

**WATER LINE EASEMENT AGREEMENT**

THIS WATER LINE EASEMENT AGREEMENT (this "*Agreement*") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2016 (the "*Effective Date*") by and between City of San Antonio ("*Grantor*") and Central Texas Regional Water Supply Corporation, a not-for-profit water supply corporation organized under Chapter 67 of the Texas Water Code and Chapter 22 of the Texas Business Organizations Code ("*Grantee*").

**RECITALS:**

A. Grantor is the fee owner of certain land more particularly described on Exhibit "A" attached hereto (the "*Property*").

B. Grantee desires to use a portion of the Property for the Water Line Improvements (as herein defined).

C. Grantor has agreed to grant, sell and convey to and for the benefit of Grantee a non-exclusive easement across the Grantor's Property, to be situated in the area set out on Exhibit "A" for the purposes specified herein.

**AGREEMENTS:**

NOW, THEREFORE, in consideration of the premises, the mutual covenants contained herein, and other good and valuable consideration, the parties hereto agree as follows:

1. Water Line Easement. Grantor hereby grants and conveys to Grantee a perpetual, non-exclusive easement (the "Water Line Easement") on, over, across, under and upon the portion of the Property that is designated as the "Water Line Easement Area" on Exhibit "A" for the construction, reconstruction, realignment, inspection, patrol, maintenance, installation, addition, operation, use, repair, replacement and/or removal by Grantee of water supply pipelines and improvements, facilities and appurtenances thereto (the "Water Line Improvements"), TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until the use of said easement shall be abandoned. Grantor does hereby bind itself, its legal representatives, successors and/or assigns to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. The consideration paid for this easement expressly includes the right to install multiple water lines in the future.

Grantee and Grantee's employees, contractors, agents, licensees and invitees shall have the right of ingress and egress over said Water Line Easement Area for the purpose of constructing, reconstructing, realigning, inspecting, patrolling, maintaining, operating, repairing, upgrading, adding and removing said Water Line Improvements within said Water Line Easement Area. Although this Water Line Easement is non-exclusive, Grantor shall not materially adversely affect Grantee's or its successors or assigns use or enjoyment of the Water Line Easement Area or Water Line Improvements or otherwise cause or allow any other person or entity to materially adversely affect the use or enjoyment of the Water Line Improvements or Water Line Easement Area by Grantee, its successors or assigns. Grantee shall have the right to remove from said lands all trees and parts thereof, or other obstructions, which may interfere with the exercise of the rights granted hereunder. Grantor expressly covenants and agrees for itself, its legal



8. Complete Agreement. This Agreement, along with the Payment Letter, embodies the complete agreement between the parties hereto with respect to the subject matter hereof and each party hereby expressly acknowledges that there are no oral understandings or agreements with respect to the subject matter hereof which are not contained therein. The terms of the Payment Letter are hereby incorporated into this Agreement by reference.

9. Amendment. No part of this Agreement or the Payment Letter may be modified, amended or terminated without the prior written consent of Grantor and Grantee.

10. Severability. The invalidation of any one of the covenants or agreements contained in this Agreement or Payment Letter by law, judgment, or court order shall in no way affect any other provision, which shall remain in full force and effect. The rule of strict construction shall not apply to the easements granted in this Agreement and the Payment Letter.

11. Governing Law. This Agreement and the Payment Letter shall be construed in accordance with and governed by the laws of the State of Texas, and venue for any action brought in connection with this Agreement and the Payment Letter shall be exclusively in a court of competent jurisdiction in Bexar County, Texas.

12. Counterparts. This Agreement and the Payment Letter may be executed in several counterparts, each which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) set forth below to be effective for all purposes as of the date first above written.

**GRANTOR:**

City of San Antonio

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

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

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2016,  
by City of San Antonio.

\_\_\_\_\_  
Notary Public Signature

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) set forth below to be effective for all purposes as of the date first above written.

