# TEMPORARY CONSTRUCTION EASEMENT

**DATE:** November 16, 2026

**GRANTOR:** Marble Falls ISD

**GRANTORS' MAILING ADDRESS (including County):** 1800 Colt Circle, Marble Falls, Texas 78654 Burnet County

**GRANTEE:** City of Marble Falls

**GRANTEE'S MAILING ADDRESS (including County):** 800 3rd Street, Marble Falls, Texas 78654 Burnet County

**LIENHOLDER:** N/A

**LIENHOLDER'S MAILING ADDRESS (including County):** N/A

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

**GRANTOR, FOR THE CONSIDERATION** paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE, its successors and assigns, a temporary work and construction easement for the use by the Grantee, its contractors, subcontractors, agents and engineers, during the design and construction of the Purple Pipe Reclaimed Water Expansion Project, and other appurtenances necessary for the supplying of water (the "Facilities") on, over, and across land and easements owned by Grantee, upon, over and across the following described parcel of land:

> A ten (10) foot offset temporary construction easement located in Burnet County, Texas, and being more particularly described in Exhibit "A-1" attached hereto and incorporated herein for all purposes.

(hereinafter the "PROPERTY"), together with the right and privilege at any and all times, while this temporary construction easement shall remain in effect, to enter the PROPERTY, or any part thereof, for the purpose of making soils tests, and designing and constructing the Facilities, and making connections therewith; and provided further that, upon the completion and acceptance by GRANTEE of the Facilities this Temporary Construction Easement shall terminate and expire.

Subject to every condition in this instrument, Grantor grants Grantee a temporary, exclusive ("exclusive only as to the installation and operation of the specific Facilities [as defined in the Permanent Easement Agreement"] actually installed withing the Easement Area) construction easement solely to perform the work expressly described in Section 3 for the Purple Pipe Reclaimed Water Expansion Project. No permanent easement, possessory interest, or right unrelated to that work is granted.

The easement applies only within the area specifically designated as the "Temporary Construction Easement" in Exhibit A-1. Before entry, Grantee shall submit a site logistics plan depicting work areas, staging areas, approved access routes, fencing, traffic controls, equipment locations, and utility crossings. Grantor's written approval of that plan is required. No access across other Grantor

property is permitted.

The easement terminates upon completion and acceptance by Grantee of the Facilities. The easement begins only upon Grantor's written notice that the pre-entry conditions have been satisfied and expires on the earliest of: (1) completion of the work and Grantor's written acceptance of restoration; (2) [outside expiration date]; or (3) termination under this instrument. Any extension requires Grantor's prior written approval.

This temporary easement does not continue forever, creates no appurtenant rights, and may not be assigned without Grantor's prior written consent. Grantor makes no representation or warranty concerning title, subsurface conditions, utilities, fitness, or suitability. The easement is granted without warranty, express or implied.

**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 GRANTOR does hereby bind itself and its 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

To the fullest extent permitted by law, Grantee shall defend, indemnify, and hold harmless Grantor and its trustees, employees, and agents from and against all claims, damages, liabilities, costs, and expenses (including reasonable attorneys' fees) arising out of or related to Grantee's or its contractors' use of the Easement Area, except to the extent caused by Grantor's negligence or willful misconduct.

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

**GRANTOR:** Marble Falls ISD

By: _____
Name: _____
Title: _____
Date: _____

**ACKNOWLEDGMENTS**

**STATE OF TEXAS §**
**§**
**COUNTY OF _____ §**

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Alex Payson, President of the Board of Trustees of Marble Falls Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me 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 _____ day of _____ 2026.

