

ORDINANCE NO. 2017 - \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME RULE MUNICIPAL CORPORATION ("CITY"), APPROVING THE EXCHANGE OF A 1.334 ACRE TRACT LOCATED IN THE N. MEISENHAMER SURVEY, ABSTRACT NO. 810, DENTON, DENTON COUNTY, TEXAS ("PROPERTY"), TO RAYZOR INVESTMENTS, LTD. ("RAYZOR"), FOR PERMANENT AND TEMPORARY UTILITY EASEMENTS, ALSO LOCATED IN THE N. MEISENHAMER SURVEY, AND RESERVATIONS OF PERMANENT UTILITY EASEMENTS AND DEDICATION OF RIGHT OF WAY IN THE PROPERTY TO THE CITY, ALL WITH THE EQUIVALENT VALUE OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS AND NO CENTS (\$150,000.00) AS STATED IN THE CONTRACT OF SALE ("CONTRACT"); AUTHORIZING THE CITY MANAGER IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE 272.001(k) TO EXECUTE A DEED TO RAYZOR TOGETHER WITH ANY OTHER DOCUMENTS NECESSARY TO EXCHANGE THE PROPERTY FOR PERMANENT AND TEMPORARY UTILITY EASEMENTS AND RESERVATIONS OF PERMANENT UTILITY EASEMENTS AND DEDICATION OF RIGHT OF WAY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton has acquired numerous property interests on N. Bonnie Brae St. between W. University St. and Riney Rd. and along Riney Rd. for the relocation and reconstruction of the existing transmission line;

WHEREAS, the City purchased 1.334 acres located at the northeast corner of N. Bonnie Brae St. and Riney Rd. in the N. Meisenhamer Survey, Abstract No. 810, Denton, Denton County, Texas ("Property") for the relocation and reconstruction of its electric transmission line along N. Bonnie Brae St.;

WHEREAS, the City plans to use a portion of the Property for the location of an electric transmission line, lay down area for the transmission line reconstruction in the area, and future street right of way;

WHEREAS, the City needs additional electric utility easements on the east side of Bonnie Brae St., and south of the Property, on property owned by Rayzor Investments, Ltd.;

WHEREAS, Rayzor has made an offer to obtain the Property from the City in exchange for the City receiving permanent and temporary electric utility easements south of the Property and the reservation of a permanent electric easement and dedicated right of way on the Property being conveyed to Rayzor;

WHEREAS, the equivalent values of the respective property interests obtained by both the City and Rayzor is \$150,000.00; and

WHEREAS, on September 20, 2016, the City, under Local Government Code, Section 272.001(k), passed a resolution (Resolution No. R2016-032) stating the conditions and circumstances for the exchange of the Property directly to Rayzor and the public purpose achieved by said exchange; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The City Manager, or his designee, is authorized to (i) execute on behalf of the City the Contract of Sale ("Contract"), between the City and Rayzor, in the form attached as Exhibit "1", the Special Warranty Deed (which contains a reservation of an electric utility easement in favor of the City) that conveys the Property to Rayzor, Tract Clearance Statement, and Release of Rights and Interest, all of which are attached to the Contract, and any other documents required by the title company to close the transaction; (ii) accept the Street Right-of-Way Dedication Deed, Utility Easement, and Temporary Construction Easement, all of which are attached to the Contract, from Rayzor; and, (iii) make expenditures in accordance with the terms of the Contract.

SECTION 2. The matters set forth in the preamble of this ordinance are incorporated into the body of this ordinance as findings by the City Council.

SECTION 3. If any section, article, paragraph, sentence, phrase, clause or word in this ordinance, or application thereof to any persons or circumstances, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; the City Council declares that it would have ordained such remaining portion despite such invalidity, and such remaining portion shall remain in full force and effect.

SECTION 4. This ordinance shall become effective immediately upon its passage and approval.

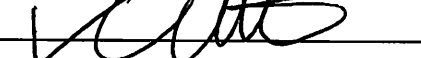
PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

By: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

By:  \_\_\_\_\_

# EXHIBIT "1"

## CONTRACT OF SALE

THIS CONTRACT OF SALE ("**Contract**") is dated the \_\_\_\_ day of \_\_\_\_\_, 2017 ("**Effective Date**"), and is made by and between RAYZOR INVESTMENTS, LTD., a Texas limited partnership ("**Rayzor**") and the CITY OF DENTON, a Texas home rule municipal corporation ("**Denton**").

## **RECITALS**

A. Denton owns a certain 1.334-acre tract of land located in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, said tract more particularly described in **Exhibit "A"** attached hereto ("**Fee Tract**").

B. Rayzor owns certain tracts of land referred to as Section 3, Tract Thirteen and Section 3, Tract Fourteen in a Deed recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and certain areas generally located along the west portion of said tracts are proposed for electrical utility use by Denton, said areas more particularly described in **Exhibit "B"** attached hereto ("**Utility Line Areas**").

C. Denton desires to grant and convey to Rayzor fee simple title in and to the Fee Tract, subject to reservations of easement and right-of-way in favor of Denton, as further provided in this Contract.

D. Rayzor desires to grant and convey to Denton certain easement interests in and to the Utility Line Areas, as further provided in this Contract.

NOW THEREFORE, in consideration of the exchange of real property, mutual covenants and agreements set forth in the Contract, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Rayzor and Denton hereby agree to the following:

## **ARTICLE I: CONVEYANCES OF PROPERTY**

On the Closing Date (as hereinafter defined), Denton shall grant and convey the Denton Fee Tract to Rayzor, in exchange for Rayzor granting and conveying certain easement interests in and to the Utility Line Areas, subject to the terms and provisions set forth below:

1.1 **Conveyance of the Fee Tract to Rayzor.** Denton agrees to grant and convey to Rayzor, and Rayzor agrees to accept from Denton, the Fee Tract pursuant to the Special Warranty Deed ("**Deed**") attached hereto as **Exhibit "C"**, together with all of Denton's rights and interests in and to all roads, streets, alleys, surface water privileges, association rights and easements belonging or appurtenant to the Fee Tract, rights of way, licenses, interests, and other rights and appurtenances appertaining thereto, as provided in the Deed, subject to a

reserved electrical utility easement ("**Reserved Easement**") covering an area more particularly described in Exhibit "C" of the Deed (that area, the "**Reserved Easement Area**").

1.1.1 **Rayzor Obligation to Dedicate Right Of Way From Portion of Fee Tract.** Rayzor shall dedicate to Denton a portion of the Fee Tract for the purposes of construction and operation of a paved public street and related purposes, subject to the Street Right-Of-Way Dedication Deed ("**Dedication Deed**") attached hereto as **Exhibit "D"**, said dedicated portion more particularly described in Exhibit "A" of the Dedication Deed and referred to herein as the "**Dedication Street Area**".

1.1.2 **Denton Obligation to Raze Improvements and Clear Fee Tract.** Before Closing, Denton shall raze and clear the Fee Tract of all improvements, and shall, as a condition to Closing, deliver written confirmation that the Fee Tract has been cleared of all improvements and that all refuse and debris has been cleaned from the Fee Tract (such confirmation, the "**Tract Clearance Statement**"), such Tract Clearance Statement pursuant to the form attached hereto as **Exhibit "E"**.

1.2 **Conveyance of Easements to Denton.** Rayzor agrees to grant and convey to Denton, and Denton agrees to accept from Rayzor the following: (i) an electrical utility easement ("**Utility Easement**") covering the Utility Line Areas pursuant to the form of easement instrument attached hereto as **Exhibit "F"** (that instrument, the "**Utility Easement Instrument**"); and (ii) a temporary work easement ("**Temporary Work Easement**") pursuant to the form of temporary easement instrument attached hereto as **Exhibit "G"** (that instrument, the "**Temporary Work Easement Instrument**"), the areas covered by and subject thereto being more particularly described in Exhibit "A" of the Temporary Work Easement Instrument (that area, the "**Temporary Work Easement Areas**"). The Utility Line Areas and Temporary Work Easement Area are herein collectively referred to as the "**Denton Easement Areas**".

1.3 **Release of Right of Entry and Grant of Possession.** The parties acknowledge that Denton holds a certain Right of Entry and Grant of Possession instrument ("**Right of Entry**"), which applies to the Denton Easement Areas and which was previously granted by Rayzor in contemplation of permanent grants of easement to Denton. At Closing, Denton shall deliver an instrument for the release of the Right of Entry ("**Release Instrument**"), a form of which is attached hereto as **Exhibit "H"**.

## **ARTICLE II: EQUAL EXCHANGE**

2.1 **Exchange of Equally Valued Property.** The parties stipulate and agree that the conveyances of the real property interests described in **Article I** hereinabove is an exchange of real property interests of substantially equal value, and accordingly, no additional monetary payments are due from either party to the other.

2.2 **Stipulated Real Property Values.** The fair market value of the Fee Tract is \$150,000.00. The fair market value of the Utility Easement is \$150,000.00.

### **ARTICLE III: TITLE AND SURVEY**

#### **3.1 Title Commitment.**

3.1.1 Denton may cause to be issued a current Commitment for Title Insurance (the “**Denton Title Commitment**”) for the Denton Easement Areas, or any portion thereof, issued by Title Company. The Denton Title Commitment shall set forth the state of title to the Denton Easement Areas, or any portion thereof, including a list of any defects, encumbrances and other exceptions to title, and outstanding claims, interests or equities of any nature.

3.1.2 Rayzor may cause to be issued a current Commitment for Title Insurance (the “**Rayzor Title Commitment**”) for the Fee Tract issued by Title Company. The Rayzor Title Commitment shall set forth the state of title to the Fee Tract, including a list of any defects, encumbrances and other exceptions to title, and outstanding claims, interests or equities of any nature.

3.2 **Survey.** Either party may, at its expense, cause a current on the ground survey of the Fee Tract and/or Denton Easement Areas, or any part thereof, as applicable, to be prepared (the “**Survey**”) by any surveyor approved by both parties. In any case, the Survey description of the Denton Easement Areas shall be used to describe the easement areas covered by the Utility Easement and/or Temporary Work Easement, and shall be the descriptions of such areas set forth in the Denton Title Policy, and the Survey description of the Fee Tract shall be used to describe the Fee Tract area as used in the Deed, and shall be the description of the Fee Tract set forth in the Rayzor Title Policy.

3.3 **Efforts to Cure.** Rayzor and Denton agree to take good faith efforts to assist the other in curing or satisfying any exceptions or defects depicted or revealed in the Denton Title Commitment, Rayzor Title Commitment and/or Survey, as applicable, as set forth by written notice to Rayzor (if objected to by Denton) or Denton (if objected to by Rayzor) (“**Objections**”). Neither party shall be obligated to expend funds in such efforts or incur any liability or otherwise incur any economic burden. In the event Denton and Rayzor cannot cure the Objections, whether applying to the Denton Title Commitment or the Rayzor Title Commitment, prior to Closing, either party may elect to either (i) terminate this Contract; or (ii) waive the uncured Objections, which shall become Permitted Exceptions (as defined below), and upon such waiver, close the transaction contemplated by this Contract. The term “**Permitted Exceptions**” as used herein shall mean (i) easements, restrictions, claims, rights of way, encroachments or other encumbrances or other matters whatsoever affecting the Property as shown in the Title Commitment or Survey, but excluding any matters which were subject to Objections and cured,

(ii) all municipal or other governmental zoning laws, regulations and ordinances, if any, affecting the herein-described Fee Tract or Denton Easement Areas, as applicable, (iii) all reservations, terms or conditions as provided in the Deed and/or Utility Easement, and (iv) any other matters affecting the Fee Tract and/or the Denton Easement Areas which are of public record or would be disclosed by a physical inspection and/or an accurate survey of the Fee Tract or Denton Easement Areas, as applicable.

3.4 **Title Policy.** At Closing, either party, at such party's sole expense, may cause a standard Texas Owner Policy of Title Insurance ("**Title Policy**"), along with a T-19.1, T-19.2 or T-19.3 endorsement, as applicable, to be furnished to the extent available. Any Title Policy shall be issued in the amount of the fair market value of the Fee Tract and/or Denton Easement Areas and insuring that (i) if such policy is purchased, Denton holds valid easement rights in the Denton Easement Areas, subject only to the Permitted Exceptions, and (ii) if such policy is purchased, Rayzor holds indefeasible fee simple title to the Fee Tract, subject only to the Permitted Exceptions.

#### **ARTICLE IV: AS-IS SALE**

##### **4.1 AS-IS Exchange.**

4.1.1. Denton expressly acknowledges that the Utility Easement and Temporary Work Easement are being sold, conveyed, granted and accepted **AS-IS, WHERE-IS WITH ALL FAULTS**, and, except as expressly set forth in **Article VI**, below, Rayzor makes no representations or warranties, express or implied, with respect to the physical condition or any other aspect of the Denton Easement Areas or any real property encumbered by the Utility Easement and Temporary Work Easement. **EXCEPT AS PROVIDED IN ARTICLE VI, BELOW, DENTON HEREBY UNCONDITIONALLY AND IRREVOCABLY WAIVES ANY AND ALL ACTUAL OR POTENTIAL RIGHTS IT MIGHT HAVE REGARDING ANY FORM OF WARRANTY, EXPRESS OR IMPLIED OR ARISING BY OPERATION OF LAW, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OF QUANTITY, QUALITY, CONDITION, HABITABILITY, MERCHANTABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR PURPOSE RELATED TO THE DENTON EASEMENT AREAS, ANY IMPROVEMENTS THEREON OR THE PROPERTY CONDITIONS THEREOF, SUCH WAIVER BEING ABSOLUTE, COMPLETE, TOTAL AND UNLIMITED IN ANY WAY.**

4.1.2. Rayzor expressly acknowledges that the Fee Tract is being sold, conveyed, granted and accepted **AS-IS, WHERE-IS WITH ALL FAULTS**, and, except as expressly set forth in **Article VI**, below, Denton makes no representations or warranties, express or implied, with respect to the physical condition or any other aspect of the Fee Tract or any real property encumbered by the Fee Tract except as set forth in **Section 1.1.2**. **EXCEPT AS PROVIDED IN ARTICLE VI, BELOW, RAYZOR HEREBY**

UNCONDITIONALLY AND IRREVOCABLY WAIVES ANY AND ALL ACTUAL OR POTENTIAL RIGHTS IT MIGHT HAVE REGARDING ANY FORM OF WARRANTY, EXPRESS OR IMPLIED OR ARISING BY OPERATION OF LAW, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OF QUANTITY, QUALITY, CONDITION, HABITABILITY, MERCHANTABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR PURPOSE RELATED TO THE FEE TRACT, ANY IMPROVEMENTS THEREON OR THE PROPERTY CONDITIONS THEREOF, SUCH WAIVER BEING ABSOLUTE, COMPLETE, TOTAL AND UNLIMITED IN ANY WAY.

4.2 **Information Disclaimer.** Any and all information related to the Fee Tract and/or Denton Easement Areas provided by either party to the other shall be delivered as an accommodation only, without any representation or warranty as to the completeness or accuracy of the data or other information contained therein, and all such Information is furnished solely as a courtesy.

4.3 **Survival.** Notwithstanding anything herein to the contrary, all of the terms and provisions of **Article IV, Sections 4.1 and 4.2** shall survive the Closing.

#### **ARTICLE V: INSPECTION**

5.1 **Tests.** Until the Closing, the parties mutually agree to allow the other party, its agents, employees and contractors, as applicable, at their sole risk and expense, to enter upon the Denton Easement Areas and/or Fee Tract, as applicable, during normal business hours (and subject to advance notice as required below) for inspections, surveying, engineering and other reasonable testing and inspection purposes ("**Tests**"). All such inspections may include both non-intrusive inspections and studies (such as non-intrusive "Phase I Level" type tests with respect to environmental matters) which do not involve borings or any sampling of any material or media, including soil, surface water, or ground water and intrusive "Phase II Level" environmental or other intrusive testing or any borings or sampling of any material or media, including soil, surface water, or ground water. Either party shall repair any damage to any property area entered by such party for Test purposes.

#### **ARTICLE VI: REPRESENTATIONS AND WARRANTIES**

6.1 **Representations and Warranties of Denton and Rayzor.** Denton and Rayzor represent and warrant to each other that they have the power to execute, deliver and perform under this Contract, have taken all actions necessary to authorize the execution, delivery and performance of this Contract and that the parties executing this Contract and the conveyance documents exhibited hereto for and on behalf of Denton and Rayzor have been duly authorized by Denton and Rayzor to act in such capacity.

## **ARTICLE VII: CLOSING**

7.1 **Date and Place of Closing.** The "**Closing**" (herein so called) shall take place in the offices of Republic Title of Texas, Inc., 550 Bailey Avenue, Suite 100, Fort Worth, Texas 76107 ("**Title Company**"). The "**Closing Date**" (herein sometimes called), shall occur before 5:00 PM on February 28, 2017, unless otherwise mutually agreed to in writing by Denton and Rayzor (with the City Manager of Denton to have authority to agree to any such extension on behalf of Denton acting in his sole discretion). The Closing Date as defined in this **Section 7.1**, subject to possible extension by mutual written agreement as provided above, is the deadline by which Closing must occur and is intended to prevail over any conflicting terms provided in this Contract or the Exhibits attached hereto.

### **7.2 Items to be Delivered at the Closing.**

- (a) At the Closing, Denton shall deliver to the Title Company, the following items:
  - (i) The Deed for the Fee Tract, in form and substance identical to that attached hereto as **Exhibit "C"**, subject only to the Permitted Exceptions, executed by Denton and acknowledged.
  - (ii) The Tract Clearance Statement, in form and substance identical to that attached hereto as **Exhibit "E"**, executed by the applicable department of the City of Denton.
  - (iii) The Release Instrument, in the form and substance identical to that attached hereto as **Exhibit "H"**, executed by Denton and acknowledged.
  - (iv) Other items reasonably requested by the Title Company as administrative requirements for consummating the Closing.
- (b) At the Closing, Rayzor shall deliver to the Title Company, the following items:
  - (i) The Dedication Deed for the Dedication Street Area, in form and substance identical to that attached hereto as **Exhibit "D"**, executed by Rayzor and acknowledged.
  - (ii) The Utility Easement Instrument, in form and substance identical to that attached hereto as **Exhibit "F"**.
  - (iii) The Temporary Work Easement Instrument, in form and substance identical to that attached hereto as **Exhibit "G"**.



- (iv) Other items reasonably requested by the Title Company as administrative requirements for consummating the Closing.

**7.3 Adjustments at Closing.** Notwithstanding anything to the contrary contained in this Contract, the provisions of this **Section 7.3** shall survive the Closing. The following items shall be adjusted or prorated between Rayzor and Denton with respect to the Fee Tract:

**7.3.1 General Proration.** Ad valorem and similar taxes and assessments (the "**Taxes**") relating to the Fee Tract for the year in which the Closing occurs shall be prorated as of the Closing Date, in accordance with Section 26.11 of the Texas Tax Code. In this regard the Title Company shall have each taxing unit certify Rayzor's prorated tax liability for the year of closing which amounts will be paid by Rayzor prior to delinquency.

**7.4 Possession at Closing.** Possession of the Fee Tract shall be delivered to Rayzor at Closing, subject to the Permitted Exceptions and Denton's reserved rights therein. The rights of possession and use of the Utility Easement Area and the Temporary Work Easement Area, as contemplated under the Utility Easement Instrument and Temporary Work Easement Instrument, shall be delivered to Denton at Closing, subject to the terms and conditions of such instruments.

**7.5 Costs of Closing.** Each party is responsible for paying the legal fees of its counsel, in negotiating, preparing, and closing the transactions contemplated by this Contract. Rayzor is responsible for paying its own attorneys' fees. Rayzor is responsible for paying (i) its own attorneys' fees, (ii) the cost to record the Deed to be delivered at Closing, (iii) the cost of its Survey, if any, and (iv) the costs of the Title Policy covering the Fee Tract, including any premiums and endorsements relating thereto. If the responsibility for such costs or expenses associated with closing the transaction contemplated by this Contract are not identified herein, such costs or expenses shall be the responsibility of Denton at Closing.

## **ARTICLE VIII: DEFAULTS AND REMEDIES**

### **8.1 Rayzor's Defaults and Denton's Remedy.**

**8.1.1 Rayzor's Defaults.** Rayzor is in default under this Contract on the occurrence of any one or more of the following events:

- (i) Rayzor fails to deliver at Closing, the items specified herein at **Section 7.2(b)** for any reason other than a default by Denton or termination of this Contract by Denton pursuant to the terms hereof prior to Closing.

**8.1.2 Denton's Remedy.** If Rayzor is in default under this Contract, Denton, as Denton's sole and exclusive remedies for the default, may, at Denton's sole option,

terminate this Contract by written notice delivered to Rayzor, whereupon neither party shall have any further rights or obligations hereunder.

## **8.2 Denton's Default and Rayzor's Remedy.**

8.2.1 Denton's Default. Denton is in default under this Contract on the occurrence of any one or more of the following events:

- (i) Denton fails to deliver at Closing, the items specified in **Section 7.2(a)** of this Contract for any reason other than a default by Rayzor under this Contract or termination of this Contract pursuant to the terms hereof prior to Closing.

8.2.2 Rayzor's Remedy. If Denton is in default under this Contract, Rayzor, as Rayzor's sole and exclusive remedy for the default, may terminate this Contract by written notice delivered to Denton, whereupon neither party shall have any further rights or obligations hereunder.

## **ARTICLE IX: MISCELLANEOUS PROVISIONS**

9.1 **Notice**. Unless otherwise specified in a recorded instrument of conveyance of the Property under this Contract, all notices, demands, requests, and other communications required hereunder shall be in writing, and shall be deemed to be delivered, upon the earlier to occur of (a) the date provided if provided by telephonic facsimile, and (b) the date of the deposit of, in a regularly maintained receptacle for the United States Mail, registered or certified, return receipt requested, postage prepaid, addressed to the applicable party's address as follows in the signature pages hereto.

9.2 **Delegation of Authority**. Authority to take any actions that are to be, or may be, taken by Denton under this Contract are hereby delegated by Denton, pursuant to approval of this Contract by the City Council of Denton, Texas, to (i) the General Manager of Denton Municipal Electric, or his designee and (ii) the City Manager of Denton, Texas, or his designee.

9.3 **Exhibits**. The following Exhibits are attached hereto and made a part hereof:

- Exhibit "A" – Description of the Fee Tract
- Exhibit "B" – Description of the Utility Line Areas
- Exhibit "C" – Form of Deed
- Exhibit "D" – Form of Dedication Deed
- Exhibit "E" – Form of Tract Clearance Statement
- Exhibit "F" – Form of Utility Easement Instrument
- Exhibit "G" – Form of Temporary Work Easement Instrument
- Exhibit "H" – Form of Release Instrument

IN WITNESS WHEREOF, this Contract is hereby executed as of the Effective Date.

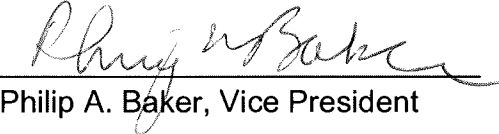
**[Balance of page intentionally left blank –  
Signatures of the parties follow below.]**

**RAYZOR SIGNATURE PAGE**

**RAYZOR:**

RAYZOR INVESTMENTS, LTD., a Texas limited partnership

By: The Rayzor Company, a Texas corporation,  
its general partner

By:   
Philip A. Baker, Vice President

Executed by Rayzor on the 3rd day of February 2017.

**Notice address:**

P.O. Box 336  
Denton, Texas 76202  
Phone: (940) 387-8711  
Fax: (940) 566-1591

**DENTON SIGNATURE PAGE**

**DENTON:**

CITY OF DENTON, a Texas municipal corporation

By: \_\_\_\_\_  
HOWARD MARTIN, INTERIM CITY MANAGER,  
pursuant to Ordinance No. 2016-\_\_\_\_\_

Executed by City of Denton on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

BY: \_\_\_\_\_

**Notice address:**

City of Denton, Texas - City Attorney  
215 E. McKinney Street  
Denton, Texas 76201  
Tel. No. (940) 349-8333  
Fax No. (940) 382-7923

## RECEIPT OF AGREEMENT BY TITLE COMPANY

By its execution below, Title Company acknowledges receipt of an executed copy of this Contract. Title Company agrees to comply with, and be bound by, the terms and provisions of this Contract to perform its duties pursuant to the provisions of this Contract and comply with Section 6045(e) of the Internal Revenue Code of 1986, as amended from time to time, and as further set forth in any regulations or forms promulgated thereunder.

TITLE COMPANY:

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Contract receipt date: \_\_\_\_\_, 2017

**EXHIBIT "A"**

*Description of the Fee Tract Attached Hereto*

## Exhibit "A"

### LEGAL DESCRIPTION

**BEING** a 1.334 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being known as that tract of land described in a Deed to Deborah Collinsworth, as recorded in Document No. 99-127801 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for corner in the East line of Bonnie Brae Street (a variable width right-of-way), said point being the Southwest corner of the above cited Collinsworth tract, said point also being in the North line of a called 26.466 acre tract of land described as Section 3, Tract Thirteen in a Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, from which the Northwest corner of said 26.466 acre tract bears North 89°27'53" West a distance of 1.65 feet;

**THENCE** North 00°36'10" East (*North – Deed*) along the East line of said Bonnie Brae Street, for a distance of 210.92 feet (210.70' – *Deed*) to a 1/2 inch capped iron rod found for corner at the intersection of the East line of said Bonnie Brae Street with the South line of Riney Road (a variable width right-of-way), said point being the Northwest corner of said Collinsworth tract;

**THENCE** South 89°24'49" East (*East – Deed*) along the South line of said Riney Road, for a distance of 275.64 feet (275.67' – *Deed*) to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the Northeast corner of said Collinsworth tract;

**THENCE** South 00°35'11" West (*South – Deed*) departing the South line of said Riney Road, and along the East line of said Collinsworth tract, passing the Northwest corner of Lot One, Block One per the Final Plat of B.F. Price Addition, as recorded in Cabinet C, Page 126 of the Plat Records of Denton County, Texas, at a distance of 10.00 feet, and continuing along the East line of said Collinsworth tract and the West line of said Lot One, for a total distance of 210.67 feet (210.70' – *Deed*) to a 1/2 inch iron rod with cap stamped "Alliance" found for corner at the Southeast corner of said Collinsworth tract and the Southwest corner of said Lot One, said point also being in the North line of said 26.466 acre tract;

**THENCE** North 89°27'53" West (*West – Deed*) along the South line of said Collinsworth tract and the North line of said 26.466 acre tract, for a distance of 275.70 feet (275.67' – *Deed*) to the **POINT OF BEGINNING**, and containing 1.334 acres of land, more or less.



**EXHIBIT "B"**

*Description of the Utility Line Areas Attached Hereto.*

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
ELECTRIC EASEMENTS  
*Rayzor Investments, Ltd. Tract***

**ELECTRIC EASEMENT NO. 1**

**BEING** a 1.558 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 76.36 acre tract of land described as Section Three, Tract Fourteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a point for the Northwest corner of North Lakes Fire Station Addition, per the Final Plat recorded in Cabinet G, Page 330 of the Plat Records of Denton County, Texas, said point being in the East line of Bonnie Brae Street, a variable width right-of-way as dedicated by said Plat of North Lakes Fire Station Addition, said point also being in the South line of said 76.36 acre Tract Fourteen;

**THENCE** South 88°39'43" East, along the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 25.00 feet to the **POINT OF BEGINNING**;

**THENCE** North 00°37'52" East, departing the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 665.40 feet to a point for corner;

**THENCE** North 00°42'43" East, for a distance of 931.56 feet to a point for corner located at the intersection with the South line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

**THENCE** South 88°33'39" East, along the South line of said 0.631 acre tract, for a distance of 42.50 feet to a point for corner;

**THENCE** South 00°42'43" West, departing the South line of said 0.631 acre tract, for a distance of 930.99 feet to a point for corner;

**THENCE** South 00°37'52" West, for a distance of 665.89 feet to a point for corner located at the intersection with the North line of Lot 1, Block 1 of said North Lakes Fire Station Addition, and the South line of said Tract Fourteen, from which a concrete monument found at an angle point in the North line of said Lot 1 bears South 88°39'43" East a distance of 165.63 feet;

**THENCE** North 88°39'43" West, along the North line of said Lot 1 and the South line of said Tract Fourteen, passing the Northwest corner of said Lot 1, at a distance of 39.29 feet, and continuing for a total distance of 42.50 feet to the **POINT OF BEGINNING**, and containing 1.558 acres of land, more or less.

**ELECTRIC EASEMENT NO. 2**

**BEING** a 1.360 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 26.466 acre tract of land described as Section Three, Tract Thirteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod with cap stamped "Alliance" found at the Southeast corner of a called 1.334 acre tract of land described in a Deed to the City of Denton, Texas, as recorded in Document No. 2016-25144 of the Official Records of Denton County, Texas, said point also being in the North line of said 26.466 acre Tract Thirteen;

**THENCE** North 89°27'53" West, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 209.84 feet to the **POINT OF BEGINNING**;

**THENCE** South 00°27'15" West, departing the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 419.97 feet to a point for corner;

**THENCE** South 00°42'43" West, for a distance of 974.15 feet to a point for corner located at the intersection with the North line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street

and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

**THENCE** North 88°33'39" West, along the North line of said 0.631 acre tract, for a distance of 42.50 feet to a point for corner;

**THENCE** North 00°42'43" East, departing the North line of said 0.631 acre tract, for a distance of 973.52 feet to a point for corner;

**THENCE** North 00°27'15" East, for a distance of 419.93 feet to a point for corner at the intersection with the North line of said Tract Thirteen and the South line of said 1.334 acre tract, from which a 1/2 inch iron rod found at the Southwest corner of said 1.334 acre tract bears North 89°27'53" West, a distance of 23.35 feet;

**THENCE** South 89°27'53" East, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 42.50 feet to the **POINT OF BEGINNING**, and containing 1.360 acres of land, more or less.

**NOTE:** Bearings are referenced to grid north of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) survey methods. Distances represent surface values utilizing an average combined scale factor of 1.000147317 to scale from grid to surface.



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins  
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940-383-4177  
Date: August 17, 2016



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

## EXHIBIT "B"

## MATCHLINE

SEE SH. 4 OF 11

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

**ELECTRIC  
EASEMENT No. 1**  
1.558 ACRES

LINE	BEARING	DISTANCE
L1	N 88°39'43" W	42.50'

**F. BATSON SURVEY  
ABSTRACT NO. 43**

EXISTING  
15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

SIDEWALK AND PUBLIC  
UTILITY EASEMENT  
VOL. 2542, PG. 51  
D.R.D.C.T.

**POINT OF  
COMMENCING  
EE No. 1**

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

\*ADOPT A SPOT  
SIGN

55'

32.5'

CONC. DRIVE

PROPERTY LINE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. CURB

55'

39.29'

L1

\*SPEED LIMIT  
SIGN

S 88°39'43" E

25.00'

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

CONC. DRIVE

PROPOSED FUTURE  
RIGHT-OF-WAY

APPROXIMATE SURVEY LINE

PROPERTY LINE

S 88°39'43" E 165.63'

CONCRETE  
MONUMENT  
(CM)

LOT 1, BLOCK 1  
NORTH LAKES FIRE STATION ADDITION  
CAB. G, PG. 330  
P.R.D.C.T.

**R. BEAUMONT SURVEY  
ABSTRACT NO. 31**

**1.558 ACRE  
ELECTRIC EASEMENT NO. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 3 OF 11

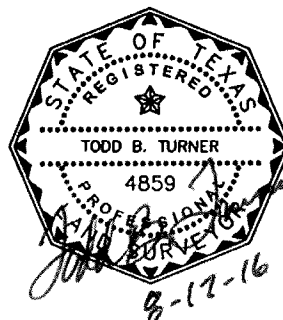
### NOTES:

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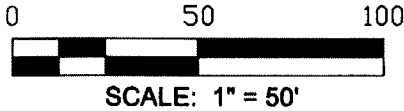
**teague nall & perkins**

1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 5 OF 11**



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FOM FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 20'  
ENERGY ASSETS OPERATING COMPANY EASEMENT  
DOC. NO. 2007-142652  
R.P.R.D.C.T.

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

APPROXIMATE SURVEY LINE

32.4'

"TRINITY ENERGY"  
GAS SIGN

**ELECTRIC  
EASEMENT No. 1**  
**1.558 ACRES**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

EXISTING 15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

CONC. CURB

PROPERTY LINE

N 00°37'52" E 665.40'

S 00°37'52" W 665.89'

55'

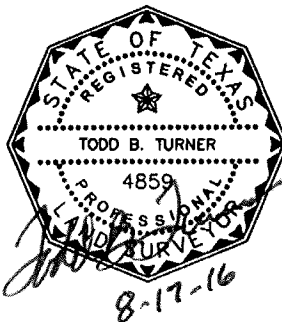
F. BATSON SURVEY  
ABSTRACT NO. 43

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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**MATCHLINE - SEE SH. 3 OF 11**



**1.558 ACRE  
ELECTRIC EASEMENT NO.1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS



**teague nall & perkins**  
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www.tnpinc.com

DME13222

SHEET 4 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 6 OF 11**

0 50 100



SCALE: 1" = 50'



TRINITY ENERGY  
GAS SIGN

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

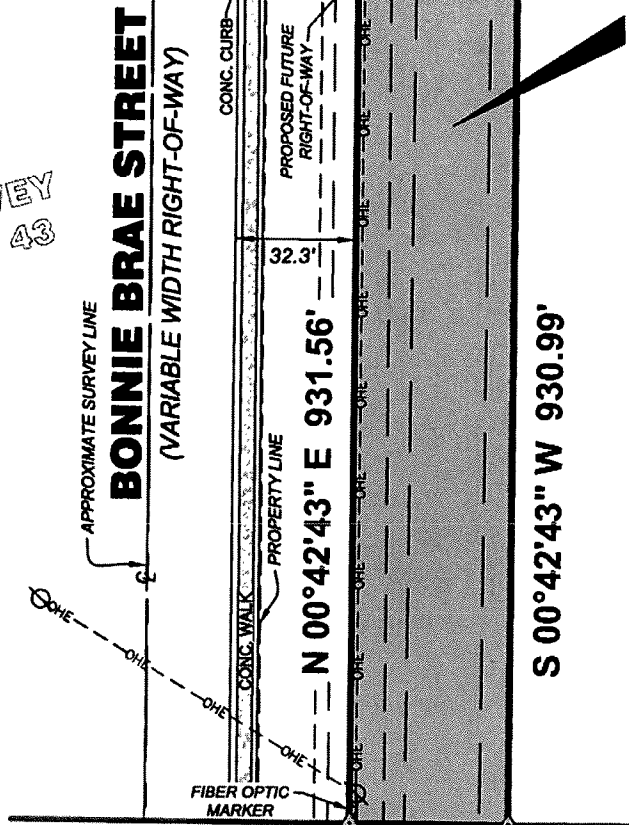
EXISTING 20'  
ENERGY ASSETS OPERATING COMPANY EASEMENT  
DOC. NO. 2007-142652  
R.P.R.D.C.T.

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

## **ELECTRIC EASEMENT No. 1** **1.558 ACRES**

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

**F. BATSON SURVEY  
ABSTRACT NO. 43**



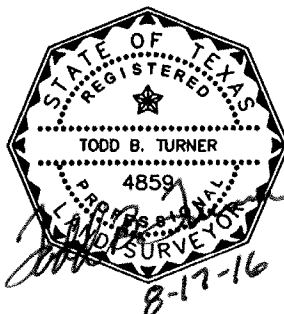
LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

### NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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**1.558 ACRE  
ELECTRIC EASEMENT NO. 1**  
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 5 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 7 OF 11**

EXISTING 15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

TRINITY ENERGY  
GAS SIGN

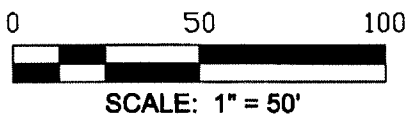
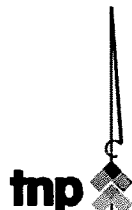
EXISTING 20'  
ENERGY ASSETS OPERATING COMPANY EASEMENT  
DOC. NO. 2007-142652  
R.P.R.D.C.T.

## **ELECTRIC EASEMENT No. 1** 1.558 ACRES

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

F. BATSON SURVEY  
ABSTRACT NO. 43

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810



**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

N 00°42'43" E 931.56'

S 00°42'43" W 930.99'

CONC. WALK  
PROPERTY LINE  
CONC. CURB  
PROPOSED FUTURE  
RIGHT-OF-WAY

**MATCHLINE - SEE SH. 5 OF 11**

### LEGEND

△	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
CM	CONTROLLING MONUMENT
□	TELEPHONE UTILITY
⊠	POWER POLE
⋈	GUY WIRE
⋈	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT
---	APPROXIMATE SURVEY LINE
⋈	EXISTING CENTERLINE
---	EDGE OF ASPHALT
---	OVERHEAD ELECTRIC

### NOTES

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940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



## **1.558 ACRE ELECTRIC EASEMENT NO. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 6 OF 11

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

## EXHIBIT "B"

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

20' DRAINAGE EASEMENT  
DOC. NO. 93-035031  
R.P.R.D.C.T.

PROPERTY LINE

CITY OF DENTON  
0.831 ACRES  
ORDINANCE NO. 93-086  
FOR STREET AND UTILITY PURPOSES  
DOC. NO. 93-035030  
R.P.R.D.C.T.

16' PUBLIC UTILITY EASEMENT  
DOC. NO. 93-035032  
R.P.R.D.C.T.

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

**ELECTRIC  
EASEMENT No. 1**  
1.558 ACRES

**MATCHLINE - SEE SH. 6 OF 11**

LINE	BEARING	DISTANCE
L2	S 88°33'39" E	42.50'

**N. WADE SURVEY  
ABSTRACT NO. 1407**

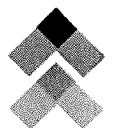


0 50 100  
SCALE: 1" = 50'

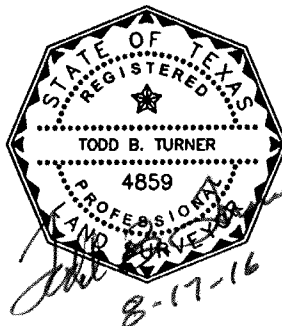
APPROXIMATE SURVEY LINE

### NOTES

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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www.tnpinc.com



**1.558 ACRE  
ELECTRIC EASEMENT NO. 1**  
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

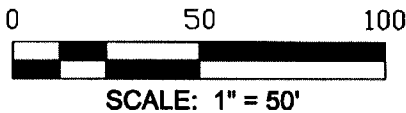
SHEET 7 OF 11



# EXHIBIT "B"

N. WADE SURVEY  
ABSTRACT NO. 1407

CITY OF DENTON, TEXAS  
CALLED 1.334 ACRES  
DOC. NO. 2016-25144  
O.R.D.C.T.



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3078, PG. 632  
D.R.D.C.T.

APPROXIMATE SURVEY LINE

PROPERTY LINE

EXISTING EASEMENT

APPROXIMATE SURVEY LINE

EXISTING CENTERLINE

EDGE OF ASPHALT

OVERHEAD ELECTRIC

**MATCHLINE - SEE SH. 9 OF 11**

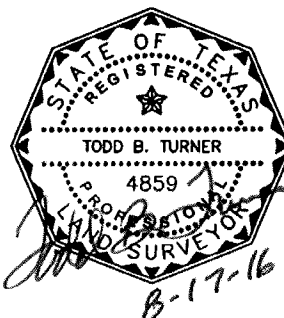
## NOTES:

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www.tnpinc.com



LINE	BEARING	DISTANCE
L1	S 89°27'53" E	42.50'

**1.360 ACRE  
ELECTRIC EASEMENT NO. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 8 OF 11

# EXHIBIT "B"

**MATCHLINE**  
SEE SH. 8 OF 11

**ELECTRIC EASEMENT No. 2**  
1.360 ACRES

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. WADE SURVEY  
ABSTRACT NO. 1407

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

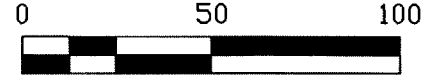
EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

CONC. CURB

N 00°42'43" E 973.52'

S 00°42'43" W 974.15'



SCALE: 1" = 50'

## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
- This exhibit was prepared without the benefit of a current title commitment. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.

**MATCHLINE - SEE SH. 10 OF 11**



**1.360 ACRE**  
**ELECTRIC EASEMENT NO.2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 9 OF 11



**teague nall & perkins**  
1517 Centre Place Drive, Suite 220  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com

# EXHIBIT "B"

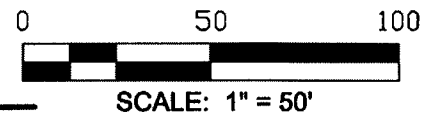
**MATCHLINE**  
**SEE SH. 9 OF 11**

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FOM FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OHE OVERHEAD ELECTRIC

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

**ELECTRIC  
EASEMENT No. 2**  
1.360 ACRES



**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

**MATCHLINE - SEE SH. 11 OF 11**

## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
- This exhibit was prepared without the benefit of a current title commitment. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.

**teague nall & perkins**  
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**1.360 ACRE  
ELECTRIC EASEMENT No. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 10 OF 11

**EXHIBIT "B"****MATCHLINE**  
**SEE SH. 10 OF 11**EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.**ELECTRIC  
EASEMENT No. 2**  
1.360 ACRES*N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**N. WADE SURVEY  
ABSTRACT NO. 1407***tnp**

0 50 100

SCALE: 1" = 50'

**LEGEND**

	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

STORM DRAIN MH

CONC. WALK  
PROPERTY LINE  
CONC. CURBPROPOSED FUTURE  
RIGHT-OF-WAY

25.00'

STOP SIGN

CONC. CURB

L2

25.00'

CONC. CURB

L2

25.00'

CONC. CURB

L2

25.00'

CONC. CURB

L2

25.00'

CONC. CURB

L2

25.00'

CONC. CURB

L2

LINE	BEARING	DISTANCE
L2	N 88°33'39" W	42.50'

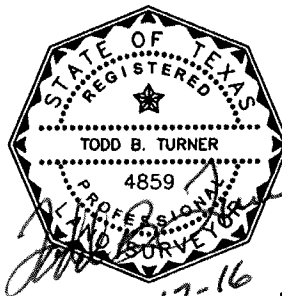
RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.**1.360 ACRE  
ELECTRIC EASEMENT NO. 2**  
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 11 OF 11

**NOTES:**

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
- This exhibit was prepared without the benefit of a current title commitment. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.

**teague nall & perkins**1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnplnc.com

**EXHIBIT "C"**

*Form of Deed Attached Hereto.*

**SPECIAL WARRANTY DEED**

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

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF DENTON     §

KNOW ALL PERSONS BY THESE PRESENTS:

**CITY OF DENTON**, a Texas home rule municipal corporation ("**Grantor**"), for good and valuable consideration to it paid by **RAYZOR INVESTMENTS, LTD.**, a Texas limited partnership ("**Grantee**"), whose mailing address is P.O. Box 336, Denton, Texas 76202, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto the Grantee that certain tract of land ("**Land**") described in **Exhibit "A"** hereto, together with all improvements thereon and all of Grantor's rights and interest, if any, in and to all roads, streets, alleys, privileges, association rights and easements belonging or appurtenant to the Land, and all development entitlements, permits, licenses and existing approvals of any governmental authority relating to the development, construction, use or operation of the Land (herein collectively called the "**Property**").

This Deed is executed by Grantor and accepted by Grantee subject to the following: (i) Assumed Taxes as hereinafter defined, (ii) any and all restrictions, reservations, covenants, conditions, rights-of-way, easements, and encumbrances of public record, (iii) the encumbrances and other matters listed in **Exhibit "B"** hereto, and (iv) all municipal or other governmental zoning laws, regulations and ordinances, if any, affecting the Property (collectively, the "**Permitted Encumbrances**").

**Grantor's Retained Easement:** Grantor hereby retains from the conveyance of the Property the following perpetual and continuing easement rights within portions of the Property (the "**Retained Easement**"; the areas subject to the Retained Easement, the "**Retained Easement Areas**"), which Retained Easement is reserved for the benefit of Grantor as follows:

A non-exclusive easement and right of use (the "**Utility Easement**") in, over, across, through, and under the area or areas described or depicted on **Exhibit "C"** attached hereto ("**Utility Easement Area**") for any of the following the purposes: installing, erecting, operating, maintaining and/or servicing one or more above ground electric transmission and/or distribution power and/or communication lines, each consisting of a variable number of wires and cables, along with all necessary, convenient or desirable appurtenances, attachments and supporting structures, including without limitation, foundations, guy wires and guy anchorages, and structural components (collectively, the "**Facilities**").

Grantor will have the right to remove from the Retained Easement Areas, such fences, buildings, trees and vegetation and other obstructions as may now or hereafter be found upon

said Retained Easement Areas; but only to the extent necessary to complete the construction of the above described Facilities and maintain same thereafter; provided, however Grantor will take reasonable efforts that are necessary to minimize interference with and removal of any of such items. The easement rights reserved herein include, subject to the herein below limitations, the right and privilege at all times of the Grantor herein, it or its agents, employees, workmen and representatives to have ingress, egress, and regress in, along, upon and across said Retained Easement Areas for the purpose of making additions to, improvements on and repairs to said Facilities or any part thereof. Notwithstanding the foregoing, except for poles, surface structures, and appurtenances affixed to the surface of the ground in order to provide direct structural support reasonably necessary and ancillary to the operation of aerial Facilities, all Facilities will be located above said Retained Easement Areas at or above a vertical height that conforms to Denton Municipal Electric Standards and that meets or exceeds minimum vertical heights required by the National Electric Safety Code.

Grantee shall have for itself, its successors and assigns, all rights in and to the Retained Easement Areas not herein specifically reserved by Grantor and the right to use and enjoy the surface and subsurface thereof for any and all purposes whatsoever, so long as the exercise of such rights and such use does not unreasonably interfere with the rights herein reserved by Grantor, and these Grantee rights shall specifically include the right of passage over the Retained Easement Areas. Grantee, its successors and assigns shall have the right to use the Retained Easement Areas for the location, construction, reconstruction, relocation and operation of such pipelines, transmission lines, drainage lines and other utility lines and facilities ("**Grantee Facilities**"), including the right to construct on the surface of the Retained Easement Areas, landscaping at or above grade (including turf, perennials, annuals and ground cover, but excluding trees), paving and fencing (the "**Permitted Improvements**") and to use the surface of the Retained Easement Areas for the parking of motor vehicles and trailers, all as necessary or desired in connection with Grantee's use and/or development of the Property so long as Grantee's use of such groundspace does not unreasonably interfere with the rights herein retained by Grantor. In the event that Grantee, or Grantee's successors and assigns, chooses to locate Grantee Facilities within the Retained Easement Areas then the following shall apply:

(i) Grantee's installation of any of Grantee's Facilities within the Retained Easement Areas shall be subject to the Denton Development Code and shall be subject to removal if the same interfere with the rights herein retained by Grantor.

(ii) such Grantee Facilities shall only cross the Retained Easement Areas at not less than a 45 degree angle and no greater than a 90 degree angle to the centerline of the Retained Easement Areas, and there shall be no longitudinal installation of any of Grantee Facilities, including, but not limited to, fencing and pipelines of any type, within the Retained Easement Areas.

(iii) if such Grantee Facilities are underground they shall be installed so as to maintain reasonable clearance from any existing or proposed Facilities.

(iv) prior to construction or installation of Grantee Facilities within the Retained Easement Areas by Grantee or its successors or assigns, complete construction plans depicting the proposed Grantee Facilities shall be submitted to the City Engineer of the City of Denton ("**City Engineer**") for approval. Such approval will not be unreasonably withheld, conditioned or delayed. Any

installation or construction of non-approved Grantee Facilities shall be at-risk for future adjustment or relocation at the sole cost and expense of the owner of the Grantee Facilities.

(v) within 60 days after completion of construction of Grantee Facilities, Grantee, or its successors or assigns, shall submit to the City Engineer complete as-built construction plans of the Grantee Facilities.

(vi) if the installation of the Grantee Facilities disturbs the Facilities or Access Improvements (a "**Grantee Installation Disturbance**"), then upon completion of the installation of the Grantee Facilities, Grantee shall promptly restore the Facilities to substantially the same condition as existed immediately prior to the installation of the Grantee Facilities using industry standard materials and methods; provided, however, in remedying any Grantee Installation Disturbance, Grantee will not be required to incur any cost or obligation to improve, expand or upgrade the Facilities to a state or condition exceeding the condition that existed immediately prior to the installation of the Grantee Facilities, including without limitation any improvements, expansions or upgrades to the Facilities necessary to comply with then-current applicable federal, state, municipal, or other laws, statutes, codes, restrictions, regulations, ordinances and orders, which improvements, expansions or upgrades shall be Grantor's responsibility and at its sole cost and expense.

(vii) in all cases where there will be joint use of the Retained Easement Areas by Grantee and Grantor, or their successors or assigns, such parties agree to act reasonably, in good faith and in full cooperation with the other(s) to assure that the parties' respective facilities and operations within the Retained Easement Areas will not conflict or create safety issues caused by such joint usage and will not endanger or interfere with the construction, efficiency or convenient operation and maintenance of the respective facilities so installed and operated.

Grantor, at its sole cost and expense, shall perform or cause to be performed all work necessary in connection with any Facilities (the "**Work**") in a good and workmanlike manner in conformance with sound and acceptable engineering practices as expeditiously as possible. In performing the Work or causing the Work to be performed, Grantor shall make adequate provisions for the safety and convenience of Grantee, its agents, representatives, employees, licensees, and invitees, and shall cause all of the Work to be cleaned up promptly in order to minimize disruption or inconvenience, and coordinate the Work with Grantee's contractors and subcontractors. Grantor shall at all times construct, keep, maintain, use, operate or remove the Facilities in a safe manner and in full compliance with all applicable federal, state, municipal, or other laws, statutes, codes, restrictions, regulations, ordinances and orders. **Grantee shall have no obligation, monetary or non-monetary, to maintain the Retained Easement Areas.** Once easement activities of Grantor hereunder have commenced, Grantor shall take reasonable steps to prosecute the completion of its Facilities or other activities diligently and continuously and in a manner designed to expedite the completion of its Facilities and activities and to avoid unreasonable or material interference with the business activities of Grantee. To the extent safety permits as solely determined by Grantor, Grantor shall provide Grantee, its agents, employees and invitees with reasonable access over and across the Retained



Easement Areas, for vehicular and pedestrian traffic, to and from the Property and public rights of way adjoining the Property.

Grantee agrees to assume and be solely responsible for payment of all ad valorem and similar taxes and assessments affecting the Property for the year 2017 (the "**Assumed Taxes**") and Grantee covenants and agrees to pay such amounts to the appropriate taxing authorities on or before delinquency thereof and shall indemnify and hold Grantor harmless from and against any and all such taxes and subsequent assessments and all interest and penalties thereon.

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its legal representatives, successors, and assigns forever; and Grantor does hereby bind itself, its legal representatives, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Encumbrances, unto Grantee, its legal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

WITNESS THE EXECUTION HEREOF on the dates indicated in the acknowledgements below, but to be effective for all purposes as of the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

***[Signature Page Below]***

**Special Warranty Deed  
Signature Page**

**GRANTOR:**

**CITY OF DENTON,**  
a Texas home rule municipal corporation

By: \_\_\_\_\_  
Howard Martin,  
Interim City Manager

Executed by City of Denton on the \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

By: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

By: \_\_\_\_\_

Notice Address:  
City of Denton, Texas - City Attorney  
215 E. McKinney Street  
Denton, Texas 76201  
Tel. No. (940) 349-8333  
Fax No. (940) 382-7923

After recording, return to:

Rayzor Investments, Ltd.  
c/o The Rayzor Company  
P.O. Box 336  
Denton, Texas 76202

## **EXHIBIT A**

### **Property Description**

### **LEGAL DESCRIPTION**

**BEING** a 1.334 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being known as that tract of land described in a Deed to Deborah Collinsworth, as recorded in Document No. 99-127801 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for corner in the East line of Bonnie Brae Street (a variable width right-of-way), said point being the Southwest corner of the above cited Collinsworth tract, said point also being in the North line of a called 26.466 acre tract of land described as Section 3, Tract Thirteen in a Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, from which the Northwest corner of said 26.466 acre tract bears North 89°27'53" West a distance of 1.65 feet;

**THENCE** North 00°36'10" East (*North – Deed*) along the East line of said Bonnie Brae Street, for a distance of 210.92 feet (210.70' – *Deed*) to a 1/2 inch capped iron rod found for corner at the intersection of the East line of said Bonnie Brae Street with the South line of Riney Road (a variable width right-of-way), said point being the Northwest corner of said Collinsworth tract;

**THENCE** South 89°24'49" East (*East – Deed*) along the South line of said Riney Road, for a distance of 275.64 feet (275.67' – *Deed*) to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the Northeast corner of said Collinsworth tract;

**THENCE** South 00°35'11" West (*South – Deed*) departing the South line of said Riney Road, and along the East line of said Collinsworth tract, passing the Northwest corner of Lot One, Block One per the Final Plat of B.F. Price Addition, as recorded in Cabinet C, Page 126 of the Plat Records of Denton County, Texas, at a distance of 10.00 feet, and continuing along the East line of said Collinsworth tract and the West line of said Lot One, for a total distance of 210.67 feet (210.70' – *Deed*) to a 1/2 inch iron rod with cap stamped "Alliance" found for corner at the Southeast corner of said Collinsworth tract and the Southwest corner of said Lot One, said point also being in the North line of said 26.466 acre tract;

**THENCE** North 89°27'53" West (*West – Deed*) along the South line of said Collinsworth tract and the North line of said 26.466 acre tract, for a distance of 275.70 feet (275.67' – *Deed*) to the **POINT OF BEGINNING**, and containing 1.334 acres of land, more or less.

**EXHIBIT B**

**[Copy and Paste Title Commitment Special Exceptions, If Any]**

**EXHIBIT "C"**

Utility Easement Area

Legal Description and Map Drawing Attached Hereto

## ELECTRIC EASEMENT RESERVATION

*City of Denton Tract*

**BEING** a 0.491 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being part of a called 1.334 acre tract of land described in a Deed to the City of Denton, Texas, as recorded in Document No. 2016-25144 of the Official Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found for corner in the East line of Bonnie Brae Street (a variable width right-of-way), said point being the Southwest corner of the above cited 1.334 acre tract, said point also being in the North line of a called 26.466 acre tract of land described as Section 3, Tract Thirteen in a Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, from which the Northwest corner of said 26.466 acre tract bears North 89°27'53" West a distance of 1.65 feet;

**THENCE** South 89°27'53" East along the South line of said 1.334 acre tract and the North line of said 26.466 acre tract, for a distance of 23.35 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the **POINT OF BEGINNING** for the herein described easement;

**THENCE** North 00°27'15" East departing the South line of said 1.334 acre tract and the North line of said 26.466 acre tract, for a distance of 178.53 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** North 45°34'43" East for a distance of 28.22 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 89°17'49" East for a distance of 232.80 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner in the East line of said 1.334 acre tract, said point also being in the West line of Lot One, Block One per the Final Plat of B.F. Price Addition, as recorded in Cabinet C, Page 126 of the Plat Records of Denton County, Texas, from which a 5/8 inch iron rod with cap stamped "TNP" found for the Northeast corner of said 1.334 acre tract bears North 00°35'11" East a distance of 12.88 feet;

**THENCE** South 00°35'11" West along the East line of said 1.334 acre tract and the West line of said Lot One, for a distance of 62.50 feet to a point for corner, from which a 1/2 inch iron rod with cap stamped "Alliance" found for the Southeast corner of said 1.334 acre tract and the Southwest corner of said Lot One bears South 00°35'11" West a distance of 135.29 feet;

**THENCE** North 89°17'49" West departing the East line of said 1.334 acre tract and the West line of said Lot One, for a distance of 210.16 feet to a point for corner;

**THENCE** South 00°27'15" West for a distance of 135.91 feet to a point for corner in the South line of said 1.334 acre tract and the North line of said 26.466 acre tract;

**THENCE** North 89°27'53" West along the South line of said 1.334 acre tract and the North line of said 26.466 acre tract, for a distance of 42.50 feet to the **POINT OF BEGINNING**, and containing 0.491 acres of land, more or less.

**NOTE:** Bearings are referenced to grid north of the Texas Coordinate System of 1983 (North Central Zone; NAD83(2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) survey methods. Distances represent surface values utilizing an average combination scale factor of 1.000147317 to scale from grid to surface.



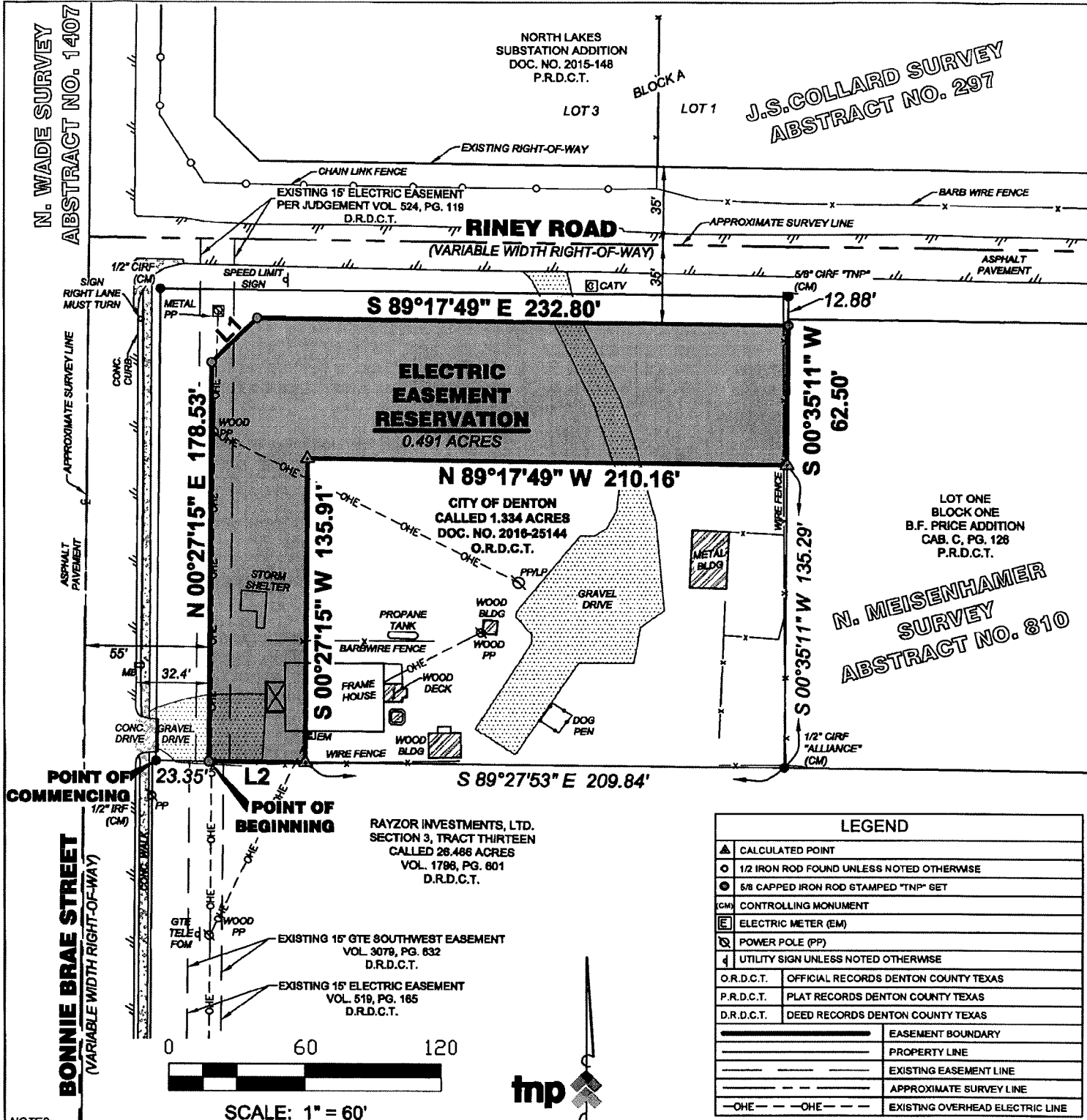
Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins  
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940-383-4177  
Date: May 16, 2016



N. WADE SURVEY  
ABSTRACT NO. 1407

NORTH LAKES  
SUBSTATION ADDITION  
DOC. NO. 2015-148  
P.R.D.C.T.

J.S. COLLARD SURVEY  
ABSTRACT NO. 297



NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
- This survey was prepared with benefit of that certain Title Commitment, GF No. 156339, with effective date of February 9, 2016, provided by Title Resources Guaranty Company. For easements, rights-of-way and/or other matters of record that may affect this tract, the surveyor relied solely on said title commitment.



teague nall & perkins

1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com  
T.B.P.L.S. Firm No. 10011601



LEGEND	
▲	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
●	5/8 CAPPED IRON ROD STAMPED "TNP" SET
CM	CONTROLLING MONUMENT
E	ELECTRIC METER (EM)
PP	POWER POLE (PP)
U	UTILITY SIGN UNLESS NOTED OTHERWISE
O.R.D.C.T.	OFFICIAL RECORDS DENTON COUNTY TEXAS
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT LINE
---	APPROXIMATE SURVEY LINE
-OHE-	EXISTING OVERHEAD ELECTRIC LINE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 45°34'43" E	28.22'
L2	N 89°27'53" W	42.50'

EXHIBIT "B"

ELECTRIC EASEMENT RESERVATION

BEING 0.491 ACRES SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 2 OF 2

**EXHIBIT "D"**

*Form of Dedication Deed Attached Hereto.*



## STREET RIGHT-OF-WAY DEDICATION DEED

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

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DENTON

§

§

THAT RAYZOR INVESTMENTS, LTD., a Texas limited partnership (whose mailing address is P.O. Box 336, Denton, Texas 76202), hereinafter called "**Grantor**," for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration to Grantor in hand paid by the **CITY OF DENTON, TEXAS**, a home rule municipal corporation (whose mailing address is 215 E. McKinney Street, Denton, Texas 76201), hereinafter called "**Grantee**," the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, express or implied, does GRANT, GIVE and CONVEY unto the Grantee all of Grantor's interest, if any, in that certain tract or parcel of land containing approximately 0.190 acres of land, situated in the City of Denton, Denton County, Texas, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof for all purposes, together with all improvements situated thereon and all, and singularly the rights and appurtenances thereto and any and all right, title and interest of Grantor in and to any adjacent streets, alleys or rights-of-way, hereinafter collectively called the "**Property**."

The Property is conveyed to Grantee to be used only for the following purposes (collectively, the "**Permitted Purposes**"): the construction, operation, use, maintenance, repair, alteration and replacement of a paved public street, and for all other purposes for which a public street is commonly used, including installing, repairing, maintaining, altering, replacing, relocating and operating utilities in, into, upon, over, across and under said Property.

This conveyance is given and accepted subject to any and all restrictions, reservations, covenants, conditions, rights-of-way, easements, and encumbrances, of record, if any, and all municipal or other governmental zoning laws, regulations and ordinances, if any, affecting the herein-described Property and any other matters affecting the Property which would be disclosed by a physical inspection of the Property or an accurate survey of the Property (herein called the "**Permitted Encumbrances**").

Grantor hereby retains and reserves, for Grantor and its successors and assigns forever, all of the subsurface minerals of every kind and nature, including but not limited to oil, gas, and casing-head gas (the "**Reserved Resources**"), located in, under, and that may be produced from the Property. Grantor waives and releases, on behalf of Grantor and Grantor's successors and assigns, all rights of ingress and egress and all other rights to enter upon or to use the surface of the Property or any part thereof for purposes of exploring for, developing and/or producing the Reserved Resources in and under the Property; provided, however, nothing herein shall prevent Grantor or its successors and assigns from exploring for, developing and/or producing the Reserved Resources in and under the Property by pooling or by directional drilling under the Property from well sites located on other property. In no event shall Grantor have any liability or responsibility for any surface damage or injury to property or person as a result of the exploration and/or production of the Reserved

Resources by any mineral lessee of Grantor, and Grantee agrees that Grantee shall pursue any such claims solely against such mineral lessee, however, any and all mineral lessee(s) shall exercise due regard for the Grantee's surface rights granted herein including reasonable measures to insure direct support of the surface estate.

**TO HAVE AND TO HOLD** all of Grantor's right, title and interest in and to the Property unto the Grantee, its successors and assigns forever, so that neither Grantor nor its successors or assigns shall have, claim or demand any right or title to the Property or appurtenances or any part thereof.

**EXECUTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

RAYZOR INVESTMENTS, LTD.,  
a Texas limited partnership

By: The Rayzor Company,  
A Texas corporation,  
its general partner

By: \_\_\_\_\_  
Philip A. Baker,  
Vice President

**STATE OF TEXAS**       §  
                                     §  
**COUNTY OF DENTON**   §

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017 by Philip A. Baker, Vice President of The Rayzor Company, a Texas corporation, general partner of Rayzor Investments, Ltd., a Texas limited partnership, on behalf of said limited partnership.

\_\_\_\_\_  
Notary Public, State of Texas

Printed name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2017 for the City of Denton, Texas (Resolution No. \_\_\_\_\_).

By: \_\_\_\_\_  
Paul Williamson  
Real Estate Manager

After recording, please return to:  
City of Denton  
Utilities Engineering Department  
901-A Texas Street  
Denton, Texas 76209  
Attn: Paul Williamson

**EXHIBIT "A"**

**Description of the Property**

**[Attached Hereto]**

## **EXHIBIT "A"**

### **DEDICATION TRACT**

*City of Denton Tract*

**BEING** a 0.190 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being part of a called 1.334 acre tract of land described in a Deed to the City of Denton, Texas, as recorded in Document No. 2016-25144 of the Official Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for corner in the East line of Bonnie Brae Street (a variable width right-of-way), said point being the Southwest corner of the above cited 1.334 acre tract, said point also being in the North line of a called 26.466 acre tract of land described as Section 3, Tract Thirteen in a Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, from which the Northwest corner of said 26.466 acre tract bears North 89°27'53" West a distance of 1.65 feet;

**THENCE** North 00°36'10" East along the East line of said Bonnie Brae Street, for a distance of 210.92 feet to a 1/2 inch capped iron rod found for corner at the intersection of the East line of said Bonnie Brae Street with the South line of Riney Road (a variable width right-of-way), said point being the Northwest corner of said 1.334 acre tract;

**THENCE** South 89°24'49" East along the South line of said Riney Road, for a distance of 275.64 feet to a 5/8 inch iron rod with cap stamped "TNP" found for the Northeast corner of said 1.334 acre tract;

**THENCE** South 00°35'11" West departing the South line of said Riney Road, and along the East line of said 1.334 acre tract, passing the Northwest corner of Lot One, Block One per the Final Plat of B.F. Price Addition, as recorded in Cabinet C, Page 126 of the Plat Records of Denton County, Texas, at a distance of 10.00 feet, and continuing along the East line of said 1.334 acre tract and the West line of said Lot One, for a total distance of 12.88 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner, from which a 1/2 inch iron rod with cap stamped "Alliance" found for the Southeast corner of said 1.334 acre tract and the Southwest corner of said Lot One bears South 00°35'11" West a distance of 197.79 feet;


**THENCE** North 89°17'49" West departing the East line of said 1.334 acre tract and the West line of said Lot One, for a distance of 232.80 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

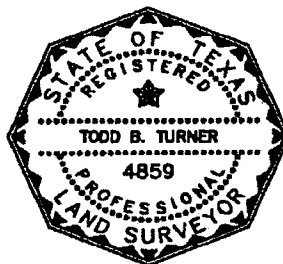
**THENCE** South 45°34'43" West for a distance of 28.22 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 00°27'15" West for a distance of 178.53 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner in the South line of said 1.334 acre tract and the North line of said 26.466 acre tract;

**THENCE** North 89°27'53" West along the South line of said 1.334 acre tract and the North line of said 26.466 acre tract for a distance of 23.35 feet to the **POINT OF BEGINNING**, and containing 0.190 acres of land, more or less.

**NOTE:** Bearings are referenced to grid north of the Texas Coordinate System of 1983 (North Central Zone; NAD83(2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) survey methods. Distances represent surface values utilizing an average combination scale factor of 1.000147317 to scale from grid to surface. Field work was completed in May 2016.

  
Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins  
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940-383-4177  
Date: May 16, 2016  
Revised: January 6, 2017 (Rename as Dedication Tract)



N. WADE SURVEY  
ABSTRACT NO. 1407

NORTH LAKES  
SUBSTATION ADDITION  
DOC. NO. 2015-148  
P.R.D.C.T.

J.S. COLLARD SURVEY  
ABSTRACT NO. 297

BONNIE BRAE STREET  
(VARIABLE WIDTH RIGHT-OF-WAY)

POINT OF BEGINNING

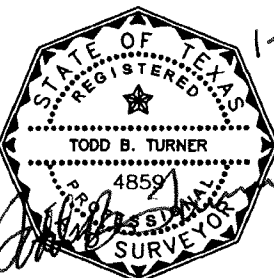
#### NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface. Field work was completed in May 2016.
- This survey was prepared with benefit of that certain Title Commitment, GF No. 156339, with effective date of February 9, 2016, provided by Title Resources Guaranty Company. For easements, rights-of-way and/or other matters of record that may affect this tract, the surveyor relied solely on said title commitment.



teague nall & perkins

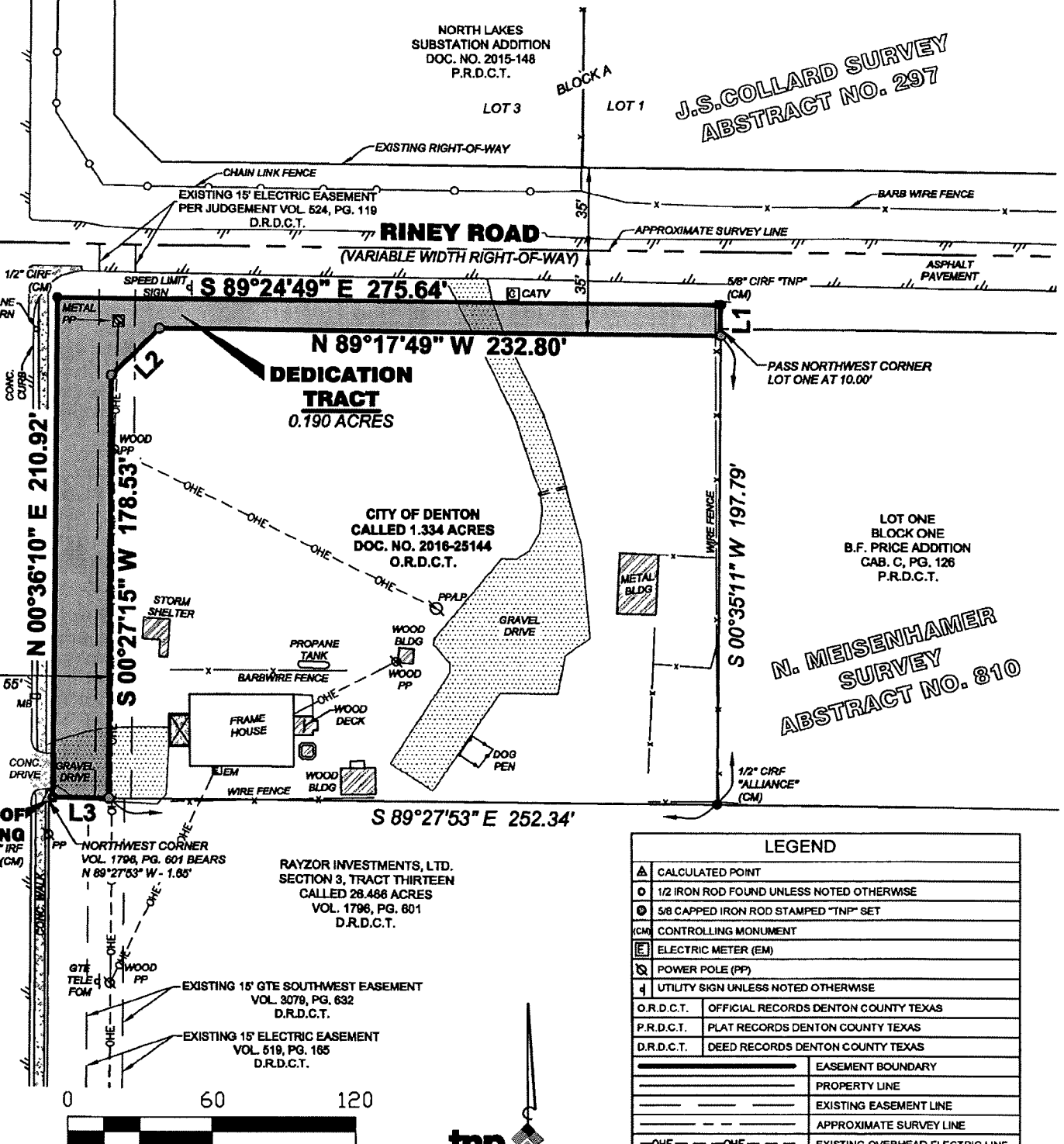
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com  
T.B.P.L.S. Firm No. 10011601



L:\PROJECTS\DME13222 DME CIP Support\Bonnie Brae to North Lakes TL\cad\svey\DME13222 COD DEDICATION TRACT.dwg

DME13222

SHEET 2 OF 2



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	5/8 CAPPED IRON ROD STAMPED "TNP" SET
	CONTROLLING MONUMENT
	ELECTRIC METER (EM)
	POWER POLE (PP)
	UTILITY SIGN UNLESS NOTED OTHERWISE
O.R.D.C.T.	OFFICIAL RECORDS DENTON COUNTY TEXAS
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT LINE
	APPROXIMATE SURVEY LINE
	EXISTING OVERHEAD ELECTRIC LINE

#### LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°35'11" W	12.88'
L2	S 45°34'43" W	28.22'
L3	N 89°27'53" W	23.35'

#### EXHIBIT "B"

#### DEDICATION TRACT

BEING 0.190 ACRES SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

**EXHIBIT "E"**

*Form of Tract Clearance Statement Attached Hereto.*

## **TRACT CLEARANCE STATEMENT**

THIS TRACT CLEARANCE STATEMENT ("**Statement**") is made effective as of \_\_\_\_\_, 2017, by the \_\_\_\_\_ Department of the CITY OF DENTON, a Texas municipal home rule corporation ("**Denton**") for the purpose of confirming to RAYZOR INVESTMENTS, LTD., a Texas limited partnership (the "**Rayzor**") that the Property (defined below) has been cleared and cleaned.

A. Rayzor is acquiring from Denton certain property, approximately 1.334 acres in area, situated in the southeast corner of the intersection of Bonnie Brae Street and Riney Road, in Denton, Texas (the "**Property**"). Denton has agreed to raze and clear the Property of all improvements and deliver written confirmation that all improvements and that all refuse and debris have been cleaned from the Property ("**Clearance Work**").

**Section 1.** Denton represents to Rayzor that its Clearance Work on the Property is complete, and Denton further represents and certifies that it has completed the following: Denton razed all improvements which existed on the Property prior to Rayzor's acquisition thereof, including a house, storm shelter, and other permanent structures. Denton cleared all other improvements and paved areas from the Property. Denton has cleaned all refuse and debris from the Property and confirms that the Property has not been damaged or polluted by Denton's Clearance Work.

**Section 2.** Upon execution of this Statement, Rayzor hereby acknowledges its reasonable satisfaction with Denton's performance of the improvement Clearance Work described in Section 1, subject to Denton's representations.

IN WITNESS WHEREOF, the parties have executed this Statement in the manner appropriate to each, effective as of the date referenced in the first paragraph hereof.

**RAYZOR:** RAYZOR INVESTMENTS, LTD., a Texas limited partnership  
By: The Rayzor Company, a Texas corporation, its general partner

Philip A. Baker, Vice President: \_\_\_\_\_

**DENTON:** City of Denton, a Texas home rule municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dept.: \_\_\_\_\_



**EXHIBIT "F"**

*Form of Utility Easement Instrument Attached Hereto.*

## UTILITY EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF DENTON     §

KNOW ALL MEN BY THESE PRESENTS:

THAT, **RAYZOR INVESTMENTS, LTD.**, whether one or more, hereinafter called "**Grantor**," for good and valuable consideration to Grantor in hand provided by the **CITY OF DENTON, TEXAS**, hereinafter called "**Grantee**," the receipt and sufficiency of which are hereby acknowledged, does by these presents grant, bargain, sell and convey to the Grantee, a perpetual easement and the free and uninterrupted use, liberty and privilege of the passage in, along, upon, under and across certain property areas, owned by Grantor and situated in Denton County, Texas, and being more particularly described on **Exhibit "A"** and illustrated on **Exhibit "B"** attached hereto and made a part hereof by reference as if fully set forth herein (such property areas, collectively, the "**Utility Easement Property**"). The property areas owned by Grantor and situated in Denton County, Texas which includes and adjoins the Utility Easement Property is referred to as the "**Grantor's Property**". All of Grantor's Property, which is outside of the Utility Easement Property, is herein after referred to as "**Grantor's Adjoining Property**."

1. As used herein, the term "**Grantor**" shall include not only Grantor, but the successors and assigns of Grantor. As used herein, the term "**Grantee**" shall include not only Grantee, but the successors and assigns of Grantee. As used herein, the term "**City**" refers to the City of Denton, Texas.

2. And it is further agreed that Grantee, in consideration of the benefits above set out, will have the right to remove from the Utility Easement Property, such fences, buildings, trees and vegetation and other obstructions as may now or hereafter be found upon said Utility Easement Property; but only to the extent necessary to complete the construction of the below described Facilities and maintain same thereafter; provided, however Grantee will take reasonable efforts that are necessary to minimize interference with and removal of any of such items.

3. The easement rights granted herein are for the purposes of installing, erecting, operating, maintaining and/or servicing:

- (i) one or more above ground electric transmission and/or distribution power and/or communication lines, each consisting of a variable number of wires and cables, along with all necessary, convenient or desirable appurtenances, attachments and supporting structures, including without limitation, foundations, guy wires and guy anchorages, and structural components.

4. The matters described in the above paragraph (i) are collectively referred to herein as the "**Facilities**". The easement rights granted herein include, subject to the herein below limitations, the right and privilege at all times of the Grantee herein, it or its agents, employees, workmen and representatives to have ingress, egress, and regress in, along, upon

and across said Utility Easement Property for the purpose of making additions to, improvements on and repairs to said Facilities or any part thereof.

5. Notwithstanding the foregoing, except for poles, surface structures, and appurtenances affixed to the surface of the ground in order to provide direct structural support reasonably necessary and ancillary to the operation of aerial Facilities, all Facilities will be located above said Utility Easement Property at or above a vertical height that conforms to Denton Municipal Electric Standards and that meets or exceeds minimum vertical heights required by the National Electric Safety Code.

6. Grantor hereby further reserves to itself, its successors and assigns, all rights in and to the Utility Easement Property not herein specifically granted to Grantee and the right to use and enjoy the surface and subsurface thereof for any and all purposes whatsoever, so long as the exercise of such rights and such use does not unreasonably interfere with the rights herein granted to Grantee. Grantor specifically reserves the right of passage over the Utility Easement Property. Grantor RESERVES AND RETAINS THE RIGHTS BY, TO AND FOR THE BENEFIT OF GRANTOR, ITS SUCCESSORS AND ASSIGNS to use the Utility Easement Property for the location, construction, reconstruction, relocation and operation of such pipelines, transmission lines, drainage lines and other utility lines and facilities ("**Grantor Facilities**") and Grantor retains the right to construct on the surface of the Utility Easement Property, landscaping at or above grade (including turf, perennials, annuals and ground cover, but excluding trees), paving and fencing (the "**Permitted Improvements**") and to use the surface of the Utility Easement Property for the parking of motor vehicles and trailers, all as necessary or desired in connection with Grantor's use and/or development of the Grantor's Property so long as Grantor's use of such groundspace does not unreasonably interfere with the rights herein granted to Grantee and complies with the Denton Development Code. In the event that Grantor, or Grantor's successors and assigns, chooses to locate Grantor Facilities within the Utility Easement Property pursuant to Grantor's reservation of its right to do so then the following shall apply:

- (i) Grantor's installation of any of Grantor's Facilities within the Retained Easement Areas shall be subject to the Denton Development Code and shall be subject to removal if the same interfere with the rights herein retained by Grantee.
- (ii) such Grantor Facilities shall only cross the Utility Easement Property at not less than a 45 degree angle and no greater than a 90 degree angle to the centerline of the Easement Property, and there shall be no longitudinal installation of any of Grantor Facilities, including, but not limited to, fencing and pipelines of any type, within the Utility Easement Property.
- (iii) if such Grantor Facilities are underground they shall be installed so as to maintain reasonable clearance from any existing or proposed Facilities.
- (iv) prior to construction or installation of Grantor Facilities within the Utility Easement Property by Grantor or its successors or assigns, complete construction plans depicting the proposed Grantor Facilities shall be submitted to the City Engineer of the City, for approval. Such approval will not be unreasonably withheld, conditioned or delayed. Any installation or construction of non-approved Grantor Facilities shall be at-risk for future adjustment or relocation at the sole cost and expense of the owner of the Grantor Facilities.

- (v) within 60 days after completion of construction of Grantor Facilities, Grantor, or its successors or assigns, shall submit to the City Engineer complete as-built construction plans of the Grantor Facilities.
- (vi) if the installation of the Grantor Facilities disturbs the Facilities (a "**Grantor Installation Disturbance**"), then upon completion of the installation of the Grantor Facilities, Grantor shall promptly restore the Facilities to substantially the same condition as existed immediately prior to the installation of the Grantor Facilities using industry standard materials and methods; provided, however, in remedying any Grantor Installation Disturbance, Grantor will not be required to incur any cost or obligation to improve, expand or upgrade the Facilities to a state or condition exceeding the condition that existed immediately prior to the installation of the Grantor Facilities, including without limitation any improvements, expansions or upgrades to the Facilities necessary to comply with then-current applicable federal, state, municipal, or other laws, statutes, codes, restrictions, regulations, ordinances and orders, which improvements, expansions or upgrades shall be Grantee's responsibility and at its sole cost and expense as set forth hereinbelow.
- (vii) in all cases where there will be joint use of the Utility Easement Property by Grantee and Grantor, or their successors or assigns, such parties agree to act reasonably, in good faith and in full cooperation with the other(s) to assure that the parties' respective facilities and operations within the Utility Easement Property will not conflict or create safety issues caused by such joint usage and will not endanger or interfere with the construction, efficiency or convenient operation and maintenance of the respective facilities so installed and operated.

7. The grant of easement rights hereunder is made subject to any of the following as they relate to the Easement Property: (i) any prior mineral conveyances or reservations of public record, (ii) easements, restrictions, claims, rights of way, encroachments or other encumbrances or other matters of public record, (iii) all municipal or other governmental zoning laws, regulations and ordinances and (iv) any other matters affecting this Easement or the Utility Easement Property which are of public record or would be disclosed by a physical inspection of the Utility Easement Property and/or an accurate survey of the Utility Easement Property.

8. The easement for the Utility Easement Property as provided for herein is made on an "AS IS" basis, and Grantee expressly acknowledges that, in consideration of the agreements of Grantor herein, Grantor MAKES NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW. The easement rights conveyed hereunder do not include any right or interest whatsoever in any minerals in, under or that may be produced from the Utility Easement Property.

9. Grantee, at its sole cost and expense, shall perform or cause to be performed all work necessary in connection with the Facilities (the "**Work**") in a good and workmanlike manner in conformance with sound and acceptable engineering practices as expeditiously as possible. In performing the Work or causing the Work to be performed, Grantee shall make adequate provisions for the safety and convenience of Grantor, its agents, representatives, employees, licensees, and invitees, and shall cause all of the Work to be cleaned up promptly in order to minimize disruption or inconvenience, and coordinate the Work with Grantor's contractors and subcontractors. Grantee shall at all times construct, keep, maintain, use, operate or remove the Facilities in a safe manner and in full compliance with all applicable

federal, state, municipal, or other laws, statutes, codes, restrictions, regulations, ordinances and orders. **Grantor shall have no obligation, monetary or non-monetary, to maintain the Utility Easement Property.**

Once easement activities of Grantee hereunder have commenced, Grantee shall take reasonable steps to prosecute the completion of its Facilities or other activities diligently and continuously and in a manner designed to expedite the completion of its Facilities and activities and to avoid unreasonable or material interference with the business activities of Grantor, and at all times during the period of construction and/or repair, to the extent safety permits as solely determined by Grantee, Grantee shall provide Grantor, its agents, employees and invitees with reasonable access over and across the Utility Easement Property, for vehicular and pedestrian traffic, to and from Grantor's Adjoining Property.

This Utility Easement, together with the terms and provisions of this grant, shall be binding and conclusive upon and inure to the benefit of and be enforceable by the respective parties hereto and their successors, heirs, assigns, executors, administrators and legal representatives, and shall constitute a covenant running with the land for the benefit of Grantee.

The rights hereby granted may be assigned, either in whole or in part, to an assignee or assignees designated by Grantee, including, without limitation, other governmental agencies, and/or one or more public and/or private utility service providers; provided however, said assignment shall not relieve or mitigate Grantee's liability for any damage to Permitted Improvements and/or Adjoining Property Improvements.

Grantee agrees, by the acceptance and recordation of this Utility Easement, to the terms, conditions and limitations contained herein.

**TO HAVE AND TO HOLD** unto the said City of Denton, Texas as aforesaid for the purposes aforesaid the premises above described.

**[The balance of this page is intentionally left blank – signature page follows below.]**

**Witness** my hand to be effective this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**RAYZOR INVESTMENTS, LTD.**, a Texas limited partnership

By: The Rayzor Company, a Texas corporation,  
its general partner

By: \_\_\_\_\_  
Philip A. Baker, Vice President

**ACKNOWLEDGMENT**

**THE STATE OF TEXAS     §**  
**§**  
**COUNTY OF DENTON     §**

This instrument was acknowledged before me on the \_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, by Philip A. Baker, Vice President of The Rayzor Company, a Texas corporation, general partner of Rayzor Investments, Ltd., a Texas limited partnership, on behalf of said limited partnership.

\_\_\_\_\_  
Notary Public - State of Texas

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2017 for the City of Denton, Texas (Resolution No. \_\_\_\_\_).

By: \_\_\_\_\_  
Paul Williamson  
Real Estate Manager

After recording, please return to:  
City of Denton  
Utilities Engineering Department  
901-A Texas Street  
Denton, Texas 76209  
Attn: Paul Williamson

**EXHIBIT "A"**

Legal Description of Utility Easement Property

See attached description.

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
ELECTRIC EASEMENTS  
*Rayzor Investments, Ltd. Tract***

**ELECTRIC EASEMENT NO. 1**

**BEING** a 1.558 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 76.36 acre tract of land described as Section Three, Tract Fourteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a point for the Northwest corner of North Lakes Fire Station Addition, per the Final Plat recorded in Cabinet G, Page 330 of the Plat Records of Denton County, Texas, said point being in the East line of Bonnie Brae Street, a variable width right-of-way as dedicated by said Plat of North Lakes Fire Station Addition, said point also being in the South line of said 76.36 acre Tract Fourteen;

**THENCE** South 88°39'43" East, along the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 25.00 feet to the **POINT OF BEGINNING**;

**THENCE** North 00°37'52" East, departing the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 665.40 feet to a point for corner;

**THENCE** North 00°42'43" East, for a distance of 931.56 feet to a point for corner located at the intersection with the South line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

**THENCE** South 88°33'39" East, along the South line of said 0.631 acre tract, for a distance of 42.50 feet to a point for corner;

**THENCE** South 00°42'43" West, departing the South line of said 0.631 acre tract, for a distance of 930.99 feet to a point for corner;

**THENCE** South 00°37'52" West, for a distance of 665.89 feet to a point for corner located at the intersection with the North line of Lot 1, Block 1 of said North Lakes Fire Station Addition, and the South line of said Tract Fourteen, from which a concrete monument found at an angle point in the North line of said Lot 1 bears South 88°39'43" East a distance of 165.63 feet;

**THENCE** North 88°39'43" West, along the North line of said Lot 1 and the South line of said Tract Fourteen, passing the Northwest corner of said Lot 1, at a distance of 39.29 feet, and continuing for a total distance of 42.50 feet to the **POINT OF BEGINNING**, and containing 1.558 acres of land, more or less.

**ELECTRIC EASEMENT NO. 2**

**BEING** a 1.360 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 26.466 acre tract of land described as Section Three, Tract Thirteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod with cap stamped "Alliance" found at the Southeast corner of a called 1.334 acre tract of land described in a Deed to the City of Denton, Texas, as recorded in Document No. 2016-25144 of the Official Records of Denton County, Texas, said point also being in the North line of said 26.466 acre Tract Thirteen;

**THENCE** North 89°27'53" West, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 209.84 feet to the **POINT OF BEGINNING**;

**THENCE** South 00°27'15" West, departing the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 419.97 feet to a point for corner;

**THENCE** South 00°42'43" West, for a distance of 974.15 feet to a point for corner located at the intersection with the North line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street



and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

**THENCE** North 88°33'39" West, along the North line of said 0.631 acre tract, for a distance of 42.50 feet to a point for corner;

**THENCE** North 00°42'43" East, departing the North line of said 0.631 acre tract, for a distance of 973.52 feet to a point for corner;

**THENCE** North 00°27'15" East, for a distance of 419.93 feet to a point for corner at the intersection with the North line of said Tract Thirteen and the South line of said 1.334 acre tract, from which a 1/2 inch iron rod found at the Southwest corner of said 1.334 acre tract bears North 89°27'53" West, a distance of 23.35 feet;

**THENCE** South 89°27'53" East, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 42.50 feet to the **POINT OF BEGINNING**, and containing 1.360 acres of land, more or less.

**NOTE:** Bearings are referenced to grid north of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) survey methods. Distances represent surface values utilizing an average combined scale factor of 1.000147317 to scale from grid to surface.



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins  
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940-383-4177  
Date: August 17, 2016



## **EXHIBIT "B"**

### Drawing of Utility Easement Property

See attached drawings.

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

## EXHIBIT "B"

## MATCHLINE

SEE SH. 4 OF 11

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

**ELECTRIC  
EASEMENT No. 1**  
1.558 ACRES

LINE	BEARING	DISTANCE
L1	N 88°39'43" W	42.50'

**F. BATSON SURVEY  
ABSTRACT NO. 43**

EXISTING  
15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

SIDEWALK AND PUBLIC  
UTILITY EASEMENT  
VOL. 2542, PG. 51  
D.R.D.C.T.

**POINT OF  
COMMENCING  
EE No. 1**

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

\*ADOPT A SPOT  
SIGN

55'

32.5'

CONC. DRIVE

PROPERTY LINE

CONC. CURB

PROPOSED FUTURE  
RIGHT-OF-WAY

55'

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.00'

CONC. DRIVE

CONC. WALK

PROPOSED FUTURE  
RIGHT-OF-WAY

39.29'

L1

APPROXIMATE SURVEY LINE

PROPERTY LINE

CONCRETE  
MONUMENT  
(CM)

S 88°39'43" E 165.63'

\*SPEED LIMIT  
SIGN

S 88°39'43" E  
25.0

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 5 OF 11**

**tnp**

0 50 100

SCALE: 1" = 50'

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 20'  
ENERGY ASSETS OPERATING COMPANY EASEMENT  
DOC. NO. 2007-142652  
R.P.R.D.C.T.

"TRINITY ENERGY"  
GAS SIGN

**ELECTRIC  
EASEMENT No. 1**  
**1.558 ACRES**

LEGEND	
	CALIBRATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FOM FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

EXISTING 15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

F. BATSON SURVEY  
ABSTRACT NO. 43

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

**MATCHLINE - SEE SH. 3 OF 11**

## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
- This exhibit was prepared without the benefit of a current title commitment. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.



**teague nall & perkins**

1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



**1.558 ACRE  
ELECTRIC EASEMENT NO.1**

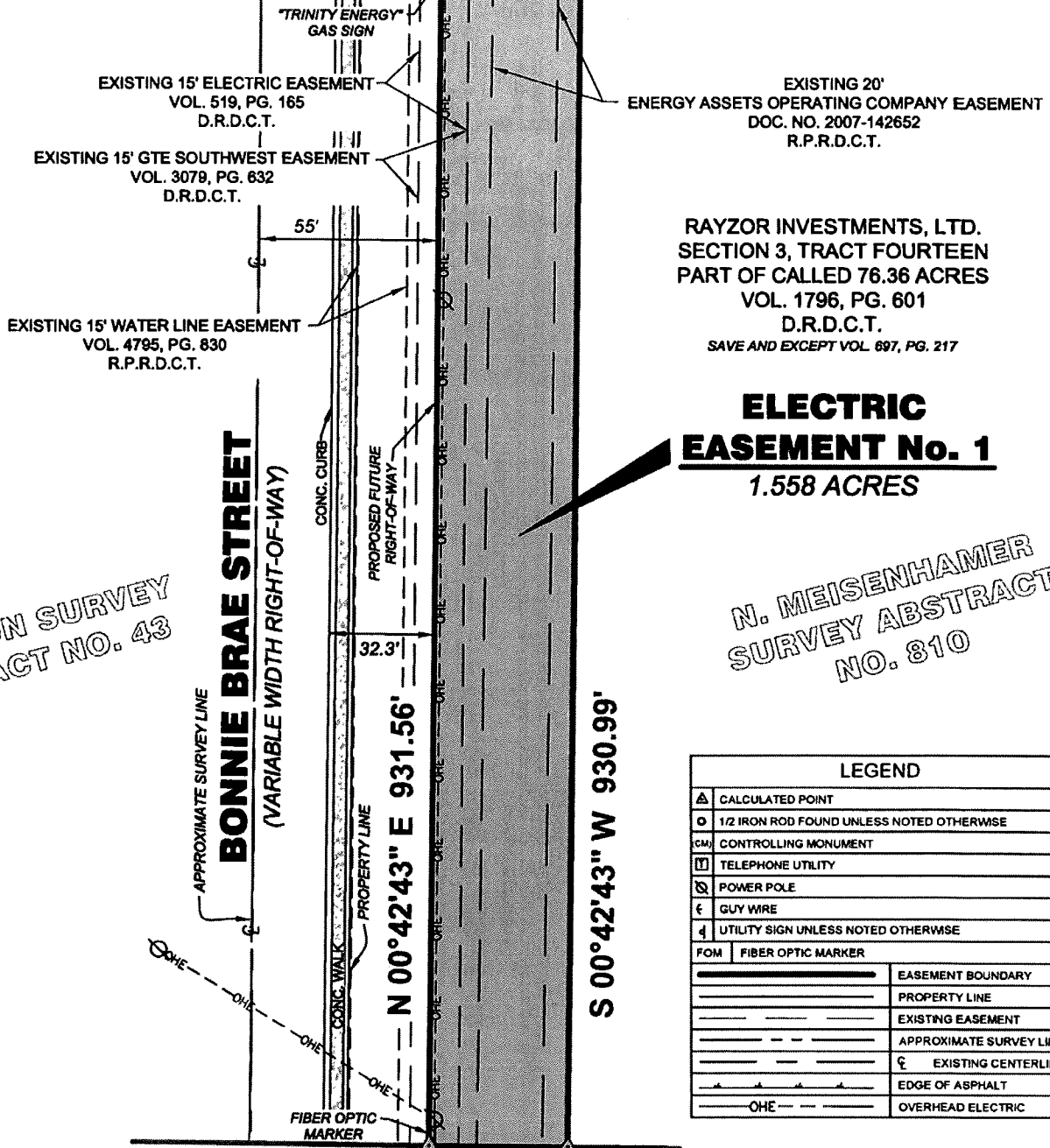
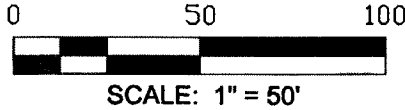
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 4 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 6 OF 11**



## **ELECTRIC EASEMENT No. 1** **1.558 ACRES**

**N. MEISENHAMER SURVEY ABSTRACT NO. 810**

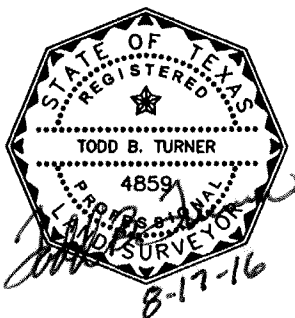
**F. BATSON SURVEY ABSTRACT NO. 43**

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

### NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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## **1.558 ACRE ELECTRIC EASEMENT NO. 1**

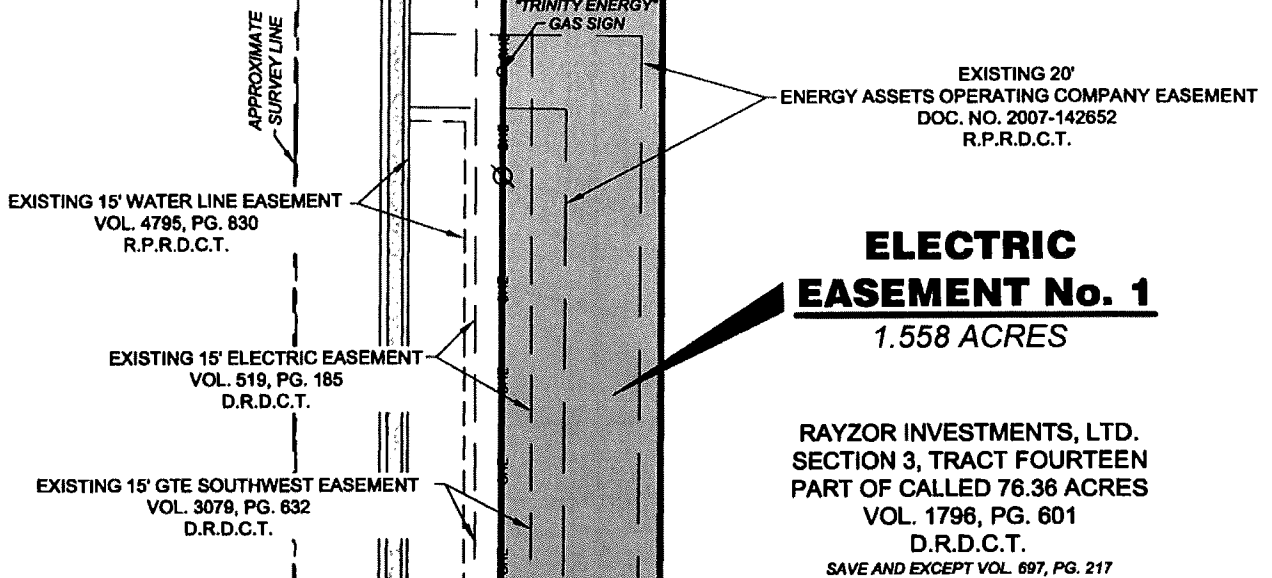
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 5 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 7 OF 11**

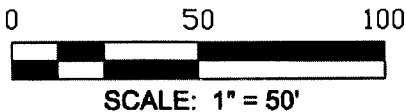


## **ELECTRIC EASEMENT No. 1** **1.558 ACRES**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

F. BATSON SURVEY  
ABSTRACT NO. 43

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810



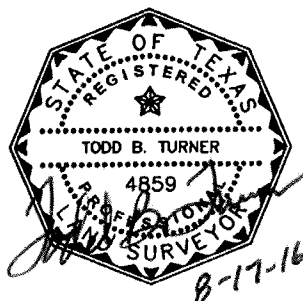
LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FOM FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

### NOTES

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



**1.558 ACRE**  
**ELECTRIC EASEMENT NO. 1**  
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 6 OF 11

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

## EXHIBIT "B"

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

20' DRAINAGE EASEMENT  
DOC. NO. 93-035031  
R.P.R.D.C.T.

PROPERTY LINE

CITY OF DENTON  
0.631 ACRES  
ORDINANCE NO. 93-086  
FOR STREET AND UTILITY PURPOSES  
DOC. NO. 93-035030  
R.P.R.D.C.T.

16' PUBLIC UTILITY EASEMENT  
DOC. NO. 93-035032  
R.P.R.D.C.T.

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

**ELECTRIC  
EASEMENT No. 1**  
1.558 ACRES

LINE	BEARING	DISTANCE
L2	S 88°33'39" E	42.50'

**N. WADE SURVEY  
ABSTRACT NO. 1407**

tnp

0 50 100

SCALE: 1" = 50'

APPROXIMATE SURVEY LINE

**MATCHLINE - SEE SH. 6 OF 11**

**F. BATSON SURVEY  
ABSTRACT NO. 43**

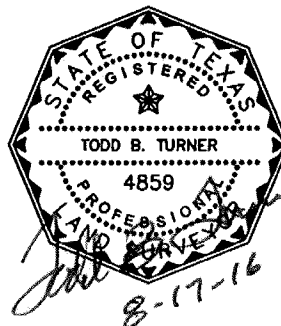
### NOTES

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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**1.558 ACRE  
ELECTRIC EASEMENT NO. 1**  
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 7 OF 11

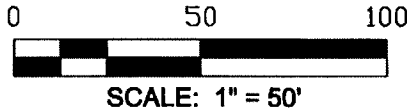
N. WADE SURVEY  
ABSTRACT NO. 1407










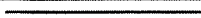
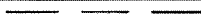




**POINT OF BEGINNING**  
**EE No. 2**

**POINT OF COMMENCING**  
**EE No. 2**  
1/2" CIRF "ALLIANCE"  
(CM)

**ELECTRIC  
EASEMENT No. 2**  
*1.360 ACRES*

N. MEISENHAMER  
SURVEY ABSTRACT NO. 810



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

**MATCHLINE - SEE SH. 9 OF 11**

- NOTES:

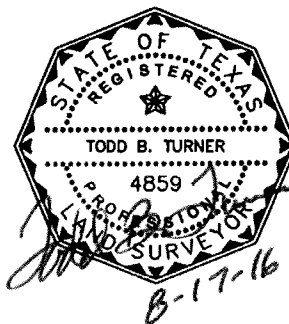
1. Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.

2. This exhibit was prepared without the benefit of a current title commitment. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.



teague nall &amp; perkins

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Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



LINE	BEARING	DISTANCE
L1	S 89°27'53" E	42.50'

**1.360 ACRE  
ELECTRIC EASEMENT NO. 2**

**SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS**

DME13222

SHEET 8 OF 11



# EXHIBIT "B"

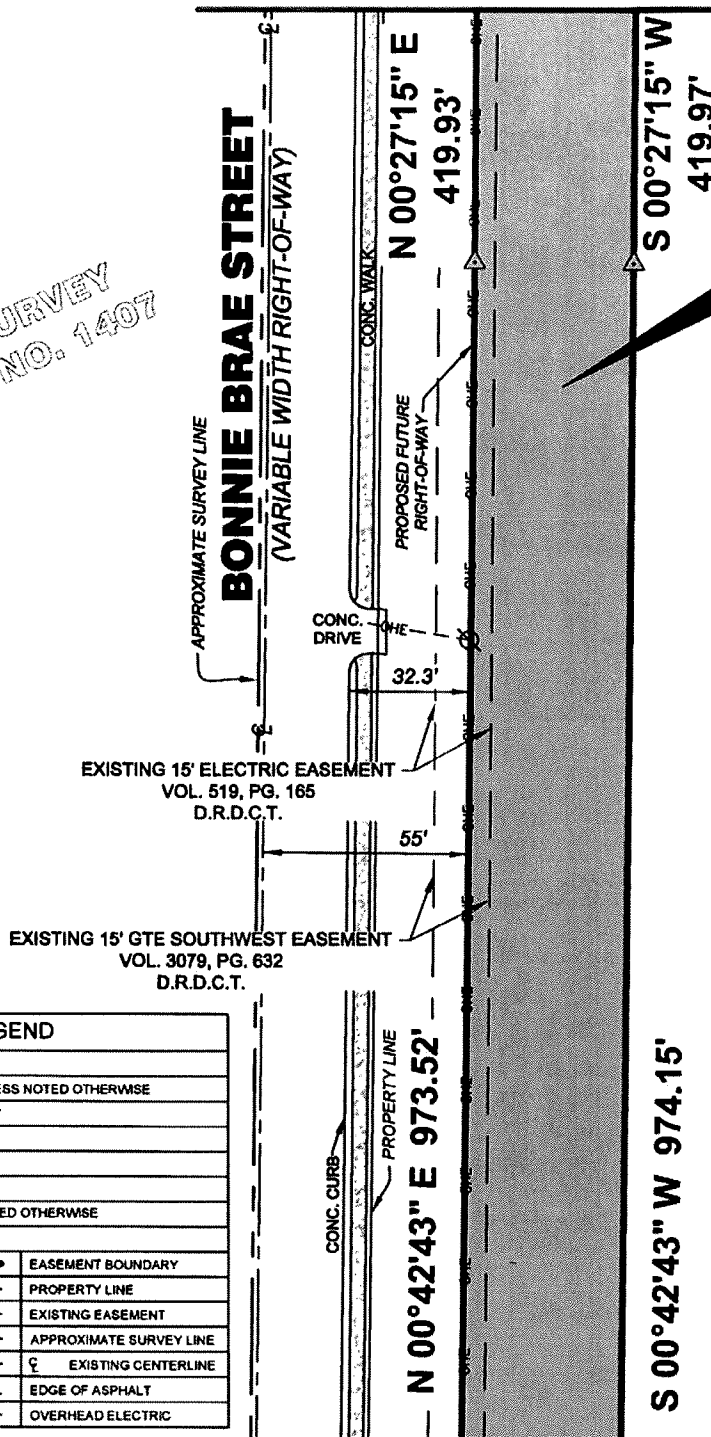
**MATCHLINE**  
**SEE SH. 8 OF 11**

**ELECTRIC**  
**EASEMENT No. 2**  
1.360 ACRES

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. WADE SURVEY  
ABSTRACT NO. 1407



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

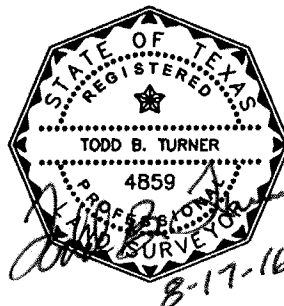
## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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**teague nall & perkins**

1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



**1.360 ACRE**  
**ELECTRIC EASEMENT NO.2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 9 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 9 OF 11**

LEGEND	
△	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
CM	CONTROLLING MONUMENT
T	TELEPHONE UTILITY
P	POWER POLE
G	GUY WIRE
U	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT
---	APPROXIMATE SURVEY LINE
---	EXISTING CENTERLINE
---	EDGE OF ASPHALT
---	OVERHEAD ELECTRIC

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

**N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810**

**ELECTRIC  
EASEMENT No. 2**  
1.360 ACRES

**N. WADE SURVEY  
ABSTRACT NO. 1407**

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

APPROXIMATE SURVEY LINE

CONC. CURB

PROPOSED FUTURE  
RIGHT-OF-WAY

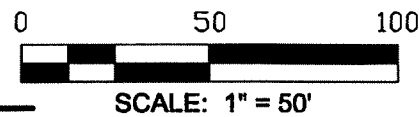
PROPERTY LINE

N 00°42'43" E 973.52'

55'

32.2'

S 00°42'43" W 974.15'



## NOTES:

- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone: NAD83(2011) EPOCH 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000147317 to scale from grid to surface.
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**1.360 ACRE  
ELECTRIC EASEMENT NO. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 10 OF 11

# EXHIBIT "B"

**MATCHLINE**  
**SEE SH. 10 OF 11**

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 832  
D.R.D.C.T.

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. WADE SURVEY  
ABSTRACT NO. 1407



0 50 100  
SCALE: 1" = 50'

APPROXIMATE SURVEY LINE  
**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

N 00°42'43" E 973.52'

S 00°42'43" W 974.15'

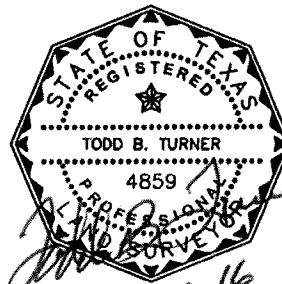
**ELECTRIC  
EASEMENT No. 2**  
1.360 ACRES

N. MEISENHAMER  
SURVEY ABSTRACT  
NO. 810

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

LINE	BEARING	DISTANCE
L2	N 88°33'39" W	42.50'

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.



**1.360 ACRE  
ELECTRIC EASEMENT NO. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS



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DME13222

SHEET 11 OF 11

## NOTES:

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**Exhibit "G"**

*Form of Temporary Work Easement Instrument Attached Hereto.*

**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: YOU SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### **TEMPORARY CONSTRUCTION EASEMENT**

**THAT Rayzor Investments, Ltd.**, a Texas limited partnership ("**Grantor**"), of Denton County, Texas, for good and valuable consideration to it provided by the **City Of Denton**, a Texas home-rule municipal corporation ("**Grantee**"), receipt of which is acknowledged, does grant, bargain, sell and convey unto the City of Denton, Texas, a temporary construction easement in, along, upon, over, under and across the parcels described on **Exhibit "A"** and illustrated on **Exhibit "B"** as (i) 50' TEMPORARY CONSTRUCTION EASEMENT No. 1 (1.833 Acres), (ii) 50' TEMPORARY CONSTRUCTION EASEMENT No. 2 (1.601 Acres), and (iii) a 1.334 acre tract of land, for the construction of certain public electrical utility improvements on lands adjacent to the temporary construction easement areas herein described.

This temporary construction easement shall only be used by Grantee, its successors and assigns, in connection with the construction of certain public electrical utility improvements AND is made subject to (i) any and all easements, restrictions, claims, rights of way, encroachments, or encumbrances and any other matters which are of public record, (ii) all municipal or other governmental zoning laws, regulations, and ordinances, and (iii) any other matters affecting this easement which are of public record or which would be disclosed by a physical inspection of the area described on **Exhibit "A"** and/or an accurate survey of said area. In the event the surface of any easement area is disturbed by Grantee's exercise of any of under this easement, such area shall be restored to the condition in which it existed at the commencement of such activities.

This temporary construction easement shall expire on the earlier to occur of: (1) the completion of the public electrical utility improvements; or (2) six months after the Effective Date hereof.

TO HAVE AND TO HOLD unto Grantee for the purposes aforesaid the premises above described. This temporary construction easement, together with the provisions of this grant, shall constitute a covenant running with the land for the benefit of Grantee, its successors and assigns and for the benefit of Grantor, its successors and assigns, subject to the terms of expiration herein provided.

**[Grantor's Signature On Following Page]**

Witness my hand to be effective this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ ("Effective Date").

**GRANTOR:**

**RAYZOR INVESTMENTS, LTD., A TEXAS LIMITED PARTNERSHIP**

By: The Rayzor Company, a Texas corporation, as its general partner

By: \_\_\_\_\_  
Philip A. Baker, Vice President

**ACKNOWLEDGMENT**

**STATE OF TEXAS §**  
**DENTON COUNTY §**

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Philip A. Baker, Vice President of The Rayzor Company, a Texas corporation, as the general partner of Rayzor Investments, Ltd., a Texas limited partnership, on behalf of said limited partnership.

\_\_\_\_\_  
Notary Public - State of Texas

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for the City of Denton (Resolution No. 91-073).

By: \_\_\_\_\_  
Paul Williamson  
Real Estate Manager

After recording, please return to:  
City of Denton  
Utilities Engineering Department  
901-A Texas Street  
Denton, Texas 76209  
Attention: Paul Williamson

**Exhibit "A"**

Legal Description attached hereto.

## **Exhibit "A"**

### **LEGAL DESCRIPTION**

**BEING** a 1.334 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being known as that tract of land described in a Deed to Deborah Collinsworth, as recorded in Document No. 99-127801 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for corner in the East line of Bonnie Brae Street (a variable width right-of-way), said point being the Southwest corner of the above cited Collinsworth tract, said point also being in the North line of a called 26.466 acre tract of land described as Section 3, Tract Thirteen in a Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, from which the Northwest corner of said 26.466 acre tract bears North 89°27'53" West a distance of 1.65 feet;

**THENCE** North 00°36'10" East (*North – Deed*) along the East line of said Bonnie Brae Street, for a distance of 210.92 feet (*210.70' – Deed*) to a 1/2 inch capped iron rod found for corner at the intersection of the East line of said Bonnie Brae Street with the South line of Riney Road (a variable width right-of-way), said point being the Northwest corner of said Collinsworth tract;

**THENCE** South 89°24'49" East (*East – Deed*) along the South line of said Riney Road, for a distance of 275.64 feet (*275.67' – Deed*) to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the Northeast corner of said Collinsworth tract;

**THENCE** South 00°35'11" West (*South – Deed*) departing the South line of said Riney Road, and along the East line of said Collinsworth tract, passing the Northwest corner of Lot One, Block One per the Final Plat of B.F. Price Addition, as recorded in Cabinet C, Page 126 of the Plat Records of Denton County, Texas, at a distance of 10.00 feet, and continuing along the East line of said Collinsworth tract and the West line of said Lot One, for a total distance of 210.67 feet (*210.70' – Deed*) to a 1/2 inch iron rod with cap stamped "Alliance" found for corner at the Southeast corner of said Collinsworth tract and the Southwest corner of said Lot One, said point also being in the North line of said 26.466 acre tract;

**THENCE** North 89°27'53" West (*West – Deed*) along the South line of said Collinsworth tract and the North line of said 26.466 acre tract, for a distance of 275.70 feet (*275.67' – Deed*) to the **POINT OF BEGINNING**, and containing 1.334 acres of land, more or less.



**EXHIBIT "A"**

**LEGAL DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENTS  
*Rayzor Investments, Ltd. Tract***

**TEMPORARY CONSTRUCTION EASEMENT NO. 1**

BEING a 1.833 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 76.36 acre tract of land described as Section Three, Tract Fourteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a point for the Northwest corner of North Lakes Fire Station Addition, per the Final Plat recorded in Cabinet G, Page 330 of the Plat Records of Denton County, Texas, said point being in the East line of Bonnie Brae Street, a variable width right-of-way as dedicated by said Plat of North Lakes Fire Station Addition, said point also being in the South line of said 76.36 acre Tract Fourteen;

THENCE South 88°39'43" East, along the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 64.29 feet to the POINT OF BEGINNING;

THENCE North 00°37'52" East, departing the North line of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, for a distance of 665.89 feet to a point for corner;

THENCE North 00°42'43" East, for a distance of 930.99 feet to a point for corner located at the intersection with the South line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

THENCE South 88°33'39" East, along the South line of said 0.631 acre tract, for a distance of 50.00 feet to a point for corner;

THENCE South 00°42'43" West, departing the South line of said 0.631 acre tract, for a distance of 930.32 feet to a point for corner;

THENCE South 00°37'52" West, for a distance of 666.47 feet to a point for corner located at the intersection with the North line of Lot 1, Block 1 of said North Lakes Fire Station Addition and the South line of said Tract Fourteen, from which a concrete monument found at an angle point in the North line of said Lot 1 bears South 88°39'43" East a distance of 115.63 feet;

THENCE North 88°39'43" West, along the North line of said Lot 1 and the South line of said Tract Fourteen, for a distance of 50.00 feet to the POINT OF BEGINNING, and containing 1.833 acres of land, more or less.

**TEMPORARY CONSTRUCTION EASEMENT NO. 2**

BEING a 1.601 acre tract of land situated in the N. Meisenhamer Survey, Abstract No. 810, City of Denton, Denton County, Texas, and being a part of a called 26.466 acre tract of land described as Section Three, Tract Thirteen per Deed to Rayzor Investments, Ltd., as recorded in Volume 1796, Page 601 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with cap stamped "Alliance" found at the Southeast corner of a called 1.334 acre tract of land described in a Deed to the City of Denton, Texas, as recorded in Document No. 2016-25144 of the Official Records of Denton County, Texas, said point also being in the North line of said 26.466 acre Tract Thirteen;

THENCE North 89°27'53" West, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 159.84 feet to the POINT OF BEGINNING;

THENCE South 00°27'15" West, departing the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 420.01 feet to a point for corner;

**THENCE** South 00°42'43" West, for a distance of 974.90 feet to a point for corner located at the intersection with the North line of a called 0.631 acre tract of land as established by Denton City Council Ordinance No. 93-086 for Street and Utility purposes, and recorded in Document No. 93-035030 of the Real Property Records of Denton County, Texas;

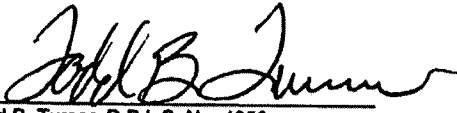
**THENCE** North 88°33'39" West, along the North line of said 0.631 acre tract, for a distance of 50.00 feet to a point for corner;

**THENCE** North 00°42'43" East, departing the North line of said 0.631 acre tract, for a distance of 974.15 feet to a point for corner;

**THENCE** North 00°27'15" East, for a distance of 419.97 feet to a point for corner at the intersection with the North line of said Tract Thirteen and the South line of said 1.334 acre tract, from which a 1/2 inch iron rod found for the Southwest corner of said 1.334 acre tract bears North 89°27'53" West a distance of 65.85 feet;

**THENCE** South 89°27'53" East, along the North line of said Tract Thirteen and the South line of said 1.334 acre tract, for a distance of 50.00 feet to the **POINT OF BEGINNING**, and containing 1.601 acres of land, more or less.

**NOTE:** Bearings are referenced to grid north of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) survey methods. Distances represent surface values utilizing an average combined scale factor of 1.000147317 to scale from grid to surface.

  
Todd B. Turner, R.P.L.S. No. 4859  
Teague Nail & Perkins  
1517 Centre Place Drive, Suite 320  
Denton, Texas 76205  
940-383-4177  
Date: August 17, 2016



**Exhibit "B"**

Drawing attached hereto.

MATCHLINE - SEE SH. 4 OF 11

EXHIBIT "B"

LINE	BEARING	DISTANCE
L1	N 88°39'43" W	50.00'

# **TEMPORARY CONSTRUCTION EASEMENT No. 1**

1.833 ACRES

**N. MEISENHAMER SURVEY  
ABSTRACT NO. 810**

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL 697, PG. 217

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

**F. BATSON SURVEY  
ABSTRACT NO. 43**

EXISTING 15' GTE  
SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING  
15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

SIDEWALK AND PUBLIC  
UTILITY EASEMENT  
VOL. 2542, PG. 51  
D.R.D.C.T.

**POINT OF  
COMMENCING  
TCE No. 1**

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

"SPEED LIMIT"  
SIGN

N 00°37'52" E 665.89'

S 00°37'52" W 666.47'

**POINT OF  
BEGINNING  
TCE No. 1**

LOT 1, BLOCK 1  
NORTH LAKES FIRE STATION ADDITION  
CAB. G, PG. 330  
P.R.D.C.T.

**R. BEAUMONT SURVEY  
ABSTRACT NO. 31**

0 50 100



SCALE: 1" = 50'

**1.833 ACRE**

# **TEMPORARY CONSTRUCTION EASEMENT NO. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

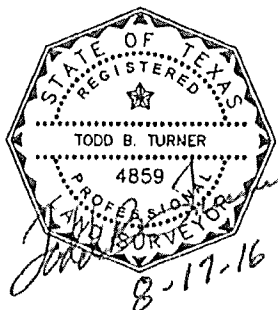
SHEET 3 OF 11

**NOTES**

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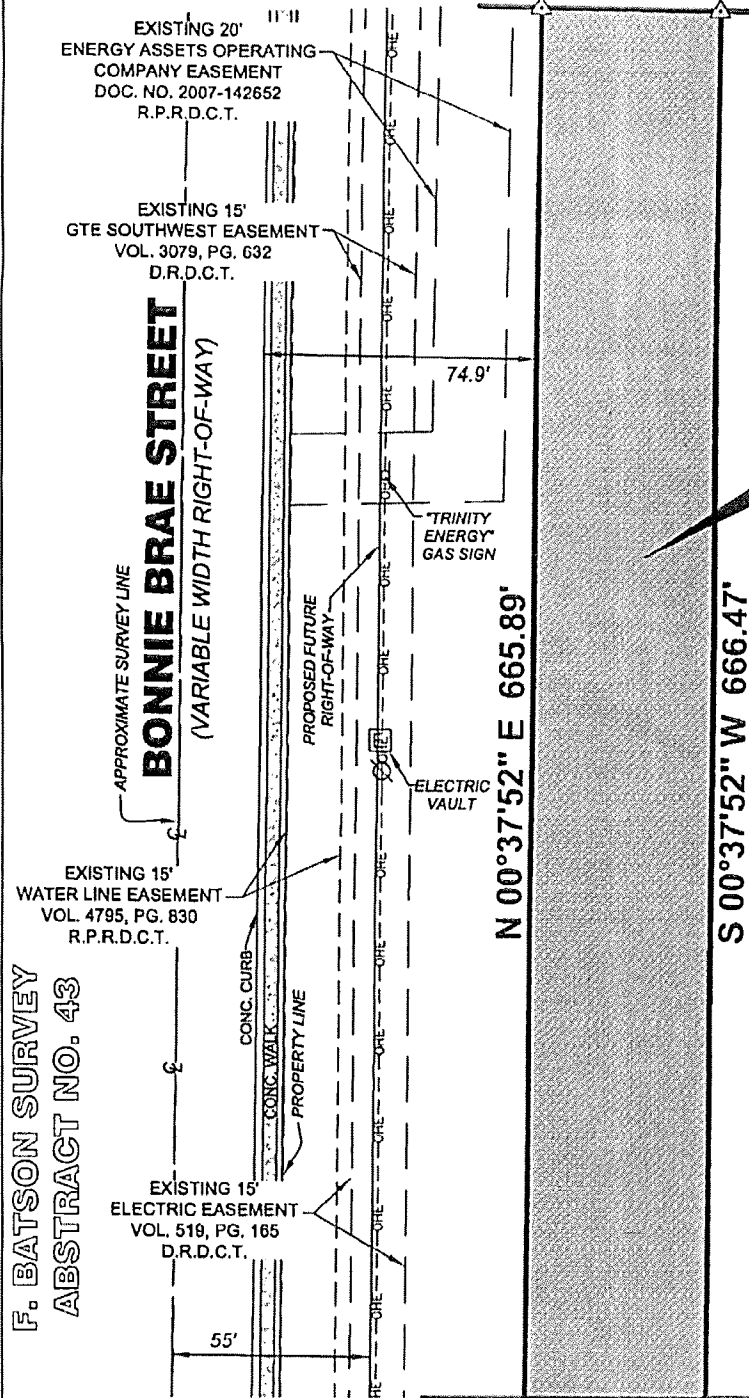


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**MATCHLINE - SEE SH. 5 OF 11**

**EXHIBIT "B"**

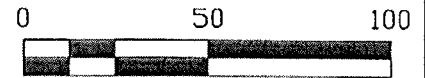


**N. MEISENHAMER SURVEY  
ABSTRACT NO. 810**

**TEMPORARY  
CONSTRUCTION  
EASEMENT No. 1**  
1.833 ACRES



RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL 697, PG. 217



SCALE: 1" = 50'

LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FOM FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

**1.833 ACRE  
TEMPORARY CONSTRUCTION  
EASEMENT No. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 4 OF 11

**F. BATSON SURVEY  
ABSTRACT NO. 43**

**MATCHLINE - SEE SH. 3 OF 11**

**NOTES:**

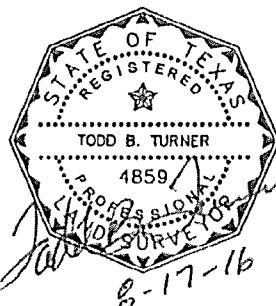
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**tnp**

**teague nall & perkins**

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940.383.4177 ph 940.383.8026 fx  
www.tnpinc.com



8-17-16

# EXHIBIT "B"

MATCHLINE - SEE SH. 6 OF 11

EXISTING 20' EASEMENT  
ENERGY ASSETS OPERATING COMPANY  
DOC. NO. 2007-142652  
R.P.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

EXISTING 15' GTE  
SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING  
15' WATER LINE EASEMENT  
VOL. 4795, PG. 830  
R.P.R.D.C.T.

F. BATSON SURVEY  
ABSTRACT NO. 43

**BONNIE BRAE STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

CONC. CURB

PROPOSED FUTURE  
RIGHT-OF-WAY

PROPERTY LINE

FIBER OPTIC  
MARKER

N 00°42'43" E 930.99'

S 00°42'43" W 930.32'

74.8'

LEGEND	
△	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
CM	CONTROLLING MONUMENT
U	TELEPHONE UTILITY
⊗	POWER POLE
⊥	GUY WIRE
⊥	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT
---	APPROXIMATE SURVEY LINE
---	EXISTING CENTERLINE
---	EDGE OF ASPHALT
---	OVERHEAD ELECTRIC

0 50 100



SCALE: 1" = 50'

**TEMPORARY  
CONSTRUCTION  
EASEMENT No. 1**  
1.833 ACRES



RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 607, PG. 217

N. MEISENHAMER SURVEY  
ABSTRACT NO. 810

MATCHLINE - SEE SH. 4 OF 11

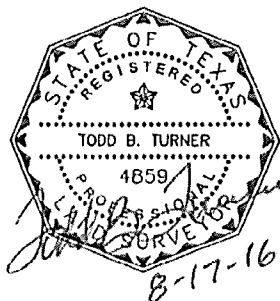
## NOTES:

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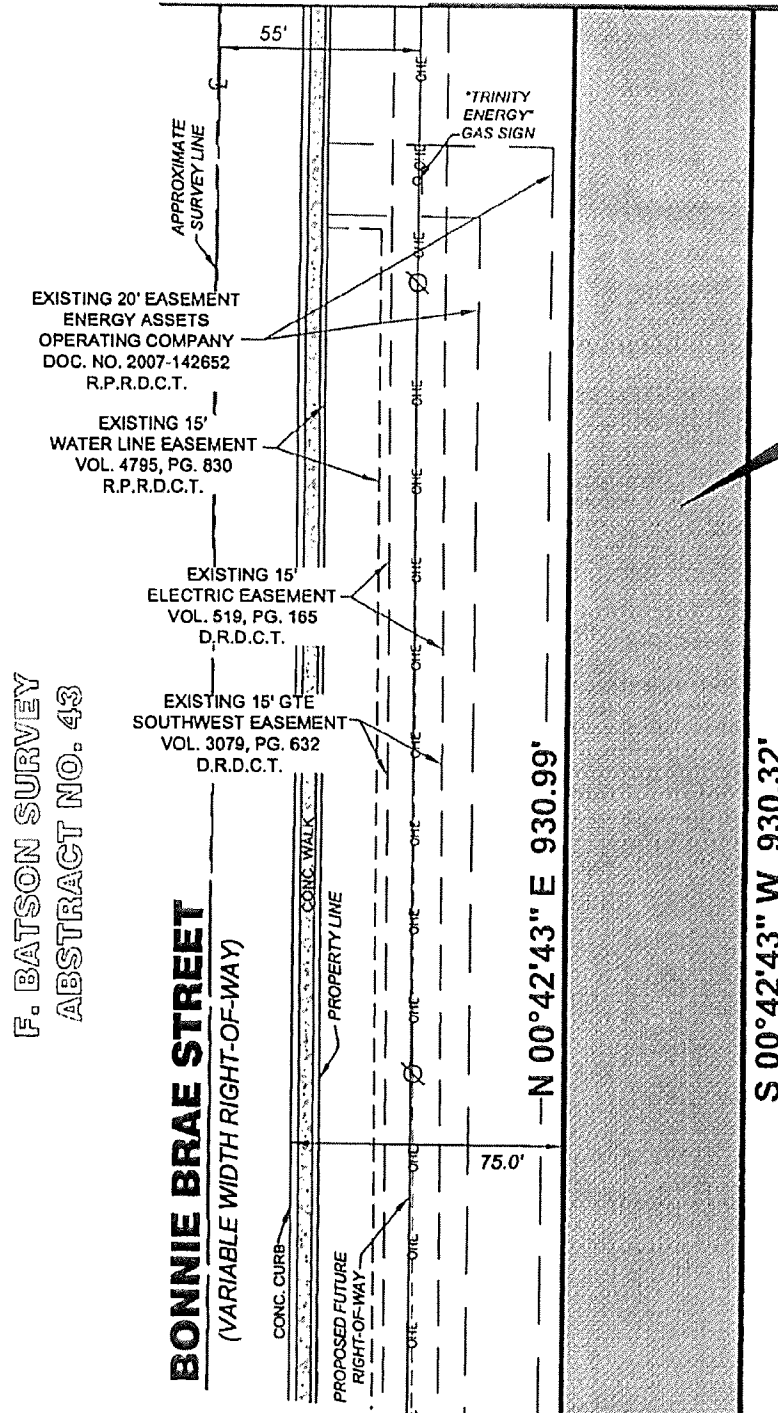


**1.833 ACRE  
TEMPORARY CONSTRUCTION  
EASEMENT NO. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 5 OF 11

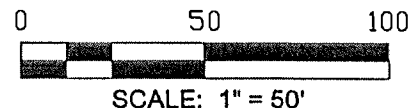


N. MEISENHAMER SURVEY  
ABSTRACT NO. 810

**TEMPORARY  
CONSTRUCTION  
EASEMENT No. 1**  
1.833 ACRES

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
PART OF CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.  
SAVE AND EXCEPT VOL. 697, PG. 217

tnp



LEGEND	
$\Delta$	CALCULATED POINT
$\circ$	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
$\square$	CONTROLLING MONUMENT
$\square$	TELEPHONE UTILITY
$\square$	POWER POLE
$\vdash$	GUY WIRE
$\downarrow$	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
$\square$	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

MATCHLINE - SEE SH. 5 OF 11

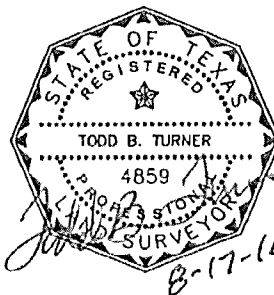
## NOTES:

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**1.833 ACRE  
TEMPORARY CONSTRUCTION  
EASEMENT No. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 6 OF 11

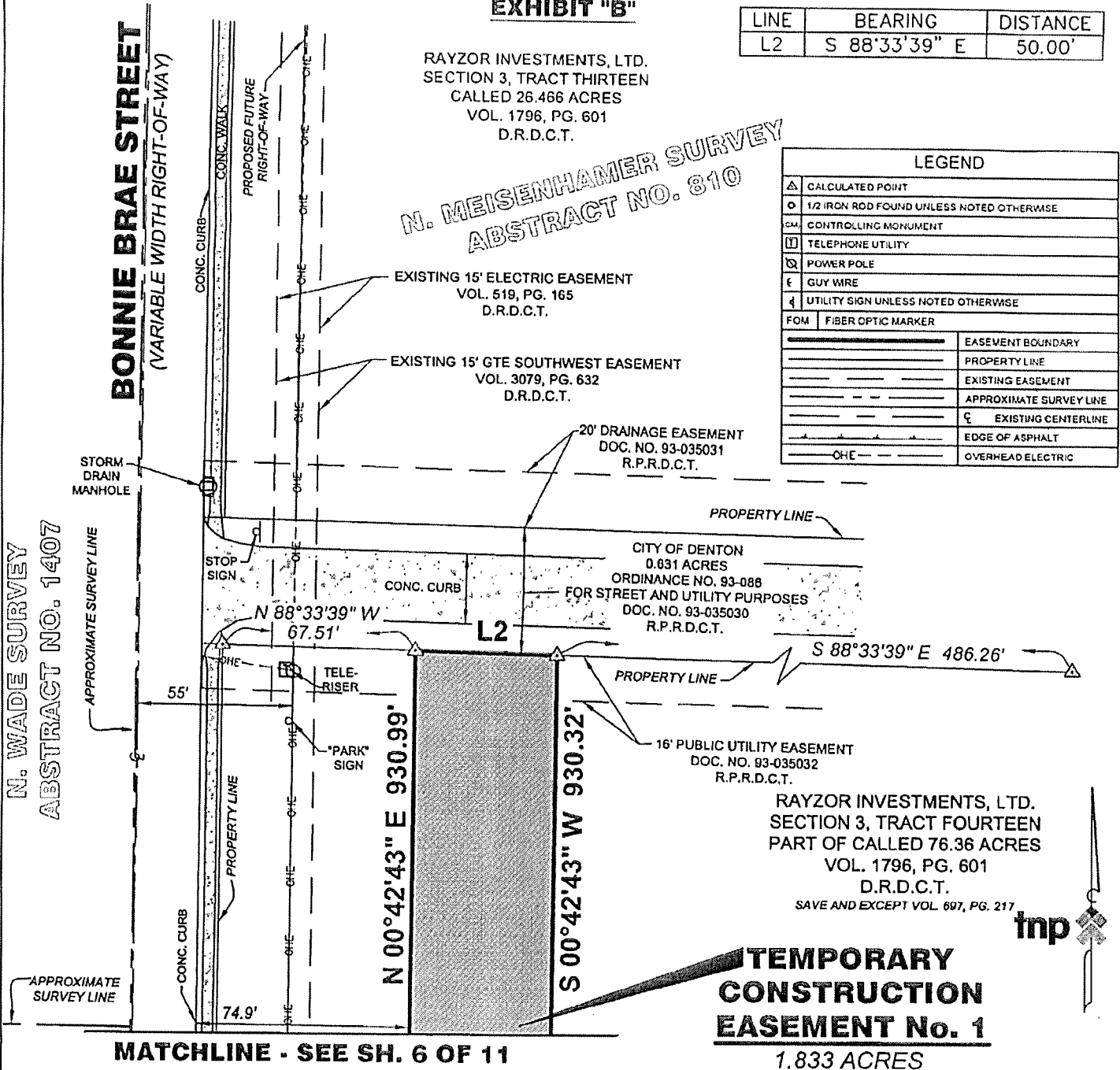
# EXHIBIT "B"

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

LINE	BEARING	DISTANCE
L2	S 88°33'39" E	50.00'

N. MEISENHAMER SURVEY  
ABSTRACT NO. 810

LEGEND	
△	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
CM	CONTROLLING MONUMENT
TD	TELEPHONE UTILITY
⊗	POWER POLE
⊕	GUY WIRE
⊥	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT
---	APPROXIMATE SURVEY LINE
---	EXISTING CENTERLINE
---	EDGE OF ASPHALT
---	OVERHEAD ELECTRIC



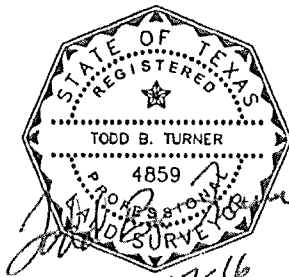
## NOTES:

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0 50 100

SCALE: 1" = 50'

**1.833 ACRE**  
**TEMPORARY CONSTRUCTION**  
**EASEMENT NO. 1**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

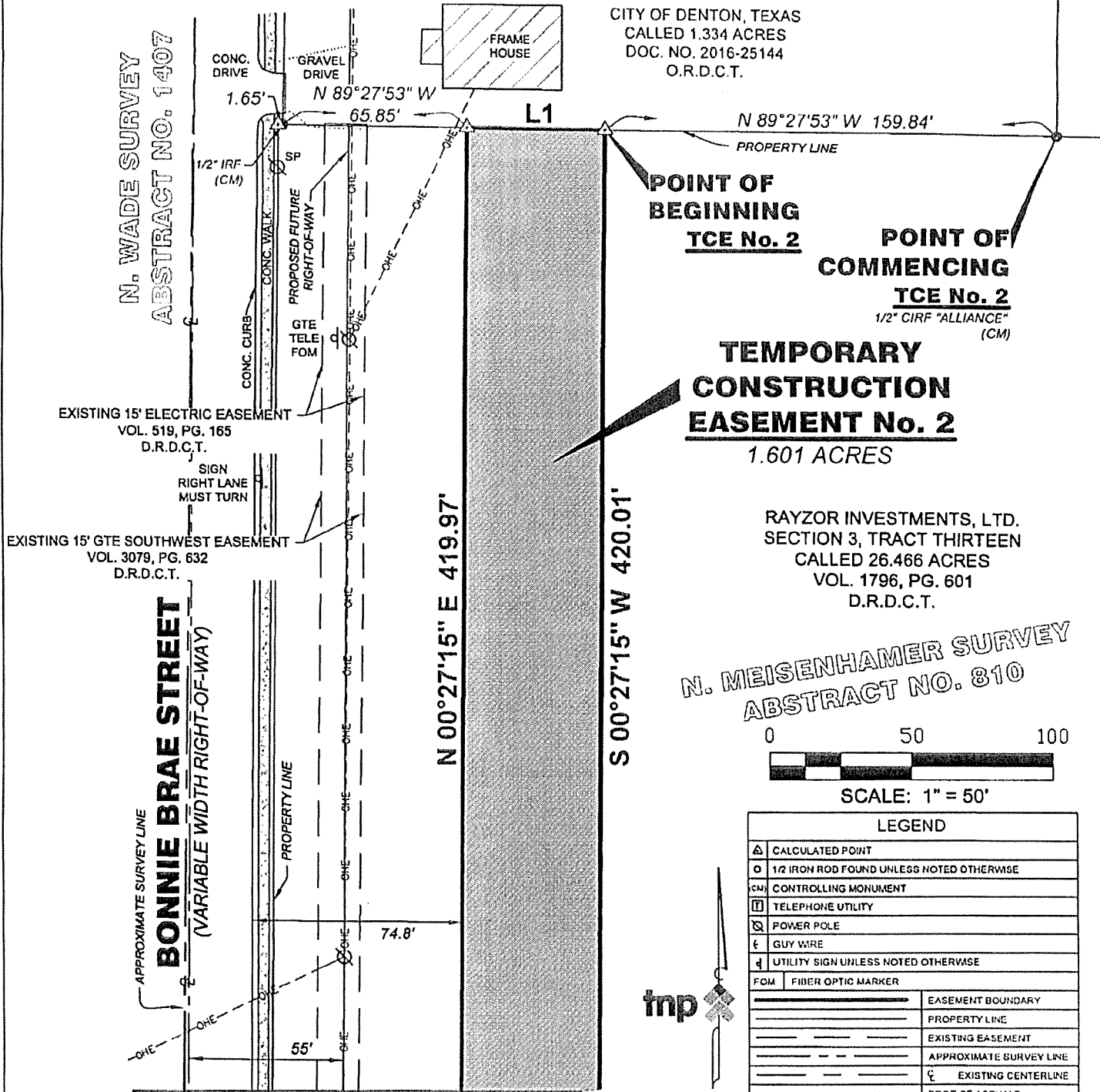
SHEET 7 OF 11



# EXHIBIT "B"

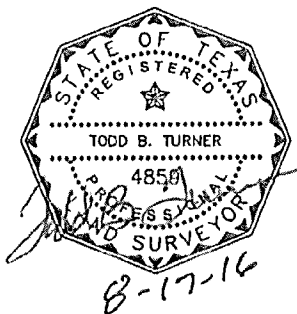
CITY OF DENTON, TEXAS  
CALLED 1.334 ACRES  
DOC. NO. 2016-25144  
O.R.D.C.T.

N. WADE SURVEY  
ABSTRACT NO. 1407



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LINE	BEARING	DISTANCE
L1	S 89°27'53" E	50.00'

**1.601 ACRE**  
**TEMPORARY CONSTRUCTION**  
**EASEMENT NO. 2**

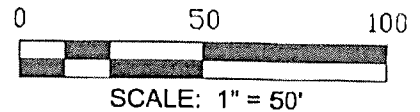
SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 8 OF 11

# EXHIBIT "B"

MATCHLINE - SEE SH. 8 OF 11



## TEMPORARY CONSTRUCTION EASEMENT No. 2

1.601 ACRES

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. MEISENHAMER SURVEY  
ABSTRACT NO. 810

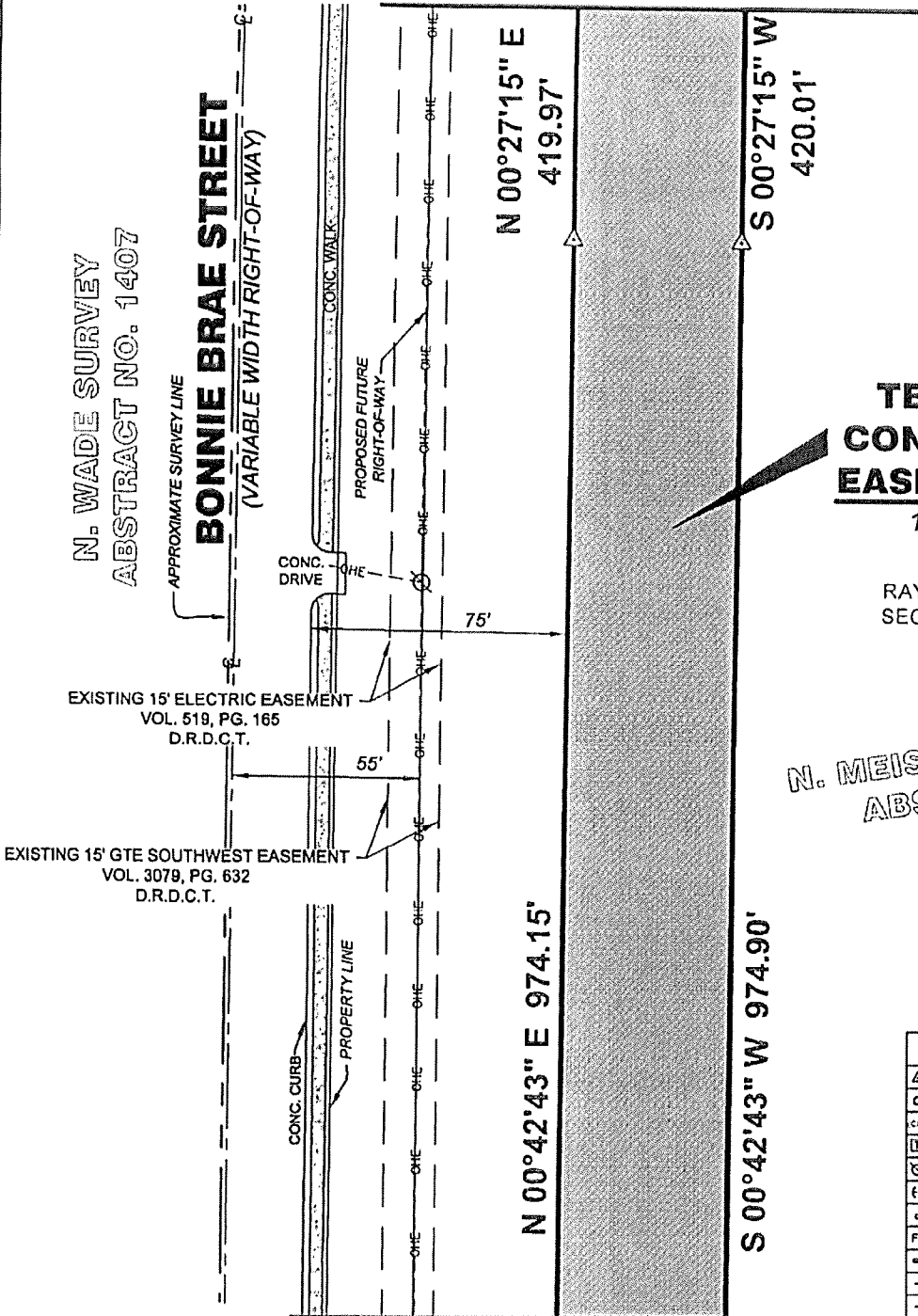
LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

## 1.601 ACRE TEMPORARY CONSTRUCTION EASEMENT No. 2

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 9 OF 11



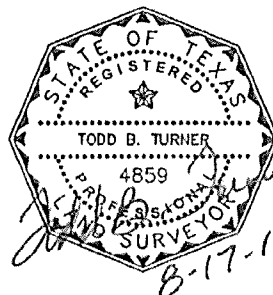
### NOTES:

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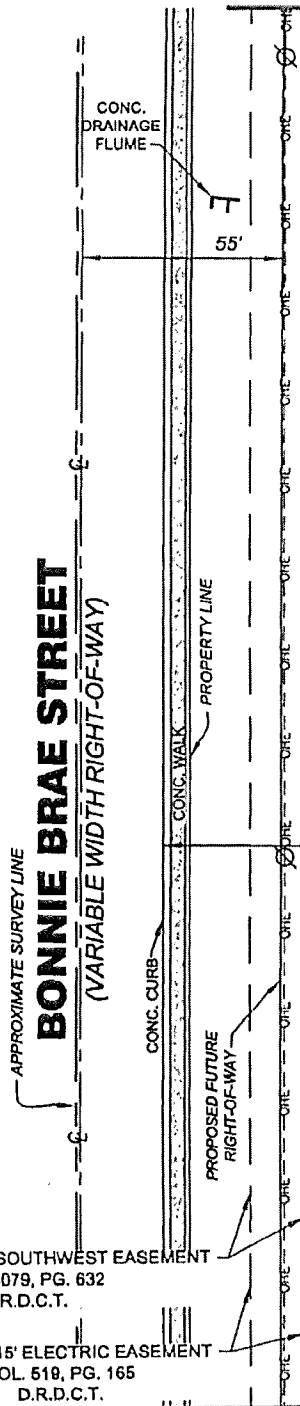
1517 Centre Place Drive, Suite 320  
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MATCHLINE - SEE SH. 9 OF 11

EXHIBIT "B"

N. WADE SURVEY  
ABSTRACT NO. 1407



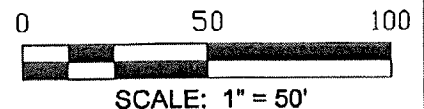
N 00°42'43" E 974.15'

S 00°42'43" W 974.90'

**TEMPORARY  
CONSTRUCTION  
EASEMENT No. 2**  
1.601 ACRES

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. MEISENHAMER SURVEY  
ABSTRACT NO. 810



LEGEND	
	CALCULATED POINT
	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
	CONTROLLING MONUMENT
	TELEPHONE UTILITY
	POWER POLE
	GUY WIRE
	UTILITY SIGN UNLESS NOTED OTHERWISE
	FIBER OPTIC MARKER
	EASEMENT BOUNDARY
	PROPERTY LINE
	EXISTING EASEMENT
	APPROXIMATE SURVEY LINE
	EXISTING CENTERLINE
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC

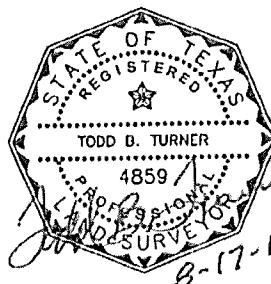
EXISTING 15' GTE SOUTHWEST EASEMENT  
VOL. 3079, PG. 632  
D.R.D.C.T.

EXISTING 15' ELECTRIC EASEMENT  
VOL. 519, PG. 165  
D.R.D.C.T.

NOTES:

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MATCHLINE - SEE SH. 11 OF 11



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**1.601 ACRE  
TEMPORARY CONSTRUCTION  
EASEMENT NO. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 10 OF 11

LINE	BEARING	DISTANCE
L2	N 88°33'39" W	50.00'

# **TEMPORARY CONSTRUCTION EASEMENT No. 2**

1.601 ACRES

RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT THIRTEEN  
CALLED 26.466 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.

N. MEISENHAMER SURVEY  
ABSTRACT NO. 810

N. WADE SURVEY  
ABSTRACT NO. 1407

BONNIE BRAE STREET  
(VARIABLE WIDTH RIGHT-OF-WAY)

APPROXIMATE SURVEY LINE

STORM  
DRAIN  
MH

CONC. CURB  
PROPERTY LINE  
PROPOSED FUTURE  
RIGHT-OF-WAY

N 00°42'43" E 974.15'

S 00°42'43" W 974.90'

74.8'

N 88°33'39" W  
67.50'

L2

STOP  
SIGN

CONC. CURB

PROPERTY LINE

20' DRAINAGE EASEMENT  
DOC. NO. 93-035031  
R.P.R.D.C.T.

S 88°33'39" E 485.96'

CITY OF DENTON  
0.631 ACRES  
ORDINANCE NO. 93-086  
FOR STREET AND UTILITY PURPOSES  
DOC. NO. 93-035030  
R.P.R.D.C.T.

## LEGEND

△	CALCULATED POINT
○	1/2 IRON ROD FOUND UNLESS NOTED OTHERWISE
CM	CONTROLLING MONUMENT
TEL	TELEPHONE UTILITY
PO	POWER POLE
GW	GUY WIRE
US	UTILITY SIGN UNLESS NOTED OTHERWISE
FOM	FIBER OPTIC MARKER
---	EASEMENT BOUNDARY
---	PROPERTY LINE
---	EXISTING EASEMENT
---	APPROXIMATE SURVEY LINE
---	EXISTING CENTERLINE
---	EDGE OF ASPHALT
OHE	OVERHEAD ELECTRIC

## NOTES:

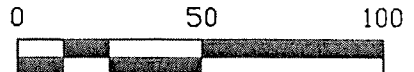
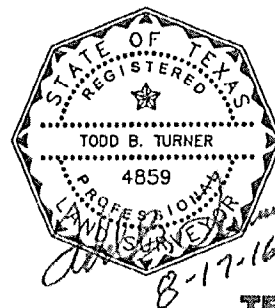
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RAYZOR INVESTMENTS, LTD.  
SECTION 3, TRACT FOURTEEN  
CALLED 76.36 ACRES  
VOL. 1796, PG. 601  
D.R.D.C.T.



SCALE: 1" = 50'

# **1.601 ACRE TEMPORARY CONSTRUCTION EASEMENT NO. 2**

SITUATED IN THE  
N. MEISENHAMER SURVEY, ABSTRACT NO. 810  
CITY OF DENTON, DENTON COUNTY, TEXAS

DME13222

SHEET 11 OF 11

**Exhibit "H"**

*Form of Release Instrument Attached Hereto.*

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.

**RELEASE OF RIGHTS AND INTEREST**

**WHEREAS**, by that certain instrument dated \_\_\_\_\_, recorded at Document No. 2016-\_\_\_\_\_, Real Property Records, Denton County, Texas, the City of Denton, a Texas home rule municipal corporation, is the holder of a temporary right of entry and grant of possession in, along, over, upon and across certain property more particularly described therein; and,

**WHEREAS**, the City of Denton desires to have said right of entry and grant of possession remised, released and forever relinquished;

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That, the City of Denton, a Texas home rule municipal corporation, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, has forever remised, released and relinquished and by these presents does forever remise, release and relinquish all rights and interests created and established in the above-mentioned instrument.

Executed on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF DENTON, a Texas home rule municipal corporation**

By: \_\_\_\_\_  
Howard Martin, Interim City Manager

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

By: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

By: \_\_\_\_\_

**Acknowledgment**

**State of Texas §**  
**Denton County §**

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2017, by Howard Martin, Interim City Manager, City of Denton, a Texas home-rule municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas