

TEMPORARY CONSTRUCTION EASEMENT

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

That Williamson County, its successors and assigns (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Cedar Park, Texas, a Texas home-rule municipal corporation, (hereinafter referred to as "Grantee"), the receipt and sufficiency of which hereby acknowledged, does hereby GRANT, SELL, and CONVEY unto Grantee, a Temporary Construction Easement to construct, operate, maintain, inspect, reconstruct, rebuild, repair, and remove a drainage system and structures consisting of all necessary culverts, conduits, valves, vaults, manholes, ventilators and appurtenances, storm sewers and collection facilities, drainage pipes and all other subsurface drainage structures, access facilities and related equipment, and any necessary accessories, or operations thereto, in, under, over, upon, above and across the following described property of Grantor, to-wit:

See "Sketches to Accompany Description" attached hereto as Exhibit "A" and "B" and made a part hereof for all intents and purposes.

Grantee shall have the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of construction and maintenance of improvements, and for making connections therewith; all upon the condition that upon completion of construction and installation of the improvements, Grantee shall repair and restore the surface of said premises as nearly as is reasonably possible to the condition which the same was in before the work was undertaken.

This Temporary Construction Easement shall be for a term of 12 months which shall commence on the date the granting of this easement is evidenced by recordation.

Grantee hereby covenants and agrees:

- (a) To the extent allowed by law, Grantee shall indemnify Grantor against any loss and damage which shall be caused by the exercise of the rights of ingress and egress or by any wrongful or negligent act or omission of Grantee's agents or employees in the course of their employment.
- (b) Grantor also retains, reserves, and shall continue to enjoy the surface of such Temporary Construction Easement for any and all purposes which do not interfere with and prevent the use by Grantee of the Temporary Construction Easement.

TO HAVE AND TO HOLD the rights and interests described unto Grantee and its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, and legal representatives, to warrant and forever defend, all and singular, the above-described Temporary Construction Easement and rights and interests unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this ____ day of _____, 2015.

GRANTORS: Williamson County

By: _____
Dan A. Gattis, County Judge

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this the _____ day of _____, 2015, by Dan A. Gattis, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Notary Public, State of Texas

ACCEPTED:

CITY OF CEDAR PARK, TEXAS

Brenda Eivens, City Manager

******* NOTARY ACKNOWLEDGEMENTS *******

The foregoing instrument was executed before me by _____ on this the _____ day of _____, 2015.

(Seal and Expiration)

Notary Public, State of Texas

After recording, please return to:

City of Cedar Park Engineering Department
ATTN: Randall Lueders, P.E.
450 Cypress Creek Road, Bldg. 1
Cedar Park, Texas 78613

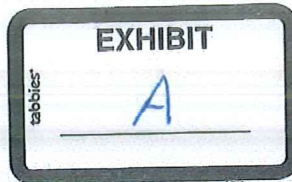


EXHIBIT " "

(Temporary Grading and Construction Easement)
John H. Dillard Survey, Abstract No. 179

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.1020 ACRE (4,445 SQUARE FEET) OUT OF THE JOHN H. DILLARD SURVEY, ABSTRACT NO. 179 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 32.703 ACRE TRACT (DESCRIBED AS EXHIBIT "A") CONVEYED TO WILLIAMSON COUNTY, RECORDED IN DOCUMENT NUMBER 2011066293 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 0.1020 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND AS FOLLOWS:



PO Box 90876
Austin, TX 78709
512.537.2384
jward@4wardls.com
www.4wardls.com

COMMENCING, at a 60D nail found in the south right-of-way line of Brushy Creek Road (Right-of-way varies), and being an angle point in the north line of said Williamson County tract, from which a 60D nail found at an angle point in the south right-of-way line of said Brushy Creek Road and the north line of said Williamson County tract bears, N72°55'04"E, a distance of 152.50 feet;

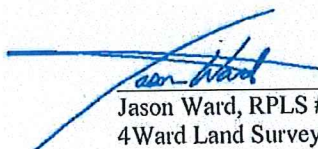
THENCE, leaving the south right-of-way line of said Brushy Creek Road and the north line of Williamson County tract, over and across said Williamson County tract, S52°55'52"E, a distance of 425.07 feet to a calculated point for the southwest corner and **POINT OF BEGINNING** hereof;

