



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: May 18, 2021

AGENDA ITEM: Consider Approval of Offsite Drainage Easement Between Aledo Independent School District and City of Aledo – Parks of Aledo, Bluffs

PRESENTER: Earl Husfeld, Chief Financial Officer

BACKGROUND INFORMATION:

- As we discussed during the April 19, 2021 board meeting, the District was recently approached by Mr. Justin Welborn, with James R. Harris Partners, LLC, (Harris Partners) with a request from the City of Aledo for an offsite drainage easement.
- Mr. Welborn and Harris Partners are the developers for the Parks of Aledo, Bluffs residential development project west of the Aledo ISD Learning Center and Agriculture Barn.
- In order to file their final plat, the City of Aledo (City) has requested Harris Partners to obtain from the District a 25'x25' Offsite Drainage Easement for the City.
- This 25'x25' space is a storm drain inlet in the ditch on the property line behind, or west of, the District's Indoor Practice Facility.
- This easement restricts the District's ability to build anything on this 25'x25' space, but in its native condition and location, it is extremely unlikely the District would ever choose to do this. The Easement obligates the City to maintain the 25'x25' space.
- The attached 25'x25' Offsite Drainage Easement between Aledo Independent School District and City of Aledo has been reviewed and approved by the District's legal counsel, as well as the engineer assisting the District with the planned drainage improvements around the Ag Barn and Ag Classroom Building.

FISCAL INFORMATION:

None

ATTACHMENTS:

25'x25' Offsite Drainage Easement between Aledo Independent School District and City of Aledo

ADMINISTRATIVE RECOMMENDATION:

The Administration recommends the Board of Trustees approve the Offsite Drainage Easement Between Aledo Independent School District and City of Aledo – Parks of Aledo, Bluffs as presented and authorizes the Superintendent to execute the easement document.

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

CITY OF ALEDO
25'x25' OFFSITE DRAINAGE EASEMENT

DATE: MAY 18, 2021

GRANTOR: **ALEDO INDEPENDENT SCHOOL DISTRICT**

GRANTOR'S MAILING ADDRESS (including County):
1008 BAILEY RANCH ROAD
ALEDO, PARKER COUNTY, TX 76008
GRANTEE: **CITY OF ALEDO**

GRANTEE'S MAILING ADDRESS (including County):
200 OLD ANNETTA ROAD
ALEDO, PARKER COUNTY, TX 76008

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY: **Being a tract of land situated in the E. Ozer Survey, Abstract Number 1031, Parker County, Texas and a portion of Lot 1, Aledo ISD Multi-Facility Campus Addition, according to plat recorded in Cabinet D, Slide 101, Plat Records, Parker County, Texas and being more particularly described by Exhibits "A", "B" and "C" attached.**

Grantor, for the consideration paid to Grantor and other good and valuable consideration, hereby grants, sells, and conveys to Grantee, its successors and assigns, an exclusive, perpetual easement for the construction, operation, maintenance, replacement, upgrade, and repair of a Permanent Offsite Drainage Easement, hereafter referred to as "Facility" (Exhibit "C"). The Facility includes all incidental underground and aboveground attachments, equipment and appurtenances, including, but not limited to manholes, pipelines, junction boxes, inlets, flumes, headwalls, wingwalls, slope pavement, gabions, rock rip-rap, drop structures and access ramps, and other erosion control measures in, upon, under and across a portion of the Property and more fully described in Exhibit "A" attached hereto and incorporated herein for all pertinent purposes, together with the right and privilege at any and all times to enter Property, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading, and repairing said Facility.

In no event shall Grantor (I) use the Property in any manner which interferes in any material way or is inconsistent with the rights granted hereunder, or (II) erect or permit to be erected within the easement property a permanent structure or building, including, but

not limited to, monument sign, pole sign, billboard, brick or masonry fences or walls or other structures that require a building permit, or any structure not requiring a building permit, but which may threaten the structural integrity or capacity of the Facility and its appurtenances. Grantee shall be obligated to restore the surface of the Property at Grantee's sole cost and expense, including the restoration of any sidewalks, driveways, or similar surface improvements located upon or adjacent to the Easement which may have been removed, relocated, altered, damaged, or destroyed as a result of the Grantee's use of the easement granted hereunder to the same or better condition as such improvements were in prior to Grantee's activities upon or adjacent to the Facility; provided, however, that Grantee shall not be obligated to restore or replace irrigation systems or other improvements installed in violation of the provisions and intended use of this Easement.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto Grantee, and Grantee's successors and assigns forever; and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the easement unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof by through or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR: Aledo Independent
School District

GRANTEE: City of Aledo

Dr. Susan K. Bohn
Superintendent

Kit Marshall
Mayor

APPROVED AS TO FORM AND LEGALITY

City Attorney

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF PARKER §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kit Marshall, Mayor of the City of Aledo, known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the City of Aledo and that he/she executed the same as the act of the City of Aledo for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of

_____, 2021.

Notary Public in and for the State of Texas

STATE OF TEXAS §

COUNTY OF PARKER §

BEFORE ME, the undersigned authority, on this day personally appeared Dr. Susan K. Bohn, Superintendent of the Aledo Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and she is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of

_____, 2021.

Notary Public in and for the State of Texas

EXHIBIT "A"
25' X 25' OFFSITE DRAINAGE EASEMENT
625 SQUARE FEET OR 0.014 ACRE
E. OXER SURVEY, ABSTRACT NUMBER 1031
PARKER COUNTY, TEXAS

BEING a tract of land situated in the E. Oxer Survey, Abstract Number 1031, Parker County, Texas, and a portion of Lot 1, Aledo ISD Multi-Facility Campus Addition, according to plat recorded in Cabinet D, Slide 101, Plat Records, Parker County, Texas, said tract being more particularly described by metes and bounds as follows: (Bearings referenced to U.S. State Plane Grid 1983 - Texas North Central Zone (4202) NAD83 as established using GPS Technology in conjunction with the AllTerra RTK Cooperative Network. All distances are at ground):

COMMENCING from a wood fence corner post found for the northwest corner of said Lot 1 and being an inner corner of a tract of land described to POA Bluffs, LLC, as recorded in Document Number 202011734 (OPRPCT);

THENCE South 00°25'17" East, with the common line of said Lot 1 and said POA Bluffs tract, a distance of 178.26 feet to the **POINT OF BEGINNING**;

THENCE departing the common line and over and across said Lot 1 the following courses and distances:

North 89°34'33" East, a distance of 25.00 feet to a point;

South 0°25'27"East, a distance of 25.00 feet to a point;

South 89°34'33"West, a distance of 25.00 feet to a point on the common line of said Lot 1 and said POA Bluffs tract;

THENCE North 0°25'27"West, with said common line, a distance of 25.00 feet to the **POINT OF BEGINNING** and containing 625 square feet or 0.014 acre of land.



949 Hilltop Drive, Weatherford, TX 76086
tstock@bhinc.com • 817.596.7575 • bhinc.com
TBPELS Firm #44, #10011300, #10011302, #10194146

SURVEYOR'S CERTIFICATION

I, Toby G. Stock, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby declare that this survey is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Texas Engineering and Land Surveying Practice Acts and Rules Concerning Practice and Licensure.


