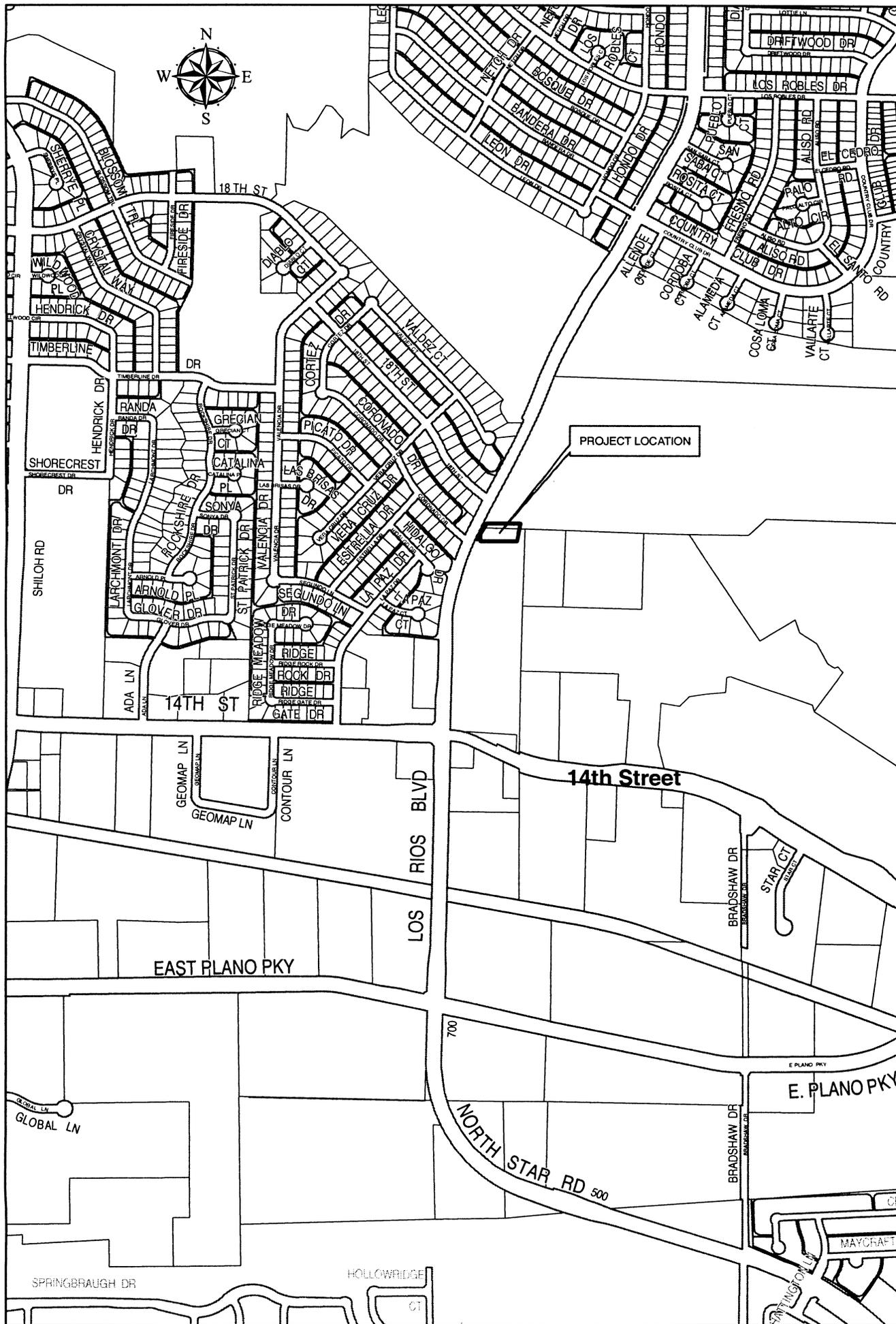




**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/10/2010		
Department:		Public Works & Engineering		
Department Head		Alan L. Upchurch		
Agenda Coordinator (include phone #): <b>Irene Pegues (X-7152)</b>				
<b>CAPTION</b>				
A Resolution of the City Council of the City of Plano, Texas, approving and granting an electric easement to Oncor Electric Service Company on City property, Rowlett Creek Treatment Plant, located on the east side of Los Rios Boulevard, north of 14 <sup>th</sup> Street, authorizing its execution by the City Manager or his authorized designee, and providing an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
FUND(S): <b>N/A</b>				
COMMENTS: This item has no current fiscal impact.				
<b>SUMMARY OF ITEM</b>				
The proposed easement is to allow Oncor to expand the electric service lines to serve the Rowlett Creek Treatment Plant.				
List of Supporting Documents: Location Map		Other Departments, Boards, Commissions or Agencies  N/A		

# ONCOR EASEMENT ON LOS RIOS BLVD



**LOCATION MAP**

**A Resolution of the City Council of the City of Plano, Texas, approving and granting an electric easement to Oncor Electric Service Company on City property, Rowlett Creek Treatment Plant, located on the east side of Los Rios Boulevard, north of 14<sup>th</sup> Street, authorizing its execution by the City Manager or his authorized designee, and providing an effective date.**

**WHEREAS**, the proposed electric easement is to allow Oncor to expand the electric service lines to serve the Rowlett Creek Treatment Plant, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter the "Easement"); and,

**WHEREAS**, upon full review and consideration of the Easement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or his authorized designee, shall be authorized to execute the Easement on behalf of the City of Plano;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS THAT:**

**Section I.** The City Council hereby authorizes the granting of the Easement and determines that the Easement is acceptable and is hereby in all things approved.

**Section II.** The City Manager or his authorized designee, is hereby authorized to execute the Easement and all other documents in connection with said Easement on behalf of the City of Plano.

**Section III.** This Resolution shall become effective from and after its adoption.

**DULY PASSED AND APPROVED** this the 10<sup>th</sup> day of May, 2010.

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY

District: McKinney

WR #: 3010739

ER # \_\_\_\_\_

## EASEMENT

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

§

§

That the **City of Plano, a home rule municipal corporation**, hereinafter called "Grantor", whether one or more, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC, a Delaware limited liability company**, 1601 Bryan Street, Dallas, Texas 75201, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits, and all necessary or desirable appurtenances over, under, through, across, and upon Grantor's land described as follows:

### SEE EXHIBIT "A" (ATTACHED)

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate, within the easement area, said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such is widened in the future; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee, which consent shall not be unreasonably withheld, delayed or denied.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010

By: \_\_\_\_\_  
Thomas H. Muehlenbeck, City Manager

STATE OF TEXAS                    §  
                                                 §  
COUNTY OF COLLIN       §

BEFORE ME, the undersigned authority, on this day personally appeared Thomas H. Muehlenbeck, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of the City of Plano, as the City Manager thereof, for the purposes and consideration therein expressed, in the capacity therein stated and that he is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_  
Notary Public in and for the State of Texas

## ONCOR EASEMENT

**BEING** a tract of land situated in the James Ledbetter Survey, Abstract No. 545, in the City of Plano, Collin County, Texas, being a part of those same tract's of land as described in deed's to the City of Plano, Texas, recorded in Volume 551, Page 340, Volume 889, Page 647 and, Volume 927, Page 108 in the Deed Records of Collin County, Texas (DRCCT), and being more particularly described as follows:

**BEGINNING** at a point the east line Los Rios Boulevard (100 foot right-of-way), lying in a circular curve to the right having a radius of 2051.95 feet, from which a 5/8-inch iron rod found at the southwest corner of Tract A as described in deed to Golf Addicks, LLC, recorded under Clerk's File No. 20080401000380050 DRCCT has a chord bearing of North 24 Degrees 53 Minutes 24 Seconds East, 176.64 feet and an arc length of 176.70 feet;;

