



**RESOLUTION NO. 20160426-03**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE AN EASEMENT AGREEMENT (ELECTRICAL UTILITIES) ON TEXAMERICAS CENTER-EAST CAMPUS TO SWEPCO**

**WHEREAS**, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

**WHEREAS**, TexAmericas Center contacted SWEPCO to seek an easement for land upon TexAmericas Center-East to serve existing customers; and

**WHEREAS**, it has now been determined that it is in the best interest of TexAmericas Center to provide said access easement as described on the attached easement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors that the Board of TexAmericas Center approves the adoption of the attached Right of Way and Easement; and

**BE IT FURTHER RESOLVED**, by the Board of Directors of TexAmericas Center that the Executive Director/CEO shall be and he is hereby authorized to execute an Easement Agreement (Electrical Utilities) in substantially the same terms as attached hereto.

**PASSED and APPROVED** this 26<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_  
Gabe Tarr, Vice-Chairman of the Board

**ATTEST:**

  
\_\_\_\_\_  
Boyd Sartin, Secretary-Treasurer

Attached: Easement Agreement

T16- 004  
TX160654

**RIGHT OF WAY AND EASEMENT**

**STATE OF TEXAS**

**COUNTY OF BOWIE**

GRANTOR, Tex Americas Center f/k/a Red River Redevelopment Authority, 107 Chapel Lane, New Boston, Bowie County, TX in consideration of one dollar, paid, and other good and valuable considerations, receipt of which is acknowledged, have and by these presents do grant and convey unto GRANTEE, Southwestern Electric Power Company, a Delaware corporation, whose address is 428 Travis Street, P.O. Box 21106, Shreveport, LA 71156, its associated and allied companies and their respective successors and assigns, herein referred to as GRANTEE, a perpetual, non-exclusive right of way and easement over and through a part of the following described property:

All that certain tract or parcel of land situated in the George Collum Headright Survey, Abstract No. 119, being more particularly described in Warranty Deed dated 9/1/2010 from United States of America to Red River Redevelopment Authority and recorded in Volume 5898, Page 1 in the Official Public Records of Bowie County, Texas.

Said right of way and easement is described in Exhibit "A" attached hereto and made a part hereof.

With the right to construct, reconstruct, repair, replace, change the size and capacity of, modify, operate, maintain, inspect, remove, a line or lines of underground and/or overhead facilities, including, but not limited to, poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the distribution of electric current, and other forms of energy, and for the transmission or communication of data, audio and video information. Together with the right of ingress and egress to said right of way and easement at all times with equipment and personnel across GRANTOR'S lands for the purpose of constructing, operating and maintaining said lines and related facilities and making all necessary repairs, alterations or removal of any of its property placed thereon, provided that GRANTEE shall repair, replace, or pay for actual damages which may be the result of construction, maintenance and operation of its facilities. GRANTOR shall not construct nor permit to be constructed, any structure or building of any type or nature, including swimming pools, on or adjacent to the said easement right of way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electric Safety Code. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth and vegetation without incurring damages (within the right of way or which could grow into the right of way) which may interfere with GRANTEE'S lines and other facilities.

To have and hold the above described easement and rights unto the GRANTEE, its successors and assigns, forever or until said right of way and easement is finally abandoned.

SIGNED AND DATED, this 26<sup>th</sup> day of April, 2016.

WITNESSES:



TexAmericas Center:

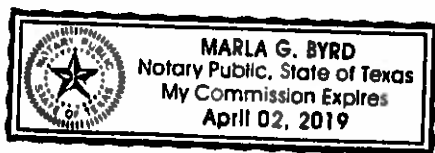


Scott Norton,  
Executive Director

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS  
COUNTY OF BOWIE

This instrument was acknowledged before me on the 26<sup>th</sup> day of April, 20 16 A.D.,  
by Scott Norton, Executive Director, TexAmericas Center.



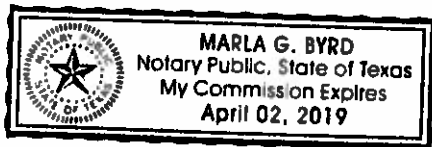
Marla G. Byrd  
NOTARY PUBLIC STATE OF TEXAS  
Notary's Printed Name: Marla G. Byrd  
Comm. Expires: 4/2/2019

**WITNESS ACKNOWLEDGEMENT**

THE STATE OF TEXAS  
COUNTY OF BOWIE

BEFORE ME, A Notary Public, ON THIS DAY personally appeared Teresa Kemp known to me to be the person whose name is subscribed as a witness to the foregoing instrument, and after being duly sworn by me, stated under oath that he saw Scott Norton the person who executed the foregoing instrument, subscribe the same, and that he had signed the same as witness at the request of the said GRANTEE.