_____

Notary Public - State of Texas

**AFTER RECORDING PLEASE RETURN TO:**

City of Marble Falls
800 3rd Street
Marble Falls, TX 78654

**AGREED TO BY GRANTEE: City of Marble Falls, Texas**

By: _____

John Packer, Mayor

**ATTEST:**

By: _____

Christina McDonald, City Secretary

**AFTER RECORDING RETURN TO:**

City of Marble Falls
800 Third St.
Marble Falls, Texas 78654

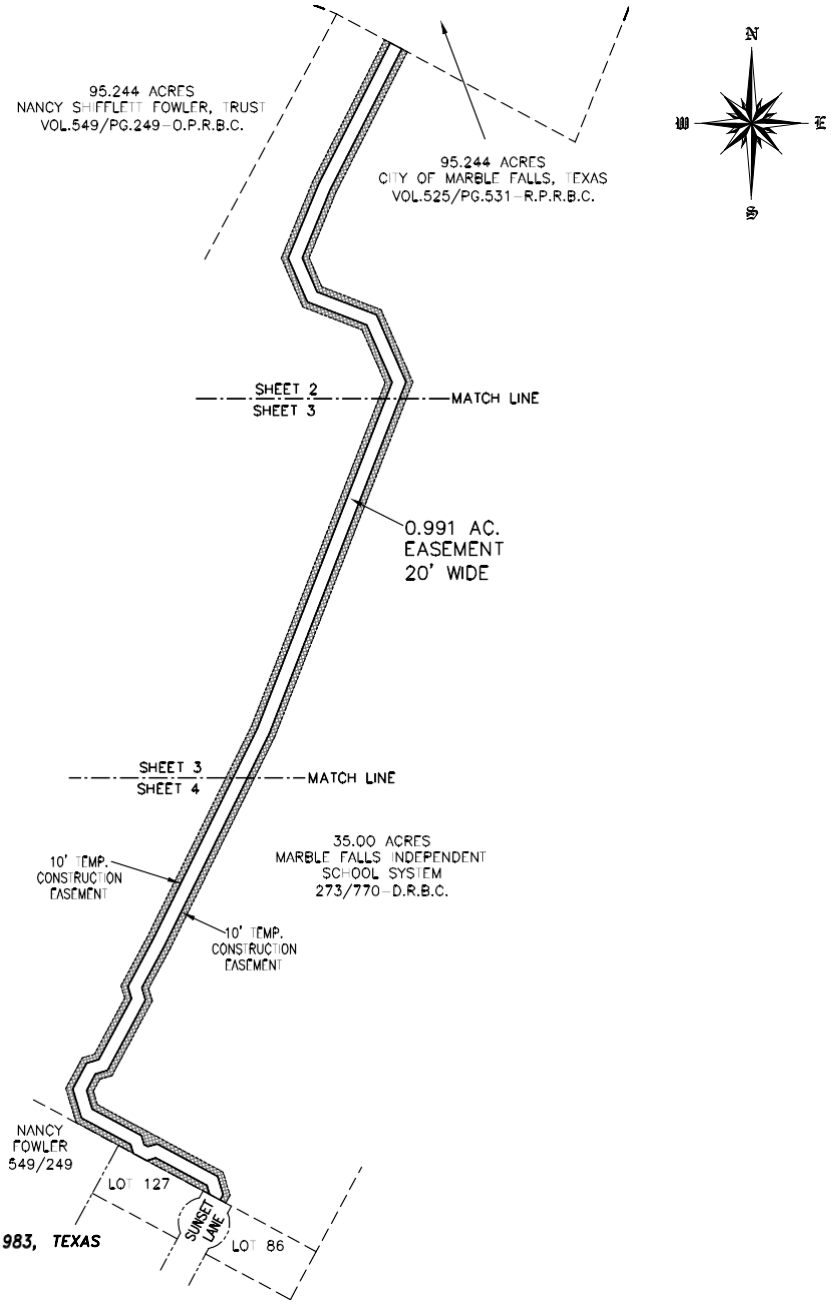
Incorporated Exhibits to Easement:

Exhibit “A-1”- Property Description & Exhibit of a 0.991-acre 20-foot-wide Easement Tract

**EXHIBIT "A-1"**

Property Description & Exhibit of
10-foot offset Temporary Construction Easement

CUPLIN & ASSOCIATES inc
LAND SURVEYORS & PLANNERS




## LEGEND

| | |
|---|---|
| ● | 1/2" IRON PIN FOUND (UNLESS NOTED) |
| ○ | SET 1/2" IRON PIN WITH CUPLIN EASEMENT CAP |
| △ | CALC POINT |
| .../... | VOLUME/PAGE |
| P.R.B.C. | PLAT RECORDS BURNET CO. |
| D.R.B.C. | DEED RECORDS BURNET CO. |
| O.P.R.B.C. | OFFICIAL PUBLIC RECORDS BURNET COUNTY |
| ( ) | RECORD INFO/SUBJECT |

**NOTES:**
1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

# PUBLICUTILITYEASEMENTEXHIBIT

LEGAL DESCRIPTION: BEING A 20' WIDE 0.991 OF AN ACRE EASEMENT ACROSS A CALLED 35.00 ACRE TRACT OF LAND DESCRIBED IN DOCUMENT TO MARBLE FALLS INDEPENDENT SCHOOL SYSTEM, RECORDED IN VOLUME 273, PAGE 770, DEED RECORDS OF BURNET COUNTY, TEXAS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS OF EVEN DATE TO ACCOMPANY THIS SURVEY.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY HAVE ADDITIONAL ENCUMBRANCES, SURVEYOR NOT RESPONSIBLE FOR ANY ENCUMBRANCES THAT A TITLE COMMITMENT MAY DISCLOSE.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF MARBLE FALLS, TEXAS THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2026, CUPLIN & ASSOCIATES, INC. ©.

