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**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 DRIVERS LICENSE NUMBER.**

**WATER LINE EASEMENT**  
**AND TEMPORARY CONSTRUCTION EASEMENT**

THE STATE OF TEXAS           §  
   §  
COUNTY OF COLLIN           §

**COLLIN COUNTY, TEXAS**, a political subdivision of the State of Texas, whose address is 2300 Bloomdale Road, Suite 4192, McKinney, Texas 75071 (hereinafter referred to as "Grantor"), for Ten and No/100 Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT and CONVEY unto **BEAR CREEK SPECIAL UTILITY DISTRICT**, a nonprofit water district organized and existing under the laws of the State of Texas, whose address is P.O. Box 188, Lavon, Texas 75166 (hereinafter referred to as "Grantee"), its successors and assigns, an Easement (the "Easement"), in, on, over, and across such real property, such Easement and real property described and depicted on Exhibit "A" attached hereto (hereinafter referred to as the "Easement Tract").

It is expressly understood and agreed by and between the parties that this Easement shall be subject to and governed by the following provisions:

(1) The Easement hereby granted shall be used only for the purposes of constructing, repairing, maintaining, re-constructing and operating underground water lines and related appurtenances and facilities (the "Facilities"). Subject to the further provisions hereof, Grantee, its agents, employees, workmen and representatives, shall have the right and privilege of ingress and egress across the Easement Tract as may be necessary for the purposes described herein. Grantee shall have the right to place new or additional Facilities within the Easement Tract. In addition to the Easement, Grantor hereby grants to Grantee a temporary construction easement of ten feet (10') running parallel along and abutting the boundary of the Easement Tract (the "Adjacent Property"), which such temporary construction easement shall exclusively be used for the construction of the Facilities (the "Temporary Construction Easement"). Such Temporary Construction Easement shall automatically terminate on the earlier to occur of (a) one hundred and eighty (180) days from the date hereof, or (b) the date the construction work of the Facilities on the Easement Tract requiring the use of the Temporary Construction Easement has been completed; provided, however, Grantee must promptly restore the Adjacent Property to its

previous physical condition if changed by use of the rights granted by the Temporary Construction Easement. Moreover, Grantee will only remove from the Temporary Construction Easement only such trees, brush, and shrubs as are reasonably necessary for it to construct the Facilities, maneuver equipment into, out of, and along the Easement Tract and Adjacent Property, and exclusively stage, store, and move materials and equipment necessary for the construction of the Facilities within the Easement Tract and Adjacent Property.

(2) The Easement, rights and privileges herein granted shall be perpetual or for so long as Grantee shall utilize the Easement for the purposes intended. The Easement, rights and privileges granted herein shall terminate when, or at such time, as the purposes hereof cease to exist, are abandoned by Grantee, or become impossible of performance.

(3) During or immediately after any work on the Easement Tract pursuant to the rights granted hereby, the party performing such activities, at its sole cost and expense, shall take all reasonable measures to restore the grounds and surfacing materials of the Easement Tract as close to the condition which existed prior to such operations as reasonably possible.

(4) Grantor hereby retains, reserves, and shall continue to enjoy the use of the surface in, on, over and across the Easement Tract for any and all purposes which do not unreasonably interfere with or prevent Grantee's reasonable use of the Easement Tract for the purposes set forth herein. Moreover, Grantor reserves and retains the right to grant other rights and easements across over or under the Easement Tract to such other persons as Grantor desires; provided, however, such other grants shall not unreasonably interfere with Grantee's use of the Easement Tract for the purposes set forth herein. In the event the Easement hereby granted abuts on a public road and the city, county or state hereafter widens or relocates the public road so as to require the relocation of this water line as installed, Grantor further grants to Grantee an additional easement over and across the land described above for the purpose of laterally relocating said water line as may be necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land 15' in width, the center line thereof being the pipeline as relocated.

(5) The easement, rights and privileges herein granted shall be subject to all valid and subsisting encumbrances, conditions, covenants, restrictions, reservations, exceptions, rights-of-way and easements of record, including all laws, regulations, and restrictions by municipal or other governmental authority applicable to and enforceable against the Easement Tract.

