



SAMUEL L. NEAL, JR.
County Judge



Claudia Lobell
Chief Executive
claudia.lobell@nuecesco.com

Christopher Boyce, E.M.C.
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Monica Perez
Executive Secretary
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April 11, 2017

City Manager
City of Corpus Christi

Chairperson
Emergency Services District #2

Administrator
Nueces County Hospital District

Superintendent
Del Mar College

Superintendent
Flour Bluff Independent School District

RE: Amendment and Extension of Temporary Work Space License Agreement to ETT, LLC for 0.075 acres of Flour Bluff Park Lots 1 through 5 Block 16, 901 Melver

Dear Sir/Madam:

On November 3, 2014 Nueces County became the trustee for the above-referenced property as a result of a tax foreclosure sale. Electric Transmission Texas, LLC approached Nueces County seeking a Temporary Work Space License Agreement for use as a temporary construction work space in connection with their initial construction of an underground electric transmission line. Each of you consented and a six month license was granted to ETT in October 2016. \$1,830.00 was received as payment for the license, which was divided up amongst the taxing entities.

This License Agreement expired on April 1, 2017. Days before its expiration ETT approached the County concerning granting an Amendment and Extension of this license as they had not yet completed their work. Specifically, they sought a six month extension, though October 1, 2017 in exchange for another \$1,830. In addition, they asked the agreement be amended to allow a license over 0.075 acres instead of the 0.061 acres originally granted. The property consists of a corner lot and they were having trouble making the turn within the original footprint with their equipment. Also, because they wanted to avoid having to come back again and ask for another extension should they need it they asked that they be provided the option to extend for an additional six (6) months (October 1, 2017 through April 1, 2018) should they need the extension. They would pay an additional \$1,830 for this second extension.

**AMENDMENT AND EXTENSION OF
TEMPORARY WORK SPACE LICENSE AGREEMENT**



THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

This Amendment and Extension of Temporary Work Space License Agreement ("Agreement") is made and entered into by and between **NUECES COUNTY** ("County") and **ELECTRIC TRANSMISSION TEXAS, LLC** ("ETT") for the consideration and upon the terms hereinafter set forth.

WHEREAS, the County and ETT have previously executed a Temporary Work Space License Agreement dated October 26, 2016 (the "Original Agreement"), pursuant to which ETT and its employees, contractors and subcontractors have the right to make use of approximately 0.061 acres described therein (the "Licensed Premises") as a temporary construction work space in connection with the initial construction of ETT's underground single-circuit 138 kV electric transmission line on and under property adjoining, or in proximity to, the Licensed Premises; and

WHEREAS, the term of the Lease Agreement is set to expire on April 1, 2017; and

WHEREAS, the County and ETT desire, upon ETT's payment of an additional \$1,830, to (1) amend the description of the Licensed Premises to include a total of 0.075 acres described in attached Exhibit A, (2) extend the term of the Original Agreement through and including October 1, 2017 and (3) provide ETT the option to extend the term of the Original Agreement for an additional six (6) months, from October 1, 2017 until April 1, 2018 upon payment of an additional \$1,830 to the County.

NOW, THEREFORE, the County and ETT, for valuable consideration as set out in recital above, the receipt and sufficiency of which is hereby acknowledged, agree to amend the Temporary Work Space License Agreement to (1) amend the description of the Licensed Premises to include a total of 0.075 acres described in attached Exhibit A, (2) extend the term of the Original Agreement through and including October 1, 2017 and (3) provide ETT the option to extend the term of the Original Agreement for an additional six (6) months, from October 1, 2017 until April 1, 2018.

The County and ETT agree that ETT may, at its sole option, exercise the option to extend the term of the Original Agreement to April 1, 2018, by paying to the County the sum of \$1,830. A check payable to the County in the amount of such payment mailed to Nueces County Judge, 901 Leopard Street, Ste. 303, Corpus Christi, Texas 78401, on or before the expiration date shall be deemed sufficient notice by ETT to the County of ETT's election to extend the time of this Agreement.

No other changes to the Original Agreement are intended to be made by the parties, and both parties ratify and affirm the Original Agreement as modified and amended herein.

This Amendment and Extension may be executed in multiple counterparts, each of which shall constitute an original, and all of which together shall constitute one document.

EXECUTED this the 30th day of March, 2017.

ELECTRIC TRANSMISSION TEXAS, LLC

By: _____
Name: Leo L. York
Title: _____

NUECES COUNTY

By: *Samuel L. Nease*
Name: Samuel L. Nease
Title: County Judge

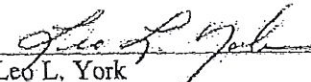


Attest:

By: *Kara Sands*
Name: Kara Sands
Title: County Clerk

EXECUTED this the _____ day of _____, 2017.

ELECTRIC TRANSMISSION TEXAS, LLC

By: 
Name: Leo L. York
Title: Vice-President *MEL*

NUECES COUNTY

By: _____
Name: _____
Title: County Judge

Attest:

By: _____
Name: _____
Title: County Clerk



**ELECTRIC TRANSMISSION TEXAS
NUECES COUNTY, TRUSTEE
NUECES COUNTY, TEXAS
0.075 OF AN ACRE TEMPORARY EASEMENT**

EXHIBIT "A"

BEING a 0.075 of an acre tract of land lying in the Ramon de Ynojosa Survey, Abstract 411, Nueces County, Texas, same being a portion of Lots 19 and 30, Section 47 of the Flour Bluff and Encinal Farm and Garden Tracts as described and recorded in volume A, pages 41-43, Map Records of Nueces County, Texas, same being a portion of Lots 1, 2, 3, 4 and 5, Block 16 of the Flour Bluff Park Subdivision as described and recorded in volume 7, pages 52-53, Map Records of Nueces County, Texas, same also being a portion of a tract of land as described and recorded in document 2014042743, Official Public Records of Nueces County, Texas, same also being described by a drawing (Tract 67 Nueces County.dwg dated March 21, 2017) attached to and made part hereof and more particularly described as follows:

BEGINNING at a 5/8" iron rod found at the intersection of the southeast right-of-way line of McIver Street (50 feet wide right-of-way) and the southwest right-of-way line of Matlock Street (50 feet wide right-of-way) for the north corner of the aforementioned Lot 1, Block 16 and the north corner of the herein described 0.075 of an acre tract;

THENCE leaving the southeast right-of-way line of the aforementioned McIver Street, along the southwest right-of-way line of the aforementioned Matlock Street and the northeast line of the aforementioned Lot 1, Block 16, S61°33'20"E a distance of 30.00 feet to a point for the east corner of the herein described 0.075 of an acre tract;

THENCE leaving the southwest right-of-way line of aforementioned Matlock Street and the northeast line of the aforementioned Lot 1, Block, S46°54'16"W a distance of 63.26 feet to a point for an interior angle corner and S28°28'20"W a distance of 207.22 feet to a point in the southwest line of the aforementioned Lot 5, Block 16 and the northeast line of Lot 6, Block 16 of the aforementioned Flour Bluff Park Subdivision for the south corner of the herein described 0.075 of an acre tract;

THENCE along the southwest line of the aforementioned Lot 5, Block 16 and the northeast line of the aforementioned Lot 6, Block 16, N61°30'00"W a distance of 10.00 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the southeast right-of-way line of the aforementioned McIver Street for the west corner of said Lot 5, Block 16, the north corner of said Lot 6, Block 16 and the west corner of the herein described 0.075 of an acre tract;

ELECTRIC TRANSMISSION TEXAS
NUECES COUNTY, TRUSTEE
NUECES COUNTY, TEXAS
0.075 OF AN ACRE TEMPORARY EASEMENT

THENCE along the southeast right-of-way line of the aforementioned McIver Street and the northwest line of the aforementioned Lots 1, 2, 3, 4 and 5, Block 16, N28°28'20"E a distance of 267.21 feet to the **PLACE OF BEGINNING** and containing 0.075 of an acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD1983 (2011), South Zone.

THE STATE OF TEXAS
KNOWN TO ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR

I, C. Gordon Clark, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in June 2015 thru March 2017.

Date 21st day of March 2017 A.D.



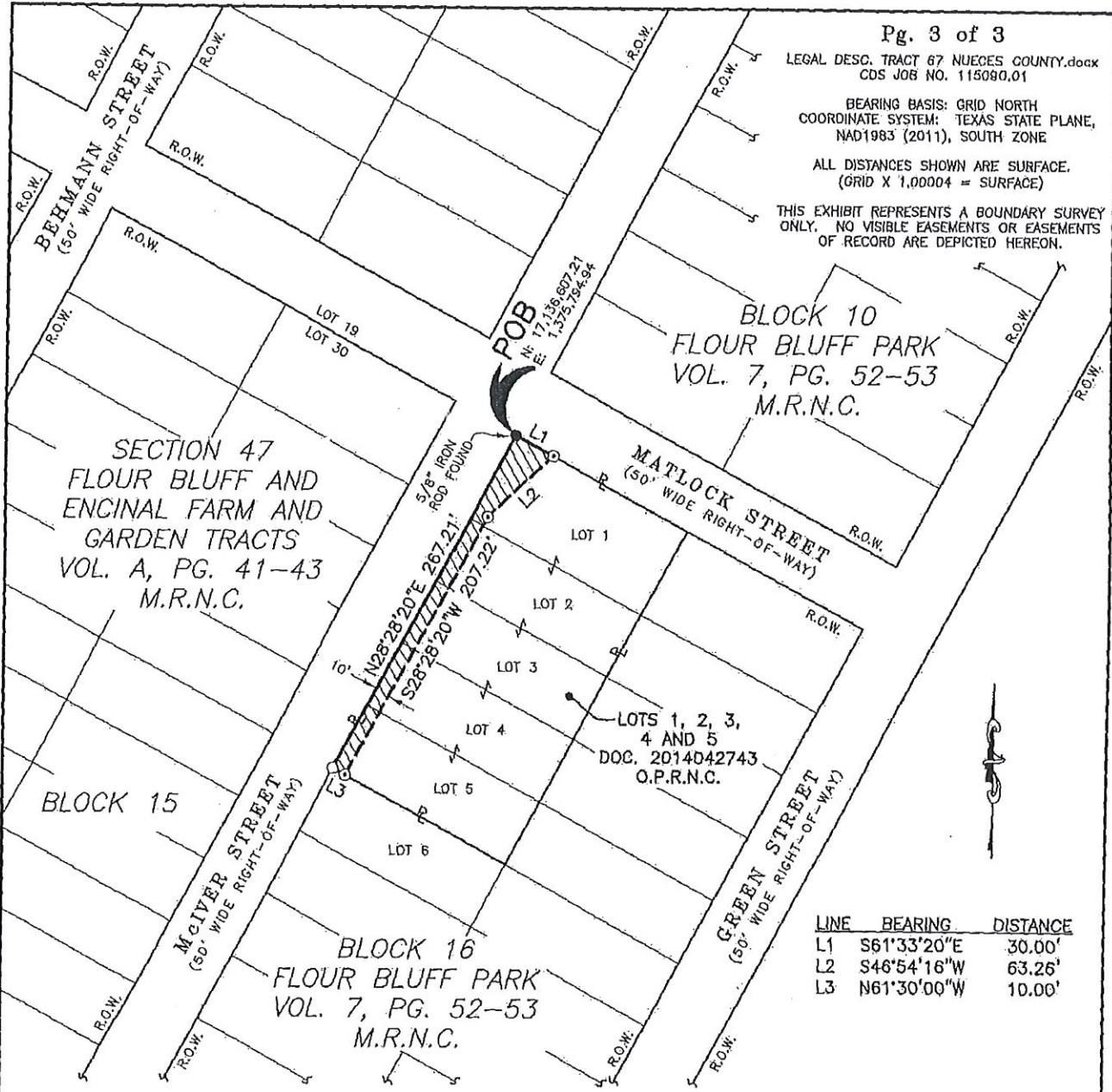
C. Gordon Clark
C. Gordon Clark
Registered Professional Land Surveyor
No. 3999 - State of Texas

LEGAL DESC. TRACT 67 NUECES COUNTY.dwg
CDS JOB NO. 115090.01

BEARING BASIS: GRID NORTH
COORDINATE SYSTEM: TEXAS STATE PLANE,
NAD1983 (2011), SOUTH ZONE

ALL DISTANCES SHOWN ARE SURFACE.
(GRID X 1.00004 = SURFACE)

THIS EXHIBIT REPRESENTS A BOUNDARY SURVEY
ONLY. NO VISIBLE EASEMENTS OR EASEMENTS
OF RECORD ARE DEPICTED HEREON.



BLOCK 10
FLOUR BLUFF PARK
VOL. 7, PG. 52-53
M.R.N.C.

SECTION 47
FLOUR BLUFF AND
ENCINAL FARM AND
GARDEN TRACTS
VOL. A, PG. 41-43
M.R.N.C.

BLOCK 15

BLOCK 16
FLOUR BLUFF PARK
VOL. 7, PG. 52-53
M.R.N.C.

LOTS 1, 2, 3,
4 AND 5
DOC. 2014042743
O.P.R.N.C.

LINE	BEARING	DISTANCE
L1	S61°33'20"E	30.00'
L2	S46°54'16"W	63.26'
L3	N61°30'00"W	10.00'

LEGEND

- - 1/2" IRON ROD SET WITH PLASTIC CAP
STAMPED "CDS/MUERY S.A. TX."
- - FOUND MONUMENTATION
- - UNMONUMENTED POINT
- POB - PLACE OF BEGINNING
- P - PROPERTY LINES
- R.O.W. - RIGHT-OF-WAY
- M.R.N.C. - MAP RECORDS OF NUECES COUNTY
- O.P.R.N.C. - OFFICIAL PUBLIC RECORDS OF NUECES COUNTY



C. Gordon Clark
3-21-2017

RAMON DE YNOJOSA SURVEY,
ABSTRACT 411

0.075 OF AN ACRE
TEMPORARY EASEMENT
ELECTRIC TRANSMISSION TEXAS
RAMON DE YNOJOSA SURVEY,
ABSTRACT 411
NUECES COUNTY, TEXAS

CDS muery
ENGINEERS • SURVEYORS
3111 E. COASTAL DRIVE, SUITE 200 • COLLEGE STATION, TX 77840-3535
TEL: 832.333.1111 • FAX: 832.333.1112

DRAWN BY: M. CAMACHO
DATE: MARCH 21, 2017
DRAWING NAME: TRACT 67 NUECES COUNTY.dwg

ETT SM
Electric Transmission Texas