STATE OF TEXAS
REGISTERED
K.C. LUST
5273
PROFESSIONAL
LAND SURVEYOR

K.C. LUST, R.P.L.S. NO. 5273 DATED 5/20/2026

SHEET 1 OF 6

PROJ NO. 24766
PREPARED FOR: CITY OF MARBLE FALLS
TECH: KCL
APPROVED: K.C. LUST
FILE PATH: PROJECTS 2024\24766\DWG\24766 Easements KCL 5-19-26.dwg
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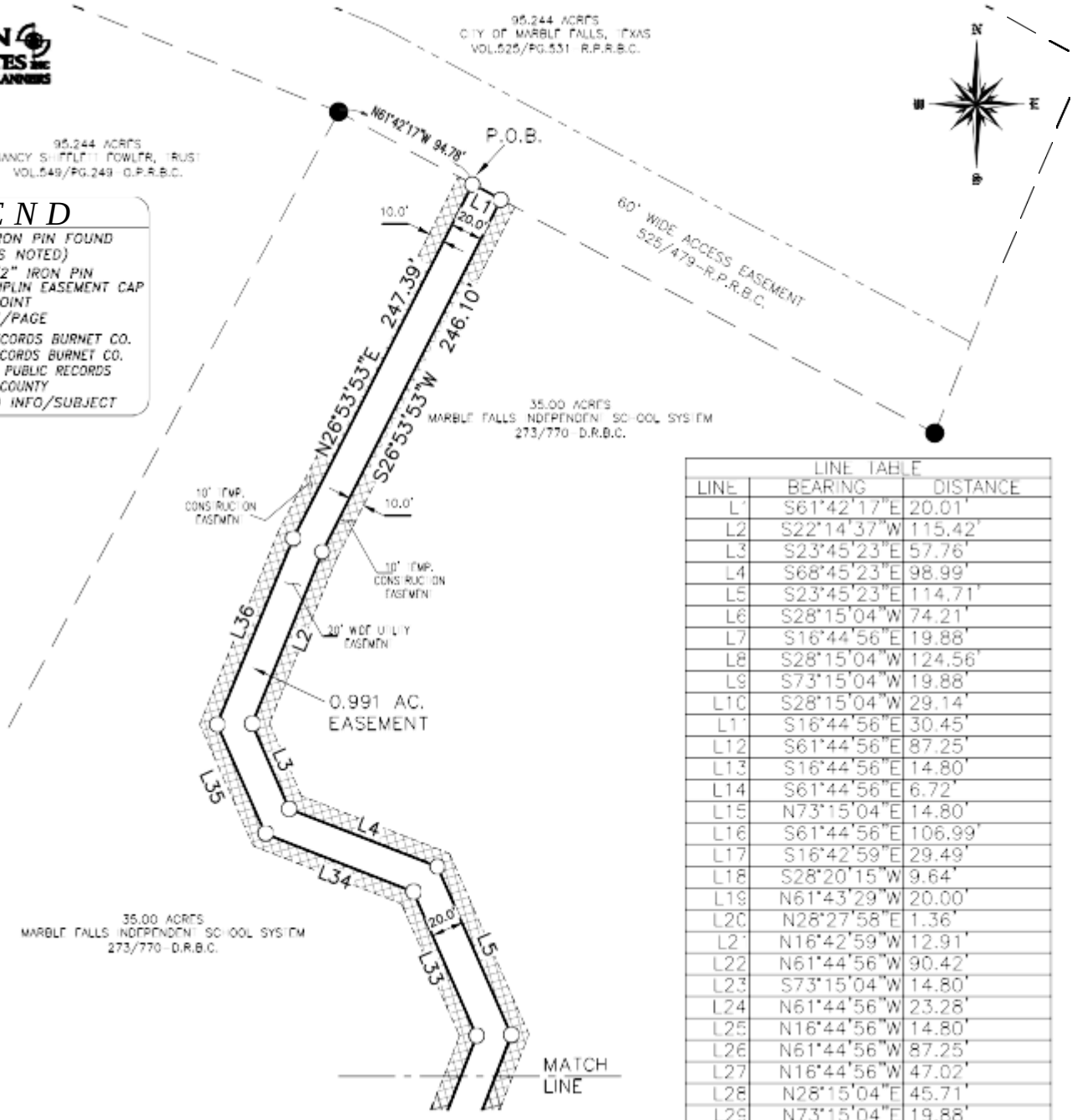
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SCALE 1" = 300'
0 150 300

| DATE | NO. | DESCRIPTION |
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| | 2 | |
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REVISIONS

CUPLIN ASSOCIATES inc
LAND SURVEYORS & PLANNERS




## LEGEND

- ● 1/2" IRON PIN FOUND (UNLESS NOTED)
- ○ SET 1/2" IRON PIN WITH CUPLIN EASEMENT CAP
- △ CALC POINT
- .../... VOLUME/PAGE
- P.R.B.C. PLAT RECORDS BURNET CO.
- D.R.B.C. DEED RECORDS BURNET CO.
- O.P.R.B.C. OFFICIAL PUBLIC RECORDS BURNET COUNTY
- ( ) RECORD INFO/SUBJECT

LINE TABLE

| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S61°42'17"E | 20.01' |
| L2 | S22°14'37"W | 115.42' |
| L3 | S23°45'23"E | 57.76' |
| L4 | S68°45'23"E | 98.99' |
| L5 | S23°45'23"E | 114.71' |
| L6 | S28°15'04"W | 74.21' |
| L7 | S16°44'56"E | 19.88' |
| L8 | S28°15'04"W | 124.56' |
| L9 | S73°15'04"W | 19.88' |
| L10 | S28°15'04"W | 29.14' |
| L11 | S16°44'56"E | 30.45' |
| L12 | S61°44'56"E | 87.25' |
| L13 | S16°44'56"E | 14.80' |
| L14 | S61°44'56"E | 6.72' |
| L15 | N73°15'04"E | 14.80' |
| L16 | S61°44'56"E | 106.99' |
| L17 | S16°42'59"E | 29.49' |
| L18 | S28°20'15"W | 9.64' |
| L19 | N61°43'29"W | 20.00' |
| L20 | N28°27'58"E | 1.36' |
| L21 | N16°42'59"W | 12.91' |
| L22 | N61°44'56"W | 90.42' |
| L23 | S73°15'04"W | 14.80' |
| L24 | N61°44'56"W | 23.28' |
| L25 | N16°44'56"W | 14.80' |
| L26 | N61°44'56"W | 87.25' |
| L27 | N16°44'56"W | 47.02' |
| L28 | N28°15'04"E | 45.71' |
| L29 | N73°15'04"E | 19.88' |
| L30 | N28°15'04"E | 107.99' |
| L31 | N16°44'56"W | 19.88' |
| L32 | N28°15'04"E | 82.14' |
| L33 | N23°45'23"W | 98.15' |
| L34 | N68°45'23"W | 98.99' |
| L35 | N23°45'23"W | 74.53' |
| L36 | N22°14'37"E | 124.73' |

NOTES:
1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

# PUBLICUTILITYEASEMENTEXHIBIT

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SHEET 2 OF 6

PROJ NO. 24766
PREPARED FOR: CITY OF MARBLE FALLS
TECH: KCL
APPROVED: K.C. LUST

FILE PATH: PROJECTS 2024\24766\DWG\24766 Easements KCL 5-19-26.dwg
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SCALE 1" = 100'
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| DATE | NO. | DESCRIPTION |
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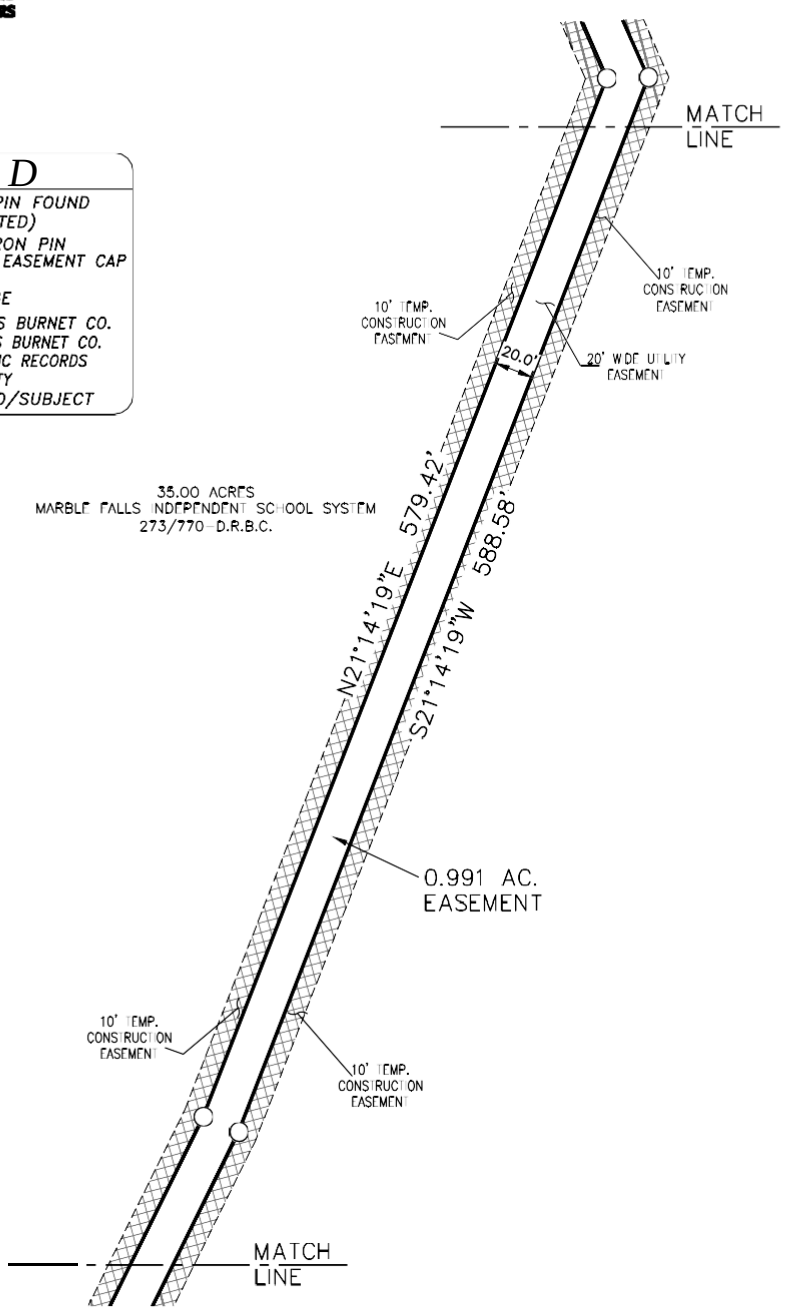
REVISIONS