**GRANTEE:**

Central Texas Regional Water Supply Corporation,  
a not-for-profit water supply corporation

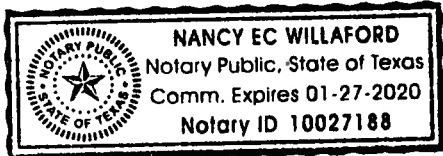
By: *Weir Sabatt III*  
Name: WEIR SABATT III  
Title: PRESIDENT  
Date: 11/4/16

STATE OF TEXAS

§  
§  
§

COUNTY OF BEXAR  
~~TRAVIS~~

This instrument was acknowledged before me on this 4<sup>th</sup> day of November, 2016,  
by Weir Sabatt III as President of Central Texas Regional Water Supply Corporation, a not-for-profit water supply corporation.



*Nancy EC Willaford*  
Notary Public in and for the State of Texas

**[IF APPLICABLE]**

**Consent, Joinder and Subordination by Lender**

The undersigned, \_\_\_\_\_, hereby joins in the execution of this Agreement to evidence its consent and agreement to the terms and provisions hereof, and to confirm and agree that any and all liens held by the undersigned, whether by Deed of Trust, reservation in a deed, constitutional, contractual or otherwise, are subject and subordinate to the terms and provisions of this water easement, as the same may be amended or modified from time-to-time. Without limiting the preceding general statement, it is agreed that the following liens are hereby subordinated to the terms of this Water Line Easement:

\_\_\_\_\_  
\_\_\_\_\_

[ADD SIGNATURE BLOCK FOR LIENHOLDER]  
\_\_\_\_\_

By: \_\_\_\_\_  
[NAME, TITLE]

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

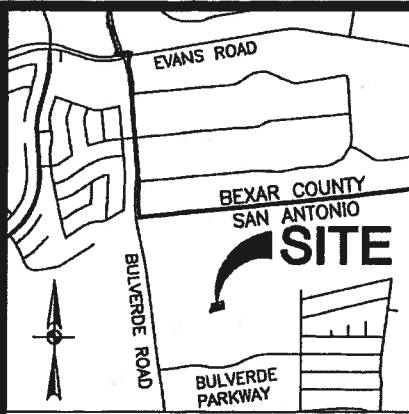
This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, National Association, on behalf of said bank.

\_\_\_\_\_  
Notary Public

*Not Applicable*

Parcel Number: 70042,  
70043

**EXHIBIT A**



LOCATION MAP

SCALE: 1" = 3000'

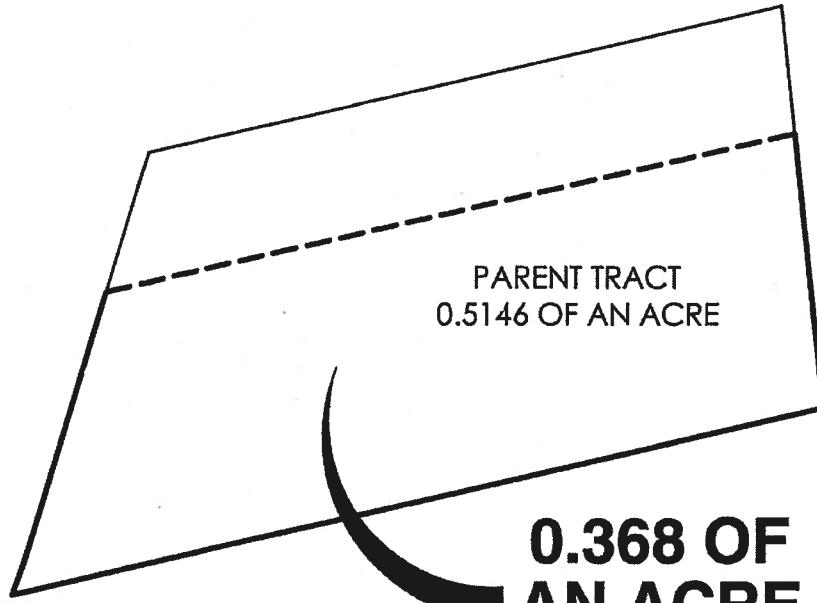
**NOTES:**

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE SCALED TO SURFACE, DISPLAYED IN U.S. SURVEY FEET.

