

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

TEMPORARY CONSTRUCTION GRADING & ACCESS EASEMENT

STATE OF TEXAS §

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DENTON §

THAT **Denton Independent School District**, whose mailing address is 1307 N. Locust St., Denton, TX ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration to Grantor in hand paid by the City of Denton, a Texas home rule municipal corporation ("Grantee"), 215 E. McKinney, Denton, Texas 76201, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY, unto Grantee a temporary construction, grading and access easement being a 1.141 acre tract in, along, upon, under, over and across the following described property, owned by Grantor, and situated in Denton County, Texas, located in the Nathan Wade Survey, Abstract Number 1407, and in the Francis Batson Survey, Abstract Number 43 (the "Property"), to wit:

**PROPERTY AREA DESCRIBED IN EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF**

It is agreed that the City of Denton, in consideration of the benefits above set out, will remove from the Property above described, such fences, signage, buildings and other obstructions as may now be found upon said Property, for the purpose of construction activities, grading activities and access in, along, upon, under and across said Property. It is specifically stipulated by Grantor that the scope of the access, construction and grading activities shall include the clearing and removal of vegetation and trees that exist within the Property.

The City of Denton, its agents, employees, contractors, workmen, and representatives shall have the right of ingress, egress and regress in, along, upon, under and across said Property for the purpose of construction activities or any part thereof.

The term of this grant shall commence on the execution date of the conveyance document by the landowner (the "Effective Date") and shall expire two years from the Effective Date unless extended by written agreement of the parties, which consent shall not be unreasonably withheld.

TO HAVE AND TO HOLD unto the said City of Denton, Texas as aforesaid for the purposes aforesaid the Property above described.

EXECUTED the _____ day of _____, 2025.

GRANTOR: **Denton Independent School District:**

by: _____
Dr. Susannah Holbert O'Bara, Superintendent

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

This instrument was acknowledged before me on _____, 2025, by
Dr. Susannah Holbert O'Bara as Superintendent of Denton Independent School District, on behalf
of said entity.

Notary Public, in and for the State of Texas
My commission expires: _____

Upon Filing Return To:
City of Denton-Real Estate
401 N. Elm St.
Denton, TX 76201

EXHIBIT "A"
PARCEL 61 – TEMPORARY CONSTRUCTION EASEMENT

49,721 Square Feet or 1.141 Acres
situated in the Nathan Wade Survey, Abstract No. 1407 and
Francis Batson Survey, Abstract Number 43
City of Denton, Denton County, Texas

BEING a tract of land situated in the Nathan Wade Survey, Abstract No. 1407 and Francis Batson Survey, Abstract No. 43, in the City of Denton, Denton County, Texas, being a portion of Lot 1, Block A, Bonnie Brae High School Addition, recorded in Document No. 2020-113 in the Official Records of Denton County, Texas (O.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron rod with a cap stamped "KERN INC" found for the northeast intersection corner of Westgate Drive (variable width right-of-way) and Coffey Drive (50-foot right-of-way), common to the southwest corner of Lot 1, Block A, Westgate Hills North Phase III, recorded in Cabinet P, Page 43 O.R.D.C.T., from which a 1/2-inch iron rod found for the southeast corner of said Lot 1, Block A, Westgate Hills North Phase III, bears South 89 degrees 41 minutes 53 seconds East, with the north right-of-way line of said Coffey Drive, a distance of 81.00 feet;

THENCE North 00 degrees 09 minutes 26 seconds West with the common line of said Westgate Drive and Lot 1, Block A, Westgate Hills North phase III, a distance of 141.91 feet to the northwest corner of Lot 1, Block A, Westgate Hills North Phase III, from which a Mag Nail found in Westgate Drive for the southwest right-of-way dedication corner by said Bonnie Brae High School Addition bears North 89 degrees 36 minutes 04 seconds West, a distance of 31.15 feet;

