

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

PUBLIC UTILITY EASEMENT

DATE: _____, 2007

GRANTOR: COLLEGE STATION INDEPENDENT SCHOOL DISTRICT

GRANTOR'S MAILING ADDRESS: 1812 Welsh
Brazos County
College Station, Texas 77840

GRANTEE: CITY OF COLLEGE STATION, TEXAS

GRANTEE'S MAILING ADDRESS: 1101 Texas Avenue
Brazos County
College Station, Texas 77840

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration.

PROPERTY:

All that certain tract or parcel of land containing 0.5587 acres (24335.7 square feet), more or less, lying and being situated in the Robert Stevenson League, Abstract No. 54, College Station, Brazos County, Texas, and being a part of the 64.28 acre tract described in the deed from Gary Seaback to the College Station Independent School District, recorded in Volume 3604, Page 243, of the Official Records of Brazos County, Texas, said 0.5587 acres (24335.7 square feet) being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all intents and purposes and shown on Exhibit "B" attached hereto.

This conveyance shall grant the rights herein specified only as to that portion of the above-described Property more particularly described on the attached Exhibit "A" known as the "easement area," and any additional area outside the easement area necessary to install and attach equipment, guy wires, and anchors necessary and incident to the uses of the Easement Area to erect, construct, install, and thereafter use, operate, inspect, repair, maintain, reconstruct, modify and remove the following:

Electric transmission and distribution lines;
Water lines and sanitary sewer lines, connecting lines,
access facilities, and related equipment;
Storm sewers and collection facilities;
Television, telephone, and communications lines;
Drainage ditches, drainage pipes and all other drainage
structures, surface and subsurface;

upon, over, and across the said Property as described and any ways, streets, roads, or alleys abutting same; and to cut, trim, and control the growth of trees and other vegetation on and in the easement area or on adjoining property of Grantors, which might interfere with or threaten the operation and maintenance of any public utility equipment, accessories, or operations. It being understood and agreed that any and all equipment and facilities placed upon said property shall remain the Property of Grantee.

Grantor expressly subordinates all rights of surface use incident to the mineral estate to the above described uses of said surface by Grantee. Grantor will provide Grantee with the names and addresses of all lenders, if any, and Grantor agrees to lender's subordinations on behalf of Grantee.

Grantor expressly acknowledges that it is the record title owner of this Property.

RESERVATIONS AND RESTRICTIONS: None

TO HAVE AND TO HOLD, the rights and interests herein described unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend, all and singular, these rights and interests unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.

COLLEGE STATION INDEPENDENT
SCHOOL DISTRICT

BY: _____
TIM JONES, President of the Board of
Trustees of College Station Independent
School District

**APPROVED AS TO FORM:
THIS DOCUMENT MAY NOT
BE CHANGED WITHOUT
RE-SUBMISSION FOR APPROVAL.**

City Attorney

THE STATE OF TEXAS §
 § ACKNOWLEDGMENT
COUNTY OF BRAZOS §

This instrument was acknowledged before me on this _____ day of _____, 2007, by TIM JONES, President of the Board of Trustees of College Station Independent School District, a political subdivision, on its behalf.

Notary Public in and for the State of Texas

PREPARED IN THE OFFICE OF:
City of College Station
Legal Department
P.O. Box 9960
College Station, Texas 77842-9960

RETURN ORIGINAL DOCUMENT TO:
City of College Station
Legal Department
P.O. Box 9960
College Station, Texas 77842-9960

FIELD NOTES
20' PUBLIC UTILITY EASEMENT
0.5587 ACRES

Being all that certain tract or parcel of land, lying and being situated in the Robert Stevenson Survey, Abstract No. 54, College Station, Brazos County, Texas, and being part of the 64.28 acre tract described in the deed from Gary Seaback to the College Station Independent School District recorded in Volume 3604, Page 243, of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at the east corner of the said 64.28 acre tract, said corner also being in the centerline of the proposed Victoria Avenue right-of-way (based on a 70' width) and being in the centerline of Spring Creek;

THENCE: along the said centerline of Victoria Avenue and the northeast line of the said 64.28 acre tract for the following three (3) calls:

- 1) 45.21 in a counter-clockwise direction along the arc a curve having a central angle of $04^{\circ} 10' 39''$, a radius of 620.00 feet, a tangent of 22.61 feet and a long chord bearing $N 51^{\circ} 40' 39'' W$ at a distance of 45.20 feet to a found 1/2-inch iron rod for the Point-of-Tangency,
- 2) $N 53^{\circ} 45' 59'' W$ for a distance of 147.70 feet to a found 1/2-inch iron rod for the Point-of-Curvature of a curve to the right and
- 3) 27.16 feet along the arc of said curve having a central angle of $02^{\circ} 01' 17''$, a radius of 770.00 feet, a tangent of 13.58 feet and a long chord bearing $N 52^{\circ} 45' 20'' W$ at a distance of 27.16 feet to the POINT OF BEGINNING;

THENCE: through the interior of the said 64.28 acre tract for the following four (4) calls:

- 1) $S 35^{\circ} 12' 38'' W$ for a distance of 35.90 feet for corner,
- 2) $S 04^{\circ} 15' 50'' E$ for a distance of 170.38 feet for corner,
- 3) $S 26^{\circ} 52' 18'' W$ for a distance of 760.29 feet for corner and
- 4) $S 59^{\circ} 16' 49'' W$ for a distance of 242.93 feet for corner, said corner also being in the southeast line of the said 64.28 acre tract;

THENCE: $N 78^{\circ} 07' 31'' W$ for a distance of 29.55 feet, from whence a found 1/2-inch iron rod bears $N 78^{\circ} 07' 31'' W$ at a distance of 37.51 feet for reference;

THENCE: through the interior of the said 64.28 acre tract for the following four (4) calls:

- 1) $N 59^{\circ} 16' 49'' E$ for a distance of 258.87 feet for corner,
- 2) $N 26^{\circ} 52' 18'' E$ for a distance of 748.90 feet for corner,
- 3) $N 04^{\circ} 15' 50'' W$ for a distance of 171.99 feet for corner and
- 4) $N 35^{\circ} 12' 38'' E$ for a distance of 44.40 feet for corner said corner being in the said northeast line the 64.28 acre tract;

THENCE: 20.04 feet in a counter-clockwise direction along the arc of a curve having a central angle of $01^{\circ} 29' 29''$, a radius of 770.00 feet, a tangent of 10.02 feet and a long chord bearing $S 50^{\circ} 59' 57'' E$ at a distance of 20.04 feet to the POINT OF BEGINNING and containing 0.5587 acres (24335.7 sq. ft.) of land, more or less.

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, State of Texas, do hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition 2 Survey.

Kevin R. McClure 5/23/07
Kevin R. McClure, R.P.L.S. #5650



EXHIBIT A

EXHIBIT B

64.28 Acres
College Station Independent School District
Vol. 3604, Pg. 243

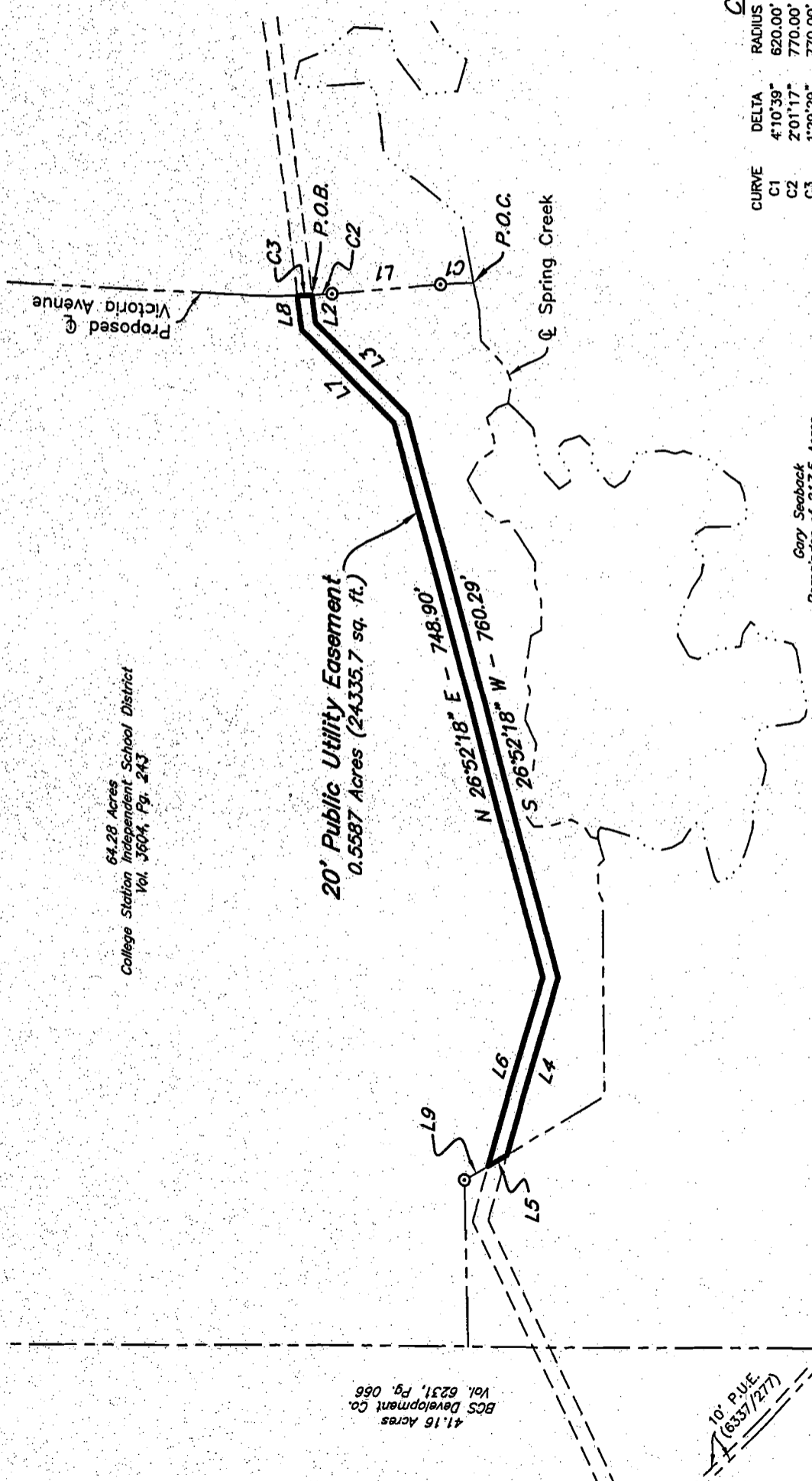
20' Public Utility Easement
0.5587 Acres (24,335.7 sq. ft.)

41.16 Acres
BCS Development Co.
Vol. 6231, Pg. 066

Gary Seaback
Remainder of 217.5 Acres
Vol. 2597, Pg. 186

State Highway 40
Variable Width R.O.W.
Vol. 4677, Pg. 19

10' P.U.E.
(6337/277)



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 53°45'59" W	147.70'
L2	S 35°12'38" W	35.90'
L3	S 04°15'50" E	170.38'
L4	S 59°16'49" W	242.93'
L5	N 78°07'31" W	29.55'
L6	N 59°16'49" E	258.87'
L7	N 04°15'50" W	171.99'
L8	N 35°12'38" E	44.40'
L9	N 78°07'31" W	37.51'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BRG.	CHORD
C1	4°10'39"	620.00'	45.21'	22.61'	N 51°40'39" W	45.20'	45.20'
C2	2°01'17"	770.00'	27.16'	13.58'	S 52°45'20" E	27.16'	27.16'
C3	1°29'29"	770.00'	20.04'	10.02'	S 50°59'57" E	20.04'	20.04'

LEGEND

- — 1/2" Iron Rod Found
- P.O.B. — Point of Beginning
- P.O.C. — Point of Commencing
- P.U.E. — Public Utility Easement

ORIGIN OF BEARING SYSTEM: is based on the Texas State Coordinate System, Central Zone (NAD83) as determined from the position of found TxDOT Concrete Monuments with brass disks along the northeast line of State Highway No. 40 and the southwest line of the 41.16 acre tract recorded in Volume 6231, Page 66 (O.R.B.C.).

Scale: 1" = 200'

