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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### PERMANENT EASEMENT

THE STATE OF TEXAS                   §  
  §  
COUNTY OF TRAVIS                 §

#### GRANT OF PERMANENT EASEMENT:

TCHMALL SPORTS, LLC, a Texas limited liability company (the "GRANTOR"), whose address is 12006 Pleasant Panorama View, Austin, Texas, 78738, for \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, do hereby grant, sell and convey unto the WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY ("GRANTEE"), a political subdivision of the State of Texas, whose address is 12117 Bee Cave Road, Building 2, Suite 120, Bee Cave, Texas 78738, a permanent and exclusive easement and right-of-way (the "EASEMENT") upon, in, over, under, along, and across, together with the right of ingress and egress, the property of GRANTOR, which is more particularly described as follows:

A 0.255 ACRE WATERLINE EASEMENT OVER AND ACROSS A PORTION OF THAT CERTAIN LOT 1, BLOCK A, OF THE HCI SUBDIVISION, A SUBDIVISION OF RECORD RECORDED IN DOCUMENT NO. 201300022 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AND THE ACCOMPANYING SKETCH IN THE ATTACHED EXHIBIT A (THE "EASEMENT PROPERTY").

#### PURPOSE OF EASEMENT:

The Easement Property may be used by GRANTEE for the purposes of constructing, installing, operating, repairing, maintaining, replacing, inspecting, upgrading and activities related thereto underground water lines and related facilities and equipment, including connections therewith (the "Facilities") upon, over, under and across the Easement Property, together with the right of ingress and egress over, along and across the Easement Property and

further including the right to cut and trim trees and shrubbery that may encroach on the Easement Property.

**DURATION OF EASEMENT:**

This Easement shall be permanent and irrevocable.

**EXCLUSIVITY**

GRANTEE'S easement rights within the Easement Property shall be exclusive.

**DOMINANT USE OF EASEMENT PROPERTY:**

GRANTOR agrees that GRANTEE shall have the dominant right to use of the Easement Property for the purposes stated above and GRANTOR shall make no use of the Easement Property that unreasonably interferes with GRANTEE'S use, including but not limited to the construction of stone walls, extensive landscaping or similar improvements that would impede GRANTEE'S access to the Facilities. GRANTOR further agrees that GRANTEE'S duty to restore the Easement Property and any improvements thereon shall be limited to substantially the same surface as existed prior to GRANTEE'S work. GRANTOR further agrees to provide GRANTEE with immediate access to the Easement Property when required for GRANTEE to construct, install, operate, repair, maintain, replace, inspect, or upgrade the Facilities.

**ENTIRE AGREEMENT:**

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument will be of no force and effect.

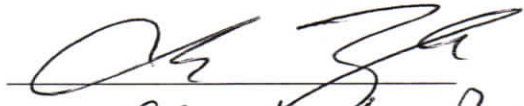
**BINDING EFFECT:**

This agreement will run with the land, and will bind and inure to the benefit of the Parties hereto, and their respective successors and assigns. 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 subject to the matters set forth herein.

*[Remainder of page left intentionally blank]*

In witness whereof, this instrument is executed this 2 day of March, 2015.

**TCHMALL SPORTS, LLC**

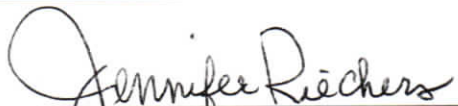
  
Name: Chris Lupton-Patna

Date: 3.2.15

STATE OF TEXAS       §  
                                  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the 2 day of March, 2015,  
by Jennifer Riechers on behalf of WTC PUA.



  
Notary Public, State of Texas

Printed Name: Jennifer Riechers  
My Commission expires:

ACCEPTED:

WEST TRAVIS COUNTY PUBLIC UTILITY  
AGENCY

By:

 P.E.  
Donald G. Rauschuber, General Manager

STATE OF TEXAS

§

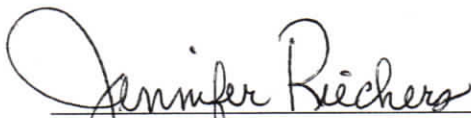
§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on the 2 day of March, 2015  
by Donald G. Rauschuber, General Manager of the West Travis County Public Utility Agency on  
behalf of said Agency.



  
Notary Public, State of Texas  
Printed Name: Jennifer Riechers  
My Commission expires: 3/26/16

After recording, please return to:  
Lauren Kalisek  
Lloyd Gosselink Rochelle & Townsend, P.C.  
816 Congress, Suite 1900  
Austin, Texas 78701



CONSENT AND SUBORDINATION BY LIENHOLDER

BANK OF AMERICA, N.A. ("Lienholder"), as the holder of lien(s) on the Easement Property, consents to the above grant of an easement, including the terms and conditions of such grant, and Lienholder subordinates its lien(s) to the rights and interests of the easement, such that a foreclosure of the lien(s) shall not extinguish the rights and interests of the easement.

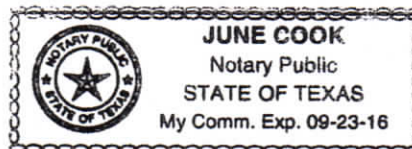
BANK OF AMERICA, N.A.

By: Amber Carden  
Its: Sr. Vice President  
Date: March 2, 2015

STATE OF Texas   §  
  §  
COUNTY OF Tarrant   §

This instrument was acknowledged before me on the 2 day of March, 2015  
by \_\_\_\_\_, on behalf of Bank of America, N.A.  
Amber Carden

June Cook  
Notary Public, State of Texas  
Printed Name: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_



## EXHIBIT A



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

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**0.255 AC. WATERLINE EASEMENT  
CITY OF BEE CAVE, TEXAS**

A DESCRIPTION OF 0.255 ACRES (APPROXIMATELY 11,088 SQ. FT.), BEING A PORTION OF LOT 1, BLOCK A, HCI SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201300022, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO JSJMCL, LLC., BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2013019588 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.255 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a 1/2" rebar with "Brittian/Crawford" cap found in the south right-of-way line of Bee Cave Parkway (right-of-way width varies), for the northeast corner of said Lot 1, Block A, same being the northwest corner of Lot 2, Block A, Planet Earth Music, a subdivision of record in Document No. 201000097 of the Official Public Records of Travis County, Texas;

**THENCE** South 12°13'11" East, with the east line of Lot 1, and the west line of Lot 2, Block A of said Planet Earth Music, a distance of 383.85 feet to the **POINT OF BEGINNING**;

**THENCE** South 12°13'11" East, with the east line of Lot 1, and the west line of Lots 1 and 2, Block A of said Planet Earth Music, a distance of 30.00 feet to a calculated point;

**THENCE** over and across said Lot 1, Block A the following nine (9) courses and distances;

1. South 77°46'49" West, a distance of 15.00 feet to a calculated point;
2. North 12°13'11" West, a distance of 6.37 feet to a calculated point;
3. South 69°46'49" West, a distance of 63.49 feet to a calculated point;
4. South 24°46'49" West, a distance of 14.14 feet to a calculated point;
5. South 69°46'49" West, a distance of 47.31 feet to a calculated point;
6. South 69°46'49" West, a distance of 177.67 feet to a calculated point;
7. South 69°59'23" West, a distance of 91.55 feet to a calculated point;

8. South  $68^{\circ}03'48''$  West, a distance of 231.13 feet to a calculated point;
9. North  $66^{\circ}56'12''$  West, a distance of 4.37 feet to a calculated point in the curving east right-of-way line of Skaggs Drive (60' right-of-way), from which a 1/2" rebar with "Chaparral" cap found in the east right-of-way line of said Skaggs Drive, being the southwest corner of said Lot 1, bears South  $24^{\circ}21'33''$  West, a distance of 20.69 feet;

