

**AGENDA ITEM 20**Discuss and consider granting wastewater easement to City of Austin at Lake Creek.

Joe England addressed the Court regarding a wastewater easement to City of Austin at Lake Creek.

Moved: **Commissioner Boatright**Seconded: **Commissioner Curlee**

Motion: To grant wastewater easement to City of Austin at Lake Creek.

Vote: 5 - 0

&lt; Attachment &gt;



ESMT

2004001250

5 PGS

# 20  
CRID 639  
mapso 434F**WASTEWATER LINE EASEMENT**

THE STATE OF TEXAS )

COUNTY OF WILLIAMSON )

KNOW ALL BY THESE PRESENTS:

THAT Williamson County, a political subdivision of the State of Texas, hereinafter referred to as "Grantor," for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the CITY OF AUSTIN, TEXAS, the receipt and sufficiency of which is hereby acknowledged and confessed and for which no lien, express or implied, is retained, have this day GRANTED, SOLD, AND CONVEYED unto the CITY OF AUSTIN, a municipal corporation, situated in the Counties of Travis and Williamson, State of Texas, and whose address is P.O. Box 1088, Austin, Texas 78767-8839, ATTN: Director, Water and Wastewater Utility, its successors and assigns (hereinafter "Grantee"), an easement for the construction, operation, maintenance, repair, replacement, upgrade, decommissioning and removal of wastewater lines and making connections therewith in, upon and across the following described land, to wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Williamson, State of Texas, described in EXHIBIT A attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property (the "Easement Tract").

TO HAVE AND TO HOLD the same perpetually to the City of Austin and its successors and assigns together with the right and privilege at any and all times to enter the Easement Tract, or any part thereof, for the purpose of construction, operation, maintenance, repair, replacement, upgrade, decommissioning and removal of wastewater lines and making connections therewith provided, however, that Grantor reserve the right to enter upon and use the Easement Tract but in no event shall Grantor (i) use the Easement Tract in any manner that interferes in any material way or is inconsistent with the rights granted hereunder, or (ii) erect or permit to be erected a building, structure or irrigation systems on any portion of the Easement Tract. Grantee shall be obligated to restore the surface of the easement at Grantee's sole cost and expense, including the restoration of any sidewalks, driveways or similar surface improvements located upon or adjacent to the Easement Tract which have been removed, relocated, altered, damaged or destroyed as a result of Grantee's use of the Easement granted hereunder provided, however, that Grantee shall not be obligated to restore or replace irrigation systems or other improvements installed in violation of the provisions of this Easement.

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

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 6 day  
of Jan, 2004.

GRANTOR:

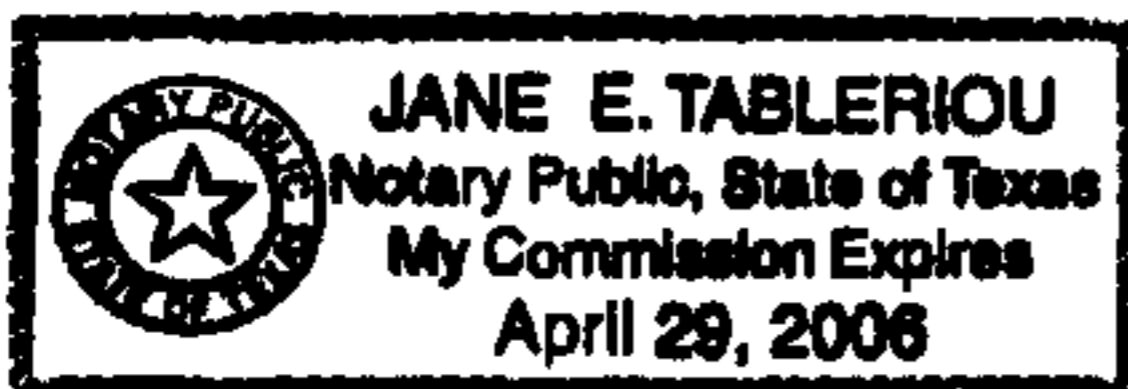
WILLIAMSON COUNTY:

John C. Doerfer 1-6-04

INDIVIDUAL ACKNOWLEDGEMENT

THE STATE OF TEXAS )  
COUNTY OF Williamson )

THIS INSTRUMENT was acknowledged before me on this 6 day of Jan, 2004  
by John C. Doerfer



Jane E. Tableriou  
NOTARY PUBLIC, STATE OF TEXAS

Jane E. Tableriou  
PRINTED/TYPED NAME OF NOTARY

MY COMMISSION EXPIRES: 4-29-06

Accepted by David W. Rinn

Project # \_\_\_\_\_

RETURN TO:

David Rinn, Engineering Associate

Alfredo Torres, Engineering Associate

City of Austin Water & Wastewater Utility

P.O. Box 1088 721 Barton Springs Rd

Austin, Texas 78767-1088

8814

## EXHIBIT A

FIELD NOTES  
FOR WASTEWATER EASEMENT  
FROM WILLIAMSON COUNTY

FIELD NOTES FOR 0.0389 ACRES OF LAND OUT OF THE T P DAVY SURVEY, ABSTRACT NO. 169, SAME BEING OUT OF AND PART OF 0.6099 ACRES DESCRIBED IN DOC # 2003118651, OFFICIAL DEED RECORDS, WILLIAMSON COUNTY (WCDR), TEXAS, FOR WHICH A MORE PARTICULAR METES AND BOUNDS DESCRIPTION IS AS FOLLOWS:

BEGINNING FOR REFERENCE at a concrete monument found at the southwest corner of the 0.6099 acre tract described in Doc # 2003118651, WCDR and in the east line of a 13.7 acre tract described in Doc # 2003013011, WCDR and at the northwest corner of 35.060 acre tract described in Vol. 990, Pg 500, WCDR (said point bears S 20°31'05"E at 2316.48 feet from a ½" rebar found at the northeast ROW of Threadbo Street on the west line of Lot 7, Blk C, State Farm, Sec 3);

THENCE N 68°47'17"E with the southeast line of the 0.6099 acre tract and the west line of the 35.060 acre tract for a distance of 107.31 feet to a rebar found with cap labeled Wm Co on the west line of a Drainage & PUE described in Vol. 1551, Page 125(WCDR);

THENCE 118.19 feet along the arc of a curve to the right (R = 921.15 ft, C = 118.11 ft N36°12'14"W) following the southeast line of the 0.6099 acre tract and the west line of the Drainage & PUE to a point for the southeast corner and PLACE OF BEGINNING hereof;

THENCE 35.74 feet along the arc of a curve to the right (R = 921.15 ft, C = 35.74 ft N31°25'01"W) following the southeast line of the 0.6099 acre tract and the west line of the Drainage & PUE to a point for the north corner hereof;

THENCE S02°36'58"W crossing the 0.6099 acre tract for a distance of 86.94 feet to a point for the southwest corner hereof;

THENCE 32.35 feet along the arc of a curve to the left (R = 971.15 ft, C = 32.35 ft S35°34'11"E) crossing the 0.6099 acre tract to a point for the southeast corner hereof;

THENCE N02°36'58"E crossing the 0.6099 acre tract for a distance of 82.76 feet to the PLACE OF BEGINNING hereof and containing 0.0389 acres of land.

NOTES FOR CLARIFICATION:

- 1) All ½" rebars set have caps labeled WILLIAMSON CNTY.
- 2) See attached Survey Sketch for further orientation.
- 3) Bearing basis - West line of Lot 6