**THENCE** South 88 Degrees 09 Minutes 03 Seconds East, departing the east line of said Los Rios Boulevard, 182.68 feet;

**THENCE** North 03 Degrees 27 Minutes 14 Seconds West, 77.84 feet;

**THENCE** North 88 Degrees 06 Minutes 54 Seconds West, 24.11 feet;

**THENCE** North 01 Degrees 53 Minutes 06 Seconds East, 10.00 feet;

**THENCE** South 88 Degrees 06 Minutes 54 Seconds East, 28.39 feet;

**THENCE** North 85 Degrees 38 Minutes 02 Seconds East, 80.09 feet;

**THENCE** South 89 Degrees 38 Minutes 19 Seconds East, 72.83 feet;

**THENCE** North 47 Degrees 18 Minutes 27 Seconds East, 78.31 feet;

**THENCE** North 88 Degrees 44 Minutes 52 Seconds East, 193.79 feet to a point in the south line of said Golf Addicks tract;

**THENCE** South 88 Degrees 15 Minutes 19 Seconds East, along the south line of said Golf Addicks tract, 636.36 feet to a 1/2-inch iron rod found at the northerly northwest corner of Lot 1R, Block A of 544 Golf Training Facility Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Volume P, Page 362 in the Map Records of Collin County, Texas (MRCCT);

**THENCE** South 01 Degrees 33 Minutes 12 Seconds West, along the northwest line of said Lot 1R, 10.00 feet;

**THENCE** North 88 Degrees 15 Minutes 19 Seconds West, departing the northwest line of said Lot 1R, at all times remaining 10.00 feet south of and parallel to the south line of said Golf Addicks tract, 94.00 feet;

**THENCE** South 13 Degrees 06 Minutes 58 Seconds West, 24.33 feet;

**THENCE** South 86 Degrees 53 Minutes 48 Seconds East, 98.91 feet to a point in the northwest line of said Lot 1R;

**THENCE** South 01 Degrees 33 Minutes 12 Seconds West, along the northwest line of said Lot 1R, 10.00 feet;

**THENCE** North 86 Degrees 53 Minutes 48 Seconds West, departing the northwest line of said Lot 1R, 124.62 feet;

**THENCE** North 03 Degrees 06 Minutes 12 Seconds East, 10.00 feet;

**THENCE** South 86 Degrees 53 Minutes 48 Seconds East, 15.29 feet;

**THENCE** North 13 Degrees 06 Minutes 58 Seconds East, 24.09 feet;

**THENCE** North 88 Degrees 15 Minutes 19 Seconds West, at all times remaining 10.00 feet south of and parallel to the south line of said Golf Addicks tract, 490.54 feet;

