



**RESOLUTION NO. 20170725-03**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE A SURFACE SITE AND ACCESS EASEMENT AGREEMENT (UTILITIES) ON TEXAMERICAS CENTER-EAST CAMPUS TO ENABLE MIDSTREAM**

**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**, Enable Midstream contacted TexAmericas Center to seek an easement around the gas house upon the TexAmericas Center-East campus; and

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


**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors that the Board of TexAmericas Center approves the adoption of the attached surface site and access easement agreement; 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 a surface site and access easement agreement in substantially the same terms as attached hereto.

**PASSED and APPROVED** this 25<sup>th</sup> day of July, 2017.

  
\_\_\_\_\_  
Boyd Sartin, Chairman of the Board

**ATTEST:**

  
\_\_\_\_\_  
Ben King, Secretary

Attached: Surface Site and Access Easement Agreement

Bowie  
Tina Petty  
County Clerk  
New Boston, Texas 75570



70 2017 00008359

Instrument Number: 2017-8359

Recorded On: July 27, 2017

As  
Recording

Parties: TEXAMERICAS CENTER

Billable Pages: 7

To ENABLE MIDSTREAM PARTNERS LP

Number of Pages:

Comment: SURFACE SITE EASEMENT ACC

( Parties listed above are for Clerks reference only )

**\*\* THIS IS NOT A BILL \*\***

Recording	50.00
<b>Total Recording:</b>	<b>50.00</b>

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2017-8359  
Receipt Number: 349205  
Recorded Date/Time: July 27, 2017 10:47:13A

**Record and Return To:**

MARLA BYRD TEX AMERICA CENTER  
107 CHAPEL LANE  
NEW BOSTON TX 75570

User / Station: D Churchill - CashStation #1

PREPARED IN THE OFFICE OF:  
**JORDAN LAW FIRM, L.L.P.**  
#4 Woodmont Crossing  
Texarkana, Texas 75503

NOTICE OF CONFIDENTIALITY RIGHTS:  
IF YOU ARE A NATURAL PERSON, YOU  
MAY REMOVE OR STRIKE ANY OF THE  
FOLLOWING INFORMATION FROM THIS  
INSTRUMENT BEFORE IT IS FILED FOR  
RECORD IN THE PUBLIC RECORDS:  
YOUR SOCIAL SECURITY NUMBER OR  
YOUR DRIVER'S LICENSE NUMBER.

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**SURFACE SITE EASEMENT  
AND  
ACCESS EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS** that the undersigned, TexAmericas Center, a political subdivision of the State of Texas, whose address is 107 Chapel Lane, New Boston, Texas, hereinafter referred to as Grantors for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, does hereby Grant, Bargain, Convey and Demise unto Enable Midstream Partners, LP, P.O. Box 24300, Oklahoma City, OK 73124, its successors and assigns, hereinafter referred to as Grantee, a tract of land for the purpose of installing, constructing, maintaining, operating, altering, replacing and removing valves launchers and receivers, pipelines, meters and access roads with appurtenant equipment, for the transportation and measurement of natural gas through a pipeline, located on a surface site, being a tract of land approximately 98 feet by 117 feet located in a portion of the Mary Burnsidess Headright Survey, Abstract 49, Bowie County, Texas. The surface site (Tract One) and easement (Tract Two) herein granted are described on **Exhibit "A"** which is attached hereto and made a part hereof. Said tracts are additionally shown on **Exhibit "B"** which is attached hereto.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment of the rights herein granted, including, but without limitation the free right of ingress and egress to and from said surface site on, over and across the described easement. Grantee will have the right from time to time to cut all trees, undergrowth and remove other obstructions that may injure, endanger or interfere with the use of said surface site. The Grantee shall have the right to assign this grant in whole or in part. If Grantee fails to use or maintain said equipment for a period of twenty four (24) consecutive months, the Surface Easement herein, granted shall terminate and revert to the surface owner of record. In the event of such termination, the Grantor shall remove all appurtenances associated with this instrument, within six (6) months of termination date.