PARCEL 70042  
 BEXAR COUNTY, TEXAS  
 VISTA RIDGE REGIONAL  
 SUPPLY PROJECT



1 inch = 50'



PARENT TRACT  
 0.5146 OF AN ACRE

**0.368 OF  
 AN ACRE**

(16,023 SQ. FT. MORE OR LESS)  
 75.6' WIDE PERMANENT WATER LINE EASEMENT



**PAPE-DAWSON  
 ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000  
 FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 100288-00

I HEREBY CERTIFY TO CENTRAL TEXAS REGIONAL WATER SUPPLY COMPANY AND SAN ANTONIO WATER SYSTEM:

THAT THIS EASEMENT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT MEETS THE CURRENT MINIMUM STANDARDS OF PRACTICE AS APPROVED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

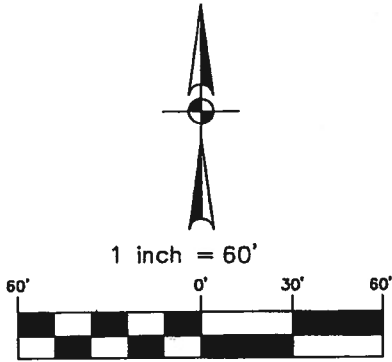
*[Signature]* 6/9/16

ANGELA M. CARLIN  
 TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5981

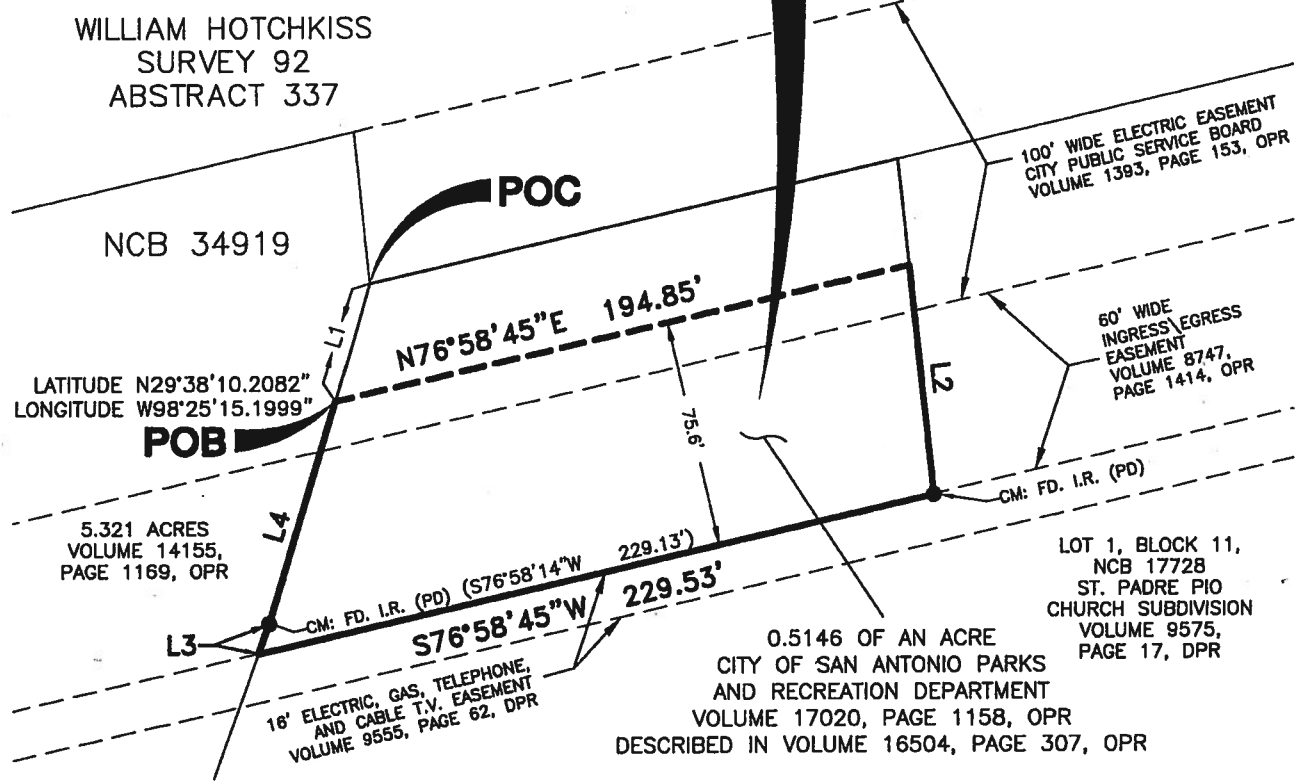
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PARCEL 70042  
 BEXAR COUNTY, TEXAS  
 VISTA RIDGE REGIONAL  
 SUPPLY PROJECT



