



## **ALEDO ISD BOARD MEETING TEMPLATE**

**MEETING DATE:** January 22, 2019

**AGENDA ITEM:** Consider Approval of Right-of-Way Easement to the City of Fort Worth

**PRESENTER:** Earl Husfeld, Chief Financial Officer

### **BACKGROUND INFORMATION:**

- Walsh and Republic Property Group (Walsh) are starting development of Phase 2 in the Walsh Development. Phase 2 will consist of 539 lots.
- One of the roads in Phase 2 (Purple Thistle Lane) terminates at Old Weatherford Road.
- Old Weatherford Road is not a dedicated road. In other words, there is no dedicated right-of-way in place for Old Weatherford Road.
- The property line between Aledo ISD and Walsh property lies just south of the roadway/asphalt limits of Old Weatherford Road.
- The City of Fort Worth is requiring Walsh to obtain a Right-of-Way Easement for the City for the small portion of District property between the Walsh property line to the Old Weatherford Road roadway. This will allow Walsh to make the physical connection to the pavement.
- The following Right-of-Way Easement and Exhibits have been reviewed and approved by the District's legal counsel.

### **FISCAL INFORMATION:**

None

### **ATTACHMENTS:**

Right-of-Way Easement between Aledo ISD and City of Fort Worth – Walsh Phase 2 Purple Thistle Lane and Walsh Phase 2 Right-of-Way Easement Keymap

### **ADMINISTRATIVE RECOMMENDATION:**

The Administration recommends approval of the following Right-of-Way Easement with the City of Fort Worth as presented.

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

**City Project No. 101672  
Walsh PA 2B**

**THE STATE OF TEXAS   §  
                                     §  
COUNTY OF PARKER   §**

**RIGHT-OF-WAY EASEMENT**

**THAT Aledo Independent School District**, hereinafter referred to as “Grantor”, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the City of Fort Worth, a municipal corporation of Tarrant County, Texas, receipt of which is hereby acknowledged, does **Grant, Bargain, and Convey** to said City, its successors and assigns, the use, passage in and along the Property (“Property”) situated in Parker County, Texas, hereinafter described in the attached Exhibit A. Grantor does hereby acknowledge and agree that this conveyance to City includes the right of the City to permit the public to use the Property as a public right-of way. Grantor also hereby acknowledges and agrees that this conveyance to City includes the right of the City to construct and install sidewalks and to permit utilities to be situated within the Property as required by the City or by law. “Utilities” includes but are not limited to: water facilities, sewer facilities, gas facilities, electric facilities, telecommunication facilities, drainage facilities, and other utilities as defined by law.

It is intended by these presents to convey a **right-of-way** to the said City of Fort Worth to maintain and construct the **right-of-way** improvements, with the usual rights of ingress and egress in the necessary use of such **right-of-way**, in and along said Property.

This right-of-way easement is granted to facilitate the connection of Purple Thistle Lane to Old Weatherford Road

Under Chapter 21, Subchapter E of the Texas Property Code, as amended, the Grantor or the Grantor’s heirs, successors, or assigns may be entitled before the 10<sup>th</sup> anniversary of the date of this acquisition to repurchase the property or request certain information about the use and any actual progress made toward the use for which the property was acquired under this right-of-way easement instrument, and the repurchase price will be the price the City paid Grantor in this acquisition.

**TO HAVE AND TO HOLD** the above described Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, unto the said City of Fort Worth, its successors and assigns, forever. Grantor does hereby bind itself, its heirs, successors and assigns, to warrant and forever defend, all and singular, the said premises unto the said City of Fort Worth, 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, subject to covenants, conditions, restrictions, rights-of-way, and easements of record in the Real Property Records of Parker County, Texas, existing as of the date hereof.

**HERETO WITNESS MY HAND** on the dates set out below.

**GRANTOR(S):**

**ALEDO INDEPENDENT SCHOOL DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**APPROVED AS TO FORM AND  
LEGALITY:**

**CITY OF FORT WORTH**

\_\_\_\_\_  
Assistant City Attorney

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THE STATE OF TEXAS   §  
                                     §  
COUNTY OF PARKER   §**

**ACKNOWLEDGMENT**

**BEFORE ME**, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ of the Aledo Independent School District, 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 Aledo Independent School District and that he/she executed the same as the act of said Aledo Independent School District for the purposes and consideration therein expressed and in the capacity therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public in and for the State of Texas

THE STATE OF TEXAS   §  
                                     §  
COUNTY OF TARRANT   §

**ACKNOWLEDGMENT**

**BEFORE ME**, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ for the City of Fort Worth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the City of Fort Worth for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public in and for the State of Texas

# EXHIBIT "A"



PLEASE REFER TO BAR SCALE. DRAWING  
MAY HAVE BEEN REDUCED OR ENLARGED.



