

EASEMENT AND RIGHT OF WAY

NUECES COUNTY HOSPITAL DISTRICT, D/B/A MEMORIAL MEDICAL CENTER, (“Grantor”), for and in consideration of Ten & 00/100 Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by **AEP TEXAS INC.**, a Delaware Corporation, whose address is P.O. Box 2121, Corpus Christi, Texas 78403 (“Grantee”) the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto Grantee, its successors and assigns, a perpetual easement and right of way for electric distribution lines, consisting of poles made of wood, metal, or other materials, cross arms, static wires, guys, wire circuits, underground cables and conduits, communication circuits, metering equipment and all necessary or desirable appurtenances (including, but not limited to, transformers, meters, vaults, and service pedestals) over, under, across, and upon a portion of the following described land located in Nueces County, Texas, to wit:

SEE EXHIBIT "A" AND "B", ATTACHED HERETO, MADE A PART HEREOF AND INCORPORATED HEREIN FOR ALL APPLICABLE PURPOSES. (the “Easement Area”)

Together with the right of ingress and egress over, under, across and upon the Easement Area and Grantor’s adjacent land for the purpose of constructing, operating, reconstructing on poles or burying and replacing underground cables and conduits (including necessary ditching and backfilling), enlarging, inspecting, patrolling, repairing, maintaining, upgrading and removing said lines, circuits, underground cables and conduits, poles, wires and appurtenances; the right to relocate along the same general direction of said lines, cables, and conduits; and the right to remove from the Easement Area all structures, obstructions, trees and parts thereof, using generally accepted vegetation management practices, (whether from the Easement Area or that could grow into the Easement Area) which may, in the reasonable judgment of Grantee, endanger or interfere with the safe and efficient operation and/or maintenance of said lines, cables, conduits or appurtenances or ingress and egress to, from or along the Easement Area.

Grantor reserves the right to use the Easement Area subject to said Easement and Right of Way in any way that will not interfere with Grantee’s exercise of the rights hereby granted. However, Grantor shall not construct or permit to be constructed any house or other above ground structure on or within the Easement Area containing Grantee’s improvements without the express written consent of Grantee.

TO HAVE AND TO HOLD the above-described easement and rights unto the Grantee, its successors and assigns forever. Grantor binds itself, assigns, and legal representatives to warrant and forever defend all and singular the above-described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2024.

[Rest of this page intentionally left blank-Signature page follows]

TX242155
WR#85878738

NUECES COUNTY HOSPITAL DISTRICT, D/B/A MEMORIAL MEDICAL CENTER

By: _____
Jonny F. Hipp Administrator/Chief Executive Officer Nueces County Hospital District

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF NUECES

This instrument was acknowledged before me on this _____ day of _____, 2024, by Jonny F. Hipp Administrator/Chief Executive Officer Nueces County Hospital District of NUECES COUNTY HOSPITAL DISTRICT, D/B/A MEMORIAL MEDICAL CENTER.

NOTARY PUBLIC, State of Texas

(Seal)

TX242155
WR#85878738

NUECES COUNTY HOSPITAL DISTRICT, D/B/A MEMORIAL MEDICAL CENTER

By: _____

By: _____

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF NUECES**

This instrument was acknowledged before me on this _____ day of _____, 2024, by

NOTARY PUBLIC, State of

(Seal)

EXHIBIT _____

Field notes of a 0.017 acre AEP electrical easement out of Lot 4, Block 2, "Portmoor Addition", as shown on the plat recorded in Volume 41, Page 155, Map Records Nueces County, Texas. Said 0.017 acre AEP electrical easement being more particularly described as follows:

BEGINNING at a point (Y: 17,173,689.72', X: 1,333,730.40') in the east right of way of 25th Street, in the west line of said Lot 4, and for the northwest corner of this AEP electrical easement, from **WHENCE** a 5/8" re-bar found at the intersection of the east right of way of 25th Street and the south right of way of Buford Street, and for the northwest corner of Lot 1, Block 2, "Portmoor Addition", as shown on the plat recorded in Volume 23, Page 98, Map Records Nueces County, bears North 01°16'53" West, at a distance of 126.55 feet pass the northwest corner of said Lot 4, and in all a total distance of 327.09 feet.

THENCE North 88°43'07" East, a distance of 51.80 feet to a point for an inside corner of this AEP electrical easement.

THENCE North 01°16'53" West, a distance of 2.50 feet to a point for an outside corner of this AEP electrical easement.

THENCE North 88°43'07" East, a distance of 15.00 feet to a point for the northeast corner this AEP electrical easement.

THENCE South 01°16'53" East, a distance of 15.00 feet to a point for the southeast corner of this AEP electrical easement.

THENCE South 88°43'07" West, a distance of 15.00 feet to a point for an outside corner of this AEP electrical easement.

THENCE North 01°16'53" West, a distance of 2.50 feet to a point for an inside corner of this AEP electrical easement.

THENCE South 88°43'07" West, a distance of 51.80 feet to a point in the common line of the east right of way of 25th Street and said Lot 4, and for the southwest corner of this AEP electrical easement, from **WHENCE** the southwest corner of said Lot 4, bears South 01°16'53" East, a distance of 378.11 feet.

THENCE with the common line of the east right of way of 25th Street, said Lot 4, and this AEP electrical easement, North 01°16'53" West, a distance of 10.00 feet to the **POINT of BEGINNING** of this AEP electrical easement, and containing 0.017 acres of land, more or less.

