

| EASEMENT
| Collin COUNTY
| Texas STATE

QUITCLAIM EASEMENT FOR AERIAL ROADWAY PURPOSES (42-2 RE)

This Quitclaim Easement for Aerial Roadway Purposes (42-2 RE) ("Easement"), is made on the 17th day of January 2022²³, by and between **THE KANSAS CITY SOUTHERN RAILWAY COMPANY**, a Missouri corporation ("**GRANTOR**"), and **COLLIN COUNTY**, a Texas governmental entity, and the **CITY OF WYLIE, TEXAS**, a Texas home rule municipality (together, "**GRANTEE**").

After recording mail to:

The Kansas City Southern Railway Company
Attn: Shawn Mindrup, Director – Real Estate
The Kansas City Southern Railway Co.
427 W. 12th Street
Kansas City, Missouri 64105-1403

WITNESSETH:

Witnesseth, that **GRANTOR**, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD VALUABLE CONSIDERATION, to it paid by the **GRANTEE**, the receipt of which is hereby acknowledged, does by these presents, REMISE, RELEASE and QUIT CLAIM AN EASEMENT FOR AERIAL ROADWAY PURPOSES, unto the said **GRANTEE**, said Easement being located in the tracts or parcel of land, lying, and being situated in Collin County, Texas, and more fully described and depicted on **Exhibit A** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said easement with all the rights, privileges and appurtenances thereto belonging or in any way appertaining unto the **GRANTEE**, for so long as **GRANTEE** shall maintain an elevated public roadway structure along and across said Easement.

GRANTEE, its successors and assigns may, subject to the terms of a Grade Crossing Overpass Construction Agreement between **GRANTOR** and **GRANTEE** dated _____, 2022, construct and maintain an elevated public roadway to **GRANTEE**'S satisfaction, provided, however, that no material alteration in the course of the Spring Creek Parkway existing on site on the date of execution of this Easement shall be made without the **GRANTOR**'S written consent.

IN WITNESS WHEREOF, the parties have executed this Easement as of the date first above written.

GRANTEE: Collin County, Texas

By: _____

(Title)

ACKNOWLEDGEMENT

State of Texas)
) SS.
County of Collin)

On this _____ day of _____, 2022, before me a Notary Public, appeared _____ to me personally known (or proved to me on the basis of satisfactory evidence) to be the person described herein who executed the foregoing instrument, and acknowledged that he is the _____ of **Collin County, Texas**, and that he executed the same on behalf of said County, and by authority thereof and acknowledged said instrument to be the free act and deed of **Collin County, Texas**, for the purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

My Commission Expires: _____ Notary Public _____

IN WITNESS WHEREOF, the parties have executed this Easement as of the date first above written.

GRANTEE: City of Wylie, Texas

By: _____

(Title)

ACKNOWLEDGEMENT

State of Texas)
) SS.
County of Collin)

On this _____ day of _____, 2022, before me a Notary Public, appeared _____ to me personally known (or proved to me on the basis of satisfactory evidence) to be the person described herein who executed the foregoing instrument, and acknowledged that he is the _____ of **City of Wylie, Texas**, and that he executed the same on behalf of said **City of Wylie, Texas**, and by authority thereof and acknowledged said instrument to be the free act and deed of **City of Wylie, Texas**, for the purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

My Commission Expires: _____ Notary Public _____

**EXHIBIT A
ROADWAY EASEMENT DESCRIPTION FOR
PARK BOULEVARD
PARCEL 42-2
0.5606 ACRES (24,421 SQUARE FEET)**

BEING 24,421 square feet of land situated in the Francisco De La Pina Survey, Abstract Number 688, Collin County, Texas, and being part of a called 28.332 acre tract of land described in General Warranty Deed to The Kansas City Southern Railway Company, recorded in Volume 20101220001391710 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at the southeast corner of Spring Creek Parkway, an addition to the City of Wylie, Collin County, Texas, recorded in Cabinet I, Page 521 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and the southwest corner of a said 28.332 acre tract, said corner being on the northwest right-of-way of Atchison, Topeka & Santa Fe Railroad (a 100-foot wide right-of-way) and the point of curvature of a non-tangent circular curve to the left, having a radius of 1,500.00 feet, whose chord bears North 27 degrees 55 minutes 28 seconds West, a distance of 10.95 feet;

THENCE Northeasterly, with the southwest line of said 28.332 acre tract, the northeast right-of-way line of said Spring Creek Parkway, and said curve, through a central angle of 00 degrees 25 minutes 06 seconds, an arc distance of 10.95 feet to a 1/2-inch set iron rod with blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with ESMT cap") for the **POINT OF BEGINNING**, said corner being the point of compound curvature of a tangent circular curve to the left, having a radius of 1,500.00 feet, whose chord bears North 37 degrees 23 minutes 27 seconds West, a distance of 482.61 feet;