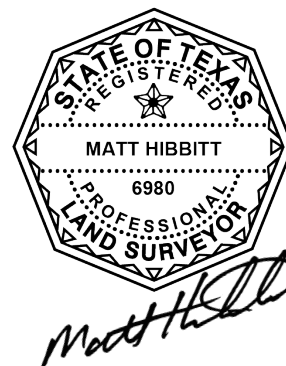
THENCE South 89 degrees 36 minutes 04 seconds East with the north line of Lot 1, Block A, Westgate Hills North Phase III passing at a distance of 1.35 feet the southwest corner of said Lot 1, Block A, Bonnie Brae High School Addition, and continuing for a total distance of 28.35 feet to the **POINT OF BEGINNING** and the southernmost southwest corner of the herein described tract;

THENCE North 00 degrees 00 minutes 27 seconds East, a distance of 119.98 feet to a point for corner of the herein described tract;

THENCE North 89 degrees 59 minutes 33 seconds West, a distance of 27.00 feet to the common line of Westgate Drive and Lot 1, Block A, Bonnie Brae High School Addition for the westernmost southwest corner of the herein described tract;

THENCE with the common line of Westgate Drive and Lot 1, Block A, Bonnie Brae High School Addition the courses as follows:

North 00 degrees 00 minutes 27 seconds East, a distance of 2,786.50 feet to a point for corner, from which a Mag Nail found in Westgate Drive for a point for corner of said right-of-way dedication by Bonnie Brae High School Addition, bears North 89 degrees 56 minutes 45 seconds West, a distance of 32.50 feet;



Half Associates, Inc. • 2601 Meacham Blvd., Suite 600, TX 76137
Tel. (817) 847-1422 • TBPELS Surveying Firm No. 10029605

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PARCEL 61 – TEMPORARY CONSTRUCTION EASEMENT

49,721 Square Feet or 1.141 Acres
situated in the Nathan Wade Survey, Abstract No. 1407 and
Francis Batson Survey, Abstract Number 43
City of Denton, Denton County, Texas

North 00 degrees 03 minutes 41 seconds East, a distance of 398.44 feet to the south corner of a corner clip at the southeast intersection corner of Bronco Way (variable width right-of-way) and Westgate Drive for the northwest corner of the herein described tract;

North 45 degrees 12 minutes 46 seconds East, with said corner clip a distance of 14.10 feet to the northeast corner of the herein described tract;

THENCE over and across Lot 1, Block A, Bonnie Brae High School Addition the courses as follows:

South 00 degrees 03 minutes 41 seconds West, a distance of 408.39 feet to a point for corner;

South 00 degrees 00 minutes 27 seconds West, a distance of 2,465.17 feet to a point for corner;

South 89 degrees 59 minutes 33 seconds East, a distance of 45.00 feet to a point for corner;

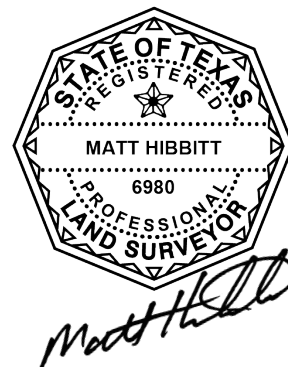
South 00 degrees 00 minutes 27 seconds West, a distance of 441.49 feet to the common line of Lot 1, Block A, Bonnie Brae High School Addition and Lot 1, Block A, Westgate Hills North Phase III, for the southeast corner of the herein described tract;

THENCE North 89 degrees 36 minutes 04 seconds West, with the common line of Lot 1, Block A, Bonnie Brae High School Addition and Lot 1, Block A, Westgate Hills North Phase III, a distance of 28.00 feet returning to the **POINT OF BEGINNING** and containing 49,721 square feet or 1.141 acres of land, more or less.

This metes and bounds description is issued in conjunction with a survey of even date.

Basis of bearing is the North American Datum of 1983(2011) Epoch 2010.00 based on the Texas Coordinate System of 1983, North Central Zone (TXNC-4202). Distances shown hereon are U.S. Survey feet displayed in surface values.

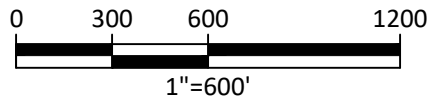
Field work completed on May 20, 2024; Issued Date: October 11, 2024.
Updated October 16, 2024.



