



RESOLUTION NO. 20160628-01

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 28th day of June, 2016.


Denis Washington, Chairman of the Board

ATTEST:


Melford Pierce, Secretary

Attached: Easement Agreement

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 15 feet in width 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 28th day of June, 2016.

WITNESSES:

TexAmericas Center:



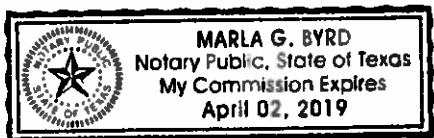
Scott Norton,
Executive Director

WO# _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF BOWIE

This instrument was acknowledged before me on the 28th day of June, 2016 A.D.,
by Scott Norton, Executive Director, Tex Americas Center.



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

WITNESS ACKNOWLEDGEMENT

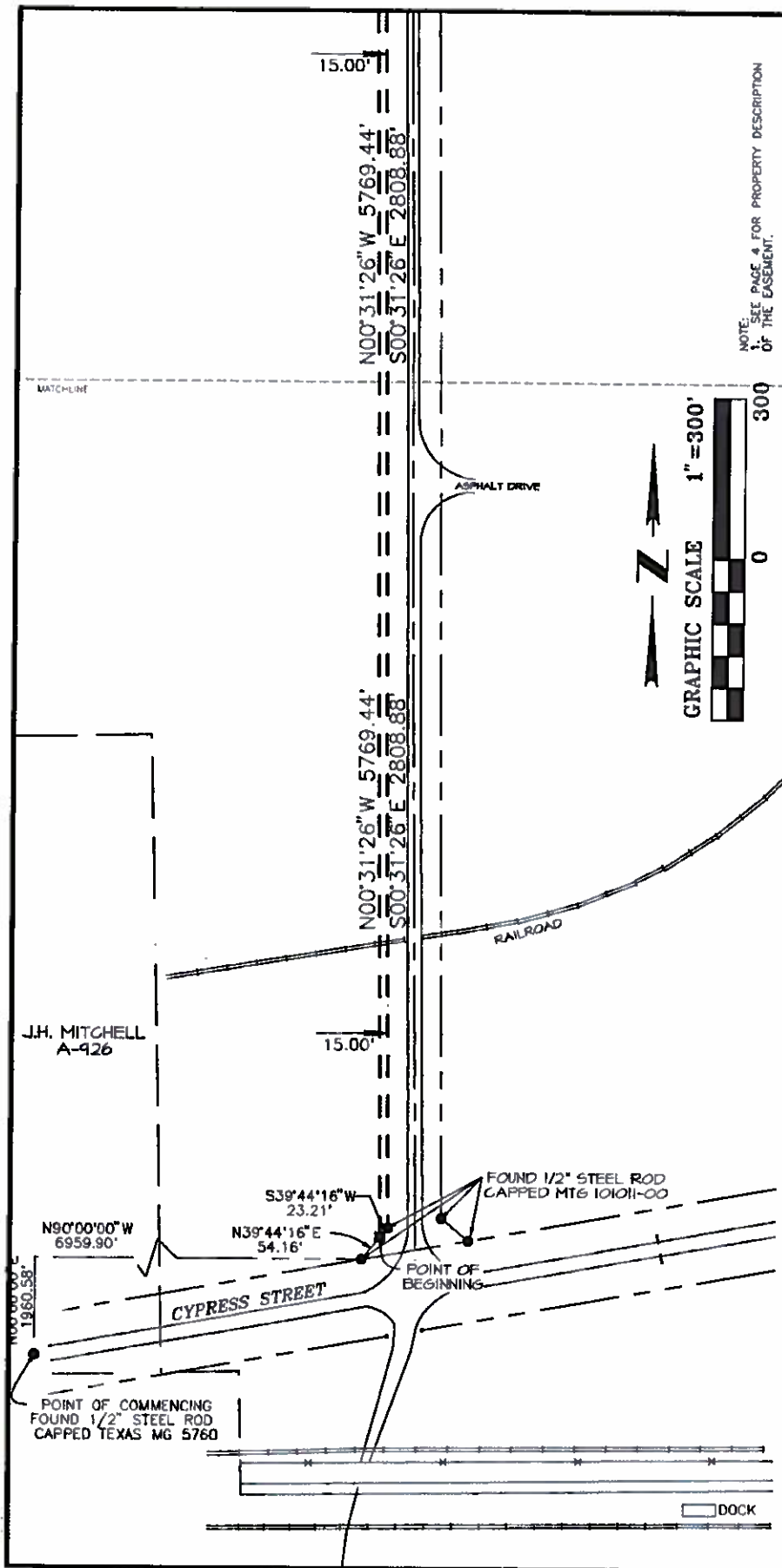
THE STATE OF TEXAS
COUNTY OF BOWIE

BEFORE ME, A Notary Public, ON THIS DAY personally appeared _____ 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, Executive Director, TexAmericas Center 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.

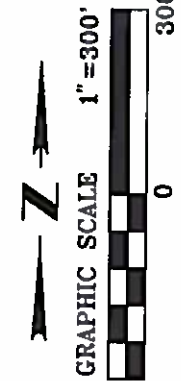
