



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: January 19, 2021

AGENDA ITEM: Consider Approval of Sanitary Sewer Facility Easement with City of Fort Worth

PRESENTER: Earl Husfeld, Chief Financial Officer

BACKGROUND INFORMATION:

- The site for Middle School No. 2 (McAnally Middle School) on Old Weatherford Road is located in the extraterritorial jurisdiction (ETJ) of the City of Fort Worth (City).
- The District has petitioned the City to annex this site into the city limits of the City.
- Once annexed into the City, Middle School No. 2 (McAnally Middle School) will have access to City of Fort Worth utilities.
- The sewer facility easement presented to you this evening will provide for the sewer line tie-in to the current City of Fort Worth sewer facility easement traveling along Little Mary's Creek.
- The following City of Fort Worth Sewer Facility Easement has been reviewed and approved by the District's legal counsel.

FISCAL INFORMATION:

None

ATTACHMENTS:

City of Fort Worth Sewer Facility Easement

ADMINISTRATIVE RECOMMENDATION:

The Administration recommends approval of the following City of Fort Worth Sewer Facility Easement as presented.

**City Project# 103119 Aledo Middle School #2
Parcel # 01
Abstract No. 792 J.D. Kyle Survey & Abstract No. 754 C. Jackson Survey**

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

**CITY OF FORT WORTH
SEWER FACILITY EASEMENT**

DATE: 1/05/2021

GRANTOR: Aledo Independent School District

**GRANTOR'S MAILING ADDRESS (Including County);
1008 Bailey Ranch Road
Aledo, Parker County, TX 76008**

**GRANTEE: CITY OF FORT WORTH
200 TEXAS STREET
FORT WORTH, TARRANT COUNTY, TX 76102**

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

PROPERTY: Being more particularly described in the attached Exhibits "A" and "B".

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 Sewer Line Facility, hereafter referred to as "Facility". The Facility includes all incidental underground and aboveground attachments, equipment and appurtenances, including, but not limited to manholes, manhole vents, lateral line connections, pipelines, junction boxes 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. However, Grantor shall be permitted to install and maintain a concrete, asphalt or gravel driveway, road, or parking lot across the Easement Property. 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 Tract which may have been removed, relocated, altered, damaged, or destroyed as a result of the Grantee's use of the easement granted hereunder. 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 successor and assigns to warrant and forever defend all and singular the easement unto Grantee, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, when the claim is 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

By: _____
Earl H. Husfeld, Chief Financial Officer

GRANTEE: City of Fort Worth

By (Signature): _____

(Print Name): _____, Title _____

APPROVED AS TO FORM AND LEGALITY

(Signature): _____

(Print 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 **Earl H. Husfeld**, 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** the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 19th day of January, 2021.

Notary Public in and for the State of Texas



ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, _____ of the City of Fort Worth, 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 Fort Worth and that he/she executed the same as the act of the City of Fort Worth for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

EXHIBIT "A"

"SANITARY SEWER EASEMENT"

BEING 1.207 acres of land situated in the C. Jackson Survey, Abstract No. 754 and the J.D. Kyle Survey, Abstract No. 792, City of Fort Worth, Parker County, Texas, being a portion of that certain tract of land described in deed to Aledo Independent School District (Aledo I.S.D.), according to the deed filed in Volume 2583, Page 1480, Deed Records of Parker County, Texas (D.R.P.C.T.); and being more particularly described by metes and bounds as follows:

COMMENCING at a smooth 5/8 inch iron rod found at the most southerly southwest corner of said Aledo I.S.D. tract, along the south Right-of-Way (R-O-W) line of Old Weatherford Road (variable width), also being the southeast corner of a tract of land described in deed to Kevin W. Van, J.C.D., D.D., Bishop of the Catholic Diocese of Fort Worth, as filed in Volume 2459, Page 1357, D.R.P.C.T., and also being in the north line of a tract of land described in deed to Geo Beggs III et al, as filed in Volume 204, Page 497, D.R.P.C.T.;

THENCE N 01°12'46" W, over and across said Old Weatherford Road, along the most southerly west line of said Aledo I.S.D. tract, and along the east line of said Catholic Diocese tract, at a distance of 1199.86 feet passing a 1/2 inch iron rod found for reference, and continuing in all, a distance of 1524.65 feet to a 1/2 inch iron rod set with cap stamped "TNP INC ESMT" (hereinafter all 1/2 inch iron rods set are marked the same) for the **POINT OF BEGINNING** of the hereinafter described tract of land;

