

OVERHEAD & UNDERGROUND EASEMENT
EASEMENT

STATE OF TEXAS
COUNTY OF EL PASO

Work Request: DT071665/
DT071666

For one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CANUTILLO INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITIES CORPORATION, A TEXAS NONPROFIT CORPORATION**, hereinafter called Grantor, grants unto El Paso Electric Company, hereinafter called Grantee, its successors and assigns, whose address is P.O. Box 982, El Paso, Texas 79960, the perpetual right, privilege, authority and easement to enter and erect, construct, operate, remove, inspect, access, and maintain a line of poles at any time with any and all necessary cables, lines, wires, crossarms, guys, and anchors, for an above ground electric distribution and/or transmission system together with an underground electric distribution system, including transformers (conventional or padmount), ducts, conductors, conduits, fixtures, pullboxes, manholes, handholes, service facilities transformers, vaults and any other usual appurtenances, pertaining thereto, together with the overhang of service wires, with the right of access, ingress, and egress, thereto for the installation, construction, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution and/or transmission of electricity, for any and all purposes, including communications, for which same is or may hereafter be used, over, upon and along the following described premises and the adjoining roads, streets and highways, in the county named above, to wit:

A portion of **TRACTS 59C AND 59D, NELLIE D. MUNDY SURVEY 241, EL PASO COUNTY, TEXAS**
as shown on the attached Exhibit A and made a part hereof,

with the right to trim any trees and flora along and around said lines and electrical equipment so as to keep the lines and electrical equipment cleared, the right to erect and set the necessary brace poles, anchors and guy wires, and to do anything proper and necessary to operate and maintain same.

The authority granted herein includes the right to permit the attachment of the cables of any other company.

Buildings and structures of a permanent nature, including but not limited to fences, boundary walls, walkways and landscaping that obstruct access to or safe operational clearances from Grantee's electrical equipment; will not be built on or over the easement, or under any overhead electric lines, except with the prior written consent of Grantee.

No waiver of Sovereign Immunity: Notwithstanding anything herein to the contrary, Grantee expressly understands that Grantor is a political subdivision of the State of Texas, and nothing in this agreement will be construed as a waiver or relinquishment by Grantor of its right to claim such exemptions, privileges, and immunities as may be provided by law.

Binding Effect: This agreement binds, benefits, and may be enforced by the parties and their respective successors, and permitted assigns.

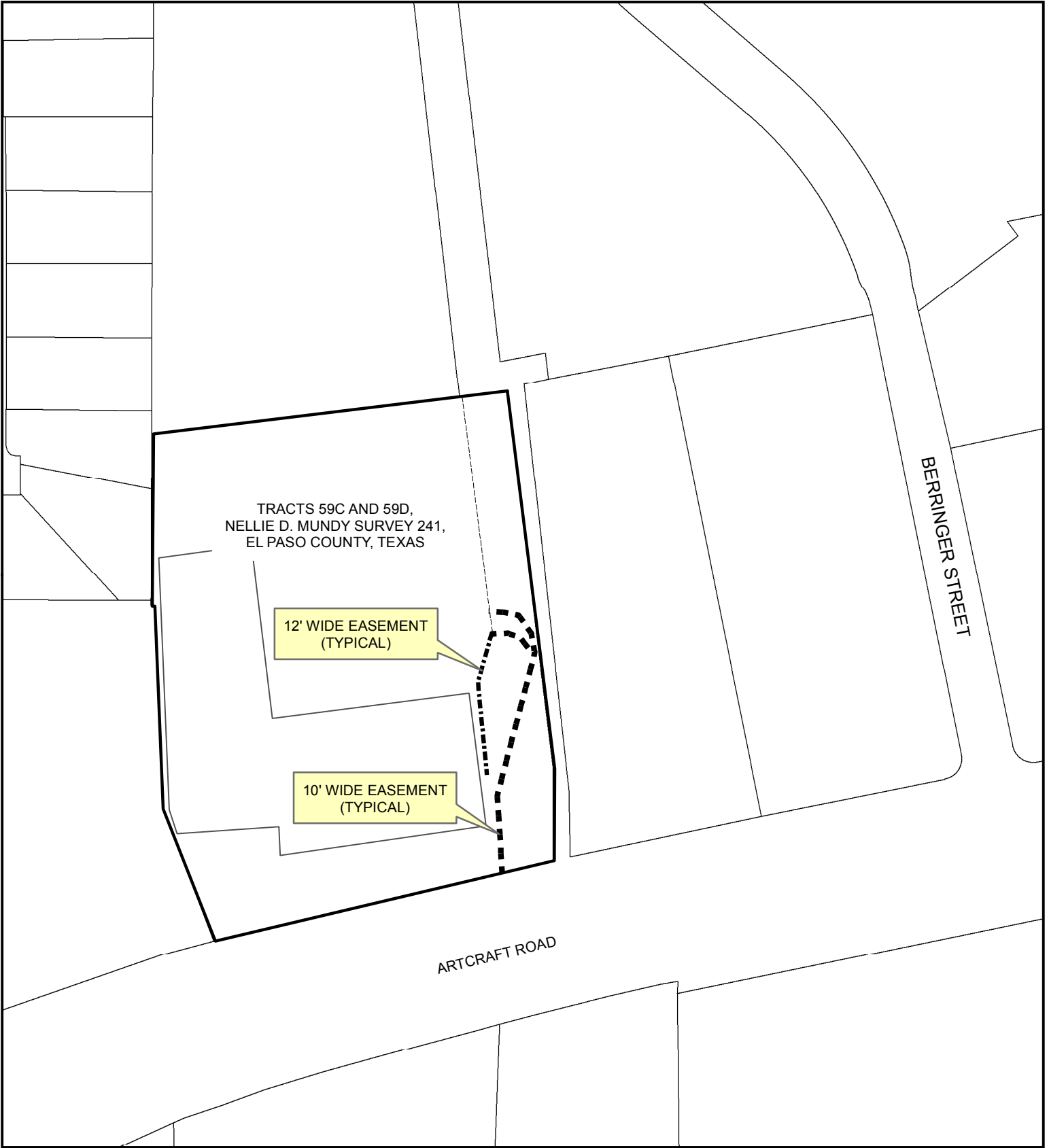
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Entire Agreement: This agreement and any exhibits are the entire agreement of the parties concerning the premises and the grant of the easement by Grantor to Grantee. There are no representations, agreements, warranties, or promises, and neither party is relying on any statements or representations of the other party or any agent of the other party, that are not expressly set forth in this agreement and any exhibits.

This Easement is effective upon the date it is executed by Grantor as stated in the Acknowledgement of Grantor's execution.

[Signatures on following page.]

EXHIBIT "A"



LEGEND (NOT ALL SYMBOLS APPLY)			
	PADMOUNT TRANSFORMER		UNDERGROUND EASEMENT
	ANCHOR EASEMENT		OVERHEAD EASEMENT
	SWITCH GEAR		OVERHEAD/UNDERGROUND EASEMENT
			EXISTING POWERLINE