**THENCE** with a curve to the left, having a radius of 330.03 feet, a delta angle of  $02^{\circ}49'53''$ , an arc length of 16.31 feet, and a chord which bears North  $21^{\circ}08'49''$  East, a distance of 16.31 feet to a calculated point from which a 1/2" rebar with "Chaparral" cap found in the east right-of-way line of said Skaggs Drive, being a point of tangency in the west line of said Lot 1, bears North  $03^{\circ}44'59''$  East, a distance of 181.73 feet;

**THENCE** over and across said Lot 1, Block A the following thirteen (13) courses and distances;

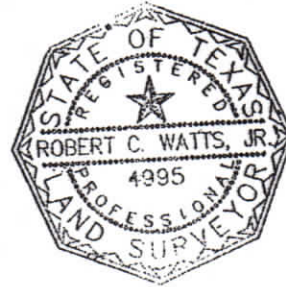
1. North  $68^{\circ}03'48''$  East, a distance of 223.33 feet to a calculated point;
2. North  $69^{\circ}59'23''$  East, a distance of 84.22 feet to a calculated point;
3. North  $20^{\circ}35'21''$  West, a distance of 68.13 feet to a calculated point;
4. North  $69^{\circ}46'49''$  East, a distance of 15.00 feet to a calculated point;
5. South  $20^{\circ}35'21''$  East, a distance of 49.95 feet to a calculated point;
6. North  $69^{\circ}46'49''$  East, a distance of 13.39 feet to a calculated point;
7. South  $20^{\circ}13'11''$  East, a distance of 18.20 feet to a calculated point;
8. North  $69^{\circ}46'49''$  East, a distance of 156.93 feet to a calculated point;
9. North  $69^{\circ}46'49''$  East, a distance of 41.09 feet to a calculated point;
10. North  $24^{\circ}46'49''$  East, a distance of 14.14 feet to a calculated point;
11. North  $69^{\circ}46'49''$  East, a distance of 71.82 feet to a calculated point;
12. North  $12^{\circ}13'11''$  West, a distance of 8.48 feet to a calculated point;
13. North  $77^{\circ}46'49''$  East, a distance of 15.00 feet to the **POINT OF BEGINNING**, containing 0.255 acres of land, more or less.



Surveyed on the ground February 2012, updated June 2012, revised January 2013.  
BEARING BASIS: Grid azimuth for Texas Central Zone state plane coordinates,  
1983/93 HARN, based on GPS solutions from The National Geodetic Survey (NGS) On-  
line Positioning User Service (OPUS).

Attachments: Survey Drawing No. 844-001-WLE1.

*mt 5*      *2-13-15*  
Robert C. Watts, Jr.      Date  
Registered Professional Land Surveyor  
State of Texas No. 4995  
T.B.P.L.S. Firm No. 10124500



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S12°13'11"E	30.00'
L2	S77°46'49"W	15.00'
L3	N12°13'11"W	6.37'
L4	S69°46'49"W	63.49'
L5	S24°46'49"W	14.14'
L6	S69°46'49"W	47.31'
L7	S69°46'49"W	177.67'
L8	S69°59'23"W	91.55'
L9	S68°03'48"W	231.13'
L10	N66°56'12"W	4.37'
L11	N68°03'48"E	223.33'
L12	N69°59'23"E	84.22'
L13	N20°35'21"W	68.13'
L14	N69°46'49"E	15.00'
L15	S20°35'21"E	49.95'
L16	N69°46'49"E	13.39'
L17	S20°13'11"E	18.20'
L18	N69°46'49"E	156.93'
L19	N69°46'49"E	41.09'
L20	N24°46'49"E	14.14'
L21	N69°46'49"E	71.82'
L22	N12°13'11"W	8.48'
L23	N77°46'49"E	15.00'
L24	S12°13'11"E	383.85'
L25	S12°13'11"E	317.27'

