## EASEMENT AND RIGHT OF WAY

| THE STATE OF TEXAS | $\delta$ |
| :--- | ---: |
|  | $\delta$ |
| COUNTY OF Webb | $\delta$ |

That, $\qquad$
COUNTY OF WEBB

| MAP LOCATION: |  |
| :--- | :--- |
| WORK ORDER \#: | 854285 |
| SERV LOCATION: |  |都 for good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant, sell and convey unto Medina Electric Cooperative, Inc. (the "Cooperative"), whose address is P.O. Box 370, Hondo, Texas, 78861, and to its successors or assigns, an easement and right of way (the "Easement") over, under, across, above and upon the land of the Grantor, situated in_Webb_County, Texas, more particularly described as:

A 0.268 of an acre tract of land situated in the E. B. Ragsdale Survey Number 1713, Abstract 525, Webb County, Texas, and being a portion of that Tract 38A of Simeon Park, Phase II as recorded in Volume 34, Page 31, Plat Records of Webb County, and as conveyed to County of Webb and recorded in Volume 4193, Page 753 in the Official Public Records (O.P.R.) of Webb County, Texas, as more fully described in Exhibit A attached hereto.

Said Easement being more particularly described and shown by the attachment(s) hereto, (the "Easement Area"), along with the right of access for ingress and egress over the Easement Area and Grantor's adjacent lands. Cooperative shall have the right to place, construct, reconstruct, rephase, repair, operate, maintain, relocate and replace on the Easement Area an electric distribution line or system. Cooperative shall also have the right to cut and trim trees and shrubbery located within the Easement Area (including by use of herbicides approved by the U.S. Environmental Protection Agency); and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike any component of said line or system in falling.

In granting this Easement, it is understood that all poles and guys will be placed to form the least possible interference to the existing use of the land, so long as it does not materially increase the cost of construction. Grantor shall have the right to use the Easement Area for any use that does not materially or unreasonably interfere with the Cooperative's rights granted herein, as determined by the Cooperative; provided, however, that Grantor shall not place or construct a building or any other facilities within the Easement Area.

Grantor agrees that all poles, wires and other facilities, installed on the Easement Area at the Cooperative's expense, shall remain the property of the Cooperative, removable at the option of the Cooperative. Grantor shall not make or cause any changes in grade, elevation or contour of the land within the Easement Area without the written consent of Cooperative.

TO HAVE AND TO HOLD the Easement unto the Cooperative, its successors and assigns, until all of said lines or systems shall be abandoned, and in that event, this Easement shall cease and all rights granted herein shall terminate and revert to Grantor or Grantor's heirs, successors or assigns. Grantor hereby binds Grantor and Grantor's heirs, successors, assigns and legal representatives, to warrant and forever defend the above-described Easement unto Cooperative, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. This Easement may be assigned in whole or in part.

IN WITNESS WHEREOF, the undersigned have set their hand this $\qquad$ day of $\qquad$ 20 $\qquad$ -

BY: $\qquad$
NAME: $\qquad$
TITLE: County Judge
STATE OF $\qquad$ 8

COUNTY OF $\qquad$ §

This instrument was acknowledged before me this $\qquad$ day of $\qquad$ 20 $\qquad$ by $\qquad$ (Name), $\qquad$ (Title), on behalf of

COUNTY OF WEBB Grantor.

Notary Public, State of $\qquad$
[Notary Stamp]

## EXHIBIT A



## FIELD NOTES FOR A 40' WIDE ELECTRIC EASEMENT

## (0.268 OF ONE ACRE OF LAND)

A 40, Wide Electric Easement, being a 0.268 of one acre tract of land, located in the E.B. Ragsdale Survey No. 1713, Abstract 525, Webb County, Texas, and also being across Lot 38A of the Replat of Tract 23 and 38 Plat of Simeon Park Subdivision of record in Volume 34, Page 31 of the Map Records of Webb County, Texas. Said 40’ Wide Electric Easement being more particularly described by metes and bounds as follows:

BEGINNING at point in the west right-of-way line of U.S. Highway 83, a variable width public right-of-way, in the east line of said Lot 38 A and for the most easterly northeast corner of the easement described herein, from which a found $1 / 2$ " iron rod in said right-of-way line and for an easterly interior corner of said Lot 38 A bears, $\mathrm{N} 34^{\circ} 33^{\prime} 10^{\prime \prime} \mathrm{W}$, a distance of 183.27 feet;

THENCE:S $\mathbf{0 5}{ }^{\circ} \mathbf{0 8}{ }^{\prime} \mathbf{2 9}$ " $\mathbf{E}$, with said right-of-way line and the east line of said Lot 38 A , a distance of $\mathbf{4 0 . 7 9}$ feet to a point for the most easterly southeast corner of the easement described herein, from which a found pk nail in said right-of-way line and for the most easterly southeast corner of said Lot 38 A bears, $\mathrm{S} 05^{\circ} 08^{\prime} 29^{\prime \prime} \mathrm{E}$, a distance of 28.15 feet;

THENCE: Departing said right-of-way line and across said Lot 38A, the following two (2) courses:

1. N $83^{\circ} 50,42^{\prime}$ W, a distance of $\mathbf{1 4 5 . 2 7}$ feet to a point for corner, and
2. $\mathbf{S ~} \mathbf{0 2}{ }^{\circ} \mathbf{2 6}{ }^{\prime} \mathbf{5 4}$ " $\mathbf{W}$, a distance of $\mathbf{1 5 . 0 9}$ feet to a point in the north right-of-way line of San Juan Road, the south line of said Lot 38A and for the most southerly southeast corner of the easement described herein, from which a found 6" wood fence post for a southeasterly corner of said Lot 38A and in the north right-of-way line of San Juan Road bears, S $73^{\circ} 37^{\prime} 21^{\prime \prime}$ E, a distance of 103.43 feet;

THENCE: N $73^{\circ} \mathbf{3 7}{ }^{\prime} \mathbf{2 1 "} \mathbf{W}$, with the north right-of-way line of San Juan Road and the south line of said Lot 38A, a distance of $\mathbf{4 1 . 2 1}$ feet to a point for the most southerly southwest corner of the easement described herein;

THENCE: Departing the north right-of-way line of San Juan Road and across said Lot 38A, the following eight (8) courses:

1. $\mathbf{N} \mathbf{0} 2^{\circ} 26^{\prime} \mathbf{5 4}>\mathbf{E}$, a distance of $\mathbf{7 . 7 6}$ feet to a point for corner,
2. $\mathbf{N ~} 83^{\circ} 50,42 " \mathbf{W}$, a distance of $\mathbf{3 6 . 3 2}$ feet to a point for the most westerly southwest corner of the easement described herein,
3. $\mathbf{N} 06^{\circ} \mathbf{0 9}, \mathbf{1 8 "} \mathbf{E}$, a distance of $\mathbf{4 0 . 0 0}$ feet to a point for corner,
4. $\mathbf{S ~ 8 3}{ }^{\circ} 50, \mathbf{4 2}$ " $\mathbf{E}$, a distance of $\mathbf{3 3 . 5 4}$ feet to a point for corner,
5. N $01^{\circ} 56,09 " \mathbf{E}$, a distance of $\mathbf{6 1 . 7 4}$ feet to a point for the northwest corner of the easement described herein,
6. $\mathbf{S ~ 8 8}{ }^{\circ} \mathbf{0 3}, 51 " \mathbf{E}$, a distance of $\mathbf{4 0 . 0 0}$ feet to a point for the northeast corner of the easement described herein,
7. S $01^{\circ} 56^{\prime} \mathbf{0 9}$ " $\mathbf{W}$, a distance of $\mathbf{6 4 . 6 9}$ feet to a point for corner, and
8. $\mathbf{S ~} 83^{\circ} 50 \prime 42 " \mathbf{E}$, a distance of $\mathbf{1 4 0 . 0 4}$ feet to the POINT OF BEGINNING and containing 0.268 of one acre of land in Webb County, Texas.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, South Zone, 4205, US Survey Foot, Grid. A survey plat was prepared by a separate document. Field work performed on July 25, 2023.


Job \# 23-4070 - 0.268 ac Elec
Date: July 31, 2023