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EXHIBIT "A"

GRAPHIC SCALE



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 00°00'27" E	119.98'
L2	N 89°59'33" W	27.00'
L3	N 00°00'27" E	2,786.50'
L4	N 00°03'41" E	398.44'
L5	N 45°12'46" E	14.10'
L6	S 00°03'41" W	408.39'
L7	S 00°00'27" W	2,465.17'
L8	S 89°59'33" E	45.00'
L9	S 00°00'27" W	441.49'
L10	N 89°36'04" W	28.00'

LEGEND

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
FIR	FOUND IRON ROD
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
INST. NO.	INSTRUMENT NUMBER
CAB.	CABINET
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS
●	FOUND MONUMENTS
○	POINT FOR CORNER
---	PROPERTY LINE
---	ROAD RIGHT-OF-WAY LINE
---	EXISTING EASEMENT LINE
■	TEMPORARY CONSTRUCTION EASEMENT

GENERAL NOTES:

1. BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983(2011) EPOCH 2010.00 BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (TXNC-4202). DISTANCES SHOWN HEREON ARE U.S. SURVEY FEET DISPLAYED IN SURFACE VALUES.
2. THIS SURVEY IS ISSUED WITHOUT THE BENEFIT OF A CURRENT COMMITMENT FOR TITLE INSURANCE AND COULD BE SUBJECT TO RESTRICTIONS AND/OR ADDITIONAL EASEMENTS NOT SHOWN HEREON.
3. THIS SURVEY IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION OF EVEN DATE.
4. FIELD WORK WAS COMPLETED ON: MAY 20, 2024

*UPDATED OCTOBER 16, 2024

N 89°56'45" W
32.50'
FOUND NAIL

ROW DEDICATION
DOC. NO. 2020-113
O.R.D.C.T.

WESTGATE DRIVE
(VARIABLE WIDTH RIGHT-OF-WAY)

LOT 1, BLOCK A
BONNIE BRAE HIGH
SCHOOL ADDITION
DOC. NO. 2020-113
O.R.D.C.T.

**TEMPORARY
CONSTRUCTION
EASEMENT
1.141 ACRES
49,721 SQUARE FEET**

LOT 1, BLOCK A
WESTGATE HILLS
NORTH, PHASE III
CAB. P, PG. 43
O.R.D.C.T.

P.O.B.

FOUND NAIL

S 89°36'04" E
1.35'

N 00°09'26" W
141.91'

ROW DEDICATION
CAB. N, PG. 377
O.R.D.C.T.

1/2" IRF (KERN INC)

P.O.C.

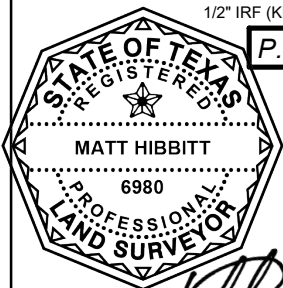
COFFEY DRIVE
(50 FOOT RIGHT-OF-WAY)
(CAB. P, PG. 43, O.R.D.C.T.)

S 89°36'04" E
28.35'

S 89°41'53" E
81.00'

FRANCIS BATSON
SURVEY ABSTRACT NO. 43

NATHAN WADE SURVEY
ABSTRACT NO. 1407



2601 Meacham Blvd., Suite 600
FORT WORTH, TX 76137
TEL (817) 847-1422
TBPELS SURVEYING FIRM #10029605

EXHIBIT A - PARCEL 61
TEMPORARY CONSTRUCTION EASEMENT
49,721 SQUARE FEET- 1.141 ACRES
FRANCIS BATSON SURVEY, ABST. NO. 43 &
NATHAN WADE SURVEY, ABST. NO 1407
CITY OF DENTON, DENTON COUNTY, TEXAS

PROJECT NO: 52421

DATE ISSUED: 10/11/2024

DRAWN BY: MAJ

CHECKED BY:MDH

PAGE: 3 OF 3