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.255 ACRES (APPROXIMATELY 11,088 SQ. FT.) IN THE I.G. & N. R.R. CO. SURVEY NO. 56, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1 BLOCK A, HCI SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201300022 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	330.03'	2°49'53"	16.31'	N21°08'49"E	16.31'
C2	330.03'	3°35'36"	20.70'	N24°21'33"E	20.69'
C3	330.03'	31°57'48"	184.11'	N03°44'59"E	181.73'

LEGEND

● BC 1/2" REBAR WITH "BRITAIN-CRAWFORD" CAP FOUND

● CH 1/2" REBAR WITH "CHAPARRAL" CAP FOUND

Δ CALCULATED POINT

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).

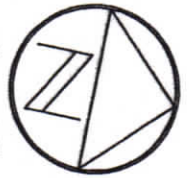
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 844-001-WLE1



mm  
2-13-15

DATE OF SURVEY: JANUARY 2013  
 PLOT DATE: 02/11/15  
 DRAWING NO.: 844-001  
 PROJECT NO.: 844-001-WLE1  
 T.B.P.L.S. FIRM NO. 10124500  
 DRAWN BY: DC  
 SHEET 1 OF 2

Chaparral



1" = 100'

**BEE CAVE PARKWAY**  
CITY OF BEE CAVE  
2.737 AC.  
(2009036806)

**SKAGGS DRIVE**  
(60' R.O.W. - PRIVATE STREET)  
(201300022)

LOT 1  
BLOCK A  
HCI SUBDIVISION  
(201300022)  
JSJMC, LLC  
(2013019588)

LOT 2, BLOCK A  
PLANET EARTH MUSIC  
(201000097)

LOT 2  
BLOCK A  
HCI SUBDIVISION  
(201300022)  
JOINING J FAMILY  
PARTNERSHIP, LP  
(2013019589)

SKAGGS FAMILY PARTNERSHIP, LP  
9.351 ACRES  
(2013019590)



0.255 ACRES  
APPROX. 11,088 SQ. FT.

LOT 1  
BLOCK A  
HCI SUBDIVISION  
(201300022)  
JSJMC, LLC  
(2013019588)

LOT 1, BLOCK A  
PLANET EARTH MUSIC  
(201000097)

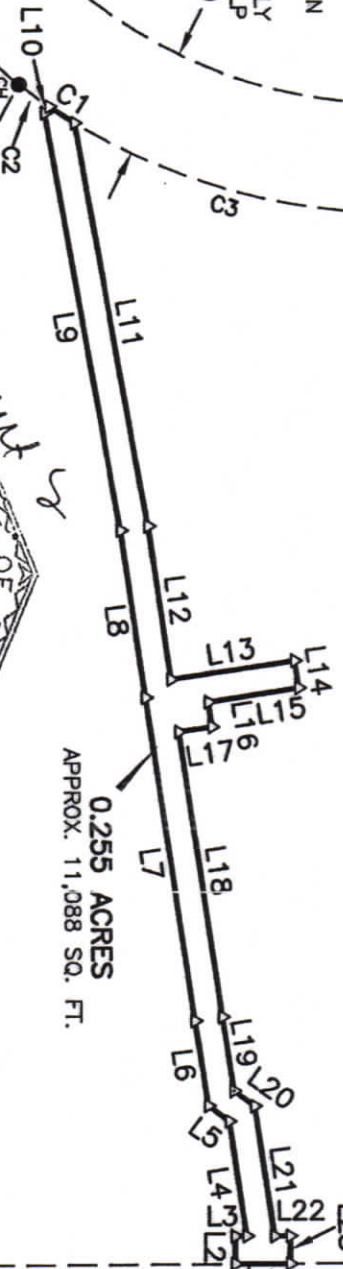
S12°13'11"E 731.12'  
(S10°14'10"E 1094.56')

L24  
(S10°14'06"E 406.45')

P.O.B.

P.O.C.

BC



*Chaparral*

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Mar 02, 2015 04:23 PM

2015029767

GONZALES: \$70.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS