



70 2004 00111117

Easement
Denton County
Cynthia Mitchell
County Clerk
Denton, TX 76202

EXHIBIT 4 attachment to AIS

Instrument Number: 2004-111117

Recorded On: August 20, 2004

As
Easement

Parties: CITY OF DENTON

To

Billable Pages: 6

Number of Pages: 6

Comment:

**** Examined and Charged as Follows: ****

Easement	24 00
Total Recording:	24.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2004-111117

Receipt Number: 133098

Recorded Date/Time: August 20, 2004 11.00A

User / Station: B Gibbs - Cash Station 4

Record and Return To:

CITY HALL EAST
601 EAST HICKORY STREET STE B
ATTN PAUL WILLIAMSON ENGINEERING
DENTON TX 76205



THE STATE OF TEXAS }
COUNTY OF DENTON }

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

C. Mitchell

County Clerk
Denton County, Texas

TEMPORARY PUBLIC DRAINAGE AND DETENTION EASEMENT

THE STATE OF TEXAS, §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON §

THAT Teasley Commons, Ltd. (Grantor), in consideration of the sum of ONE DOLLAR and NO CENTS (\$1.00) and other good and valuable consideration in hand paid by the City of Denton, Texas, (Grantee), receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the City of Denton, Texas, the free and uninterrupted use, liberty and privilege of passage in, along, upon and across the following described property, owned by they. Situated in Denton County, Texas, in the C. Poulallier Survey, Abstract No. 1006.

SEE EXHIBITS "A" & "B"

And it is further agreed that the City of Denton, Texas in consideration of the benefits above set out, will remove from the property above described, such fences, buildings and other obstructions as may now be found upon said property.

For the purpose of constructing, reconstructing, installing, repairing, and perpetually maintaining drainage in, along, upon and across said premises, with the right and privilege at all times of the grantee herein, his or its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises for the purpose of making additions to, improvements on and repairs to said drainage facilities or any part thereof.

This easement is hereby adopted by the Grantor and approved by the City of Denton (called "City") subject to the following conditions that shall be binding upon the Grantor, their heirs, grantees and successors: The Temporary Public Drainage and Detention Easement tract described and illustrated in Exhibits "A" and "B", attached herewith, shall remain open at all times and shall be maintained in a safe and sanitary condition by the Grantor. The City shall not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the Easement or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Temporary Public Drainage and Detention Easement, as herein above defined, unless approved by the City. The Grantor shall

keep the Temporary Public Drainage and Detention Easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. And, the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance by the Grantor to alleviate any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to enter upon the above-described Temporary Public Drainage and Detention Easement tract to remove any obstruction to the flow of water, after giving the Grantor written notice of such obstruction and Grantor fails to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the Grantor written notice of such obstruction and Grantor fails to remove such obstruction, then the City of Denton shall be reimbursed by the Grantor the reasonable costs for labor, materials and equipment for each instance. The natural drainage through the Temporary Public Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the Temporary Public Drainage and Detention Easement or otherwise.

In the event that alternate drainage facilities are constructed and accepted by the City of Denton, a petition for formal abandonment for all or part of the easement described herein shall be required.

This grant and covenants stipulated herein shall run with the land and shall be binding upon the parties and their heirs, successors and assigns.

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

Witness its hand, this 5th day of August, 2004.

Teasley Commons, Ltd.,
A Texas limited partnership

By: Kent Key

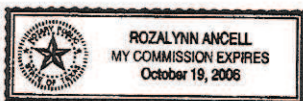
Print Name: Kent Key

Title: GP

ACKNOWLEDGMENT

THE STATE OF Texas s
COUNTY OF Denton s

This instrument was acknowledged before me on this 5 day of
August 2004 by Kent Key
(Print name)



Rozalynn Ansell
Notary Public, in and for the State of Texas
My Commission Expires: Oct. 19, 2006

Accepted this 6th day of August 2004 for
the City of Denton, Texas (Resolution No. 91-073).

By: Paul Williamson
Paul Williamson
Real Estate &
Capital Support Manager

AFTER RECORDING RETURN DOCUMENT TO:

CITY HALL EAST
601 EAST HICKORY STREET, SUITE B
DENTON, TEXAS 76205
ATTN: PAUL WILLIAMSON - ENGINEERING

"EXHIBIT B"
FIELD NOTES
TEMPORARY DRAINAGE EASEMENT
2.249 ACRES

BEING all that certain lot, tract, or parcel of land situated in the C. Poullalier Survey Abstract Number 1006 in the City of Denton, Denton County, Texas, being a part of that certain tract of land conveyed by deed from Alexander Management L. L. C. and E. E. Alexander Family Limited Partnership to Teasley Commons, Ltd. recorded in Volume 5320, Page 2275, Real Property Records, Denton County, Texas and being more particularly described as follows:

COMMENCING at an iron rod set for corner in the west line of Teasley Lane, a public roadway having a right-of-way of 100.0 feet, the southeast corner of Lot 1, Block A of Teasley Commons, an addition to the City of Denton, Denton County, Texas according to the plat thereof recorded in Cabinet V, Page 136, Plat Records, Denton County, Texas, bears N 89° 47' 28" W, 17.50 feet;

THENCE S 01° 02' 19" E, 125.28 feet with said west line of said Teasley Lane to an iron rod found for **PLACE OF BEGINNING**;

THENCE S 01° 02' 19" E, 150.80 feet with said west line of said Teasley Lane to an iron rod found for corner;

THENCE along the arc of a curve to the right having a central angle of 06° 46' 57", a radius of 671.77 feet, an arc length of 79.52 feet, whose chord bears S 04° 33' 27" E, 79.48 feet with said west line of said Teasley Lane to an iron rod found for corner;

THENCE S 01° 07' 26" E, 42.24 feet with said west line of said Teasley Lane to an iron rod found for corner, said point being the northeast corner of R. N. W. Addition, an addition to the City of Denton, Denton County, Texas according to the plat thereof recorded in Cabinet H, Page 338, Plat Records, Denton County, Texas;

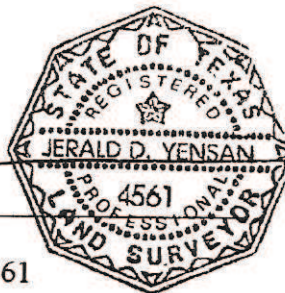
THENCE N 88° 44' 10" W, 351.40 feet with the north line of said R. N. W. Addition to an iron rod set for corner;

THENCE N 01° 02' 19" W, 393.33 feet to an iron rod found for corner, said point being the southwest corner of said Lot 1, Block A of said Teasley Commons;

THENCE S 24° 16' 21" E, 131.36 feet to an iron rod set for corner;

THENCE N 88° 44' 31" E, 294.64 feet to the **PLACE OF BEGINNING** and containing 2.249 acres of land

Jerald D. Yensan
R. P. L. S. No. 4561



C. POUILLALIER SURVEY A-1006

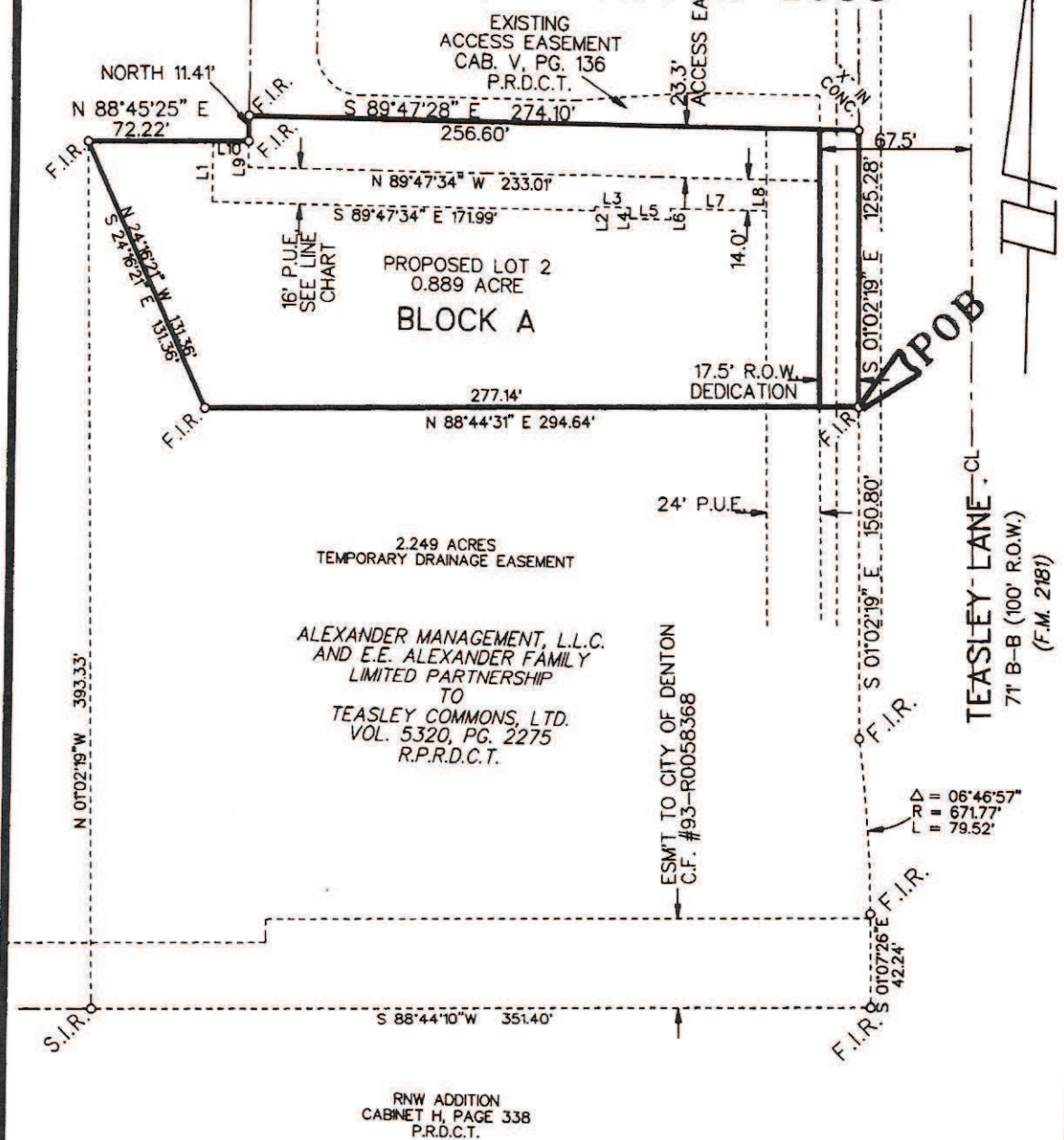


EXHIBIT "A" TEMPORARY DRAINAGE EASEMENT

**LANDMARK
SURVEYORS, INC.**

**STATE OF TEXAS
REGISTERED
JERALD D. YENSAN
PROFESSIONAL LAND SURVEYOR**

**4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 387-9784**

DRAWN BY: SLB

SCALE: 1"=60' DATE: 03 AUGUST, 2004

JOB NO: 0214704F