This conveyance is made subject to, and Grantee agrees to be bound by all covenants, conditions, exceptions, restrictions and reservations set forth in that certain Deed Without Warranty for the United States of America to Red River Redevelopment Authority (now named TexAmericas Center) dated

**SURFACE SITE EASEMENT AND ACCESS EASEMENT**

Page 1 of 2

AFE#

TRACT#

DRAFT#

Line#

September 1, 2010, recorded in Volume 5898 at Page 1 of the Real Property Records of Bowie County, Texas.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns, so long as the rights and easements herein granted, or any one of them, shall be used by or useful to the Grantee for the purposes herein granted. The Grantor does hereby bind themselves, their heirs, executors, administrators, successors and assigns to warrant and forever defend said premises unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same of any part thereof for as long as said site and easement is used for the purposes described herein, except as to the covenants, conditions, exceptions, restrictions and reservations set forth herein.

It is agreed that this grant constitutes the agreement between the parties and that no representation or statements either verbal or written, have been made modifying, adding to or changing the terms of this agreement.

Executed this 25<sup>th</sup> day of July, 2017.

**GRANTOR**

TEXAMERICAS CENTER

By:   
Scott Norton, Executive Director/CEO

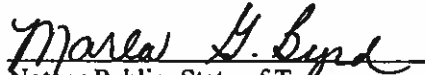
**ACKNOWLEDGMENT**

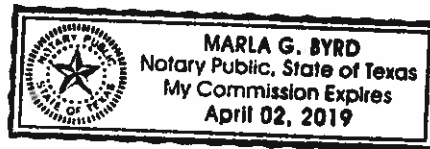
STATE OF TEXAS)  
) SS:  
COUNTY OF BOWIE)

Before me, the undersigned, a Notary Public in and for said County and State, on this 25<sup>th</sup> day of July, 2017, personally appeared **Scott Norton**, personally known to me to be the identical persons who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes therein set forth, and in the capacity therein stated.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my official seal the day and year first above written.

4-2-2019  
My Commission Expires:

  
Notary Public, State of Texas



Property Description - Exhibit A Tract 1  
0.266 Acres  
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the Mary Burnshides Headright Survey, Abstract 49, Bowie County, Texas, being part of that certain tract of land described as Tract 2 with 649.335 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 point for a corner, lying in the North line of the said 649.335 acre tract, and the South right-of-way line of Texas and Pacific Railroad, said corner bears South 85 degrees 03 minutes 25 seconds East a distance of 923.34 feet, to a 1/2 inch steel rod capped Texas MG 5760, found for a corner, the Northeast Corner of the said 649.335 acre tract;

**THENCE** South 04 degrees 59 minutes 17 seconds West a distance of 98.18 feet, to a point for a corner;

**THENCE** North 85 degrees 17 minutes 00 seconds West a distance of 117.14 feet, to a point for a corner;

**THENCE** North 04 degrees 32 minutes 35 seconds East a distance of 98.65 feet, to a point for a corner, lying in the North line of the said 649.335 acre tract and the South right-of-way line of the said Texas and Pacific Railroad;

**THENCE** South 85, degrees 03 minutes 25 seconds East a distance of 117.90 feet along the North line of the said 649.335 acre tract and the South right-of-way line of the said Texas and Pacific Railroad, to the point of beginning and containing 0.266 acres of land, at the time of this survey.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on July 17, 2017.

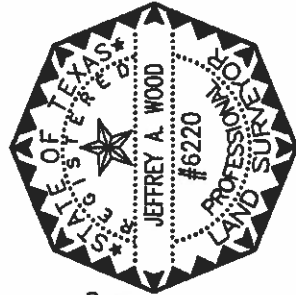
**SURVEYOR CERTIFICATE:**

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JULY 14, 2017, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REMAINS IN FULL COMPLIANCE WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. ANY ERRORS OR OMISSIONS THEREIN 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 NOT BE RESSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO ANY LATER SURVEY OR INTENDING THAT ANY REVISIONS BE ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. ANY INTENDING REVISIONS MUST BE OBTAINED FROM THE PROFESSIONAL LAND SURVEYOR AND THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

*Jeffrey A. Wood*

JEFFREY A. WOOD  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6220, STATE OF TEXAS  
PLAT CERTIFICATE NO. 101011-00  
DATE: JULY 17, 2017



**UTILITY & ACCESS EASEMENT**

TAC EAST GAS HOUSE EASEMENTS

Date	Revision/Description	Drawn By	Checked By	Project No.	Drawn Date
		DER	JW	178107	7/17/17



5020 SUMMERHILL ROAD  
TEXARKANA, TEXAS 75701  
P 903.830.8553 | F 903.832.4700  
www.mtgengineers.com

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Sheet No.