**0.368 OF AN ACRE**  
 (16,023 SQ. FT., MORE OR LESS)  
 75.6' WIDE PERMANENT WATER LINE EASEMENT



WILLIAM HOTCHKISS  
 SURVEY 92  
 ABSTRACT 337

NCB 34919  
 LATITUDE N29°38'10.2082"  
 LONGITUDE W98°25'15.1999"  
**POB**

5.321 ACRES  
 VOLUME 14155,  
 PAGE 1169, OPR

100' WIDE ELECTRIC EASEMENT  
 CITY PUBLIC SERVICE BOARD  
 VOLUME 1393, PAGE 153, OPR

60' WIDE  
 INGRESS/EGRESS  
 EASEMENT  
 VOLUME 8747,  
 PAGE 1414, OPR

LOT 1, BLOCK 11,  
 NCB 17728  
 ST. PADRE PIO  
 CHURCH SUBDIVISION  
 VOLUME 9575,  
 PAGE 17, DPR

0.5146 OF AN ACRE  
 CITY OF SAN ANTONIO PARKS  
 AND RECREATION DEPARTMENT  
 VOLUME 17020, PAGE 1158, OPR  
 DESCRIBED IN VOLUME 16504, PAGE 307, OPR

16' ELECTRIC, GAS, TELEPHONE,  
 AND CABLE T.V. EASEMENT  
 VOLUME 9555, PAGE 62, DPR

LINE TABLE		
LINE	BEARING	LENGTH
L1	S16°41'27"W	40.30'
L2	S06°10'34"E	76.15'
L3	N19°34'35"E	10.50'
L4	N16°41'27"E	76.87'

LEGEND	
(PD)	CAP MARKED "PAPE DAWSON"
FD.	FOUND
I.R.	IRON ROD
CM	CONTROLLING MONUMENT
NCB	NEW CITY BLOCK
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
(S82°54'04"W)	PARENT TRACT RECORD BEARING
(271.11)	PARENT TRACT RECORD DISTANCE

**PAPE-DAWSON ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000  
 FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 100288-00

Date: Jun 09, 2016, 3:21pm User: D:\pape\dwg\70042\70\_EASEMENT\_042\_R3.dwg  
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Parcel Number: 70042  
County: Bexar  
Vista Ridge Regional Supply Project

**METES AND BOUNDS DESCRIPTION**  
**0.368 of an Acre (16,023 Square Foot)**  
**75.6-Foot Wide Permanent Water Line Easement**