THENCE N 01°12'46" W, continuing along the most southerly west line of said Aledo I.S.D. tract, and along the east line of said Catholic Diocese tract, a distance of 62.46 feet to a 1/2 inch iron rod set at a re-entrant corner of said Aledo I.S.D. tract, also being the northeast corner of said Catholic Diocese tract;

THENCE over and across said Aledo I.S.D. tract, the following courses and distances;

S 75°04'19" E, a distance of 95.48 feet to a 1/2 inch iron rod set;

N 43°47'14" E, a distance of 182.97 feet, from which a 1/2 inch iron rod set, bears N 43°47'14" E, a distance of 1.22 feet;

N 15°05'35" E, a distance of 556.37 feet to a 1/2 inch iron rod set;

N 20°48'33" E, a distance of 17.31 feet to a 1/2 inch iron rod set in the southwesterly line of a 50' wide sanitary sewer easement, as filed in Instrument #201524730, D.R.P.C.T.;

THENCE continuing over and across said Aledo I.S.D. tract, along the southwesterly line of said sanitary sewer easement, the following courses and distances;

S 41°23'52" E, a distance of 35.45 feet to a 1/2 inch iron rod set;

N 81°07'09" E, a distance of 17.99 feet to a 1/2 inch iron rod set;

S 19°30'45" W, a distance of 27.17 feet to a 1/2 inch iron rod set;

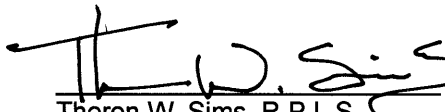
S 70°29'15" E, a distance of 14.42 feet to a 1/2 inch iron rod set;

THENCE leaving said sanitary sewer easement, and continuing over and across said Aledo I.S.D. tract, the following courses and distances;

S 15°05'35" W, a distance of 548.48 feet, from which a 1/2 inch iron rod set, bears S 43°47'14" W, a distance of 1.22 feet;

S 43°47'14" W, a distance of 233.76 feet to a 1/2 inch iron rod set;

N 75°04'19" W, a distance of 113.56 feet to the **POINT OF BEGINNING** and containing 52,564 square feet or 1.207 acres of land.


Theron W. Sims, R.P.L.S.
Texas Registration No. 5887

Date: Dec. 18, 2020



Surveyed on the ground Nov. 25, 2020

1. Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83(2011) 2010.00) as derived locally from Allterra Central's Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. An average Combination Factor of 1.000161391 was used to scale grid coordinates and distances to surface.

2. Integral parts of this survey:
- a. Legal Description
 - b. Sketch

NOTES:

1) Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83(2011) 2010.00) as derived locally from Allterra Central's Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. An average Combination Factor of 1.000161391 was used to scale grid coordinates and distances to surface.

MONCRIEF PROPERTIES LLC
INST. #201932829
D.R.P.C.T.

LINE #	DIRECTION	LENGTH
L1	S41°23'52"E	35.45'
L2	N81°07'09"E	17.99'
L3	S19°30'45"W	27.17'
L4	S70°29'15"E	14.42'

2) All easement corners shown hereon marked with 1/2 inch iron rods set with cap stamped "TNP INC ESMT".

3) Integral parts of this survey:
a. Legal Description
b. Sketch

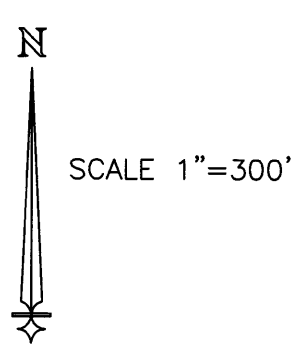
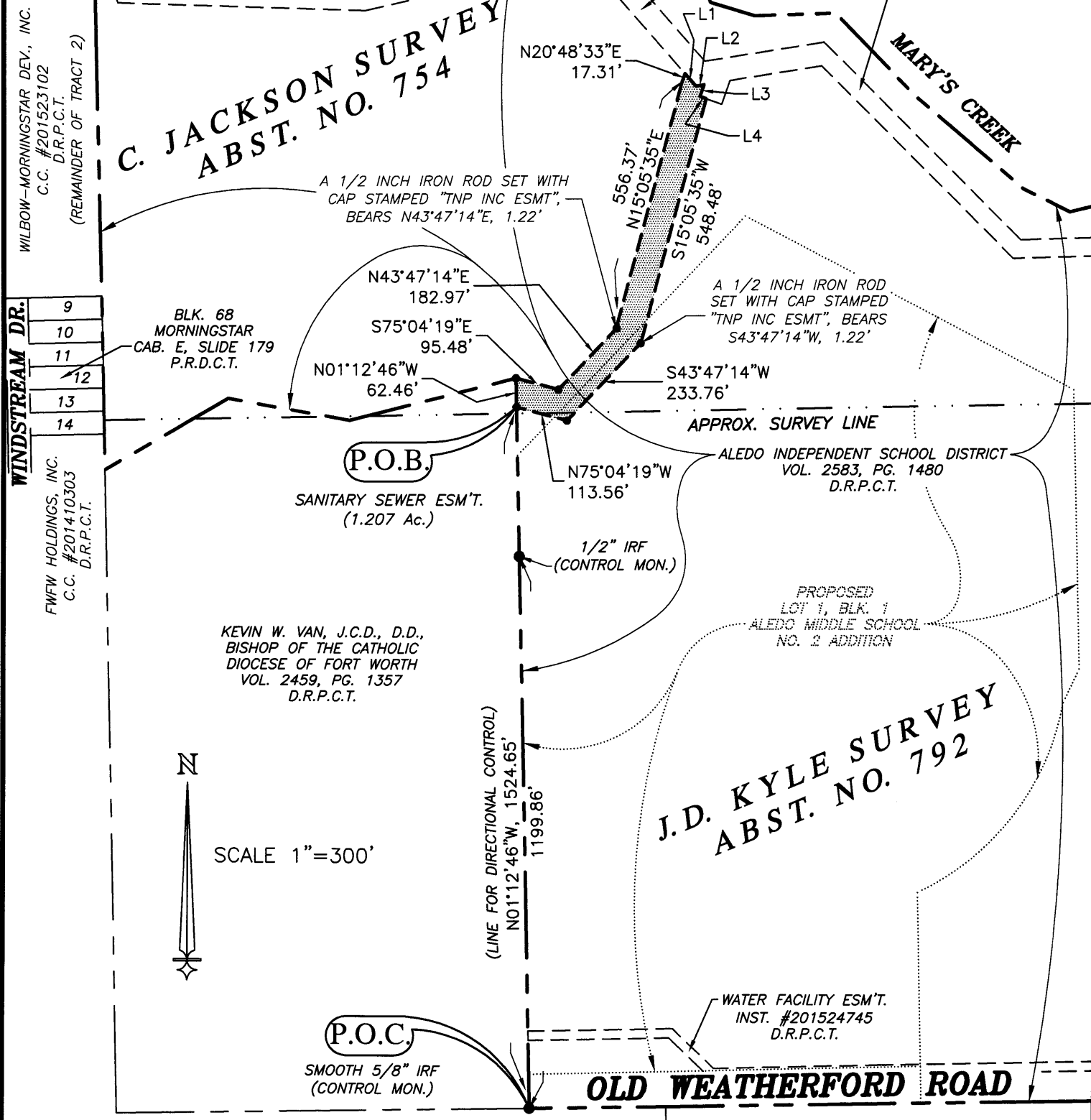


EXHIBIT "B"
SANITARY SEWER
EASEMENT

Situated in the C. Jackson Survey, Abstract No. 754 and the J.D. Kyle Survey, Abstract No. 792, City of Fort Worth, Parker County, Texas.



Theron W. Sims
THERON W. SIMS, R.P.L.S.
TEXAS REGISTRATION NO. 5887

Date: Dec. 18, 2020
Surveyed on the ground
Nov. 25, 2020



teague nall & perkins

5237 N. Riverside Drive, Suite 100
Fort Worth, Texas 76137
817.336.5773 ph 817.332.7756 fx

www.tnvinc.com / TBPELS Registration No. 100116-00

SHEET 3 OF 3

JOB No. ALO 20152