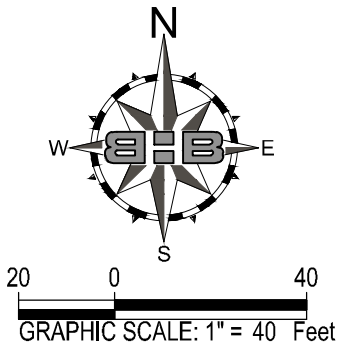

Toby G. Stock, RPLS No. 6412
Date: February 24, 2021

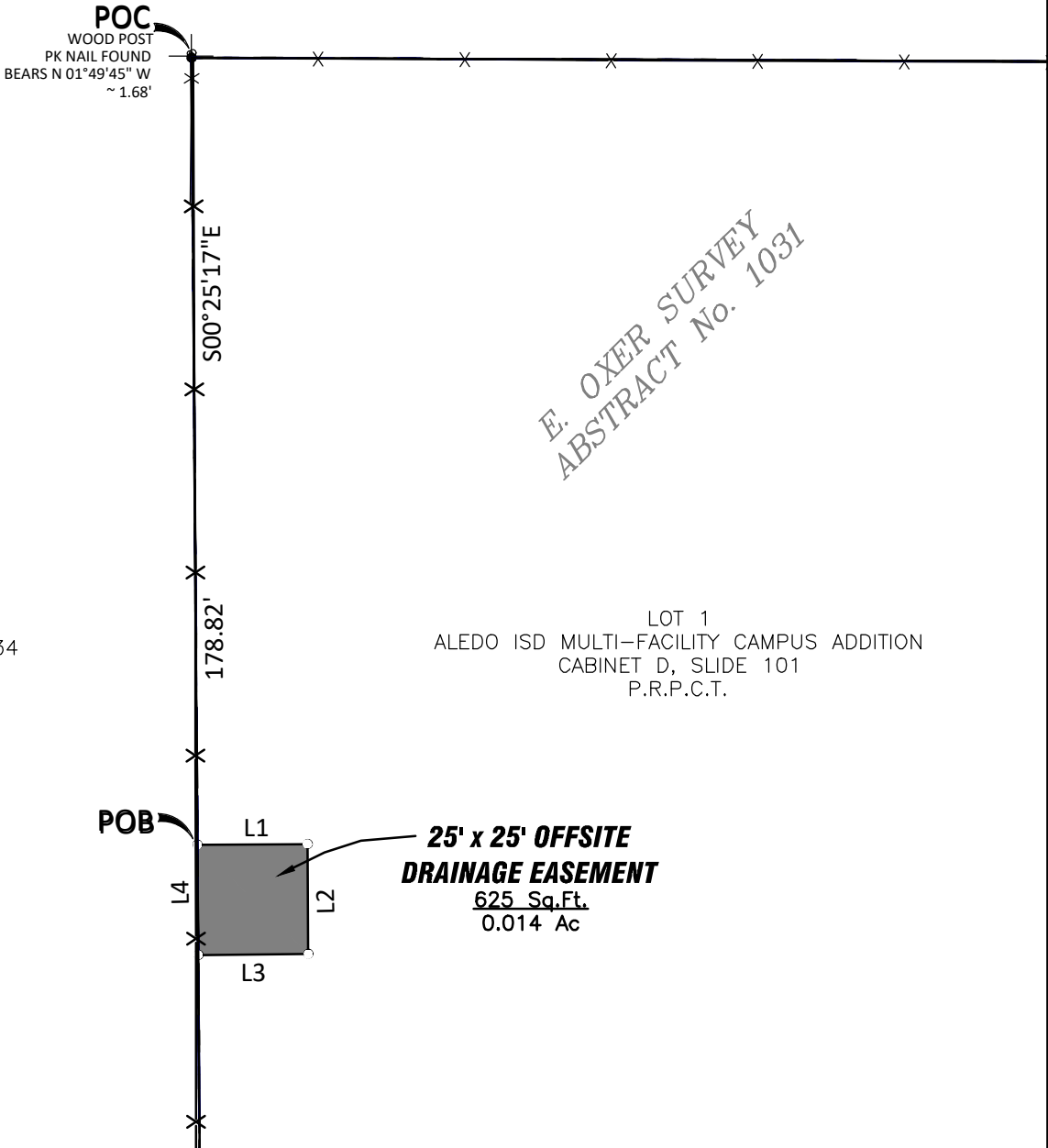


EXHIBIT "B"
25' X 25' OFFSITE DRAINAGE EASEMENT
625 SQUARE FEET OR 0.014 ACRE
E. OXER SURVEY, ABSTRACT NUMBER 1031
PARKER COUNTY, TEXAS



POA BLUFFS, LLC.
DOC. NO. 202011734
O.P.R.P.C.T.

LOT 1
ALEDO ISD MULTI-FACILITY CAMPUS ADDITION
CABINET D, SLIDE 101
P.R.P.C.T.



Legend


CIRF.....5/8" Capped Iron Rod Marked "BHB INC" Found
CIRS.....5/8" Capped Iron Rod Marked "BHB INC" Set
IRF.....Iron Rod Found
D.R.P.C.T.....Deed Records, Parker County, Texas
O.P.R.P.C.T.....Official Public Records, Parker County, Texas
P.R.P.C.T.....Plat Records, Parker County, Texas
POC.....Point of Commencement
POB.....Point of Beginning

SURVEYOR'S NOTES

- All bearings and coordinates refer to the Texas Coordinate System, NAD83, North Central Zone - 4202, as established the AllTerra RTKNet Cooperative Network.
- All distances shown are at ground.