TO HAVE AND TO HOLD the above described Easement for the said purposes, together with all and singular, the rights, privileges, and appurtenances thereto as described above in anywise belonging to the said Grantee, its successors and assigns forever, subject to the limitations, conditions and restrictions set forth hereinabove.

IN WITNESS WHEREOF, this instrument is executed this 2<sup>nd</sup> day of March, 2020.

**GRANTOR:**

Collin County, Texas, a political subdivision  
of the State of Texas



Printed Name: Chris Hill, County Judge



THE STATE OF TEXAS     §  
                                     §  
COUNTY OF COLLIN     §

This instrument was acknowledged before me on the 2<sup>nd</sup> day of March, 2020, by Chris Hill in his capacity as County Judge of Collin County, Texas, a political subdivision of the State of Texas, on its behalf.



Leia N. Gillespie  
Notary Public - State of Texas

After recording please return to:

Bear Creek Special Utility District  
P.O. Box 188  
Lavon, Texas 75166

**EXHIBIT "A"**  
**DESCRIPTION AND DEPICTION OF THE EASEMENT TRACT**

**EXHIBIT "A"**  
**WATER LINE EASEMENT**  
**PART OF TRACT 1 COLLIN COUNTY**  
**SITUATED IN THE**  
**W. H. MOORE SURVEY, ABSTRACT NO. 638**  
**THE TOWN OF LAVON, COLLIN COUNTY, TEXAS**

BEING 11,609 square feet of land situated in the W. H. Moore Survey, Abstract Number 638 in the Town of Lavon, Collin County, Texas, and being part of a called 2.39 acre tract of land described in Special Warranty Deed as Tract 1 to Collin County, as recorded in Instrument Number 20180718000894940 of the Deed Records of Collin County, Texas (D.R.C.C.T), and being more particularly described by metes and bounds as follows:

COMMENCING at the most southerly southeast corner of said 2.39 acre tract and on the existing north right-of way line of S.H. 78 (a variable width right-of-way), said point being on the west line of a called 1.38 acre tract of land described in Warranty Deed to First Bank, Farmersville, as recorded in Volume 4522, Page 1395 (D.R.C.C.T), and from which said point a found aluminum TxDot right-of-way monument at the southwest corner of said 1.38 acre tract bears South 00 degrees 35 minutes 58 seconds East, a distance of 14.76 feet, said point being on a curve to the left having a radius of 5,122.07 feet and whose chord bears South 84 degrees 41 minutes 39 seconds West, a distance of 28.18 feet;

THENCE Westerly, departing said east and west lines and along said north right-of-way line and along said curve to the left, through a central angle of 00 degrees 18 minutes 55 seconds, an arc distance of 28.18 feet to a set 1/2-inch iron rod with blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with easement cap") for the POINT OF BEGINNING;

THENCE Westerly, continuing along said north right-of-way line and continuing along said curve to the left, through a central angle of 00 degrees 10 minutes 06 seconds, an arc distance of 15.05 feet to a set 1/2-inch iron rod with easement cap for corner;

THENCE departing said north right-of-way line and over and across said 2.39 acre tract the following calls:

North 00 degrees 40 minutes 47 seconds West, a distance of 27.86 feet to a set 1/2-inch iron rod with easement cap for corner;

North 44 degrees 24 minutes 02 seconds East, a distance of 39.77 feet to a set 1/2-inch iron rod with easement cap for corner;

North 00 degrees 35 minutes 58 seconds West, a distance of 218.46 feet to a set 1/2-inch iron rod with easement cap for corner;

North 45 degrees 40 minutes 47 seconds West, a distance of 33.97 feet to a set 1/2-inch iron rod with easement cap for corner;

Ld\_0.2665AC Water Esmt  
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**EXHIBIT "A"**  
**WATER LINE EASEMENT**  
**PART OF TRACT 1 COLLIN COUNTY**  
**SITUATED IN THE**  
**W. H. MOORE SURVEY, ABSTRACT NO. 638**  
**THE TOWN OF LAVON, COLLIN COUNTY, TEXAS**

South 89 degrees 19 minutes 13 seconds West, a distance of 36.16 feet to a set 1/2-inch iron rod with easement cap for corner;

South 44 degrees 20 minutes 52 seconds West, a distance of 134.73 feet to a set 1/2-inch iron rod with easement cap for corner;

South 00 degrees 39 minutes 08 seconds East, a distance of 214.52 feet to a set 1/2-inch iron rod with easement cap on the aforementioned north right-of-way line of said S.H. 78;

THENCE South 84 degrees 19 minutes 41 seconds West, with said north right-of-way line, a distance of 15.06 feet to a found aluminum TxDot right-of-way monument at the southwest corner of said 2.39 acre tract, said point being on an east line of a called 9.372 acre tract of land described in deed to Madhusudan Raju Konduru, Jyothirmayi Gadhiraaju and Venkat Reddy Thandra, as recorded in Instrument Number 20171221001685450 (D.R.C.C.T.);

THENCE North 00 degrees 39 minutes 08 seconds West, with the common west line of said 2.39 acre tract and east line of said 9.372 acre tract, a distance of 222.05 feet to a set 1/2-inch iron rod with easement cap for corner;

THENCE departing said common line and over and across said 2.39 acre tract the following calls:

North 44 degrees 20 minutes 52 seconds East, a distance of 147.15 feet to a set 1/2-inch iron rod with easement cap for corner;

North 89 degrees 19 minutes 13 seconds East, a distance of 48.58 feet to a set 1/2-inch iron rod with easement cap for corner;

South 45 degrees 40 minutes 47 seconds East, a distance of 10.36 feet to a set 1/2-inch iron rod with easement cap for corner;

North 44 degrees 19 minutes 13 seconds East, a distance of 43.59 feet to a set 1/2-inch iron rod with easement cap for corner;

South 45 degrees 40 minutes 47 seconds East, a distance of 15.00 feet to a set 1/2-inch iron rod with easement cap for corner;

Ld\_0.2665AC Water Esmt  
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**EXHIBIT "A"**  
**WATER LINE EASEMENT**  
**PART OF TRACT 1 COLLIN COUNTY**  
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**THE TOWN OF LAVON, COLLIN COUNTY, TEXAS**

South 44 degrees 19 minutes 13 seconds West, a distance of 43.59 feet to a set 1/2-inch iron rod with easement cap for corner;

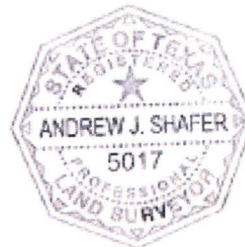
South 45 degrees 40 minutes 47 seconds East, a distance of 21.05 feet to a set 1/2-inch iron rod with easement cap on the east line of said 2.39 acre tract;

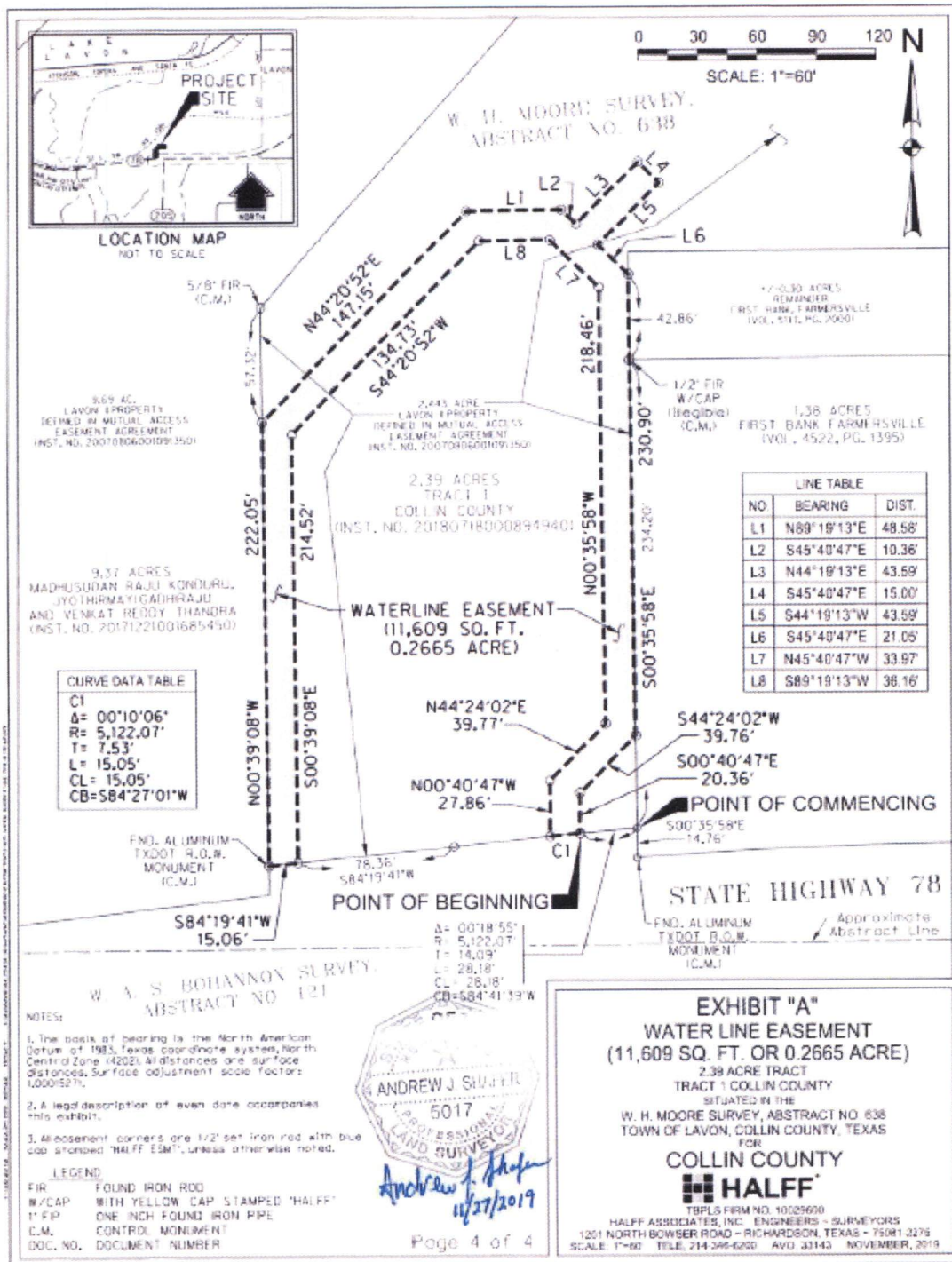
THENCE South 00 degrees 35 minutes 58 seconds East, with said east line, passing at a distance of 42.86 feet a found 1/2-inch iron rod with plastic cap (illegible text on cap) for the northwest corner of the aforementioned called 1.38 acre tract of land described in deed to First Bank, Farmersville, and continuing with the common east line of said 2.39 acre tract and west line of said 1.38 acre tract, in all a total distance of 230.90 feet to a set 1/2-inch iron rod with easement cap for corner;

THENCE South 44 degrees 24 minutes 02 seconds West, departing said common line, and over and across said 2.39 acre tract, a distance of 39.76 feet to a set 1/2-inch iron rod with easement cap for corner;

THENCE South 00 degrees 40 minutes 47 seconds East, continuing over and across said 2.39 acre tract, a distance of 20.36 feet to the POINT OF BEGINNING AND CONTAINING 11,609 square feet or 0.2665 acres of land, more or less.

Andrew J. Shafer 11/27/2019  
ANDREW J. SHAFER  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS NO. 5017  
TBPLS FIRM NO. 10029600





Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
03/13/2020 11:20:47 AM  
\$ .00 DKITZMILLER  
20200313000367660



*Stacey Kemp*

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