A 0.368 of an acre, or 16,023 square feet more or less, 75.6-foot wide permanent water line easement on a 0.5146 of an acre tract of land conveyed to the City of San Antonio Parks and Recreation Department in a deed recorded in Volume 17020, Page 1158 of the Official Public Records of Bexar County, Texas, described in a deed recorded in Volume 16504, Page 307 of the Official Public Records of Bexar County, Texas, situated in the William Hotchkiss Survey No. 92, Abstract 337, now in New City Block 34919 in the City of San Antonio, Bexar County, Texas. Said 0.368 of an acre 75.6-foot wide permanent water line easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011), epoch 2010.00 and distances scaled to surface, displayed in U.S. Survey Feet:

**COMMENCING:** At the northwest corner of said 0.5146 of an acre tract, an east corner of a 5.321 acre tract of land described in a deed recorded in Volume 14155, Page 1169 of the Official Public Records of Bexar County, Texas;

**THENCE:** S 16°41'27" W, along and with the common line between said 0.5146 of an acre tract and said 5.321 acre tract, a distance of 40.30 feet to a point with a latitude of N 29°38'10.2082" and a longitude of W 98°25'15.1999" for the **POINT OF BEGINNING** of herein described 75.6-foot wide permanent water line easement;

**THENCE:** N 76°58'45" E, departing said common line, over and across said 0.5146 acre tract, a distance of 194.85 feet to a point on the common line between said 0.5146 of an acre tract and Lot 1, Block 11, New City Block 17728, St. Padre Pio Church Subdivision, recorded in Volume 9575, Page 17 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** Along and with the common line between said 0.5146 of an acre tract and said Lot 1, the following courses and distances:

S 06°10'34" E, a distance of 76.15 feet to a found iron rod with cap marked "PAPE DAWSON" at the southeast corner of said 0.5146 acre tract, a re-entrant corner of said Lot 1, and

S 76°58'45" W, a distance of 229.53 feet to a point on the east line of said 5.321 acre tract at the southwest corner of said 0.5146 of an acre tract, the northwest corner of said Lot 1;

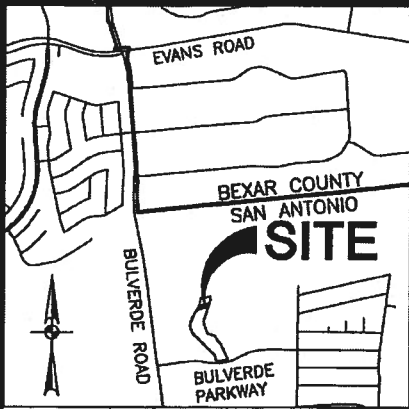
THENCE: N 19°34'35" E, along and with the common line between said 0.5146 of an acre tract and said 5.321 acre tract, a distance of 10.50 feet to a found iron rod with cap marked "PAPE DAWSON";

THENCE: N 16°41'27" E, continuing along and with said common line, a distance of 76.87 feet to the POINT OF BEGINNING, and containing 0.368 of an acre in the City of San Antonio, Bexar County, Texas. Said 75.6-foot wide permanent water line easement being described in accordance with a survey made on the ground and a survey description and map prepared under job number 7774-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: August 26, 2015  
REVISED: June 3, 2016  
JOB NO. 7774-02ps  
DOC. ID. N:\CIVIL\7774-02\PARCELS\70 BEXAR\70042\70\_EASEMENT\_042 R3.docx



Handwritten signature and date: 6/9/16



**LOCATION MAP**

SCALE: 1" = 300'