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Toby G. Stock, RPLS No. 6412
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BAIRD, HAMPTON & BROWN
building partners

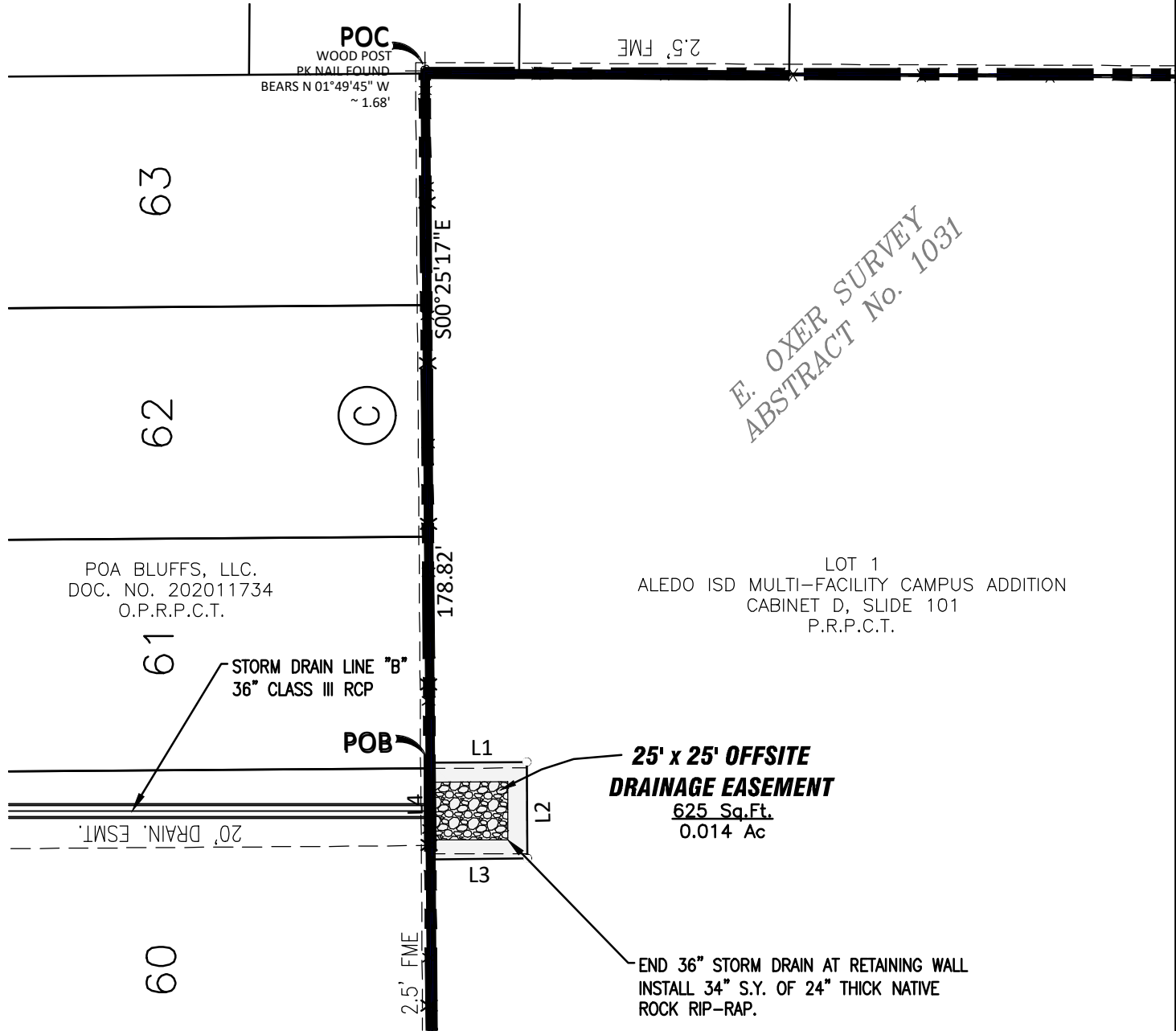
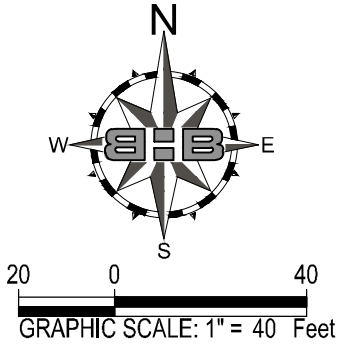
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LINE DATA TABLE		
NO.	BEARING	DIST
L1	N89°34'33"E	25.00'
L2	S0°25'27"E	25.00'
L3	S89°34'33"W	25.00'
L4	N0°25'27"W	25.00'



EXHIBIT "C"

25' X 25' OFFSITE DRAINAGE EASEMENT
625 SQUARE FEET OR 0.014 ACRE
E. OXER SURVEY, ABSTRACT NUMBER 1031
PARKER COUNTY, TEXAS



Legend

CIRF.....5/8" Capped Iron Rod Marked "BHB INC" Found
CIRS.....5/8" Capped Iron Rod Marked "BHB INC" Set
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O.P.R.P.C.T.....Official Public Records, Parker County, Texas
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