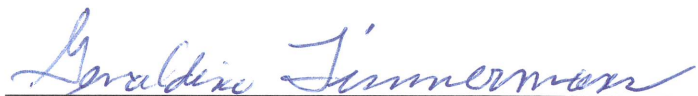
A thirty foot (30') wide temporary construction easement containing 0.54 acres as described in Exhibit "A" and as depicted in Exhibit "B" attached hereto and incorporated herein for all purposes.

(hereinafter the "PROPERTY"), together with the right and privilege at any and all times, while this temporary construction easement shall remain in effect, to enter the PROPERTY, or any part thereof, for the purpose of making soils tests, and designing and constructing the Facilities, and making connections therewith; and provided further that, upon the completion and acceptance by GRANTEE of the Facilities this Temporary Work Easement shall terminate and expire on the earlier of 1) six (6) months from the start of construction on Grantor's land or 2) December 31, 2022.

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 bind himself, his heirs, 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, subject to the exceptions set forth above.

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

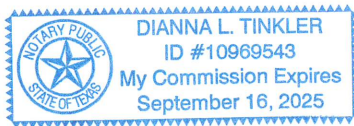
GRANTOR:



Geraldine Timmermann

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 14th day of February, 2022, by Geraldine Timmermann for the purpose and consideration recited herein.




Notary Public, State of Texas
My commission expires: 09-16-2025

ACCEPTED:

GRANTEE: City of Manor, Texas:

By: Dr. Christopher Harvey, Mayor

STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this _____ day of February, 2022, by personally appeared Dr. Christopher Harvey, Mayor of City of Manor, Grantee herein, known to me the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Notary Public, State of Texas

My commission expires: _____

Project Name: FM 973 Waterline - CIP 5-15

Parcel No. 2

TCAD No. 824766

AFTER RECORDING RETURN TO:

City of Manor

105 E. Eggleston

Manor, Texas 78653

EXHIBIT "A"

**DESCRIPTION FOR A 20' WATERLINE EASEMENT
GERALDINE TIMMERMAN**

A CENTERLINE DESCRIPTION FOR A TWENTY FOOT (20') WIDE WATERLINE EASEMENT LOCATED IN THE CALVIN BAKER SURVEY NO. 38, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF CALLED 82.254 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 11208, PAGE 824, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod at the Southeast corner of said 82.254 acre remainder, said iron rod also being the Southwest corner of that called 24.27 acre tract described in Document No. 2015025268, Official Public Records of Travis County, Texas, said iron rod also being on the North Right-of-Way of F.M. 973;

THENCE North 08°16'54" West, a distance of 10.02 feet to the **POINT OF BEGINNING**;

THENCE North 85°45'13" West, along a line parallel to and 10.00 feet North of the South line of said 82.254 acre remainder and said North Right-of-Way, a distance of 61.63 feet to the point of curvature of a circular curve to the left;

THENCE westerly along the arc of said curve, also being along said parallel line, having a radius of 2,029.86 feet, a central angle of 20°53'57" and an arc distance of 740.41 feet to the **POINT OF TERMINATION**, said point being on a West line of said 82.254 acre remainder, and also being on the East line of a called 1.125 acre tract described in Volume 8410, Page 646, Deed Records of Travis County, Texas, from which a 5/8-inch iron rod at the Southwest corner of said 82.254 acre remainder bears South 24°53'51" West, a distance of 13.35 feet.

Described centerline being a total distance of 802.04 feet.
Waterline easement area of 0.37 acres (16,041 square feet)
Temporary construction easement area of 0.54 acres (23,714 square feet).

TEMPORARY CONSTRUCTION EASEMENT

Being an additional thirty feet (30') wide strip of land to be used during the construction of the waterline. The 30 foot wide strip of land will be parallel to and coincident with the above described 20 foot waterline easement as shown on Exhibit "B".

This property description is accompanied by a separate plat of even date.

Bearing Basis: All bearings referenced herein 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.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Jon V. Nolting, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

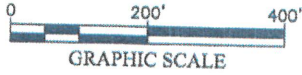
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300



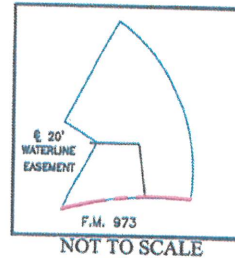
 8.11.21
Jon V. Nolting Date
Registered Professional Land Surveyor
No. 4523 - State of Texas

**PLAT OF
WATERLINE EASEMENT
EXHIBIT "B"
TRAVIS COUNTY, TEXAS**



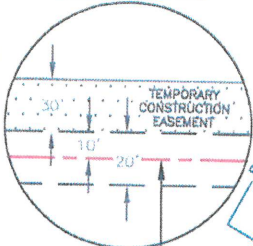
TRAVIS COUNTY
CALVIN BARKER SURVEY
NO. 38

EASEMENT CENTERLINE LENGTH
802.04'
WATERLINE EASEMENT AREA
0.37 ACRE (16041 SQUARE FEET)
TEMPORARY CONSTRUCTION
EASEMENT AREA
0.54 ACRE (23,714 SQUARE FEET)



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	020°53'57"	2029.86'	740.41'	N83°59'13"E	736.31'

EASEMENT DETAIL



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S08°16'54"W	10.02'
L2	S85°45'13"E	61.63'
L3	S24°53'51"W	13.26'

CALLED 9.997 ACRES
DOC. NO. 2004011928
O.P.R.T.C.TX.

GERALDINE TIMMERMANN
REMAINDER OF A
CALLED 82,254 ACRES
VOL. 11208, PG. 824
R.P.R.T.C.TX.

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

CALLED 1.125 ACRES
VOL. 8410, PG. 646
D.R.T.C.TX.

P.O.R.
5/8" IRON ROD

F.M. 973

P.O.C.
5/8" IRON ROD

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

- PARCEL LIMITS
- APPROXIMATE SURVEY LINE
- ADJOINER PROPERTY
- CENTERLINE OF 20' WIDE PERMANENT SERVITUDE
- IRON ROD FOUND (AS NOTED)
- CALCULATED POINT
- 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
- R.P.R.T.C.TX. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- 20' WIDE PERMANENT SERVITUDE
- 30' WIDE TEMPORARY WORKSPACE

J. Volting
JON V. NOLTING
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4523 - STATE OF TEXAS

DATE

3-11-21



REVIEWED BY:

JOB NUMBER: 1021060329
DATE: 07/23/2021
SCALE: 200 = 1
SURVEYOR: JON V. NOLTING
TECHNICIAN: CALVIN BARKER
DRAWING: TRACT 2 FN 48915
TRACT ID: 2
PARTIAL: 1
FIELDBOOKS:



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: F.M. 973 WATERLINE

SHEET 2
OF 2