THENCE Northwesterly, continuing with said southwest and northeast lines, and said curve, through a central angle of 18 degrees 30 minutes 53 seconds, an arc distance of 484.72 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" for the northwest corner of said 28.332 acre tract and the north corner of said Spring Creek Parkway addition, said corner being at the intersection of said northeast right-of-way line and the southeast right-of-way line of a 18-foot wide public road and the point of curvature of a non-tangent circular curve to the left, having a radius of 2,932.79 feet, whose chord bears North 56 degrees 07 minutes 14 seconds East, a distance of 51.26 feet;

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PARCEL 42-2
0.5606 ACRES (24,421 SQUARE FEET)**

THENCE Northeasterly, with the northwest line of said 28.332 acre tract and the southeast right-of-way line of said 18-foot wide public road, and said curve, through a central angle of 01 degree 00 minutes 05 seconds, an arc distance of 51.26 feet to a 1/2-inch set iron rod with ESMT cap for an "ell" corner of said 28.332 acre tract, said corner being on the southwest line of a called 1.727 acre tract of land described in Warranty Deed to The Kansas City Southern Railway Company, recorded in Volume 4421, Page 1924 of the Deed Records of Collin County, Texas (D.R.C.C.T.) and the point of curvature of a non-tangent circular curve to the right, having a radius of 1,549.77 feet, whose chord bears South 45 degrees 47 minutes 00 seconds East, a distance of 19.31 feet;

THENCE Southeasterly, departing said 18-foot wide public road, and with the northwest line of said 28.332 acre tract, the southwest line of said 1.727 acre tract and said curve, through a central angle of 00 degrees 42 minutes 51 seconds, an arc distance of 19.31 feet to an "ell" corner of said 28.332 acre tract and said 1.727 acre tract, from which a 5/8-inch found iron rod with cap stamped "BOUNDARY MARK" bears South 19 degrees 10 minutes 16 seconds East, a distance of 0.63 of a foot;

THENCE over and across said 28.332 acre tract, the following bearings and distances:

South 45 degrees 19 minutes 42 seconds East, a distance of 5.07 feet to a 1/2-inch set iron rod with ESMT cap for the point of curvature of a tangent circular curve to the right, having a radius of 1,550.00 feet, whose chord bears South 36 degrees 40 minutes 49 seconds East, a distance of 466.13 feet;

Southeasterly, with said curve, through a central angle of 17 degrees 17 minutes 47 seconds, an arc distance of 467.91 feet to a 1/2-inch set iron rod with ESMT cap for corner;

South 65 degrees 01 minute 13 seconds West, a distance of 50.07 feet to the **POINT OF BEGINNING AND CONTAINING 24,421 square feet (0.5606 acre)** of land, more or less.

**EXHIBIT A
ROADWAY EASEMENT DESCRIPTION FOR
PARK BOULEVARD
PARCEL 42-2
0.5606 ACRES (24,421 SQUARE FEET)**

NOTES:

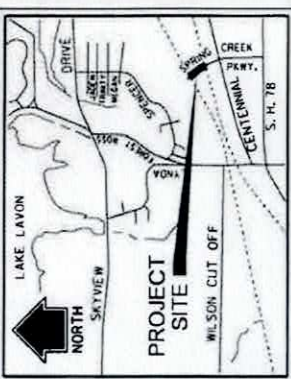
1. The Basis of Bearing is the North American Datum of 1983, Texas Coordinate System, North Central Zone (4202). All distances are surface distances. Surface adjustment scale factor: 1.00015271.
2. A survey plat of even date accompanies this legal description.

G. J. Suthan

07/22/2021

Getsy J. Suthan, R.P.L.S. Date
Texas Registration No. 6449
Half Associates, Inc.
1201 North Bowser Road
Richardson, Texas 75081
Tel (214) 346-6200
TBPELS Firm No. 10029600





FRANCISCO DE LA PINA SURVEY, ABSTRACT NUMBER 688
 (CALLED 28.332 ACRES) THE KANSAS CITY SOUTHERN RAILWAY COMPANY INST. NO. 20101220001391710 O.P.R.C.C.T.

PARCEL 42-2 0.5606 AC. (24,421 SQ. FT.)
 $\Delta = 17^{\circ}17'47''$ (RT)
 $R = 1,550.00'$
 $L = 467.91'$
 $CL = 466.13'$
 $CB = S36^{\circ}40'49''$ E

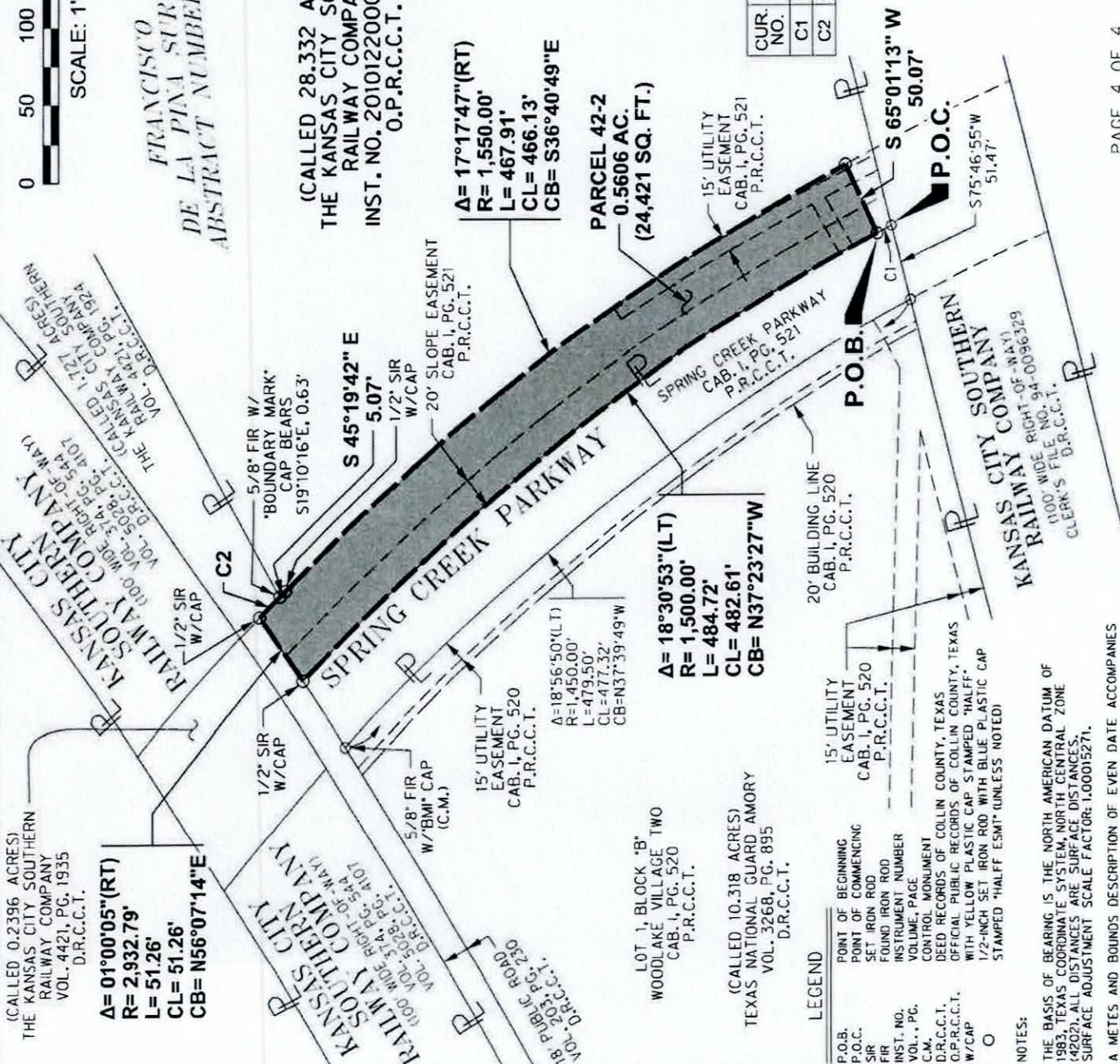
(CALLED 10.318 ACRES) TEXAS NATIONAL GUARD AMORY D.R.C.C.T.
 $\Delta = 18^{\circ}30'53''$ (LT)
 $R = 1,500.00'$
 $L = 484.72'$
 $CL = 482.61'$
 $CB = N37^{\circ}23'27''$ W

CUR. NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	00°25'06"(LT)	1,500.00'	10.95'	N27°55'28"W	10.95'
C2	00°42'51"(RT)	1,549.77'	19.31'	S45°47'00"E	19.31'

CURVE TABLE

EXHIBIT A
 ROAD EASEMENT DESCRIPTION FOR
 PARK BOULEVARD
 PARCEL 42-2
 0.5606 ACRE TRACT (24,421 SQ. FT.)

PREPARED BY
HALFF
 TBPELS FIRM NO. 1002860
 HALFF ASSOCIATES, INC. ENGINEERS - SURVEYORS
 1201 NORTH BOWSER ROAD - RICHARDSON, TEXAS - 75081-2275
 SCALE: 1"=100' (214)346-6000 AVO. 35192 MAY, 2021



LEGEND	DESCRIPTION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
SIR	SET IRON ROD
FIR	FOUND IRON ROD
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
C.M.	CONTROL MONUMENT
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
W/CAP	WITH YELLOW PLASTIC CAP STAMPED "HALFF"
○	1/2-INCH SET IRON ROD WITH BLUE PLASTIC CAP STAMPED "HALFF ESMT" (UNLESS NOTED)

NOTES:
 THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR: 1.00015271.
 A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.