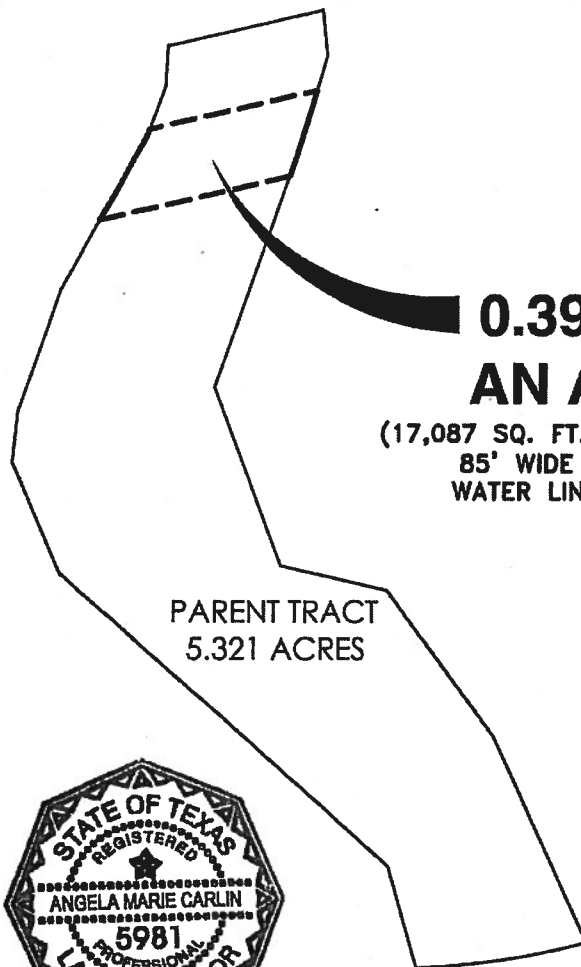
**NOTES:**

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE SCALED TO SURFACE, DISPLAYED IN U.S. SURVEY FEET.

**PARCEL 70043  
BEXAR COUNTY, TEXAS  
VISTA RIDGE REGIONAL  
SUPPLY PROJECT**



1 inch = 200'



**0.392 OF  
AN ACRE**

**(17,087 SQ. FT., MORE OR LESS)  
85' WIDE PERMANENT  
WATER LINE EASEMENT**

PARENT TRACT  
5.321 ACRES



I HEREBY CERTIFY TO CENTRAL TEXAS REGIONAL WATER SUPPLY COMPANY AND SAN ANTONIO WATER SYSTEM:

THAT THIS EASEMENT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT MEETS THE CURRENT MINIMUM STANDARDS OF PRACTICE AS APPROVED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

*[Signature]* 6/2/16

ANGELA M. CARLIN  
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5981



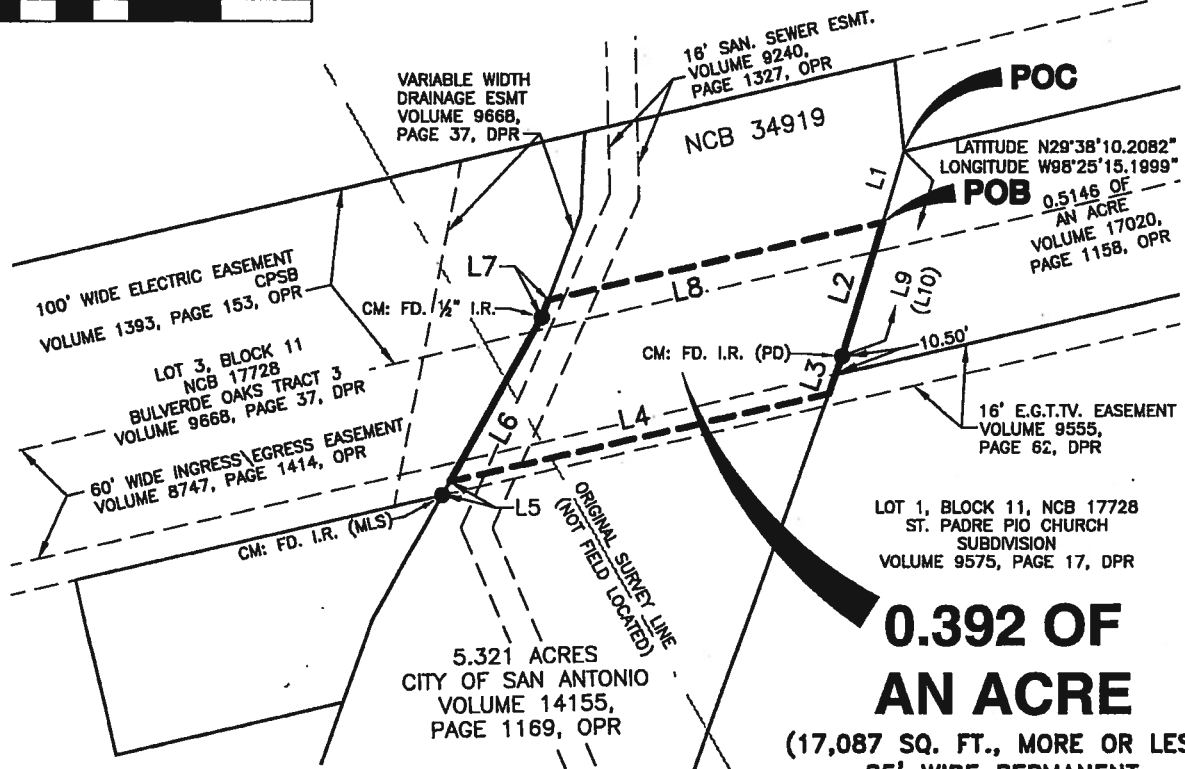
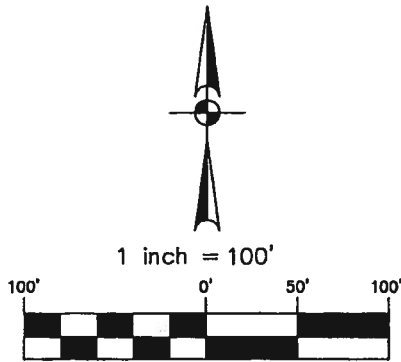
2000 NW LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000  
FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 100288-00