**THENCE** South 36 Degrees 05 Minutes 23 Seconds East, 19.70 feet;

**THENCE** South 89 Degrees 27 Minutes 53 Seconds East, 10.07 feet;

THENCE South 00 Degrees 32 Minutes 07 Seconds West, 176.28 feet;  
THENCE South 03 Degrees 45 Minutes 39 Seconds West, 186.44 feet;  
THENCE North 89 Degrees 14 Minutes 50 Seconds East, 77.06 feet;  
THENCE South 87 Degrees 08 Minutes 32 Seconds East, 42.19 feet;  
THENCE South 76 Degrees 55 Minutes 07 Seconds East, 18.20 feet;  
THENCE South 13 Degrees 04 Minutes 53 Seconds West, 10.00 feet;  
THENCE North 76 Degrees 55 Minutes 07 Seconds West, 17.30 feet;  
THENCE North 87 Degrees 08 Minutes 32 Seconds West, 40.98 feet;  
THENCE South 89 Degrees 14 Minutes 50 Seconds West, 77.53 feet;  
THENCE South 03 Degrees 45 Minutes 39 Seconds West, 8.49 feet;  
THENCE North 86 Degrees 14 Minutes 21 Seconds West, 10.00 feet;  
THENCE North 03 Degrees 45 Minutes 39 Seconds East, 204.40 feet;  
THENCE North 00 Degrees 32 Minutes 07 Seconds East, 159.42 feet;  
THENCE North 36 Degrees 05 Minutes 23 Seconds West, 42.86 feet;  
THENCE South 88 Degrees 44 Minutes 52 Seconds West, 217.39 feet;  
THENCE South 47 Degrees 18 Minutes 27 Seconds West, 78.48 feet;  
THENCE North 89 Degrees 38 Minutes 19 Seconds West, 76.36 feet;  
THENCE South 85 Degrees 38 Minutes 02 Seconds West, 75.03 feet;  
THENCE South 03 Degrees 27 Minutes 14 Seconds East, 78.40 feet;  
THENCE South 88 Degrees 09 Minutes 03 Seconds East, 35.52 feet;  
THENCE North 01 Degrees 50 Minutes 57 Seconds East, 10.00 feet;  
THENCE South 88 Degrees 09 Minutes 03 Seconds East, 20.00 feet;  
THENCE South 01 Degrees 50 Minutes 57 Seconds West, 10.00 feet;  
THENCE South 88 Degrees 09 Minutes 03 Seconds East, 2.18 feet;  
THENCE South 32 Degrees 56 Minutes 58 Seconds East, 4.28 feet;  
THENCE North 57 Degrees 03 Minutes 02 Seconds East, 33.80 feet;  
THENCE South 32 Degrees 56 Minutes 58 Seconds East, 20.00 feet;  
THENCE South 57 Degrees 03 Minutes 02 Seconds West, 33.80 feet;  
THENCE South 32 Degrees 56 Minutes 58 Seconds East, 136.66 feet;  
THENCE North 57 Degrees 03 Minutes 02 Seconds East, 19.27 feet;  
THENCE South 32 Degrees 56 Minutes 58 Seconds East, 5.00 feet;

THENCE South 57 Degrees 03 Minutes 02 Seconds West, 20.09 feet;

THENCE South 05 Degrees 50 Minutes 14 Seconds East, 247.93 feet to a point in the southerly northwest line of said Lot 1R;

THENCE North 88 Degrees 22 Minutes 44 Seconds West, along the northwest line of said Lot 1R, 9.85 feet to a 5/8-inch iron rod found with plastic cap stamped "Sparr Surveys" at the southerly northwest corner of said Lot 1R;

THENCE South 01 Degrees 40 Minutes 10 Seconds West, along the west line of said Lot 1R, 13.52 feet to a 5/8-inch iron rod found with plastic cap stamped "Sparr Surveys";

THENCE North 88 Degrees 19 Minutes 50 Seconds West, departing the west line of said Lot 1R, 8.54 feet;

THENCE North 05 Degrees 50 Minutes 14 Seconds West, 255.90 feet;

THENCE North 32 Degrees 56 Minutes 58 Seconds West, 149.07 feet;

THENCE North 88 Degrees 09 Minutes 03 Seconds West, 11.06 feet;

THENCE South 01 Degrees 50 Minutes 57 Seconds West, 16.22 feet;

THENCE North 88 Degrees 09 Minutes 03 Seconds West, 15.00 feet;

THENCE North 01 Degrees 50 Minutes 57 Seconds East, 16.22 feet;

THENCE North 88 Degrees 09 Minutes 03 Seconds West, 8.71 feet;

THENCE South 01 Degrees 50 Minutes 57 Seconds West, 16.22 feet;

THENCE North 88 Degrees 09 Minutes 03 Seconds West, 15.00 feet;