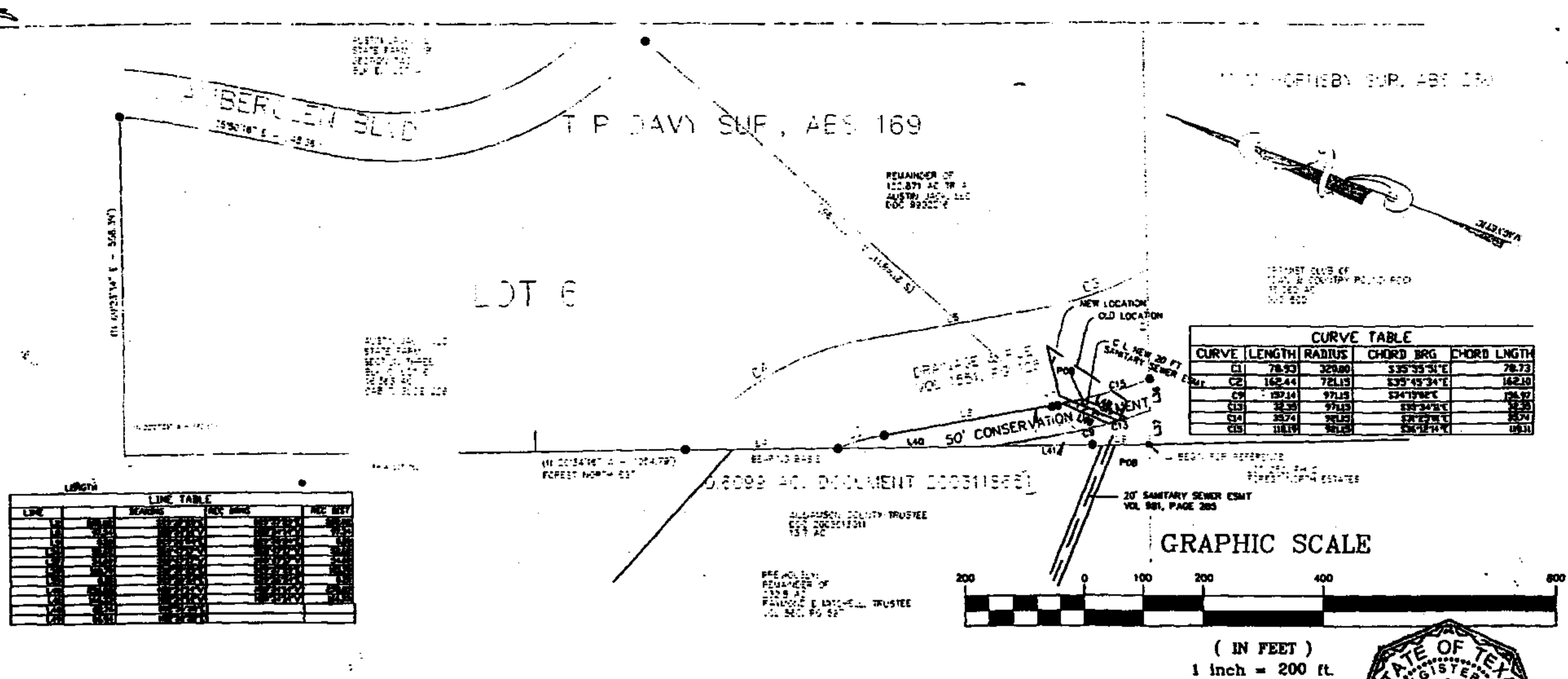
I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge on this the 18<sup>th</sup> day of December, 2003.

*Dwight L. Pittman*  
Dwight L. Pittman, R.P.L.S. 2442  
Williamson County Unified Road System  
3151 SE Inner Loop, Suite B  
Georgetown, Texas 78626



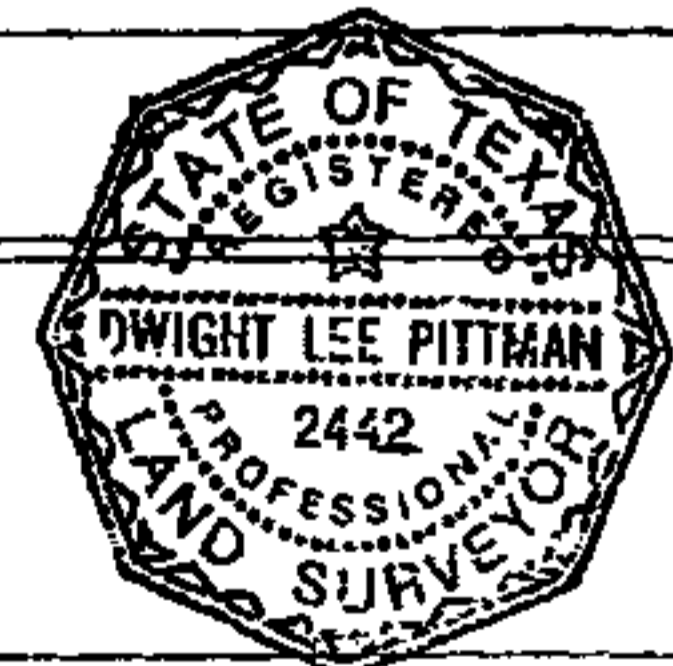
After recording return to:  
Dwight Pittman  
Williamson County URS  
3151 SE Inner Loop, Suite B  
Georgetown, Texas 78626

OK



I, DWIGHT L. PITTMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE ON THIS THE 18th DAY OF DECEMBER, 2003.

*Dwight L. Pittman*  
DWIGHT L. PITTMAN, RPLS 2442



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS 2004001250

*Nancy E. Rister*

01/07/2004 10:59 AM

ANDERSON \$0.00

NANCY E. RISTER, COUNTY CLERK

WILLIAMSON COUNTY, TEXAS