CUPLIN ASSOCIATES inc
LAND SURVEYORS & PLANNERS




## LEGEND

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|---|---|
| ● | 1/2" IRON PIN FOUND (UNLESS NOTED) |
| ○ | SET 1/2" IRON PIN WITH CUPLIN EASEMENT CAP |
| △ | CALC POINT |
| .../... | VOLUME/PAGE |
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| ( ) | RECORD INFO/SUBJECT |




**NOTES:**
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2) LINE TABLE ON SHEET 2

# PUBLICUTILITYEASEMENTEXHIBIT

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SHEET 3 OF 6

PROJ NO. 24766
PREPARED FOR: CITY OF MARBLE FALLS
TECH: KCL
APPROVED: K.C. LUST

FILE PATH: PROJECTS 2024\24766\DWG\24766 Easements KCL 5-19-26.dwg

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SCALE 1" = 100'
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| | NO. | DESCRIPTION |
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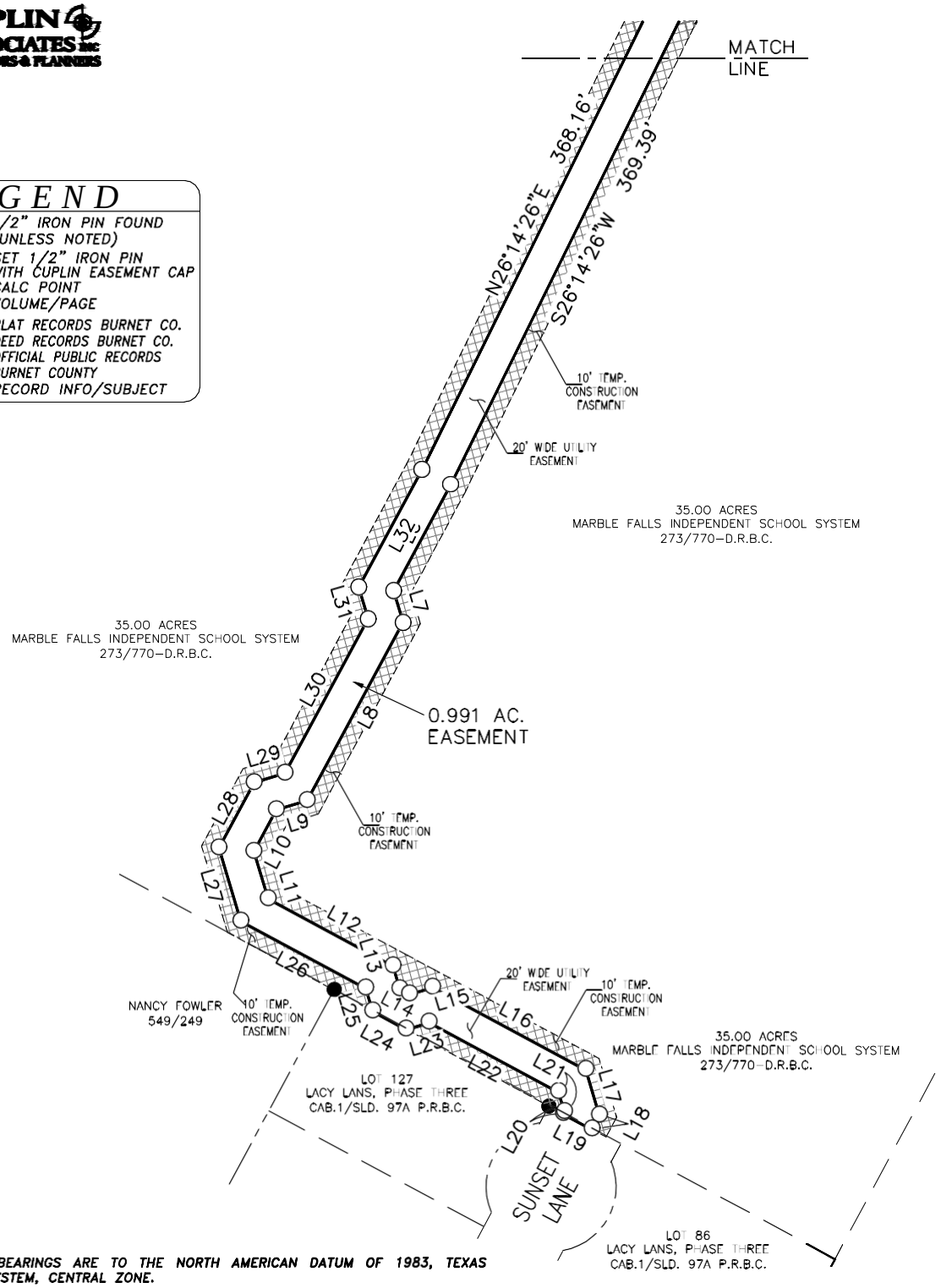
REVISIONS

