## EASEMENT

### 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 DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS }

COUNTY OF HARRIS }

That, HARRIS COUNTY, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as "GRANTOR", for and in consideration of Twenty-Four Thousand Four Hundred Ten and No/100 Dollars (\$24,410.00) paid to GRANTOR by CenterPoint Energy Houston Electric, LLC, its successors and assigns, hereinafter referred to as "GRANTEE", the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and does by these presents GRANT, SELL and CONVEY unto GRANTEE, all or in part, a non-exclusive, perpetual easement, hereinafter referred to as the "Easement", for the installation, operation and maintenance of electrical facilities and communication facilities consisting of a variable number of wires and cables and all necessary and desirable equipment and appurtenances, including, but not limited to, towers or poles made of wood, metal or other materials, props and guys, hereinafter referred to as "Facilities", located within a designated portion of the following described lands owned by Grantor ("Grantor's Property"), to wit:

That certain 8.051-acre tract of land situated in the Mayberry B. Gray Survey, Abstract 284, Harris County, Texas, being the same property described in an instrument dated January 30, 2004 and filed for record under County Clerk's File No. X418430 in the Official Public Records of Real Property of Harris County, Texas.

The unobstructed easement area(s) herein granted, hereinafter referred to as the "Easement Area", whether one or more, are described as follows:

1. An easement ten (10) feet wide, the location of the centerline of which is shown by the dot-dash symbol on said attached Sketch No. 21-0765 and described by metes and bounds as **Exhibit A**, together with unobstructed aerial easements ten (10) feet wide, beginning at a plane sixteen (16) feet above the ground and extending upward, located on both sides of and adjoining said ten (10) foot wide easement; and

2. An easement fourteen (14) feet wide, the location of which is shown by the hatched area on Sketch No. 21-0765 and described by metes and bounds as **Exhibit B**, attached hereto and made a part hereof, together with an unobstructed aerial easement seven (7) feet six (6) inches wide, beginning at a plane sixteen (16) feet above the ground and extending upward, located northerly of and adjoining said fourteen (14) foot wide easement.

Grantor or its successors or assigns shall observe and exercise all notification laws

as per the Underground Facility Damage Prevention and Safety Act, also known as "ONE

CALL" & "CALL BEFORE YOU DIG", when working in or near the Easement Area.

To the extent that such laws and codes apply to Grantor, its successors or assigns, Grantor, its successors or assigns shall observe all safety codes and laws which apply to working along, within and/or near the Easement Area and Facilities during construction activities and safe clearance from such Facilities, including O.S.H.A., Chapter 752 of the Texas Health and Safety Code, the National Electric Code, and the National Electrical Safety Code. This Easement is subject to all valid and subsisting encumbrances, conditions, covenants, restrictions, reservations, exceptions, rights-of-way and easements of record in Harris County, Texas, including building and zoning ordinances, laws, regulations and restrictions by municipal or other governmental entities applicable to and enforceable against the Grantee.

The Easement Area and right-of-way herein granted is subject to all conditions and reservations set out in **EXHIBIT C**, attached hereto and incorporated herein for all purposes.

This conveyance is made subject to all matters properly filed of record still existing and enforceable against the above described property.

TO HAVE AND TO HOLD the above described Easement Area, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, forever, and Grantor does hereby bind itself and its successors, heirs, assigns, and legal representatives, to fully warrant and forever defend all and singular the above described Easement Area and rights unto said Grantee, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

#### [Signature pages to follow]

H:SALES AND ABANDONMENTSICENTERPOINT ENERGY REQUESTS\14' WIDE UTILITY EAESMENT WESTPARK-610\COURT SUBMITTAL\EASEMENT-HC TO CENTERPOINT\_10' AND 14' EASEMENTS-4976 WESTPARK DR\_REV CAO.DOC 12/09/22 APM IN WITNESS WHEREOF, these presents have been executed by GRANTOR this

the \_\_\_\_\_, 2022.

HARRIS COUNTY, a body politic and corporate under the laws of the State of Texas

By:

Lina Hidalgo, County Judge

APPROVED AS TO FORM: CHRISTIAN MENAFEE Harris County Attorney

By: /  $\overline{n}$ 

Justina Daniel-Wariya Assistant County Attorney CAO File No.: 22RPD0246

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on \_\_\_\_\_\_, 2022, by LINA HIDALGO, as County Judge of Harris County, Texas, and the presiding officer of the Commissioners Court of Harris County, Texas, on behalf of Commissioners Court of Harris County, Texas, as the governing body of the Harris County, Texas.

Notary's Signature

AFTER RECORDING RETURN TO: SURVEYING & RIGHT OF WAY CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC P. O. BOX 1700 HOUSTON, TX 77251-1700

H:SALES AND ABANDONMENTSICENTERPOINT ENERGY REQUESTS\14' WIDE UTILITY EAESMENT WESTPARK-610\COURT SUBMITTAL\EASEMENT-HC TO CENTERPOINT\_10' AND 14' EASEMENTS-4976 WESTPARK DR\_REV CAO.DOC 12/09/22 APM

JOB 97832691A-1 MAP 5156 D4 S/C Bellaire

# EXHIBIT "A"

Centerline description of a 10-foot easement located in the Mayberry B. Gray Survey,

Abstract 284, Harris County, Texas, being out of a called 8.051-acre tract described in a

judgement in favor of Harris County, Texas dated February 26, 2004, and filed of record under

County Clerk File X418430 in the Deed Records of Harris County, Texas.

All grid coordinates and bearings stated herein reference the Texas Coordinate

System of 1983, South Central Zone, as defined in the Texas Natural Resources Code, Sec.

21.071, et. Seq. and are based on a GNSS-Real Time Kinematic (RTK) survey performed in

July of 2022. All distances recited are surface and may be converted to grid by multiplying by

the scale factor 0.9998700168. Said centerline is described as follows:

COMMENCING at a found 2-inch iron pipe at the northwest corner of Lot 22, of the Terminal Addition subdivision filed for record under Volume 353 Page 395 in the Deed Records of Harris County, Texas. Same point being on the west line of 1<sup>st</sup> Street and the south line of a 10-foot alley, and having coordinates X= 3,090,832,54, Y= 13,828,332,02;

THENCE, N. 83°04'36" E., with the south line of said 10-foot alley, passing a found 2-inch iron pipe at 261.62 feet at the northeast corner of Lot 44 of said subdivision, and continuing a total distance of 523.53 feet to a point; from which a found 1-inch iron pipe bears S. 2°25'42" E. 301.49 feet at the southeast corner of Lot 62.

THENCE, N. 3°43'38" E., over and across said 10-alley and a called 16.93 mile strip filed for record under County Clerk File P023668, a distance of 190.30 feet to the POINT OF BEGINNING of the herein described centerline and having coordinates X= 3,091,339.82, Y= 13,828,585.01. Same point being on the common north line of Westpark Drive and the south line of said 8.051-acre tract;

THENCE, N. 13°08'07" E., departing said common southerly and northerly lines, over and across said 8.051 acre a distance of 110.00 feet to the POINT OF TERMINUS of the herein described centerline and having coordinates X= 3,091,364.82, Y= 13,828,692.13

This description is based on a survey performed by CenterPoint Energy Houston Electric, LLC, and was written in conjunction with sketch number 21-0765.



Vile

Miles Rainwater, R.P.L.S. # 6948

Job 97832691A Map 5156D Sketch 21-0765

J:\Job Files\B2021\97832691\97832691A\Analysis\Exhibit A

# EXHIBIT "B"

Being a 0.0495-acre (2154.63 square feet) tract of land located in the Mayberry B. Gray Survey, Abstract 284, Harris County, Texas, being out of a called 8.051-acre tract described in a judgement in favor of Harris County, Texas dated February 26, 2004, and filed of record under County Clerk File X418430 in the Deed Records of Harris County, Texas.

All grid coordinates and bearings stated herein reference the Texas Coordinate

System of 1983, South Central Zone, as defined in the Texas Natural Resources Code, Sec.

21.071, et. Seq. and are based on a GNSS-Real Time Kinematic (RTK) survey performed in

July of 2022. All distances recited are surface and may be converted to grid by multiplying by

the scale factor 0.9998700168. Said 0.0495 acres being more particular described as follows:

**COMMENCING** at a found 2-inch iron pipe at the northwest corner of Lot 22, of the Terminal Addition subdivision filed for record under Volume 353 Page 395 in the Deed Records of Harris County, Texas. Same point being on the west line of 1<sup>st</sup> Street and the south line of a 10-foot alley, and having coordinates **X**= **3,090,832.54**, **Y**= **13,828,332.02**.

**THENCE**, N. 83°04'36" E., with the south line of said 10-foot alley, passing a found 2-inch iron pipe at 261.62 feet at the northeast corner of Lot 44 of said subdivision, and continuing a total distance of 523.53 feet to a point; from which a found 1-inch iron pipe bears S. 2°25'42" E. 301.49 feet at the southeast corner of Lot 62.

**THENCE**, N. 3°43'38" E., over and across said 10-alley and a called 16.93-mile strip filed for record under County Clerk File P023668, a distance of 190.30 feet to the **POINT OF BEGINNING** of the herein described centerline and having coordinates **X= 3,091,339.82**, **Y= 13,828,585.01**. Same point being on the common north line of Westpark Drive and the south line of said 8.051-acre tract;

**THENCE**, S. 83°04'37" W., along said common north line of Westpark Drive and south line the 8.051-acre tract, a distance of 114.60 feet to a point for a corner;

**THENCE**, N. 6°55'23" W., over and across said 8.051-acre tract, a distance of 14.00 feet to a point for a corner;

**THENCE**, N. 83°04'37" E., over and across said 8.051-acre tract, a distance of 153.90 feet to a point on the common north line of Westpark Drive and south line the 8.051-acre tract;

**THENCE**, S. 6°55'23" E., over and across said 8.051-acre tract, a distance of 14.00 feet to a point on the north line of Westpark Drive.

**THENCE**, S. 83°04'37" W., a distance of 39.30 feet, along said common northerly and southerly lines, to the **POINT OF BEGINNING** of the herein described tract, containing 0.0495 acres (2154.63 square feet) of land.

This description is based on a survey performed by CenterPoint Energy Houston Electric, LLC, and was written in conjunction with sketch number 21-0765.



26/22 number

Miles Rainwater, R.P.L.S. # 6948

J:\Job Files\B2021\97832691\97832691A\Analysis\Exhibit A

Job 97832691A Map 5156D Sketch 21-0765

N	HWY. 69 a/k/a u.s. hwy. 59			Bearing Basis: Texas Coordinate System of 1983, South Central Zone (TXSC Zone 4204); NAD 83			TE.OF.TE. F.EGISTERS:+	
	RICE IN ADDI VOL. 998, P	<b>TION</b> G. 642 D.R.		MAYBERRY B. GRAY SURVEY A-284			$\begin{array}{c} G : & & \\ G : & \\ \hline \\ G : & \\ \hline \\ G : & \\ \hline \\ M \\ \hline \\ M \\ \hline \\ M \\ \hline \\ M \\ \hline \\ \\ M \\ \hline \\ \\ M \\ \hline \\ \\ \\ \\$	
LOT 7 BLOCK 3			- NORTH	P.0.T. DRTHING (Y) = 13,828,692.13			Miles Rainwater LEGEND	
HARRIS COUNTY, TEXAS C.C.F.# X418430				EASTING $(X) = 3,091,364.82$ U $Q$ $10'EASEMENTU$ $O$ $0.0495$ $ACO$ $0.0495$ $ACC$ $O$ $0.0495$ $ACC$ $C$ $C$ $C$ $C$ $C$ $C$ $C$ $C$ $C$				D. BRASS DISK CO PROPERTY CORNER" FND. 2" I.P. Iss Otherwise Noted
LOT 6 LOT 6 (114.60') (x) = 13,828,585.01 (x) = 3,091,339.82								
WESTPARK DR.								
P.O.C. NORTHING (Y) = 13,828,332.02 EASTING (X) = 3,090,832.54 $K = 10^{\circ}$ ALLEY N 83'04'37" E - 523.53' K = 523.53' $K = 10^{\circ}$ ALLEY K = 523.53' K = 523.								91 HWY.
	261.62'	44	2ND	45	67	3RD ST	69	90 X. 610
1ST	24	43	0 <i>ST</i> .	46	65	T. N 2°25'42"	70	89
ST.	25	42	N 2°25'42"		MINAL <sup>†2,</sup> ≪ ITION		71	88
	26	41	142"₩ -		PG. 395 D.R.	301.49'	72	87
50	0 50	100 150	330.20	49	62		73	86
	SCALE IN F			FND. 1" I.P TERMINAL ST.				
INTERSECT EASEMENTS	WITH THE EXTERIORS S OR WITH ADJOINING	OF ALL ADJOINING PROPERTY LINES		50	61		74	85
REV.1: JOB NO.BY:DATE:REV.2: JOB NO.BY:DATE:EASEMENT - UNOBSTRUCTEDLAST PLOT DATE: 07/26/2022COUNTY: HARRISDRAWN BY: MTRSURVEY DATE: 11/02/21, 07/20/22DRAWN BY: MTRSURVEY DATE: 11/02/21, 07/20/22MAP NO: 5156DSURVEY ING & RIGHT OF WAYSCALE: 1" = 100'JOB NO: 97832691AP.O. Box 1700 Houston, TX 77251-1700FILE NO BOOK: 2021CHECKED BY: SOC / MTRSKFTCH NO								-1700

# EXHIBIT "C"

## TERMS AND CONDITIONS FOR POWER LINES CROSSING HARRIS COUNTY PROPERTY

- 1. Grantee shall also have rights of ingress and egress to and from said Easement Area for the purposes of erecting, installing, operating, maintaining, replacing, inspecting and removing said electrical Facilities, together with the additional right to remove from said Easement Area, all bushes, trees and parts thereof, the right of reasonable working space not detrimental to the rights of Grantor in its adjoining property, and all other rights necessary to the full and complete use and enjoyment of the rights of way and easements hereby granted for the purposes herein described, and shall be solely responsible for any damage to Grantor's property and facilities.
- 2. Grantor may maintain and operate any and all facilities owned by Grantor which are now located on, over, or under the above described portions of Grantor's property, and Grantee's use of the Easement Area as granted herein shall not interfere with the safety, maintenance or operation of said facilities. Except during emergency operations, Grantor retains reasonably unobstructed rights of ingress and egress to and from the Easement Area.
- 3. Grantor shall retain title to the presently existing facilities and all future facilities placed by Grantor within the Easement Area. Except during .
- 4. Grantor shall retain the right to use Grantor's Property for any purpose which does not unreasonably interfere with the Easement Area granted herein, further, Grantor retains the right to grant to others such easement rights as Grantor in its sole discretion shall deem necessary; however, any such rights so granted shall be utilized so as to not unreasonably interfere with the rights of Grantee herein.
- 5. After the initial construction of Grantee's Facilities within the Easement Area herein granted, the parties to this instrument agree that either party may build additional facilities so long as, at the time of their construction, they do not conflict or interfere with Facilities already built in the Easement Area. If a conflict is determined to exist, the constructing party will notify the owner of the existing Facilities in order to effect such adjustments as are necessary to accommodate the additional facilities.