GIVEN UNDER MY HAND AND SEAL of office, this _____ day of _____, 20____ A.D.

NOTARY PUBLIC STATE OF TEXAS
Notary's Printed Name: _____
Comm. Expires: _____

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

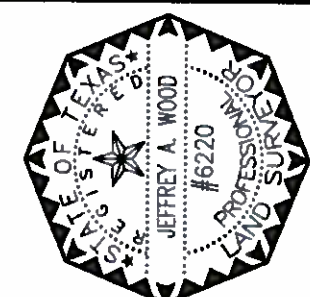


NOTE: SEE PAGE A FOR PROPERTY DESCRIPTION OF THE EASEMENT.



SURVEYOR CERTIFICATE:
 THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JUNE 8, 2016, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS AND MEASUREMENTS OF THIS SURVEY, THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.
 THIS PLAT IS FOR THE INTENDED USE OF SWEPCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, AND MAY BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN THE RULES OR REGULATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. ANY INTERESTS NOT PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

Jeffrey A. Wood
 JEFFREY A. WOOD
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 6220, STATE OF TEXAS
 FIRM CERTIFICATE NO. 101011-00
 DATE: JUNE 16, 2016

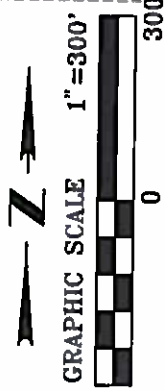
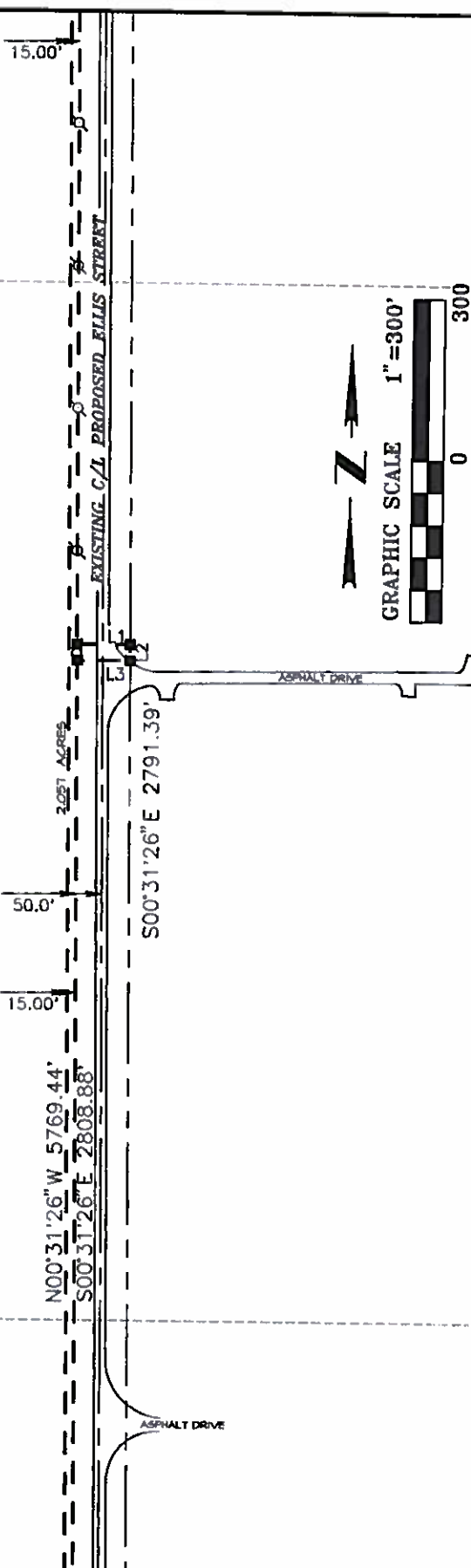