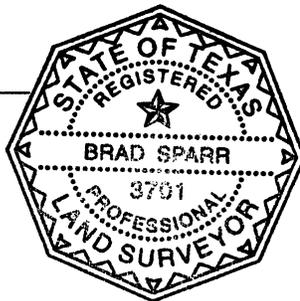
THENCE North 01 Degrees 50 Minutes 57 Seconds East, 16.22 feet;

THENCE North 88 Degrees 09 Minutes 03 Seconds West, 197.58 feet to a point in the east line of said Los Rios Boulevard, lying in a non-tangent circular curve to the right having a radius of 2051.95 feet;

THENCE northeasterly, along the east line of said Los Rios Boulevard and said curve to the right, through a central angle of 00 Degrees 35 Minutes 43 Seconds, an arc distance of 21.32 feet and having a chord which bears North 22 Degrees 07 Minutes 31 Seconds East, 21.32 feet to the **POINT of BEGINNING** and containing 0.763 acre of land.



Brad Sparr  
Registered Professional  
Land Surveyor No. 3701

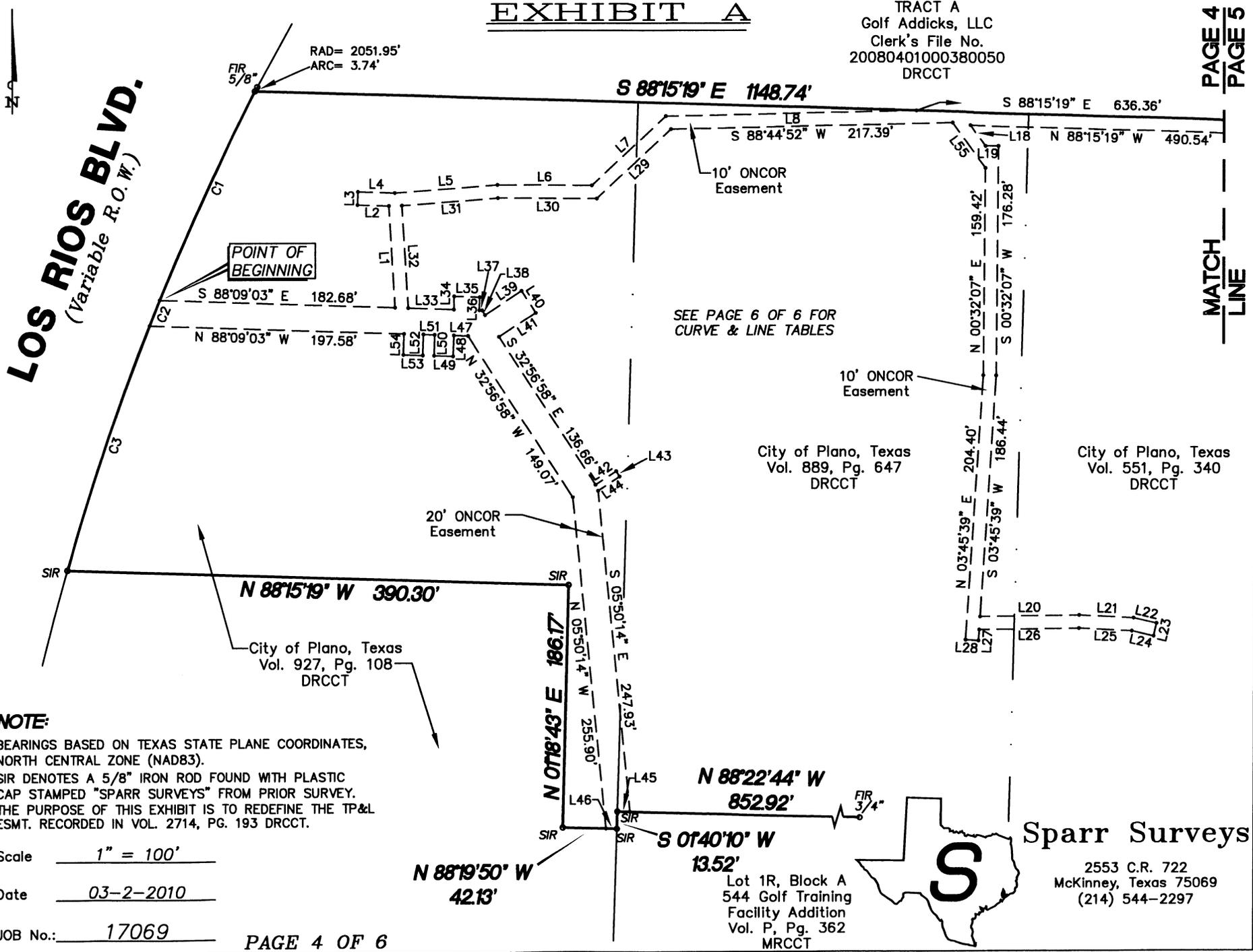


Sparr Surveys  
2553 C.R. 722  
McKinney, Texas 75069  
(214) 544-2297

# EXHIBIT A

TRACT A  
Golf Addicks, LLC  
Clerk's File No.  
20080401000380050  
DRCCT

**LOS RIOS BLVD.**  
(Variable R.O.W.)



**NOTE:**  
BEARINGS BASED ON TEXAS STATE PLANE COORDINATES,  
NORTH CENTRAL ZONE (NAD83).  
SIR DENOTES A 5/8" IRON ROD FOUND WITH PLASTIC  
CAP STAMPED "SPARR SURVEYS" FROM PRIOR SURVEY.  
THE PURPOSE OF THIS EXHIBIT IS TO REDEFINE THE TP&L  
ESMT. RECORDED IN VOL. 2714, PG. 193 DRCCT.