EXHIBIT A 1 OF 5

Property Description - Exhibit A Tract 2  
 0.424 Acres  
 Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the Mary Burnsides Headright Survey, Abstract 49, Bowie County, Texas, being part of that certain tract at land described as Tract 2 with 649.335 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 capped Texas MG 5760, found for a corner, the Northeast Corner of the said 649.335 acre tract, lying in the South right-of-way line of Texas and Pacific Railroad;

THENCE South 05 degrees 01 minutes 32 seconds West a distance of 20.00 feet along the East line of the said 649.335 acre tract, to a point for a corner, lying in the East line of the said 649.335 acre tract;

THENCE North 85 degrees 03 minutes 25 seconds West a distance of 923.32 feet, to a point for a corner;

THENCE North 04 degrees 56 minutes 35 seconds East a distance of 20.00 feet, to a point for a corner, lying in the North line of the said 649.335 acre tract and the South right-of-way line of the said Texas and Pacific Railroad;

THENCE South 85 degrees 03 minutes 25 seconds East a distance of 923.34 feet along the North line of the said 649.335 acre tract and the South right-of-way line of the said Texas and Pacific Railroad, to the point of beginning and containing 0.424 acres of land, at the time of this survey.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on July 17, 2017.

**SURVEYOR CERTIFICATE:**

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JULY 14, 2017, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND I HEREBY CERTIFY THAT 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, AND MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/ANNULD 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: JULY 17, 2017



**UTILITY & ACCESS EASEMENT**

TAC EAST GAS HOUSE EASEMENTS

Date \_\_\_\_\_  
 Revisions/Description \_\_\_\_\_

Drawn By: DER  
 Checked By: JW  
 Project No.: 178107  
 Date: 7/17/17



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Sheet No.

EXHIBIT A 2 OF 5

U.S. HIGHWAY 82

TEXAS & PACIFIC RAILROAD

EXHIBIT A TRACT 2

CURRENT & RECORD DEED:  
 CALLED: TRACT 2 WITH 649.335 ACRES  
 FROM: UNITED STATE OF AMERICA  
 TO: RED RIVER REDEVELOPMENT  
 AUTHORITY NOW KNOWN AS  
 TEXAMERICAS CENTER  
 DATED: SEPTEMBER 1, 2010  
 VOLUME 5898, PAGE 1  
 REAL PROPERTY RECORDS  
 BOWIE COUNTY, TEXAS

MARY BURNSIDES  
 A-49

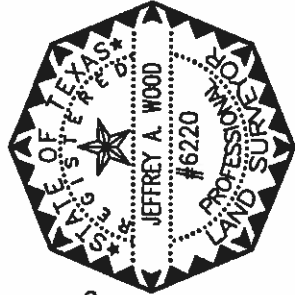
NOTE:  
 1. ALL BEARINGS AND DISTANCES ARE SHOWN  
 AS RECORD AND MEASURED.  
 2. SEE PAGE 1 & 2 FOR PROPERTY DESCRIPTION  
 OF THE EASEMENTS.

**SURVEYOR CERTIFICATE**

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THIS PLAN IS FOR THE INTENDED USE OF SWEPCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO PROFESSIONAL AND SURVEYOR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. ANY INTERPRETATIONS SHOULD BE OBTAINED FROM 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  
 FRM CERTIFICATE NO. 101011-00  
 DATE: JULY 17, 2017



**OVERALL LAYOUT**

TAC EAST GAS HOUSE  
 EASEMENTS

Date	Revision/Description	Checked By	Project No.	Dep. Date
		JW	178107	7/17/17

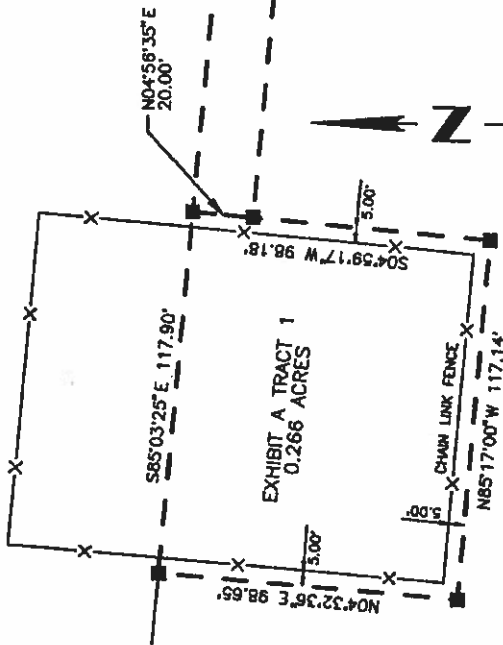


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EXHIBIT B 3 OF 5  
 Sheet No.

TEXAS AND PACIFIC RAILROAD



MARY BURNSIDES  
A-4A

S85°03'25" E 923.34'  
 EXHIBIT A TRACT 2  
 0.424 ACRES  
 N85°03'25" W 923.32'

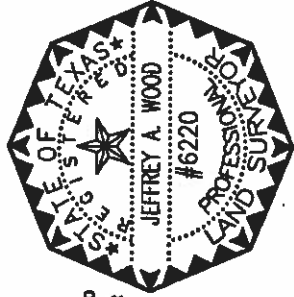
CURRENT & RECORD DEED:  
 CALLED: TRACT 2 WITH 649.335 ACRES  
 FROM: UNITED STATE OF AMERICA  
 TO: RED RIVER REDEVELOPMENT  
 AUTHORITY NOW KNOWN AS  
 TEXAMERICAS CENTER  
 DATED: SEPTEMBER 1, 2010  
 VOLUME 5898, PAGE 1  
 REAL PROPERTY RECORDS  
 BOWIE COUNTY, TEXAS



**SURVEYOR CERTIFICATE:**  
 THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JULY 14, 2017 THAT THIS PLAT COMPLIES WITH THE CURRENT 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 SNEEPOD, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE AND MAY NOT BE RESSUED 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 LAND SURVEYOR  
 NO. 6220 STATE OF TEXAS  
 FROM CERTIFICATE NO. 101011-00  
 DATE: JULY 17, 2017



## UTILITY & ACCESS EASEMENT

TAC EAST GAS HOUSE EASEMENTS

Date	Revision/Description	Drawn By	Checked By	Project No.	Dwg. Date
		DER	JW	178107	7/17/17

NOTE:  
 1. ALL BEARINGS AND DISTANCES ARE SHOWN AS RECORD AND MEASURED.  
 2. SEE ATTACHED MAP SHEET 2 FOR PROPERTY DESCRIPTION OF THE EASEMENTS.



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Sheet No. 4 OF 5  
 EXHIBIT B



MATCH LINE SHEET 4 OF 5

TEXAS AND PACIFIC RAILROAD

S85°03'25"E 923.34'  
 EXHIBIT A TRACT 2  
 0.424 ACRES  
 N85°03'25"W 923.32'

MARY BURNSIDES  
 A-49

CURRENT & RECORD DEED:  
 CALLED: TRACT 2 WITH 649.335 ACRES  
 FROM: UNITED STATE OF AMERICA  
 TO: RED RIVER REDEVELOPMENT  
 AUTHORITY NOW KNOWN AS  
 TEXAMERICAS CENTER  
 DATED: SEPTEMBER 1, 2010  
 VOLUME 5898, PAGE 1  
 REAL PROPERTY RECORDS  
 BOWIE COUNTY, TEXAS



NOTE:  
 1. ALL BEARINGS AND DISTANCES ARE SHOWN AS RECORD AND MEASURED.  
 2. SEE PAGE 1 & 2 FOR PROPERTY DESCRIPTION OF THE EASEMENTS.

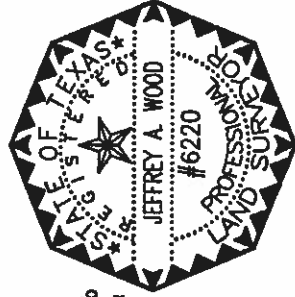
**SURVEYOR CERTIFICATE**

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON JULY 14, 2017, THAT THIS PLAN (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND THAT ALL NECESSARY CORRECTIONS AND IMPROVEMENTS HAVE BEEN MADE TO THE SURVEY PLAT. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF SNEEPOD, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, AND MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/VOLUNTARILY SUBJECT TO CHANGES IN LAND SURVEYING OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND WHEN 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  
 PRM CERTIFICATE NO. 101011-00  
 DATE: JULY 17, 2017



**UTILITY & ACCESS EASEMENT**

TAC EAST GAS HOUSE EASEMENTS

Date	Revision/Description	Checked By	Project No.	Drawn By	Sheet No.
		JW	178107	DER	5 OF 5
					EXHIBIT B



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Sheet No. 5 OF 5

Filed For Record In:  
 Bowie County, Texas  
 Tina Patey  
 County Clerk  
 On: Jul 27, 2017 at 10:47A