

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 DRIVERS LICENSE NUMBER.

**AERIAL ELECTRIC LINE EASEMENT
(FULL)**

STATE OF TEXAS

§

§

COUNTY OF COMAL

§

Transmission Line No. T-234

Easement No. A072

DATE: _____, 2018

GRANTOR: CIY OF NEW BRAUNFELS, TEXAS

GRANTOR'S MAILING ADDRESS: 550 Landa St.
New Braunfels, Texas 78130

**GRANTEE: LCRA TRANSMISSION SERVICES CORPORATION,
a Texas non-profit corporation**

GRANTEE'S MAILING ADDRESS: P. O. Box 220
Austin, Texas 78767

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

EXISTING EASEMENT: That certain easement dated August 17, 1925 and recorded in Vol. 51, Page 389 of the Deed Records of Comal County, Texas

EASEMENT PROPERTY: A tract of land consisting of 0.182 acres, more or less, more particularly described in the attached Exhibit A, which includes field note description and plat, incorporated herein for all purposes.

PROJECT: Electric transmission line or lines, consisting of a variable number and sizes of wires and circuits, but not including any towers, poles, guys, or other ground-based support structures.

GRANTOR, for the CONSIDERATION paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE an aerial easement in, upon, and across the EASEMENT PROPERTY, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to GRANTEE and GRANTEE'S successors and assigns forever. In addition to the aerial easement rights, GRANTEE may physically enter the EASEMENT PROPERTY for the purposes of constructing, placing, operating, maintaining, reconstructing, replacing, rebuilding, upgrading, removing, inspecting, patrolling, or repairing the PROJECT, or any part of the PROJECT, and making connections therewith; provided, however, that all poles, towers, guys or other ground-based support structures associated with the PROJECT are situated on the EXISTING EASEMENT, and GRANTEE shall not be permitted to construct any such structures on the EASEMENT PROPERTY.

GRANTEE shall have the right of ingress and egress at all times upon and across the EASEMENT PROPERTY for the above stated purposes. In the event that immediate access to the EASEMENT PROPERTY is not reasonably available over the EASEMENT PROPERTY, and only in that event, then GRANTEE shall have the right of ingress and egress over existing roads across the adjacent or remainder property of GRANTOR for the purpose of obtaining such access. In the event that such access is not reasonably available over the EASEMENT PROPERTY and not available over existing roads, and only in that event, GRANTEE shall have the right of reasonable ingress and egress over the adjacent property of GRANTOR along any route that is reasonable and appropriate under the circumstances then existing in order to obtain such access. GRANTEE shall have the right to install and maintain appropriate gates along and in any fence, as necessary or appropriate for the exercise of GRANTEE'S right of ingress and egress on the EASEMENT PROPERTY or adjacent property of GRANTOR.

In no event shall GRANTOR place or construct any temporary or permanent structure, equipment, or other object within the EASEMENT PROPERTY. GRANTEE shall have the right to remove from the EASEMENT PROPERTY any structure, equipment, or other object placed or constructed in the EASEMENT PROPERTY. GRANTEE shall have the right to trim, chemically treat, and/or remove from the EASEMENT PROPERTY all trees, shrubs, and parts thereof. GRANTEE shall not be liable for damages caused by the removal of structures, equipment, trees, shrubs or other objects as permitted herein.

GRANTOR expressly reserves all oil, gas, and other minerals owned by GRANTOR, in, on, and under the EASEMENT PROPERTY, provided that GRANTOR shall not be permitted to drill or excavate for minerals on the surface of the EASEMENT PROPERTY, but GRANTOR may extract oil, gas, or other minerals from and under the EASEMENT PROPERTY by directional drilling or other means which do not interfere with or disturb GRANTEE'S use of the EASEMENT PROPERTY.

GRANTEE shall not assign the rights granted in this Easement in whole or in part without first obtaining GRANTOR'S written consent which shall not be unreasonably withheld

or delayed. This instrument, and the terms and conditions contained herein, shall inure to the benefit of and be binding upon GRANTEE and GRANTOR, and their respective heirs, personal representatives, successors, and assigns.

GRANTOR warrants and shall forever defend the Easement to GRANTEE against anyone lawfully claiming or to claim the EASEMENT PROPERTY or any part thereof.

When the context requires, singular nouns and pronouns include the plural. When appropriate, the term "GRANTEE" includes the employees and authorized agents of GRANTEE.

GRANTOR:

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2018, by _____, in his or her capacity as _____ on behalf of the City of New Braunfels, Texas, GRANTOR.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Lower Colorado River Authority
Attn: Charlotte Dotson – BTC 151
P. O. Box 220
Austin, Texas 78767-0220

EXHIBIT " ____ "

DESCRIPTION FOR A 0.182 ACRE EASEMENT SHOWN AS TWO TRACTS, A 0.091 ACRE EASEMENT (TRACT 1) AND A 0.091 ACRE EASEMENT (TRACT 2), SITUATED IN THE J.M. VERAMENDI SURVEY NUMBER 1, ABSTRACT NUMBER 2, COMAL COUNTY, TEXAS, BEING A PORTION OF THE CITY RESERVOIR TRACT, LANDA PARK HIGHLANDS NO. 2, A SUBDIVISION RECORDED IN VOLUME 71, PAGE 107 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. THE PERIMETER OF SAID 0.182 ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1: 0.091 ACRE

BEGINNING at a point (Grid Coordinates = N9867449.78 US ft. E2993210.05 US ft.) for the southwesterly corner of this tract, being on the southerly boundary line of said City Reservoir Tract, being on the northerly boundary line of the Southwest 100 feet of Lot 8, Block 5, said Landa Park Highlands No. 2, from which a 1/2 inch iron rod found in concrete for the southwesterly corner of said City Reservoir Tract, and being the northwesterly corner of said Southwest 100' of Lot 8, bears S61°38'14"W, a distance of 88.84 feet;

THENCE N09°51'59"W, leaving the southerly boundary line of said City Reservoir Tract, being the northerly boundary line of said Southwest 100 feet of Lot 8, through the interior of said City Reservoir Tract, a distance of 157.83 feet to a point for the northwesterly corner of this tract, being on the northerly boundary line of said City Reservoir Tract, and the southerly right-of-way line of Texas Avenue (50' R.O.W. width), from which a 1/2 inch iron rod in concrete found for the northwesterly corner of said City Reservoir Tract, and the northeasterly corner of the the Remainder of Lot 7, Block 5, of said Landa Park Highlands No. 2, bears S61°42'58"W, a distance of 138.64 feet;

THENCE N61°42'58"E, with the northerly boundary line of said City Reservoir Tract, being the southerly right-of-way line of said Texas Avenue, a distance of 26.35 feet to a point for the northeasterly corner of this tract, being on the westerly easement line of a 30 foot wide transmission line easement dated January 27, 1972, from the City of San Antonio, John Gatti, Mayor to the Lower Colorado River Authority recorded in Volume 192, Page 957 of the Deed Records of Comal County, Texas;

THENCE S09°51'59"E, leaving the northerly boundary line of said City Reservoir Tract, being the southerly right-of-way line of said Texas Avenue, and with the westerly easement line of a 30 foot wide transmission line easement, through the interior of said City Reservoir Tract, a distance of 157.79 feet to a point for the southeasterly corner of this tract, being on the southerly boundary line of said City Reservoir Tract, being the northerly boundary line of said Lot 8, Block 5, said Landa Park Highlands No. 2;

THENCE S61°38'14"W, with the southerly boundary line of said City Reservoir Tract, being the northerly boundary line of said Lot 8, leaving the westerly easement line of a 30 foot wide transmission line easement, a distance of 15.20 feet passing a 1/2 inch iron rod with plastic cap found for the northerly common corner of said Lot 8, and said Southwest 100' of Lot 8, and continuing for a total distance of 26.36 feet to the **POINT OF BEGINNING** hereof, and containing 0.091 acre of land within the bearing and distance calls contained herein.

TRACT 2: 0.091 ACRE

BEGINNING at a point (Grid Coordinates = N9867489.86 USft E2993284.29 USft) for the southeasterly corner of this tract, being on the southerly boundary line of said City Reservoir Tract, and the northerly boundary line of said Lot 8, from which a 1/2 inch iron rod with plastic cap stamped "RPLS 4069" found for the common southerly corner of said City Reservoir Tract, and Lot 1, Block 5, said Landa Park Highlands No. 2, bears, N61°38'14"E, a distance of 129.63 feet;

THENCE S61°38'14"W, with the southerly boundary line of said City Reservoir Tract, being the northerly boundary line of said Lot 8, a distance of 26.36 feet to a point for the southwesterly corner of this tract, being on the westerly easement line of a 30 foot wide transmission line easement;

THENCE N09°51'59"W, leaving the southerly boundary line of said City Reservoir Tract, and the northerly boundary line of said Lot 8, with the easterly easement line of a 30 foot wide transmission line easement, and through the interior of said City Reservoir Tract a distance of 157.75 feet to a point for the northwesterly corner of this tract, being on the northerly boundary line of said City Reservoir Tract, and the southerly right-of-way line of said Texas Avenue;


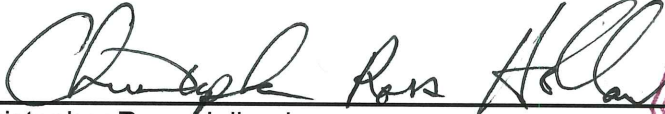
THENCE N61°42'58"E, with the northerly boundary line of said City Reservoir Tract, and the southerly right-of-way line of said Texas Avenue, leaving the westerly easement line of a 30 foot wide transmission line easement, a distance of 26.35 feet to a point for the northeasterly corner of this tract, from which the common northerly corner of said City Reservoir Tract, and said Lot 1, bears N61°42'58"E, a distance of 79.54 feet;

THENCE S09°51'59"E, leaving the northerly boundary line of said City Reservoir Tract, and the southerly right-of-way line of said Texas Avenue, and through the interior of said City Reservoir Tract, a distance of 157.71 feet to the **POINT OF BEGINNING** hereof, and containing 0.091 acre of land within the bearing and distance calls contained herein.

This description and plat attached hereto represent an on-the-ground survey made under my direct supervision during the month of July 2007 and October 2017.

Bearing Basis: Texas Lambert Grid, Central Zone, NAD 83/HARN/CORS.

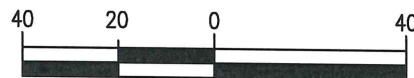
All distances are surface values, for grid values multiply surface distances by a Combined Scale Factor of 1.00009673

*October 24, 2017*

Christopher Ross Holland
Registered Professional Land Surveyor No. 5575
Lower Colorado River Authority
3700 Lake Austin Boulevard
Austin, Texas 78703
(512) 473-3200
Date
WORD FILE: T235004A-0044A.DOC
ACAD FILE: T235004A-0044A.DWG

COMAL COUNTY, TEXAS

J.M. VERAMENDI SURVEY NO. 1, ABSTRACT NO. 2



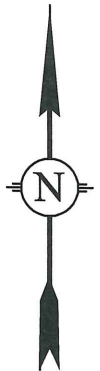
TRACT A072

(A)
LANDA PARK
HIGHLANDS No. 2
VOL. 71, PG. 107
DEED RECORDS OF
COMAL COUNTY, TX

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD w/PLAS. CAP FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION

(A)
LOT 1
BLOCK 5



MAMIE STEEL JARRATT
& HUSBAND, J.E. JARRATT
TO
CITY OF NEW
BRAUNFELS, TEXAS
TRACT 1
(PARCEL OF LAND
150' X 303')
VOL. 66, PG. 363
JUNE 30th, 1936
DEED RECORDS OF
COMAL COUNTY, TEXAS

"RPLS
#4069"

TEXAS AVENUE
(50' R.O.W. WIDTH)

(A)
CITY OF NEW
BRAUNFELS, TEXAS
TRACT 1
(CITY RESERVOIR TRACT)

(A)
REMAINDER OF
LOT 7, BLOCK 5

(A)
A PORTION OF
LOT 7
BLOCK 5

(B)
CITY OF SAN ANTONIO,
JOHN GATTI, MAYOR
TO
LOWER COLORADO
RIVER AUTHORITY
VOL. 192, PG. 957
JANUARY 27th, 1972
DEED RECORDS OF
COMAL COUNTY, TEXAS

LCRA EASEMENT
RECORD# E00001865-1

HORIZONTAL DATUM: NAD83/HARN/CORS
VERTICAL DATUM: NAVD 88
COMBINED SCALE FACTOR: 1.00009673
BEARING BASIS: TX. LAMBERT GRID CENTRAL ZONE
DISTANCES SHOWN ARE SURFACE VALUES

**P.O.B.-TRACT 1
0.091 ACRE**

Texas Central Zone
NAD 83/HARN/CORS
Lat.: 29°42'58.93871"
Lon.: 98°08'20.56016"
State Plane Grid Coords
N(Y): 9867449.78 USft
E(X): 2993210.05 USft

(A)
SOUTHWEST
100' OF
LOT 8
BLOCK 5

**P.O.B.-TRACT 2
0.091 ACRE**

Texas Central Zone
NAD 83/HARN/CORS
Lat.: 29°42'59.32082"
Lon.: 98°08'19.70958"
State Plane Grid Coords
N(Y): 9867489.86 USft
E(X): 2993284.29 USft

LINE TABLE**TRACT 1:**

L1 N 09°51'59" W - 157.83'
L2 N 61°42'58" E - 26.35'
L3 S 09°51'59" E - 157.79'
L4 S 61°38'14" W - 26.36'
Acre: 0.091

TRACT 2:

L5 S 61°38'14" W - 26.36'
L6 N 09°51'59" W - 157.75'
L7 N 61°42'58" E - 26.35'
L8 S 09°51'59" E - 157.71'
Acre: 0.091

L9 S 61°38'14" W - 88.84'
L10 N 61°42'58" E - 31.62'
L11 N 61°42'58" E - 79.54'
L12 S 61°38'14" W - 31.63'
L13 S 61°42'58" W - 138.64'
L14 S 61°38'14" W - 15.20'

TOTAL EASEMENT ACREAGE= 0.291 AC

EXISTING EASEMENT ACREAGE= 0.109 AC

NEW EASEMENT ACREAGE= 0.182 AC

ACAD FILE: T235004A-0044A.dwg
WORD FILE: T235004A-0044A.doc
REVISION: PR
SCALE: 1"=40'
DATE: 10/24/2017
WO NO.: 3459984
FIELD BOOK: 2007-06 PG. 01
DRAWN BY: cLw

PLAT SHOWING A 0.091 ACRE
EASEMENT (TRACT 1) & A 0.091
ACRE EASEMENT (TRACT 2)
SITUATED IN THE J.M. VERAMENDI
SURVEY NO. 1, ABSTRACT NO. 2
COMAL COUNTY, TEXAS

LCRA
ENERGY • WATER • COMMUNITY SERVICES
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703
(512)473-3200 www.lcra.org