GIVEN UNDER MY HAND AND SEAL of office, this 26<sup>th</sup> day of April, 20 16 A.D.



Marla G. Byrd  
NOTARY PUBLIC STATE OF TEXAS  
Notary's Printed Name: Marla G. Byrd  
Comm. Expires: 4/2/2019

Return to:  
J.W. Porter & Associates, LLC  
3708 W. 7th  
Texarkana, TX 75501

**GEORGE COLLOM  
HEADRIGHT SURVEY  
ABSTRACT 119**

CURRENT DEED:  
CALLED: TRACT 1 - NORTH  
WEST CONNER PARCEL  
FROM: WITH 761.245 ACRES  
TO: RED RIVER REDEVELOPMENT  
AUTHORITY NOW KNOWN AS  
TEXAMERICS CENTER  
DATED: SEPTEMBER 1, 2010  
REAL PROPERTY RECORDS  
BOWIE COUNTY, TEXAS  
M/G 101011-00  
FOUND 1/2  
STEEL ROD  
CAPPED  
15.00'  
N88.38'29"E  
588.38'29"W 93.21'  
POINT OF  
BEGINNING  
FOUND 1/2  
STEEL ROD  
CAPPED  
76.38'

UTILITY EASEMENT (0.768 ACRES)  
Determ: 1'08'52"  
CB=501'55.54"E  
CA=231.07'  
R=11534.16'  
L=231.08'  
T=115.54'

CURRENT DEED:  
CALLED: CURRENT DEED:  
WASHINGTON STREET  
WITH 33.260 ACRES NOW  
KNOWN AS CASS STREET  
FROM UNITED STATES OF AMERICA  
AUTHORITY NOW KNOWN AS  
TEXAMERICS CENTER  
DATED: SEPTEMBER 1, 2010  
VOLUME 0998, PAGE 1  
REAL PROPERTY RECORDS  
BOWIE COUNTY, TEXAS

CHARLES LEWIS  
HEADRIGHT SURVEY  
ABSTRACT 338

CURRENT DEED:  
CALLED: TRACT 3 - NORTH OF  
PROPOSED 4TH STREET PARCEL  
WITH 849.339 ACRES  
FROM UNITED STATES OF AMERICA  
AUTHORITY NOW KNOWN AS  
TEXAMERICS CENTER  
DATED: SEPTEMBER 1, 2010  
VOLUME 0998, PAGE 1  
REAL PROPERTY RECORDS  
BOWIE COUNTY, TEXAS

**SURVEYOR CERTIFICATE**

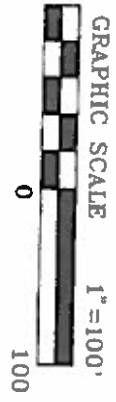
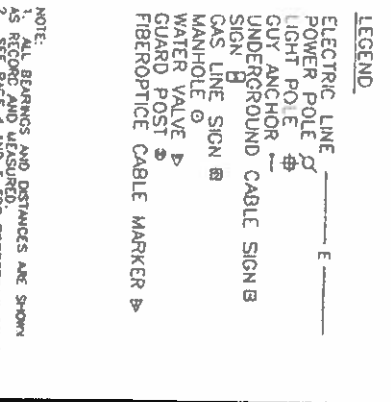
THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY  
SUPERVISION ON DECEMBER 23, 2015, THAT THIS PLAN (MAP OR DRAWING)  
SUBSTANTIALLY COMPLES WITH THE CURRENT PROFESSIONAL AND TECHNICAL  
STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND  
VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAN.

THIS PLAN IS FOR THE INTENDED USE OF SWPCO, AS BEARERS TO OWNERSHIP  
OR TRAFFIC OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE,  
AND MAY BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/VOLUNTARILY SUBJECT TO  
PROFESSIONAL LAND SURVEYING REGULATIONS BEING ADOPTED BY THE TEXAS BOARD OF  
PROFESSIONAL LAND SURVEYING WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

JEFFREY A. WOOD  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6220, STATE OF TEXAS  
DATE: FEBRUARY 15, 2016



**EXISTING C/L CASS STREET**



**LEGEND**

- ELECTRIC LINE
- POWER POLE
- LIGHT POLE
- GUY ANCHOR
- UNDERGROUND CABLE SIGN
- SIGN
- GAS LINE SIGN
- MANHOLE
- WATER VALVE
- GUARD POST
- FIBEROPTIC CABLE MARKER

NOTE:  
1. ALL BEARINGS AND DISTANCES ARE SHOWN  
AS RECORDS AND AS SHOWN.  
2. SEE PAGE 4 AND 5 FOR PROPERTY DESCRIPTION  
OF THE EASEMENT.

**UTILITY EASEMENT**

SWPCO UTILITY  
EASEMENT

Date	Revision/Description	Drawn By	Checked By	Project No.	Draw Date
2/15/16	REVISED EASEMENT & LEGAL	BH	OR	152098	12/29/15

**MTG**  
*engineers & surveyors*

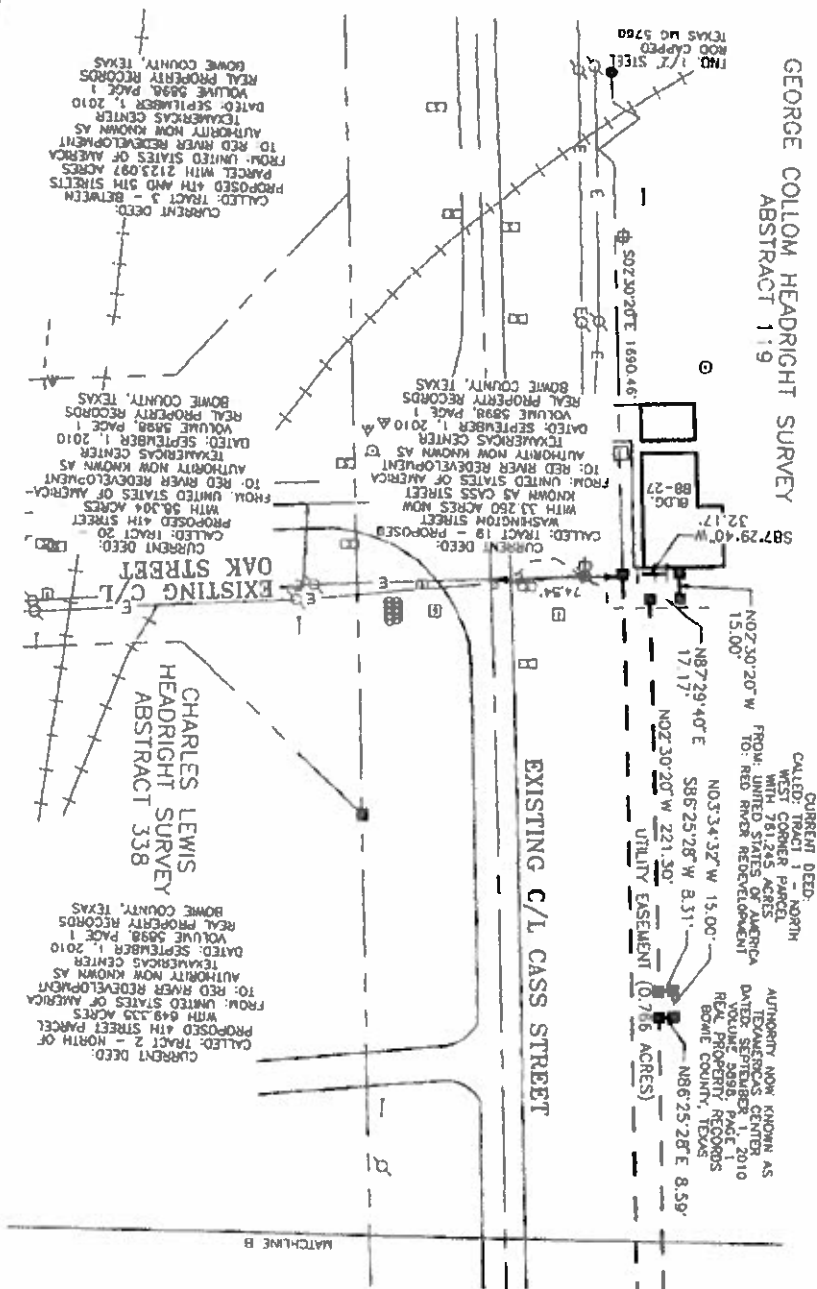
3900 SUPERHILL RD. | P.O. BOX 3706  
TEXARKANA TEXAS 75501  
P 903.680.6233 | F 903.692.4700  
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EXHIBIT A      Sheet No. 1 OF 5



GEORGE COLLOM HEADRIGHT SURVEY  
ABSTRACT 119



**SURVEYOR CERTIFICATE:**  
THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON DECEMBER 23, 2015, THAT THIS PLAT (MAP OR DRAWING) SUBMITTED TO THE PUBLIC RECORDS WITH THIS CURRENT PROFESSIONAL AND TECHNICAL STATEMENT OF WORK AND THIS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS AS KNOWN TO ME AS A PROFESSIONAL LAND SURVEYOR, AND VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF SWPCO, AS RELATES TO OWNERSHIP OF THE PLAT. IF, ON DISCOVERY, THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE RECORDED, THIS SURVEY IS NOT VALID, AND WILL BE VOID, SUBJECT TO CHANGES IN GOVERNANCE OR INTERESTS, AND MAY NOT BE CROD BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE CROD BY THE PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE UNDERSIGNED.

JEFFREY A. WOOD  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 62220, STATE OF TEXAS  
PRM CERTIFICATE NO. 101011-00  
DATE: FEBRUARY 13, 2016

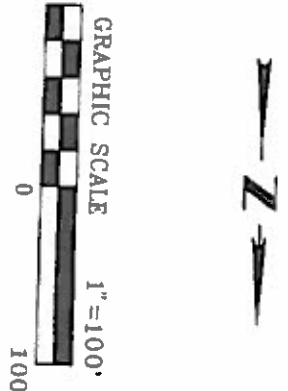


<b>UTILITY EASEMENT</b>	
SWPCO UTILITY EASEMENT	
Date	2/15/16
Revision/Description	REVISED EASEMENT & LEGAL
Drawn By	84
Checked By	DR
Project No.	152098
Dwg. Date	12/29/15

**MTG**  
*engineers & surveyors*

5430 SHERILL RD., P.O. BOX 3786  
TEXARKANA, TEXAS 75601  
P 403.858.0553 F 403.852.4700  
www.mtgengineers.com

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EXHIBIT A 3 OF 5



**NOTE:**  
1. ALL BEARINGS AND DISTANCES ARE SHOWN AS RECORD AND MEASURED.  
2. SEE PAGE 4 AND 5 FOR PROPERTY DESCRIPTION OF THE EASEMENT.

Property Description - Utility Easement  
 0.766 Acres  
 Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Colburn Headright Survey, Abstract 119, Bowie County, Texas, being part of that certain tract of land described as Tract 1 - North West Corner Parcel with 761.245 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, and being part of that certain tract of land described as Tract 19 - Proposed Washington Street with 33,260 acres now known as Cass Street in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, and being part of that certain tract of land described as Tract 2 - North of Proposed 4th Street Parcel with 549,335 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found for a corner, capped MTG 101011-00, lying in the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract and the Southeast corner of that certain tract of D. Crompton, dated November 9, 2012, recorded in Volume 6341, Page 85 of the Real Property Records of Bowie County, Texas;

THENCE South 01 degrees 21 minutes 27 seconds East a distance of 77.60 feet along the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract, to a point for a corner, at the beginning of a circular curve to the left, tangent to the said line;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 231.08 feet, with a delta angle of 1 degree 08 minutes 52 seconds, a radius of 11534.16 feet, a chord bearing of South 01 degrees 55 minutes 54 seconds East, and a chord distance of 231.07 feet, to a point for a corner, at the end of the said circular curve;

THENCE South 02 degrees 30 minutes 20 seconds East, tangent to the said circular curve, a distance of 314.64 feet along the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract, to a point for a corner, lying in the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract;

THENCE North 87 degrees 03 minutes 38 seconds East a distance of 383.34 feet, to a point for a corner;

THENCE South 02 degrees 56 minutes 22 seconds East a distance of 30.00 feet, to a point for a corner;

THENCE South 87 degrees 03 minutes 38 seconds West a distance of 383.57 feet, to a point for a corner, lying in the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract;

THENCE South 02 degrees 30 minutes 20 seconds East a distance of 768.29 feet along the East line of the said 761.245 acre tract and the West line of the said 33,260 acre tract

THENCE South 87 degrees 29 minutes 40 seconds West a distance of 32.17 feet, to a point for a corner;

THENCE North 02 degrees 30 minutes 20 seconds West a distance of 15.00 feet, to a point for a corner;

**SURVEYOR CERTIFICATE**

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON DECEMBER 23, 2015. THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE CURRENT PROFESSIONAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS. THAT THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO UNRECORDED ENCUMBRANCES EXCEPT AS SHOWN ON THE SURVEY PLAN.