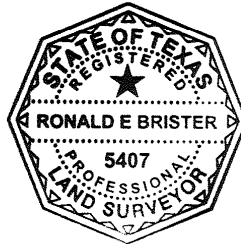
Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set 5/8" re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day September 18, 2024 and is correct to the best of my knowledge and belief.



Ronald E. Brister, RPLS No. 5407
Date: September 23, 2024



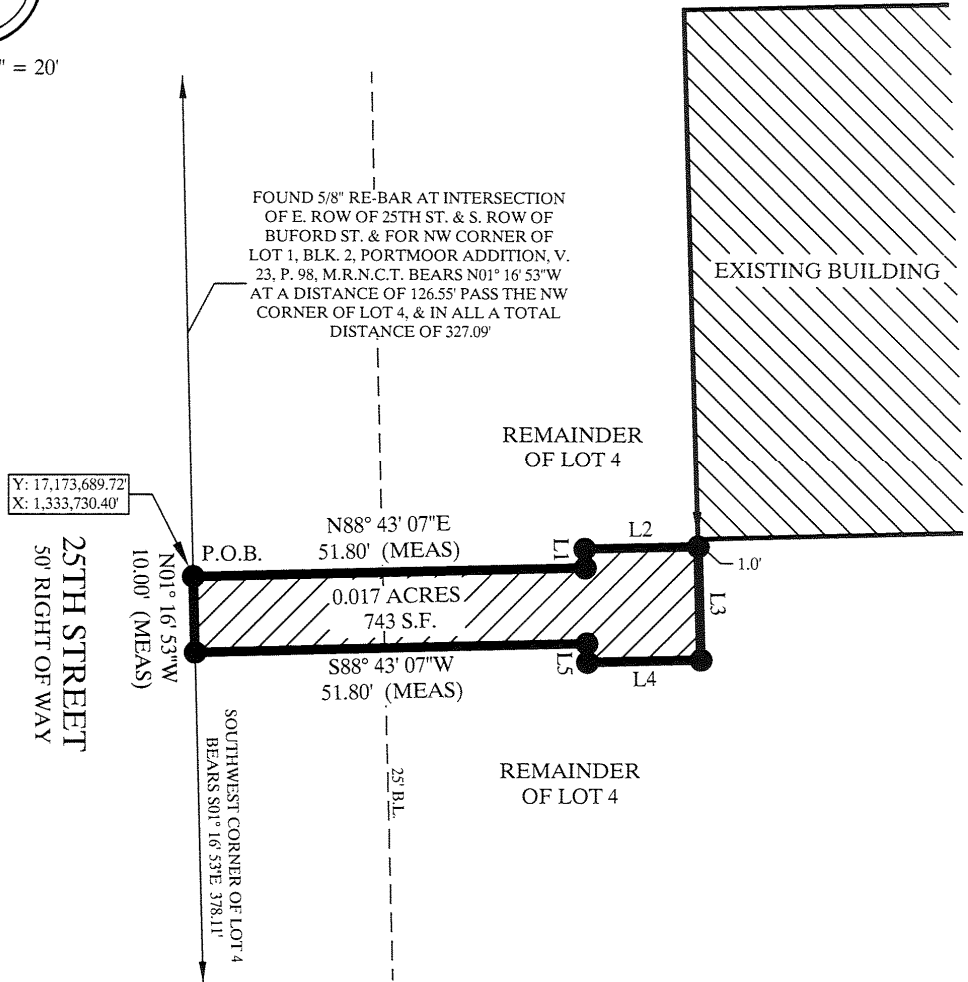
SURVEY OF

A 0.017 ACRE AEP ELECTRICAL EASEMENT OUT OF LOT 4, BLOCK 2,
"PORTMOOR ADDITION", AS SHOWN ON THE PLAT RECORDED IN
VOLUME 41, PAGE 155, MAP RECORDS NUECES COUNTY, TEXAS.



SCALE 1" = 20'

EXHIBIT B



Y: 17,173,689.72
X: 1,333,730.40

- L1 = N01° 16' 53"W 2.50' (MEAS)
- L2 = N88° 43' 07"E 15.00' (MEAS)
- L3 = S01° 16' 53"E 15.00' (MEAS)
- L4 = S88° 43' 07"W 15.00' (MEAS)
- L5 = N01° 16' 53"W 2.50' (MEAS)

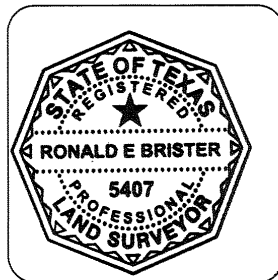
EXHIBIT _____ PAGE 2 OF 2

● = EASEMENT CORNER



Brister Surveying

5506 Cain Drive
Corpus Christi, Texas 78411
Off 361-850-1800
Fax 361-850-1802
Bristersurveying@corpus.twc.com
Firm Registration No. 10072800



- NOTES:
- 1.) TOTAL SURVEYED AREA IS 0.017 ACRES.
 - 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
 - 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
 - 4.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

THIS AEP EASEMENT DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS AEP EASEMENT OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY SEPTEMBER 18, 2024, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Brister
RONALD E. BRISTER R.P.L.S. NO. 5407

SURVEY DATE: SEPTEMBER 23, 2024

JOB NO. 241497