

July 3, 2013

Mr. Oscar Blankemeyer, Jr.  
5353 Teasley Lane,  
Denton, Texas 76210

Project Name: F. M. 2499 Fiber Optic Extension

Dear Mr. Blankemeyer

As requested, I have edited the easement document. The easement is now styled to include the Blankemeyer Family Trust and Marital Trust. In addition, DISD has been advised that you would prefer to have the payment for these easements be separated into the three entities, which will be as follows:

Oscar Blankemeyer, Jr.	\$ 4,047.96
The Blankemeyer Family Trust, Oscar Blankemeyer, Jr., Trustee	\$ 1,994.56
The Blankemeyer Marital Trust, Oscar Blankemeyer, Jr., Trustee	\$ 497.00

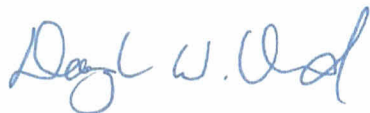
If you have questions please call me (903-465-2151) or Daniel Belser (214-733-7425) at your earliest convenience. IF YOU ARE IN AGREEMENT WITH OUR PROPOSAL, PLEASE SIGN THE EASEMENT\*, AND RETURN TO ME. The remaining material in the packet is for your records.

\* (The Easement needs to be notarized. I can make arrangements to provide this service or you can take them to any authorized Notary to perform that service.)

Upon receipt of the signed documents a check will be issued payable to you. This payment along with a copy of the fully executed contract will be returned to you in approximately 10 days.

We would appreciate hearing from you as soon as you have had time to consider our offer. We look forward to working with you on this acquisition.

Sincerely,



Douglas W. Underwood  
903-465-2151

EASEMENT

THIS EASEMENT, entered into by the undersigned, Oscar Blankemeyer, Jr., a single person, 61.9% interest, Oscar Blankemeyer, Jr., Trustee of the Blankemeyer Family Trust 30.5% interest, and Oscar Blankemeyer, Jr., Trustee of the Blankemeyer Marital Trust 7.6% interest herein referred to as GRANTORS and DENTON INDEPENDENT SCHOOL DISTRICT (DISD), herein referred to as GRANTEES, wherein GRANTORS, in consideration of the sum of Six Thousand Five Hundred Thirty Nine dollars and Fifty Two Cents (\$6,539.52), and other valuable consideration, receipt of which is hereby acknowledged, do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto DISD a permanent easement to construct, operate, maintain, inspect, replace and remove an underground fiber optic cable infrastructure and its associated appurtenances and parts upon and under GRANTOR'S land situated in Denton County, State of Texas, and described in Exhibit "A" and Exhibit "B" attached herewith:

GRANTEE AND GRANTOR mutually agree to the following terms and conditions associated with the use of the easement:

- 1. It is agreed by the Grantee that there shall be a temporary construction easement only as necessary adjacent to the permanent easement for the duration of the installation of said fiber optic cable infrastructure.
2. It is agreed by the Grantee that said fiber optic cable infrastructure and its associated appurtenances shall be entirely subsurface, except for 1 hand hole to be placed at proposed grade and signs and markers indicating the route.
3. Said line shall not be placed within 2 feet of any of Grantor's property lines.
4. Upon completion of construction Grantor's property affected by construction will be left in a condition as good as or better than prior to said construction.
5. Said line is constructed for the sole purpose of educational use and it will not be made available to the general public as a revenue generating utility.
6. All easement rights will revert back to the Grantor, his successors or assigns in the event of permanent abandonment of the easement.
7. Grantee agrees to, for the actual cost fee, raise, lower or relocate the line within the easement should it be necessary to do so to prevent interference with the Grantor's normal use of the property.
8. Grantee agrees that said line will be placed at a depth that will not interfere with the slope grading along F. M. 2499 proposed by the Texas Department of Transportation as of this date.
9. Grantor retains the right to normal use of the surface of the easement, including travel across and along the easement.

TO HAVE AND TO HOLD same, with all rights and appurtenances to the same belonging, unto GRANTEE, its successors and assigns, which are state public educational entities, until use of the easement is relinquished or abandoned, including (1) the right of ingress and egress to and from the easement by reasonable routes across the GRANTOR'S property, and (2) the right to remove obstructions from the easement as necessary for the construction and any maintenance work.

GRANTEE shall repair and restore the property to as near as possible original condition and will pay for any damage that cannot be repaired or restored following construction and any maintenance work.

GRANTORS warrant that they are the owners of the land herein conveyed and have the right to make this conveyance and receive the payment therefore, and GRANTOR, covenant that GRANTEE, may quietly enjoy the premises for the uses herein stated.

Signed and executed this 22 day of July, 2013.

