

PUBLIC WASTEWATER LINE EASEMENT

DATE: March 3, 2016

GRANTOR: DANIEL H. ORTUNO

GRANTORS' MAILING ADDRESS (including County): P.O. Box 667  
Kyle, Hays County, Texas 78640

GRANTEE: CITY OF KYLE, TEXAS

GRANTEE'S MAILING ADDRESS (including County): P.O. Box 40  
Kyle, Hays County, Texas 78640

LIENHOLDER: Quicken Loans Inc.

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

PROPERTY:

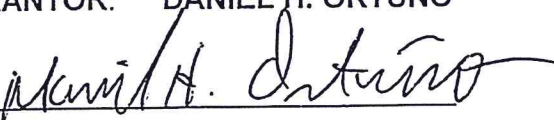
A Fifteen Foot (15') Wide Permanent Wastewater Line Easement, containing 0.11 acres, more or less, out of a 0.338 acre tract of land conveyed to Daniel H. Ortuno as recorded in Volume 3355, Page 877, Official Public Records of Hays County, Texas, said easement being more particularly described in the legal description attached as Exhibit "A" and as shown in Exhibit "B" attached hereto and made a part hereof for all purposes.

**GRANTORS**, for the **CONSIDERATION** paid to **GRANTORS**, 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 for providing wastewater service or other such utility services and public services in, upon, under and across the **PROPERTY** as described above.

**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 **GRANTORS** do hereby bind themselves, their heirs, executors, 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.

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

GRANTOR: DANIEL H. ORTUNO

By: 

ACKNOWLEDGMENTS

THE STATE OF TEXAS

§

COUNTY OF HAYS

§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared DANIEL H. ORTUNO, Grantor herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he has authority to executed the foregoing instrument and he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 3<sup>rd</sup> day of

March 2016



ACCEPTED:

City of Kyle, Texas

R. Todd Webster  
R. Todd Webster, Mayor

Amanda Luna Sanchez  
Notary Public-State of Texas

THE STATE OF TEXAS  
COUNTY OF HAYS

§  
§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared R. TODD WEBSTER, MAYOR, City of Kyle, Texas, Grantee herein, known to me to be 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 10<sup>th</sup> day of March 2016



AFTER RECORDING RETURN TO:

City of Kyle, Texas  
100 W. Center St.  
Kyle, Texas 78640

Amanda Luna Sanchez  
Notary Public-State of Texas



EXHIBIT "A"

CITY OF KYLE  
PUBLIC WASTEWATER LINE EASEMENT  
HAYS COUNTY, TEXAS

DESCRIPTION OF A PUBLIC WASTEWATER LINE EASEMENT 15 FEET IN WIDTH OUT OF THE JOHN PHARASS SURVEY NO. 13, HAYS COUNTY, TEXAS AND BEING PART OF THAT CERTAIN 0.338 ACRE TRACT OF LAND DEEDED TO DANIEL H. ORTUNO AS RECORDED IN VOLUME 3355, PAGE 877 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the most northwesterly corner of said 0.338 acre tract marking the POINT OF BEGINNING and most northwesterly corner of this easement;

THENCE, S 82° 13' 00" E, 15.11 feet along the southerly right-of-way of Center Street to a point marking the northeasterly corner of this easement;

THENCE, leaving the southerly right-of-way of Center Street crossing said 0.338 acre tract S 00° 43' 00" W, 309.50 feet to a point on the southerly boundary of said 0.338 acre tract marking the southeasterly corner of this easement;

THENCE, N 82° 13' 00" W, 15.11 feet along the southerly boundary of said 0.338 acre tract to the southwesterly corner of said 0.338 acre tract marking the southwesterly corner of this easement;

THENCE, N 00° 43' 00" E 309.50 feet along the westerly boundary of said 0.338 acre tract to a point on the southerly right-of-way of Center Street marking the northwesterly corner of said 0.338 acre tract and POINT OF BEGINNING of this easement containing 0.11 acres of land, more or less.

SKETCH OF EASEMENT IS SHOWN ON ATTACHED EXHIBIT "B".

BASIS OF BEARING: Referenced 0.338 acre tract recorded in Volume 3355, Page 877  
Official Public Records Hays County, Texas rotated to  
Texas State Plane Coordinate Grid, South Central Zone

PREPARED FOR: City of Kyle, Texas



PREPARED BY:

Joel D. Wilkinson  
Joel D. Wilkinson No. 2658  
Registered Professional Land Surveyor  
Firm# 100203-00

12/15/2015  
Date

EXHIBIT 'B'

CENTER STREET  
(ROW Varies)

S 82°13'00" E 15.11'

P.O.B.

ESTATE OF  
CARLOS ROMERO  
Vol. 50, Pg. 521  
O.P.R.H.C.

N 00°43'00" E 309.50'  
0.11 Acre Public Wastewater Line Easement

ALFONSO CASTILLO AND  
ESTELLA CASTILLO  
0.088 ACRE  
Vol. 262, Pg. 180  
O.P.R.H.C.

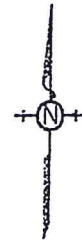
MARCELINO SAUCEDO, JR.  
0.11 ACRE  
Vol. 2135, Pg. 553  
O.P.R.H.C.

ALFONSO CASTILLO AND  
ESTELLA CASTILLO  
0.013 ACRE  
Vol. 230, Pg. 585  
O.P.R.H.C.

JOHN S. RAMOS AND  
DORA C. RAMOS  
0.13 ACRE  
Vol. 601, Pg. 134  
O.P.R.H.C.

0.338 Ac.  
DANIEL H. ORTUNO  
TRACT  
Vol. 3355, Pg. 877  
O.P.R.H.C.

N 82°13'00" W 15.11'



Scale: 1"=50'

LEGEND

- ROW Monument
- Iron Pin Found
- Iron Pin Set In Concrete

Prepared For: City of KYLE  
From Public Records of Hays County Texas

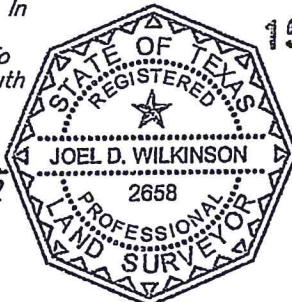
Basis Of Bearing:

Referenced 0.338 Acre Tract Recorded In  
Volume 3355, Page 877 Official Public  
Records Hays County, Texas Rotated To  
Texas State Plane Coordinate Grid, South  
Central Zone.

*Joel D. Wilkinson* 12/15/15

Prepared By: Joel D. Wilkinson  
R.P.L.S. No. 2658

4862/EASEMENT.dwg (ORTUNO TRACT)



**DRAWING OF A  
15' WIDE PUBLIC WASTEWATER  
LINE EASEMENT  
OUT OF 0.338 ACRE  
DANIEL H. ORTUNO TRACT  
CITY OF KYLE  
HAYS COUNTY, TEXAS**

4862-10

12/07/15

Instrument # 17011796 Number of Pages: 4  
Filed and Recorded: 4/7/2017 11:01 AM  
Liz Q. Gonzalez, Hays County Clerk, Texas  
Rec \$38.00 Deputy Clerk: CMORRIS