APPROXIMATE LOCATION SURVEY LINE

395  
OF  
914.3

KEVIN W. VAN,  
J.C.D., D.D. BISHOP OF  
CATHOLIC DIOCESE FORT WORTH,  
VOLUME 2459, PAGE 1357,  
O.P.R.P.C.T

5/8" IRF (NO CAP)  
BEARS N06°35'59"E-1.15'

900.00'

POINT OF  
COMMENCING  
5/8" IRF (NO CAP)

N 89°02'18" E  
2660.36'

WALSH RANCHES  
LIMITED PARTNERSHIP  
VOLUME 1699, PAGE 1765  
D.R.P.C.T.  
VOLUME 12624, PAGE 92  
D.R.T.C.T.

ALEDO INDEPENDENT SCHOOL DISTRICT  
(Tract 1)  
Volume 2583, Page 1480  
O.R.P.C.T

RIGHT OF WAY EASEMENT  
3,220 Sq.Ft. or 0.0739 Acres

N 89°02'18" E  
140.00'

N 00°57'42" W  
23.00'

APPROXIMATE LOCATION SURVEY LINE

POINT OF  
BEGINNING

S 89°02'18" W  
140.00'

QUAIL VALLEY DEVCO II, LLC  
Document No. 201815085  
O.P.R.P.C.T.

I. & G.N. R.R. CO. SURVEY  
ABSTRACT NO. 1996

N 41°17'59" E 551.19'

REGINA GRAMMER  
Volume 2436, Page 1906,  
Volume 2438, Page 899  
O.R.P.C.T

ALEDO INDEPENDENT SCHOOL DISTRICT  
Volume 2682, Page 958,  
O.R.P.C.T

5/8" IRF (NO CAP)

OLD WEATHERFORD ROAD  
(RECORD DEED NOT FOUND)

## LEGEND

- IRS ○ 5/8" IRON ROD SET WITH CAP  
STAMPED "HUITT-ZOLLARS"
- IRF ● 5/8" IRON ROD FOUND WITH CAP  
STAMPED "DUNAWAY ASSOC. LP"  
UNLESS NOTED OTHERWISE
- ℙ PROPERTY LINE



**HUITT-ZOLLARS**

Huitt-Zollars, Inc. Dallas  
1717 McKinney Avenue, Suite 1400  
Dallas, Texas 75202-1236  
Phone (214) 871-3311 Fax (214) 871-0757

## EXHIBIT MAP

**RIGHT OF WAY EASEMENT**  
1,070 Sq.Ft. or 0.0269 Acres  
J.D. KYLE SURVEY, ABSTRACT NO. 792  
PARKER COUNTY, TEXAS

## BASIS OF BEARING:

Bearings are based on the Texas State Plane  
Coordinate System, North Central Zone (4202)  
North American Datum 1983 (2011).

DATE: December 10, 2018

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**EXHIBIT "A"**  
**LAND DESCRIPTION – RIGHT OF WAY EASEMENT**

**BEING** a tract of land situated in the J.D. Kyle Survey, Abstract No. 792, Parker County, Texas, and being a portion of Tract 1 as described in instrument to Aledo Independent School District, as recorded in Volume 2583, Page 1480, of the Official Records of Parker County, Texas (O.R.P.C.T.), and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found 11.2 feet south of the edge of asphalt pavement for Old Weatherford Road (record deed not found), said iron being the called southwest corner of said J.D. Kyle survey and the southwest corner of a tract of land described to Kevin W. Van, J.C.D., D.D. Bishop of Catholic Diocese Fort Worth in Volume 2459, Page 1357, O.R.P.C.T.;

**THENCE**, North 89 degrees 02 minutes 18 seconds East along the south side of Old Weatherford Road, and with the south line of said J.D. Kyle Survey, passing at a distance of 900 feet the southwest corner of said Tract 1 from which a 5/8 inch iron rod found bears North 06 degrees 35 minutes 59 seconds East, a distance of 1.15 feet, in all, continuing along the south side of Old Weatherford Road, the south line of the J.D. Kyle Survey and Tract 1, a distance of 2,660.36 feet to the **POINT OF BEGINNING**;

**THENCE**, North 00 degree 57 minutes 42 seconds West, departing the south line of Tract 1, same being the south line of the J.D. Kyle Survey, a distance of 23.00 feet;

**THENCE**, North 89 degrees 02 minutes 18 seconds East, a distance of 140.00 feet, from which a 5/8 inch iron rod found for an inner ell corner of Tract 1 bears North 41 degrees 17 minutes 59 seconds East, a distance of 551.19 feet;


**THENCE**, South 00 degree 57 minutes 42 seconds East, a distance of 23.00 feet to a point on the south side of Old Weatherford Road, and being on the south line of the J.D. Kyle Survey, same being the south line of Tract 1.

**THENCE**, South 89 degrees 02 minutes 18 seconds West along the south side of Old Weatherford Road, and with the south line of the J.D. Kyle Survey and Tract 1, a distance of 140.00 feet to the **POINT OF BEGINNING** and containing 3,220 square feet or 0.0739 of an acre of land.

BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM,  
NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 1983 (2011).

For Huitt-Zollars, Inc.



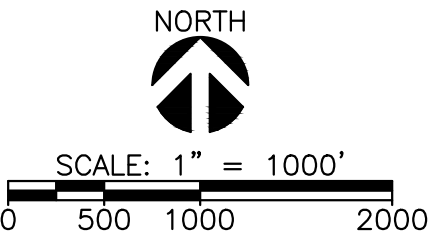
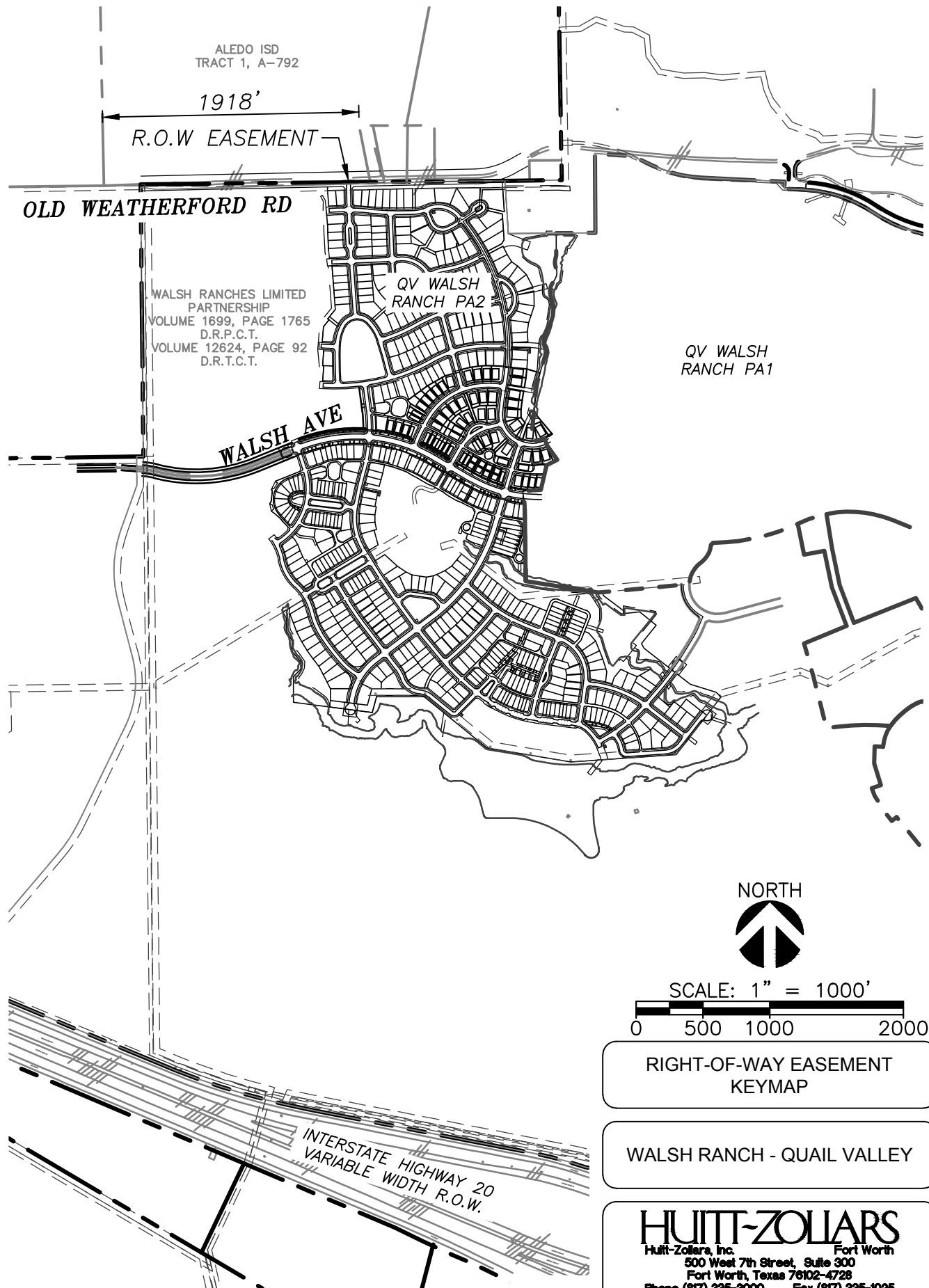
  
Mitchell S. Pillar  
Registered Professional Land Surveyor  
Texas Registration No. 5491

Huitt-Zollars, Inc.  
Firm Registration No. 10025600  
1717 McKinney Avenue, Suite 1400  
Dallas, Texas 75202-1236  
Ph. (214) 871-3311  
Email: [pillar@huitt-zollars.com](mailto:pillar@huitt-zollars.com)

Certification Date: December 10, 2018

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JFRETELW 10/08/2018 10:31AM H:\PROJ\R303061.24 - WALSH CIV PA II PREENG\04\_DESIGN\CIVIL\EXHIBITS\ROW EASEMENT EXHIBIT\RIGHT-OF-WAY EASEMENT EXHIBIT.DWG



RIGHT-OF-WAY EASEMENT  
KEYMAP

WALSH RANCH - QUAIL VALLEY

**HUITT-ZOLLARS**  
Huitt-Zollars, Inc. Fort Worth  
500 West 7th Street, Suite 300  
Fort Worth, Texas 76102-4728  
Phone (817) 335-3000 Fax (817) 335-1025

10/08/18