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 TEXARKANA, TEXAS 75501
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UTILITY EASEMENT	<p>EXHIBIT A</p> <p>Sheet No. 1 OF 4</p>
<p>SWEPCO UTILITY EASEMENT</p>	<p>Project No. 162050</p> <p>Checked By JW</p> <p>Date 5/27/16</p>
<p>Date</p> <p>Revision/Description</p>	<p>Drawn By BLB</p> <p>Project No. 162050</p> <p>Checked By JW</p> <p>Date 5/27/16</p>

LINE	BEARING	DISTANCE
L1	N89°55'53"E	100.00'
L2	S00°31'26"E	30.00'
L3	S89°55'53"W	100.00'



SURVEYOR CERTIFICATE.

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JUNE 16, 2016. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, SUBSTANTIALLY COMPLETES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF SWEPSCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT THE SURVEYOR'S WRITTEN PERMISSION, AND IS SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

Jeffrey A. Wood
 JEFFREY A. WOOD
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF TEXAS
 FIRM CERTIFICATE NO. 101011-00
 DATE: JUNE 16, 2016



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 Sheet No. 2 OF 4

UTILITY EASEMENT	
SWEPSCO UTILITY EASEMENT	
Date	Revision/Description
Drawn By	Checked By
BLB	JW
Project No.	Dwg. Date
162053	5/27/16

EXHIBIT A

CURRENT & RECORD DEED,
 CALLED, REMAINDER OF TRACT 3 - BETWEEN
 PROPOSED 4TH AND 5TH STREET PARCEL
 W/ 2123.041 ACRES
 FROM, UNITED STATES OF AMERICA
 TO, RED RIVER REDEVELOPMENT AUTHORITY
 NOW KNOWN AS TEXAMERICAS CENTER
 DATED, SEPTEMBER 1, 2010
 VOLUME 5648, PAGE 1
 REAL PROPERTY RECORDS
 BOWIE COUNTY, TEXAS

OAK STREET

FOUND 1/2" STEEL ROD
 CAPPED MTG 101011-00

N46°55'46"W
 69.04'

S46°55'46"E
 20.71'

FOUND 1/2" STEEL ROD
 CAPPED MTG 101011-00

N43°04'14"E
 72.51'

FOUND 1/2" STEEL ROD
 CAPPED MTG 101011-00

50.0'

15.00'

N00°31'26"W 5790.15'

S00°31'26"E 2919.28'

N00°31'26"W 2924.98'

ASPHALT DRIVE

15.00'

MATCHLINE



GRAPHIC SCALE 1"=300'



UTILITY EASEMENT

SWEPCO UTILITY
 EASEMENT

Date	Revision/Description	Checked By	Project No.	Dwg. Date
		JW	162050	5/27/16

SURVEYOR CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY
 SUPERVISION ON JUNE 16, 2016, THAT THIS PLAT (MAP OR DRAWING)
 SUBSTANTIALLY COMPLES WITH THE PRESENT PROFESSIONAL AND TECHNICAL
 STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND
 REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO
 VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF SWEPCO, AS RELATES TO OWNERSHIP
 OR TRANSFER OF INTEREST. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE,
 MAY NOT BE REISSUED, AND MAY BE VOID/INVALID SUBJECT TO
 CHANGES IN GOVERNANCE OR INTERPRETATION BY THE TEXAS BOARD OF
 PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR REPRODUCED BY
 PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

