

VARIABLE WIDTH DRAINAGE AND PUBLIC UTILITY EASEMENT

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

THAT, the Denton Independent School District of Denton County, Texas, Grantor, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the City of Denton, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell and convey unto the City of Denton, Denton County, Texas, Grantee, an easement for the purpose of placing, constructing, operating, repairing, inspecting, rebuilding, replacing, removing, relocating and perpetually maintaining one (1) sanitary sewer line and storm drainage line within the following described premises situated in Denton County, Texas, to-wit:

Being A 0.6561 Acre tract of land situated in the R. Beaumont Survey, Abstract No. 31, Denton County, Texas and being a portion of that called 18.00 acre tract of land described in Deed to the City of Denton as recorded in Volume 229, Page 371 of the Deed Records of Denton County, Texas. Said 0.6561 Acre tract being more particularly described in the attached Exhibit A and illustrated in Exhibit B which are attached hereto and incorporated herein by reference.

FURTHER, it is agreed by Grantor that Grantee shall have the right to remove from the premises described in Exhibit A all above ground improvements and obstructions to the construction and operation of the water line. Further, Grantee, its agents, employees, workmen and representatives shall have the right of ingress, egress and regress in, along, and upon the easement for the purpose of placing, constructing, operating, repairing, inspecting, rebuilding, replacing, removing, relocating, and perpetually maintaining one (1) sanitary sewer line and storm drainage line. However, it is also agreed the rights and privileges granted herein shall be no broader than reasonably necessary to placing, constructing, operating, repairing, inspecting, rebuilding, replacing, removing, relocating, and perpetually maintaining one (1) sanitary sewer line and storm drainage line within the premises.

GRANTOR RESERVES unto Grantor the right to use the surface of the premises to the exclusion of Grantee so long as such use does not interfere with the rights granted to Grantee herein. Grantor further reserves the right to construct a fence upon, over and across the easement granted herein along Grantor's boundary, and if such fence is constructed Grantee shall have the obligation of repairing or replacing the fence if in the exercise of Grantee's rights granted herein it becomes necessary for Grantee to temporarily remove the fence.

TO HAVE AND TO HOLD unto Grantee, the City of Denton, however Grantee acknowledges Grantor makes and gives no warranty of title to the premises described in Exhibit A.

The foregoing Variable Width Drainage and Public Utility Easement was offered by _____, seconded by _____, and after discussion was adopted by the Board of Trustees of the Denton Independent School District at a regular meeting duly called, posted, and held in Denton, Denton County, Texas, on July 29, 2008, at which _____ Trustees were present, by the following vote: _____ For, _____ Against, and _____ Abstaining.

DENTON INDEPENDENT SCHOOL DISTRICT

By: _____
Charles Stafford,
President of the Board of Trustees

ATTEST:

Mia Price,
Secretary of the Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared, CHARLES STAFFORD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he, in his capacity as President of the Denton I.S.D. Board of Trustees, executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this ____ day of July, 2008.

Notary Public, State of Texas

Notary's Printed Name

My Commission Expires: _____

Accepted this _____ day of _____, 2008 for the City of Denton, Texas (Resolution No. 91-073).

By: _____
Paul Williamson
Real Estate and Capital Support Manager

AFTER RECORDING RETURN TO:
CITY OF DENTON
901A Texas Street
Denton, Texas 76209
ATTN: Paul Williamson

**LEGAL DESCRIPTION
VARIABLE WIDTH DRAINAGE AND PUBLIC UTILITY EASEMENT
EXHIBIT "A"**

BEING A 0.6561 ACRE TRACT OF LAND SITUATED IN THE R. BEAUMONT SURVEY, ABSTRACT NO. 31, DENTON COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 18.00 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF DENTON AS RECORDED IN VOLUME 229, PAGE 371 OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, SAID 0.6561 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

COMMENCING at a 1/2 inch iron rod found for the northeast corner of said 18.00 acre tract, also being the northwest corner of Lot 1, Daniels Addition, an addition to the City of Denton according to the Final Plat recorded in Volume 350, Page 56 of the Deed Records of Denton County, Texas, said 1/2 inch iron rod also lying in the south line of Lot 3, Block 12 of Carroll Park Addition, an addition to the City of Denton as recorded in Volume 350, Page 321 of said Deed Records.

THENCE S 00° 36' 54" W, along the east line of said 18.00 acres and the west line of said Daniels Addition, a distance of 552.14 feet, to the POINT OF BEGINNING of the herein described tract;

THENCE S 00° 36' 45" W, continuing along said east line a distance of 40.01 feet, to a point;

THENCE over and across said 18.00 acre tract the following eight (8) courses and distances:

N 89° 21' 13" W, a distance of 314.31 feet, to a point for corner;

N 00° 04' 08" E, a distance of 86.93 feet, to a point for corner;

N 89° 55' 52" W, a distance of 291.07 feet, to a point for corner;

S 28° 45' 31" W, a distance of 84.38 feet, to a point for corner;

N 89° 09' 11" W, a distance of 28.77 feet, to a point for corner;

S 45° 50' 49" W, a distance of 16.07 feet, to a point for corner;

S 00° 50' 49" W, a distance of 5.63 feet, to a point for corner;

N 89° 09' 11" W, a distance of 21.48 feet, to a point for the southwest corner hereof and lying in the east line of Fulton street (variable width R.O.W.) and the west line of said 18.00 acre tract;