THENCE, continuing over and across said Williamson County tract, the following seven (7) courses and distances:

- 1) N28°44'49"E, a distance of 39.78 feet to a calculated point for the northwest corner hereof,
- 2) S61°15'11"E, a distance of 80.22 feet to a calculated point for an angle point hereof,
- 3) S33°14'18"E, a distance of 1.67 feet to a calculated point for an angle point hereof,
- 4) N89°45'24"E, a distance of 38.57 feet to a calculated point for an angle point hereof,
- 5) S72°01'59"E, a distance of 39.39 feet to a calculated point for the southeast corner hereof,
- 6) S80°16'48"W, a distance of 98.04 feet to a calculated point for an angle point hereof, and
- 7) N64°15'34"W, a distance of 77.48 feet to the **POINT OF BEGINNING**, and containing 0.1020 Acre (4,445 Square Feet) more or less.

NOTE:

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 1.000119770998. See attached sketch (reference drawing: 00324 Temp.Construction Easement 2.dwg)


9/4/15
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC



**JOHN H. DILLARD
SURVEY
ABSTRACT NO. 179**

**BRUSHY CREEK ROAD
(R.O.W. VARIES)**

LEGEND

	PROPOSED EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	60D NAIL FOUND
	CALCULATED POINT
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R.O.W.	RIGHT-OF-WAY
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS
(.....)	RECORD INFORMATION PER DOC. NO. 2001066293

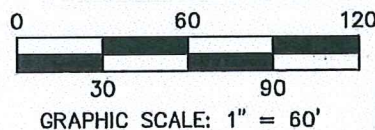
NOTES:

1) ALL BEARINGS ARE
BASED ON THE TEXAS
STATE PLANE COORDINATE
SYSTEM, GRID NORTH,
CENTRAL ZONE, (4203),
NAD83 (CORS), ALL
DISTANCES WERE ADJUSTED
TO SURFACE USING A
COMBINED SCALE FACTOR
OF 1.000119770998.

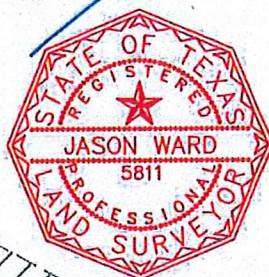
2) SEE ATTACHED METES
AND BOUNDS DESCRIPTION.

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N28°44'49"E	39.78'
L2	S33°14'18"E	1.67'
L3	N89°45'24"E	38.57'
L4	S72°01'59"E	39.39'



9/4/2015



-CHAMPION PARK-
CALLED 32.703
ACRES
(DESCRIBED AS
EXHIBIT "A")
WILLIAMSON
COUNTY
DOC. NO. 2011066293
O.P.R.W.C.T.

**TEMPORARY GRADING
AND CONSTRUCTION
EASEMENT**

0.1020 ACRE(S)
4,445 SQUARE FEET

P.O.B.

GRID N: 10,159,161.00
GRID E: 3,107,720.43

**0.1020 ACRE
TEMPORARY GRAING
AND CONSTRUCTION
EASEMENT
City of Cedar Park,
Williamson 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: 9/4/2015
Project: 00324
Scale: 1" = 60'
Reviewer: JSW
Tech: SJH
Field Crew: JCR/KDL
Survey Date: JULY 2014
Sheet: 1 OF 1

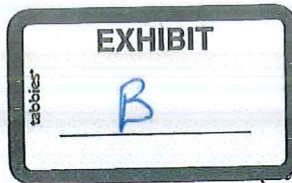


EXHIBIT " "

(Temporary Grading and Construction Easement)
John H. Dillard Survey, Abstract No. 179

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.1977 ACRE (8,613 SQUARE FEET) OUT OF THE JOHN H. DILLARD SURVEY, ABSTRACT NO. 179, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 32.703 ACRE TRACT (DESCRIBED AS EXHIBIT "A") CONVEYED TO WILLIAMSON COUNTY, RECORDED IN DOCUMENT NUMBER 2011066293 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 0.1977 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND AS FOLLOWS:



PO Box 90876
Austin, TX 78709
512.537.2384
jward@4wardls.com
www.4wardls.com

COMMENCING, at a 60D nail found at an angle point in the south right-of-way line of Brushy Creek Road (Right-of-way varies), and being an angle point in the north line of said Williamson County tract, from which a nail found in the south right-of-way line of said Brushy Creek Road and at an angle point in the north line of said Williamson County tract bears, S72°55'04"W, a distance of 152.50 feet;

THENCE, along the south right-of-way line of said Brushy Creek Road and the north line of said Williamson County tract, N61°31'08"E, a distance of 72.42 feet to a calculated point for the northwest corner and POINT OF BEGINNING hereof;

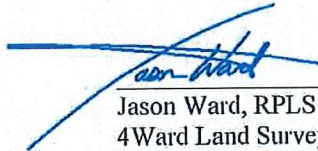
THENCE, continuing along the south right-of-way line of said Brushy Creek Road and the north line of said Williamson County tract, N61°31'08"E, a distance of 15.85 feet to a calculated point for the northeast corner hereof, from which a nail found in the south right-of-way line of said Brushy Creek Road and at an angle point in the north line of said Williamson County tract bears, N61°31'08"E, a distance of 205.88 feet;

THENCE, leaving the south right-of-way line of said Brushy Creek Road and the north line of said Williamson County tract, over and across said Williamson County tract, the following eight (8) courses and distances:

- 1) S09°17'23"E, a distance of 216.28 feet to a calculated point for an angle point hereof,
- 2) S61°15'11"E, a distance of 133.29 feet to a calculated point for an interior ell-corner hereof,
- 3) N28°44'49"E, a distance of 25.84 feet to a calculated point for an exterior ell-corner hereof,
- 4) S61°15'11"E, a distance of 76.73 feet to a calculated point for an angle point hereof,
- 5) S13°17'08"E, a distance of 27.01 feet to a calculated point for the southeast corner hereof,
- 6) S89°45'09"W, a distance of 42.86 feet to a calculated point for an angle point hereof,
- 7) N61°15'11"W, a distance of 197.93 feet to a calculated point for an angle point hereof, and
- 8) N09°16'56"W, a distance of 218.38 feet to the POINT OF BEGINNING, and containing 0.1977 Acre (8,613 Square Feet) more or less.

NOTE:

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 1.000119770998. See attached sketch (reference drawing: 00324 Temp.Construction Easement 1.dwg)



9/4/15

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC



**JOHN H. DILLARD
SURVEY
ABSTRACT NO. 179**

**BRUSHY CREEK ROAD
(R.O.W. VARIES)**

LEGEND

	PROPOSED EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	60D NAIL FOUND
	CALCULATED POINT
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R.O.W.	RIGHT-OF-WAY
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS
(.....)	RECORD INFORMATION PER DOC. NO. 2001066293

(S72°56'08"W
152.53')
S72°55'04"W
152.50'

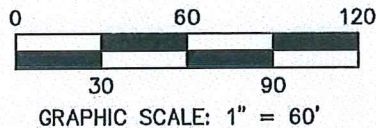
P.O.C.

GRID N: 10,159,461.99
GRID E: 3,107,527.05

P.O.B.

GRID N: 10,159,496.52
GRID E: 3,107,590.69

-CHAMPION PARK-
CALLED 32.703 ACRES
(DESCRIBED AS
EXHIBIT "A")
WILLIAMSON COUNTY
DOC. NO. 2011066293
O.P.R.W.C.T.



**TEMPORARY GRADING
AND CONSTRUCTION
EASEMENT**
0.1977 ACRE(S)
8,613 SQUARE FEET



9/4/2015

NOTES:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83 (CORS), ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000119770998.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N28°44'49"E	25.84'
L2	S13°17'08"E	27.01'
L3	S89°45'09"W	42.86'
L4	N61°31'08"E	15.85'

**0.1977 ACRE
TEMPORARY GRADING
AND CONSTRUCTION
EASEMENT**
**City of Cedar Park,
Williamson County,
Texas**



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

Date:	9/4/2015
Project:	00324
Scale:	1" = 60'
Reviewer:	JSW
Tech:	SJH
Field Crew:	JCR/KDL
Survey Date:	JULY 2014
Sheet:	1 OF 1