Date: Jun 08, 2016, 5:07pm User: DJ: D:\jensender\user\70 BEAR\70043\70\_EASEMENT\_043 R3.dwg  
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PARCEL 70043  
 BEXAR COUNTY, TEXAS  
 VISTA RIDGE REGIONAL  
 SUPPLY PROJECT

WILLIAM HOTCHKISS  
 SURVEY 92  
 ABSTRACT 337



**0.392 OF  
 AN ACRE**  
 (17,087 SQ. FT., MORE OR LESS)  
 85' WIDE PERMANENT  
 WATER LINE EASEMENT

CONSOLIDATED  
 EL PASO IRRIGATION  
 AND MANUFACTURING  
 COMPANY  
 SURVEY 397,  
 ABSTRACT 924

LEGEND	
CPSB	CITY PUBLIC SERVICE BOARD
(MLS)	CAP MARKED "MLS CO RPLS 4612"
(PD)	CAP MARKED "PAPE DAWSON"
FD.	FOUND
I.R.	IRON ROD
CM	CONTROLLING MONUMENT
NCB	NEW CITY BLOCK
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
(S82°54'04"W)	PARENT TRACT RECORD BEARING
(271.11)	PARENT TRACT RECORD DISTANCE
E.G.T.V.	ELECTRIC, GAS, TELEPHONE AND CABLE TELEVISION
ROW	RIGHT-OF-WAY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S16°41'27"W	40.30'
L2	S16°41'27"W	76.87'
L3	S19°34'35"W	21.65'
L4	S76°58'45"W	213.91'
L5	S29°02'55"W	8.64'
L6	N29°02'55"E	103.11'
L7	N20°46'37"E	10.18'
L8	N76°58'45"E	188.93'
L9	S16°41'27"W	117.17'
(L10)	(S16°40'00"W)	(116.84')

**PAPE-DAWSON  
 ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000  
 FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 100288-00

Date: Jun 09, 2016, 8:45am User ID: D:\jwendcker  
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Parcel Number: 70043  
County: Bexar  
Vista Ridge Regional Supply Project

**METES AND BOUNDS DESCRIPTION**  
**0.392 of an Acre (17,087 Square Foot)**  
**85-Foot Wide Permanent Water Line Easement**