THENCE N 00° 55' 08" E, along the east line of said Fulton street and the west line of said 18.00 acre tract a distance of 54.00 feet, to a point for the northwest corner hereof, from which a 5/8 inch capped iron rod found stamped TNP bears N 00° 55' 08" E, a distance of 544.95 feet, for the northwest corner of said 18.00 acre tract;

THENCE over and across said 18.00 acre tract the following seven (7) courses and distances:

S 89° 09' 11" E, a distance of 21.01 feet, to a point for corner;

S 00° 50' 49" W, a distance of 7.00 feet, to a point for corner;

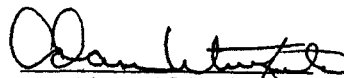
S 89° 09' 11" E, a distance of 22.49 feet, to a point for corner;

N 28° 45' 31" E, a distance of 84.11 feet, to a point for corner;

S 89° 55' 52" E, a distance of 338.85 feet, to a point for corner;

S 00° 04' 08" W, a distance of 77.23 feet, to a point for corner;

S 89° 21' 13" E, a distance of 284.65 feet, to the POINT OF BEGINNING and containing 0.6561 acres of land more or less.



Adam Whitfield, RPLS
Texas Registration Number 5786

7-02-08
Date: July 02, 2008

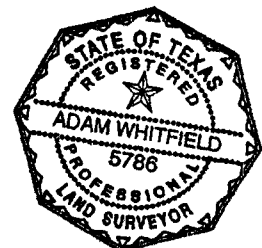


EXHIBIT "B"

KENT NOELL
VOL. 1587 PG 919
D.R.D.C.T.

CARROLL PARK ADDITION
THIRD FILING
CABINET A, PAGE 1
P.R.D.C.T.

POINT OF COMMENCING

CM 5/8" CIRF "IMP"

BLOCK 12
S 89°23'19" E - 704.50
[S 89° E - 700.00']
DIRECTIONAL CONTROL LINE

LINE #	BEARING	LENGTH
L1	S00°36'54"W	40.01'
L2	N89°09'11"W	28.77'
L3	S45°50'49"W	18.07'
L4	N89°09'11"W	21.48'
L5	N00°55'08"E	544.95'
L6	S89°09'11"E	21.01'
L7	S00°50'49"W	7.00'
L8	S89°09'11"E	22.49'
L9	S00°50'49"W	3.63'

4.0' U.E. PER PLAT
VOL. 350, PG 56

**R. Beaumont Survey
Abstract No. 31**

(PROPOSED)
LOT 2R BLOCK A
DENTON HIGH SCHOOL WEST

OWNER Denton ISD
Tax ID # R23576 & 33643
GRANTOR: C. LIPSCOMB, JR. AND
WIFE BIRDIE LIPSCOMB
GRANTEE: CITY OF DENTON
VOLUME 229, PAGE 371
D.R.D.C.T.

TRACT 1 CALLED 18 ACRES

20.00'
CITY OF DENTON
SANITARY SEWER ESMT
VOL. 413, PG. 41
D.R.D.C.T.

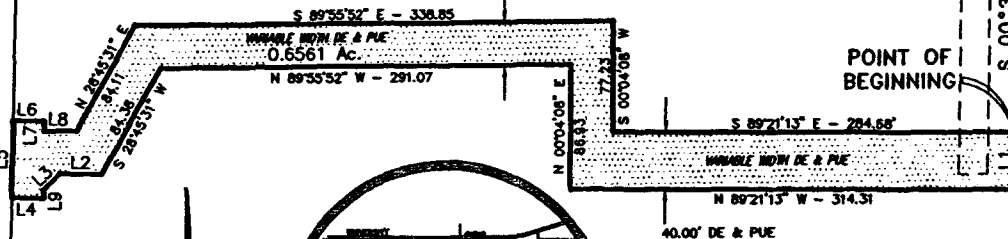
(Variable Width ROW)
FULTON STREET

N 00°55'08" E - 544.95'
[NORTH 1122.4']

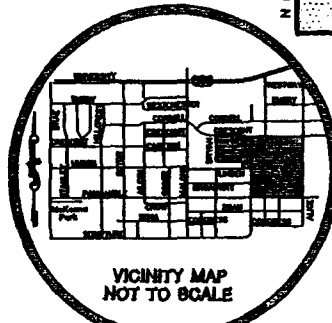
DIRECTIONAL CONTROL LINE

S 00°36'54" W - 552.14'
S 00°36'54" W - 1117.13'
[S 1/2 DEGREE W - 1120.3']

30.00' DE & PUE



POINT OF BEGINNING



DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT
PUE	PUBLIC UTILITY EASEMENT
WE	WATER EASEMENT
B.R.	DEED RECORDS DENTON COUNTY
R.P.R.	REAL PROPERTY RECORDS
P.R.	PLAT RECORDS DENTON COUNTY
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
●	CAPPED IRON ROD NOT STAMPED IMP



(IN FEET)
1 inch = 100 ft.

BASIS OF BEARINGS:

BEARINGS ARE BASED UPON G.P.S. METHODS, USING
NAD 83, TEXAS NORTH CENTRAL ZONE 4202 DATUM.

Adam Whitfield
Adam Whitfield, R.L.S.

7-02-08
Date: July 02, 2008



**0.6561 ACRE
Variable Width Drainage & Utility
Easement**

Situated in the
R. Beaumont Survey, Abst. No. 31
Located within the City of Denton
Denton County, Texas.



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