Jeffrey A. Wood

JEFFREY A. WOOD
 REGISTERED PROFESSIONAL LAND SURVEYOR
 PIN, 0220, STATE OF TEXAS
 EXPIRES DATE, NO. 101011-00
 DATE, JUNE 16, 2016



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Sheet No.
EXHIBIT A 3 OF 4

Property Description - Utility Easement
2.057 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the William H. Fore Hedright Survey, Abstract 214, Bowie County, Texas, being part of that certain tract of land described as Tract 3 - Between Proposed 4th and 5th Street Parcel w/ 2123.097 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 5698, Page 1 of the Real Property Records in Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod found for a corner, capped Texas MG 5760, the Southwest corner of the said 2123.097 acre tract;

THENCE North 00 degrees 00 minutes 00 seconds East a distance of 1960.58 feet and North 90 degrees 00 minutes 00 seconds East a distance of 6959.90 feet to a 1/2 inch steel rod found for a corner, lying in the South line of the said 2123.097 acre tract, the Southwest corner of Proposed Ellis Street;

THENCE North 39 degrees 44 minutes 16 seconds East a distance of 54.16 feet to a point for a corner, the POINT OF BEGINNING of the herein described tract of land;

THENCE North 00 degrees 31 minutes 26 seconds West a distance of 5790.15 feet to a point for a corner, said corner bears North 46 degrees 55 minutes 16 seconds West a distance of 89.04 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, lying in the North line of the said 2123.097 acre tract, the Northwest corner of the said Proposed Ellis Street;

THENCE South 46 degrees 55 minutes 46 seconds East a distance of 20.71 feet along the West line of Proposed Ellis Street to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, at an angle point;

THENCE South 00 degrees 31 minutes 26 seconds East a distance of 2919.28 feet along the West line of Proposed Ellis Street to a point for a corner;

THENCE North 89 degrees 55 minutes 53 seconds East a distance of 100.00 feet to a point for a corner, lying in the East right-of-way line of the said Proposed Ellis Street, and the West line of that certain tract of land described as Tract Two (Area E), with 419.186 acres in the deed from TexAmericas Center to TAC East Holdings Company No. 1, dated July 28, 2015, recorded in Document No. 2015-8269 of the Real Property Records of Bowie County, Texas, said corner bears North 00 degrees 31 minutes 26 seconds West a distance of 2924.98 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00 (control monument), and North 43 degrees 04 minutes 14 seconds East a distance of 72.51 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the Northwest corner of the said 419.186 acre tract, the Northeast corner of the said Proposed Ellis Street;

THENCE South 00 degrees 31 minutes 26 seconds East a distance of 30.00 feet along the East line of the said Proposed Ellis Street and the West line of the said 419.186 acre tract to a point for a corner, said corner bears South 00 degrees 31 minutes 26 seconds East (basis of bearings) a distance of 2791.39 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00 (control monument), and South 90 degrees 15 minutes 44 seconds East a distance of 65.52 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the Southwest corner of the said 419.186 acre tract, the Southeast corner of Proposed Ellis Street;

THENCE South 89 degrees 55 minutes 53 seconds West a distance of 100.00 feet to a point for a corner, lying in the West line of Proposed Ellis Street;

THENCE South 00 degrees 31 minutes 26 seconds East a distance of 2808.88 feet the West line of Proposed Ellis Street to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, at an angle point;

THENCE South 39 degrees 44 minutes 16 seconds West a distance of 23.21 feet the West line of Proposed Ellis Street to the point of beginning and containing 2.057 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. 6220, on June 14, 2016.

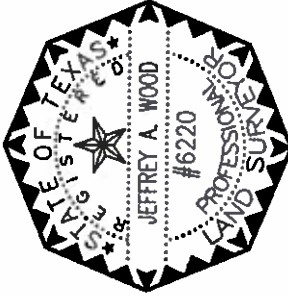
SURVEYOR CERTIFICATE:

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THIS PLAT IS FOR THE INTENDED USE OF SWERCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, OR MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

Jeffrey A. Wood

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE: JUNE 16, 2016



UTILITY EASEMENT

SWERCO UTILITY EASEMENT

Date	Revision/Description

Drawn By BLB	Checked By JW	Project No. 182050	Dwg. Date 5/27/16
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EXHIBIT A 4 OF 4