A 0.392 of an acre, or 17,087 square feet more or less, 85-foot wide permanent water line easement on a 5.321 acre tract of land conveyed to the City of San Antonio and described in a deed recorded in Volume 14155, Page 1169 of the Official Public Records of Bexar County, Texas, situated in the Consolidated El Paso Irrigation and Manufacturing Company Survey No. 397, Abstract 924 and the William Hotchkiss Survey No. 92, Abstract 337, now in New City Block 34919 in the City of San Antonio, Bexar County, Texas. Said 0.392 of an acre, 85-foot wide permanent water line easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011), epoch 2010.00 and distances scaled to surface, displayed in U.S. Survey Feet:

**COMMENCING:** At an east corner of said 5.321 acre tract, the northwest corner of a 0.5146 of an acre tract of land conveyed to the City of San Antonio Parks and Recreation Department in a deed recorded in Volume 17020, Page 1158 of the Official Public Records of Bexar County, Texas, described in a deed recorded in Volume 16504, Page 307 of the Official Public Records of Bexar County, Texas;

**THENCE:** S 16°41'27" W, along and with the common line between said 0.5146 of an acre tract and said 5.321 acre tract, a distance of 40.30 feet a point having a latitude of N 29°38'10.2082" and a longitude of W 98°25'15.1999" for the **POINT OF BEGINNING** of herein described 85-foot wide permanent water line easement;

**THENCE:** S 16°41'27" W, continuing along and with said common line, a distance of 76.87 feet to a found iron rod with cap marked "PAPE DAWSON" at another east corner of said 5.321 acre tract;

THENCE: S 19°34'35" W, continuing along and with said common line, passing the southwest corner of said 0.5146 of an acre tract, a northwest corner of Lot 1, Block 11, New City Block 17728, St. Padre Pio Church Subdivision, recorded in Volume 9575, Page 17 of the Deed and Plat Records of Bexar County, Texas at a distance of 10.50 feet, now along the common line between said 5.321 acre tract and said Lot 1, an additional distance of 11.15 feet for a total distance of 21.65 feet to a point;

THENCE: S 76°58'45" W, departing said common line, over and across said 5.321 acre tract, a distance of 213.91 feet to a point on the common line between said 5.321 acre tract and Lot 3, Block 11, New City Block 17728, Bulverde Oaks Tract 3, recorded in Volume 9668, Page 37 of the Deed and Plat Records of Bexar County, Texas;

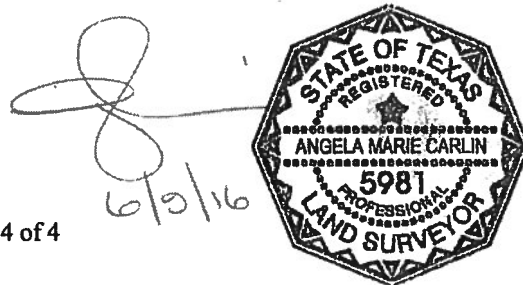
THENCE: N 29°02'55" E, along and with said common line, a distance of 103.11 feet to a found ½ inch iron rod at a common corner between said 5.321 acre tract and said Lot 3;

THENCE: N 20°46'37" E, continuing along and with said common line, a distance of 10.18 feet to a point;

THENCE: N 76°58'45" E, departing said common line, over and across said 5.321 acre tract, a distance of 188.93 feet to the POINT OF BEGINNING, and containing 0.392 of an acre in the City of San Antonio, Bexar County, Texas. Said 85-foot wide permanent water line easement being described in accordance with a survey made on the ground and a survey description and map prepared under job number 7774-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: August 24, 2015  
REVISED: June 7, 2016  
JOB NO. 7774-02  
DOC. ID. N:\CIVIL\7774-02\PARCELS\70 BEXAR\70043\70\_EASEMENT\_043 R3.docx

Page 4 of 4



**[IF APPLICABLE]**

**EXHIBIT B  
SPECIAL TERMS AND PROVISIONS**



NONE