Oscar Blankemeyer, Jr. (Signature)

Oscar Blankemeyer, Jr. Trustee of the Blankemeyer Family Trust (Signature)

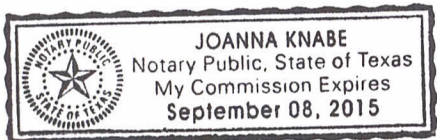
Oscar Blankemeyer, Jr. Trustee of the Blankemeyer Marital Trust (Signature)

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DENTON:

This instrument was acknowledged before me on July 22nd, 2013 by Oscar Blankemeyer, Jr., Individually, by Oscar Blankemeyer, Jr., as Trustee for the Blankemeyer Family Trust, and by Oscar Blankemeyer, Jr., as Trustee of the Blankemeyer Marital Trust, in the capacities therein stated and behalf of the said trusts.

(Signature)
Notary Public, State of Texas



# UNDERWOOD

DRAFTING & SURVEYING, INC.

## **PARCEL 7 5' UTILITY EASEMENT**

*Situated in the City of Denton, County of Denton, State of Texas, being a part of Carlos Chacon Survey, Abstract No. 298, and being a part of that tract of land conveyed to Oscar Blankemeyer, Jr. as recorded in Volume 1187, Page 559, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:*

***Beginning** at a found rod at the southeast corner of said Blankemeyer tract;*

***Thence** South  $89^{\circ}01'57''$  West with the south line of said tract, a distance of 5.00 feet to a point;*

***Thence** North  $01^{\circ}00'11''$  East, a distance of 878.52 feet to a point;*

***Thence** North  $01^{\circ}24'38''$  West, a distance of 25.00 feet to a point;*

***Thence** with a curve to left having a radius of 1035.00 feet (Chord bears North  $08-47-00$  W, 349.06 feet) an arc distance of 350.73 feet to a point;*

***Thence** North  $71^{\circ}-38'49''$  East, a distance of 5.00 to a point in the west right-of-way of Farm Market Road 2499;*

***Thence** with said right-of-way and a curve to the right having a radius of 1040.00 feet (Chord bears South  $08^{\circ}46'59$  E, 350.73 feet) an arc distance of 352.42 to a point;*

***Thence** South  $89^{\circ}04'31''$  East, a distance of 1.05 feet to a point;*

***Thence** South  $01^{\circ}00'11''$  West, a distance of 903.34 feet to the **Point-of-Beginning** and containing **6,288 sq. ft. or 0.144 acres of land.***

*and a 50' 50' temporary construction easement as shown on Exhibit "B" to be abandon upon installation of fiber optic cable.*

## **EXHIBIT "A"**





CARLOS CHACON SURVEY  
ABSTRACT NO. 190

50' x 50' TEMPORARY  
CONSTRUCTION  
EASEMENT

R=0.00' - L=0.00'  
Chord Bearing=N 90°00'00" E  
Chord Distance=0.00'

OSCAR BLANKMEYER, JR.  
VOL. 1187, PG. 559  
D. R. D. C. T.

N 01°24'38" W ~ 25.00'

5' PERMANENT EASEMENT

OSCAR BLANKMEYER, JR.  
6288 SQ. FT., 0.144 ACRES

R=1040.00' - L=352.42'  
Chord Bearing=N 08°46'59" W  
Chord Distance=350.73'

NEW RIGHT-OF-WAY

S 89°04'31" E ~ 1.05'

FARM MARKET ROAD 2499

B. B. B. & C. R. R.  
SURVEY  
ABSTRACT NO. 190

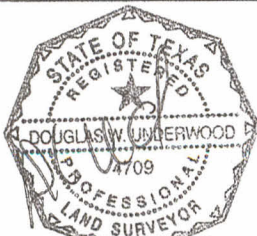
N 01°00'11" E 878.52'  
S 01°00'11" W 903.34'

SHEET 1  
SHEET 2

PARCEL 7  
EXHIBIT "B"

TOTAL PERMANENT  
EASEMENT  
(0.144 ACRES)

~ BASIS OF BEARINGS ~  
GRID NORTH, NAD 83  
TEXAS STATE PLANE COORDINATE SYSTEM  
NORTH CENTRAL ZONE



DOUGLAS W. UNDERWOOD,  
R.L.S. 4087709  
SURVEYED ON THE GROUND  
MARCH 2012

D. I. S. D.  
DENTON  
TEXAS



DRAFTING & SURVEYING, INC.  
3404 INTERURBAN ROAD  
DENISON, TEXAS 75021  
(903) 465-2151 FAX: (903) 465-2152

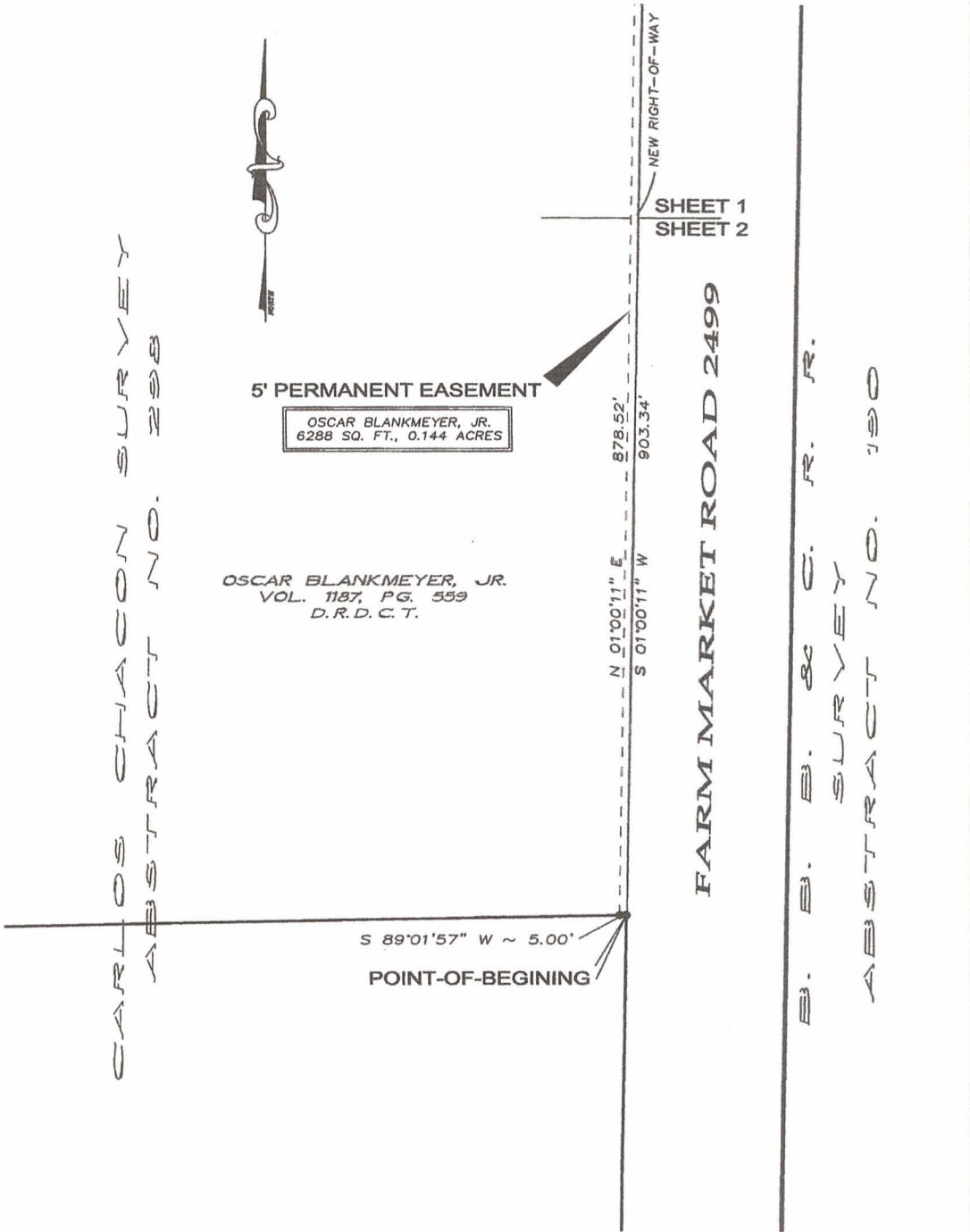
DATE: 03/01/12

DRAWN BY: JC

APPROVED BY: JBA

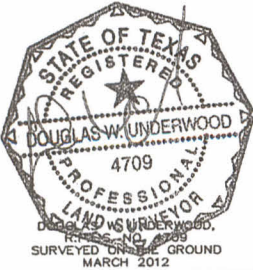
SCALE: 1" = 200'

5' EASEMENT  
CARLOS CHACON SURVEY,  
ABSTRACT NO. 190  
DENTON COUNTY, TEXAS  
GRANTOR: OSCAR BLANKMEYER, JR.

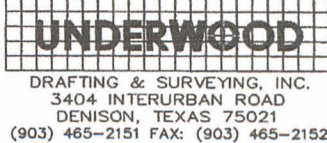


PARCEL 7  
EXHIBIT "B"  
TOTAL PERMANENT  
EASEMENT  
(0.144 ACRES)

~ BASIS OF BEARINGS ~  
GRID NORTH, NAD 83  
TEXAS STATE PLANE COORDINATE SYSTEM  
NORTH CENTRAL ZONE



D. I. S. D.  
DENTON  
TEXAS



DATE: 03/01/12  
DRAWN BY: JC  
APPROVED BY: JBA  
SCALE: 1" = 100'

5' EASEMENT  
CARLOS CHACON SURVEY,  
ABSTRACT NO. 190  
DENTON COUNTY, TEXAS  
GRANTOR: OSCAR BLANKMEYER, JR.