CUPLIN & ASSOCIATES INC
LAND SURVEYORS & PLANNERS




## LEGEND

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| ● | 1/2" IRON PIN FOUND (UNLESS NOTED) |
| ○ | SET 1/2" IRON PIN WITH CUPLIN EASEMENT CAP |
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| ( ) | RECORD INFO/SUBJECT |




**NOTES:**
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# PUBLICUTILITYEASEMENTEXHIBIT

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SHEET 4 OF 6

PROJ NO. 24766
PREPARED FOR: CITY OF MARBLE FALLS
TECH: KCL
APPROVED: K.C. LUST

FILE PATH: PROJECTS 2024\24766\DWG\24766 Easements KCL 5-19-26.dwg

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SCALE 1" = 100'
0 50 100

| | NO. | DESCRIPTION |
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| DATE | | |

REVISIONS

Prepared For: City of Marble Falls
Project No. 24766
Date: 05/20/2026

**BEING A 20' WIDE 0.991 OF AN ACRE EASEMENT ACROSS A CALLED 35.00 ACRE TRACT OF LAND DESCRIBED IN DOCUMENT TO MARBLE FALLS INDEPENDENT SCHOOL SYSTEM, RECORDED IN VOLUME 273, PAGE 770, DEED RECORDS OF BURNET COUNTY, TEXAS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at 1/2" iron pin set with Cuplin 'Easement' cap sat along the south line of a called 95.244 acre tract described in document to the City of Marble Falls, recorded in Volume 525, Page 531, Real Property Records of Burnet County, Texas, at the northwest corner hereof, WHENCE a 1/2" iron pin found at the northwest corner of said Marble Falls Independent School District bears North 61°42'17" West, a distance of 94.78';