THIS PLAN IS FOR THE INTENDED USE OF SWEPSCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSUMED TO BE A GUARANTEE OF CHAIN OF TITLE. THIS SURVEY AND ANY BE VOID INVALID UNLESS IT IS RECORDED WITHIN THE TIME FRAME OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS. PARTIES WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE UNDERSIGNED.

*Jeffrey A. Wood*

JEFFREY A. WOOD  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 NO. 6220, STATE OF TEXAS  
 P.O. CERTIFICATE NO. 101011-00  
 DATE FEBRUARY 15, 2016



**UTILITY EASEMENT**

SWEPSCO UTILITY  
 EASEMENT

Date	2/15/16	Revision/Description	REMOVED EASEMENT & LEGAL
Drawn By	BH	Checked By	DR
Project No.	152098	Drawn Date	12/28/15

**MTG**  
*engineers & surveyors*

5930 SUMMERSHILL RD. 1, P.O. BOX 5786  
 TEXARKANA, TEXAS 75781  
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 SHEET NO.      4 OF 5

EXHIBIT A

Thence North 87 degrees 29 minutes 40 seconds East a distance of 17.17 feet, to a point for a corner;  
 THENCE North 02 degrees 30 minutes 20 seconds West a distance of 221.30 feet, to a point for a corner;  
 THENCE South 86 degrees 25 minutes 28 seconds West a distance of 8.31 feet, to a point for a corner;  
 THENCE North 03 degrees 34 minutes 32 seconds West a distance of 15.00 feet, to a point for a corner;  
 THENCE North 86 degrees 25 minutes 28 seconds East a distance of 8.59 feet, to a point for a corner;  
 THENCE North 02 degrees 30 minutes 20 seconds West a distance of 524.37 feet, to a point for a corner;  
 THENCE South 87 degrees 03 minutes 38 seconds West a distance of 9.12 feet, to a point for a corner;  
 THENCE North 02 degrees 56 minutes 22 seconds West a distance of 15.00 feet, to a point for a corner;  
 THENCE North 87 degrees 03 minutes 38 seconds East a distance of 9.23 feet, to a point for a corner;  
 THENCE North 02 degrees 30 minutes 20 seconds West a distance of 322.26 feet, to a point for a corner, at the beginning of a circular curve to the right, tangent to the said line;  
 THENCE in a Northwesterly direction along the arc of the said circular curve a distance of 231.38 feet, with a delta angle of 1 degree 08 minutes 52 seconds, a radius of 11549.16 feet, a chord bearing of North 01 degrees 55 minutes 54 seconds West, and a chord distance of 231.37 feet, to a point for a corner, at the end of the said circular curve;  
 THENCE North 01 degrees 21 minutes 27 seconds East, tangent to the said circular curve, a distance of 77.60 feet, to a point for a corner, lying in the South line of the said 0.229 acre tract, said corner bears South 88 degrees 38 minutes 29 seconds West a distance of 93.21 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the Southwest corner of the said 0.229 acre tract;  
 THENCE North 88 degrees 38 minutes 29 seconds East a distance of 15.00 feet along the South line of the said 0.229 acre tract, to the point of beginning and containing 0.766 acres of land, at the time of this survey.  
 This description is based on the survey and plot made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 62220, on February 15, 2016.

**SURVEYOR CERTIFICATE**

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON DECEMBER 21, 2015, THAT THIS PLAN (MAP OR DRAWING) CONFORMS WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE STATE OF TEXAS, AND THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAN.

THIS PLAN IS FOR THE ANTICIPATED USE OF SWEPSCO, AS RELATES TO OWNERSHIP OR TRANSFER OF INTERESTS. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT REPERMITS, AND MAY BE VOID/VOLUNTARILY SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATION. THIS PLAN IS SUBJECT TO THE RULES AND REGULATIONS OF THE PROFESSIONAL LAND SURVEYING AND MAPPING BOARD OF TEXAS, AND MAY NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE UNDERSIGNED.

*Jeffrey A. Wood*

JEFFREY A. WOOD  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF TEXAS  
 REG. CERTIFICATE NO. 101011-00  
 DATE: FEBRUARY 15, 2016



**UTILITY EASEMENT**  
 SWEPSCO UTILITY  
 EASEMENT

Date	Revision/Description		
2/15/16	REVISED EASEMENT & LEGAL		
Drawn By	Checked By	Project No.	Date
BH	DR	152098	12/28/15

**MTG**  
*engineers & surveyors*

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 www.mtgengineers.com

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