**THENCE** over and across said Marble Falls ISD Tract, the following courses and distances:

**1)** South 61°42'17" East, a distance of 20.01' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**2)** South 26°53'53" West, a distance of 246.10' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**3)** South 22°14'37" West, a distance of 115.42' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**4)** South 23°45'23" East, a distance of 57.76' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**5)** South 68°45'23" East, a distance of 98.99' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**6)** South 23°45'23" East, a distance of 114.71' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**7)** South 21°14'19" West, a distance of 588.58' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**8)** South 26°14'26" West, a distance of 369.39' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**9)** South 28°15'04" West, a distance of 74.21' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**10)** South 16°44'56" East, a distance of 19.88' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**11)** South 28°15'04" West, a distance of 124.56' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**12)** South 73°15'04" West, a distance of 19.88' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**13)** South 28°15'04" West, a distance of 29.14' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**14)** South 16°44'56" East, a distance of 30.45' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**15)** South 61°44'56" East, a distance of 87.25' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**16)** South 16°44'56" East, a distance of 14.80' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**17)** South 61°44'56" East, a distance of 6.72' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**18)** North 73°15'04" East, a distance of 14.80' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**19)** South 61°44'56" East, a distance of 106.99' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**20)** South 16°42'59" East, a distance of 29.49' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**21)** South 28°20'15" West, a distance of 9.64' to a 1/2" iron pin set with Cuplin 'Easement' cap along the south line of said Marble Falls ISD tract, along the north right-of-way line of Sunset Lane, at the southeast corner hereof;

**THENCE**, North 61°43'29" West, along the south line of said Marble Falls ISD tract, and the north right-of-way line of said Sunset Lane, a distance of 20.00' to a 1/2" iron pin set with Cuplin 'Easement' cap;

**THENCE** over and across said Marble Falls ISD tract the following courses and distances:

**1)** North 28°27'58" East, a distance of 1.36' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**2)** North 16°42'59" West, a distance of 12.91' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**3)** North 61°44'56" West, a distance of 90.42' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**4)** South 73°15'04" West, a distance of 14.80' to a 1/2" iron pin set with Cuplin 'Easement' cap along the north line of Lot 127, Lacy Lans, Phase Three, a subdivision in Marble Falls, recorded in Cabinet 1, Slide 97A, Plat Records of Burnet County, Texas;

**THENCE** North 61°44'56" West, along the north line of said Lot 127, and a south line hereof, a distance of 23.28' to a 1/2" iron pin set with Cuplin 'Easement' cap;

Prepared For: City of Marble Falls
Project No. 24766
Date: 05/20/2026

**THENCE** over and across said Marble Falls ISD tract the following courses and distances:

**1)** North 16°44'56" West, a distance of 14.80' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**2)** North 61°44'56" West, a distance of 87.25' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**3)** North 16°44'56" West, a distance of 47.02' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**4)** North 28°15'04" East, a distance of 45.71' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**5)** North 73°15'04" East, a distance of 19.88' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**6)** North 28°15'04" East, a distance of 107.99' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**7)** North 16°44'56" West, a distance of 19.88' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**8)** North 28°15'04" East, a distance of 82.14' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**9)** North 26°14'26" East, a distance of 368.16' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**10)** North 21°14'19" East, a distance of 579.42' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**11)** North 23°45'23" West, a distance of 98.15' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**12)** North 68°45'23" West, a distance of 98.99' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**13)** North 23°45'23" West, a distance of 74.53' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**14)** North 22°14'37" East, a distance of 124.73' to a 1/2" iron pin set with Cuplin 'Easement' cap;
**15)** North 26°53'53" East, a distance of 247.39' to the **POINT OF BEGINNING**, containing 0.991 acres, more or less, said easement also subject to the temporary construction easement as shown on plat of even date to accompany this legal description.

I HEREBY CERTIFY TO THE CITY OF MARBLE FALLS THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2026, CUPLIN & ASSOCIATES, INC. ©. BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. A PLAT OF SURVEY OF EVEN DATE WAS PREPARED AND IS INTENDED TO ACCOMPANY THE ABOVE DESCRIBED TRACT OF LAND.

**Dated: 05/20/2026**

K.C. LUST
Registered Professional Land Surveyor No. 5273