Scale 1" = 100'  
Date 03-2-2010  
JOB No.: 17069

**Sparr Surveys**  
2553 C.R. 722  
McKinney, Texas 75069  
(214) 544-2297



Lot 1R, Block A  
544 Golf Training  
Facility Addition  
Vol. P, Pg. 362  
MRCCT

EXHIBIT A

TRACT A  
Golf Addicks, LLC  
Clerk's File No.  
20080401000380050  
DRCCT

PAGE 4  
PAGE 5

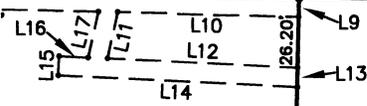


MATCH  
LINE

S 88°15'19" E 636.36'

N 88°15'19" W 490.54'

10' ONCOR  
Easement



FIR  
1/2"

S 01°33'12" W 543.72'

FIR  
3/4"

SEE PAGE 6 OF 6 FOR  
CURVE & LINE TABLES

Lot 1R, Block A  
544 Golf Training  
Facility Addition  
Vol. P, Pg. 362  
MRCCT

City of Plano, Texas  
Vol. 551, Pg. 340  
DRCCT

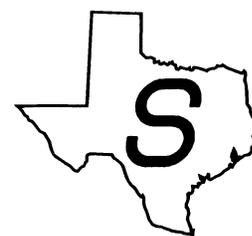
**NOTE:**

BEARINGS BASED ON TEXAS STATE PLANE COORDINATES,  
NORTH CENTRAL ZONE (NAD83).  
SIR DENOTES A 5/8" IRON ROD FOUND WITH PLASTIC  
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Date 03-2-2010

JOB No.: 17069



**Sparr Surveys**

2553 C.R. 722  
McKinney, Texas 75069  
(214) 544-2297

# EXHIBIT A

LINE TABLE		
No.	BEARING	DIST.
L1	N 03°27'14" W	77.84'
L2	N 88°06'54" W	24.11'
L3	N 01°53'06" E	10.00'
L4	S 88°06'54" E	28.39'
L5	N 85°38'02" E	80.09'
L6	S 89°38'19" E	72.83'
L7	N 47°18'27" E	78.31'
L8	N 88°44'52" E	193.79'
L9	S 01°33'12" W	10.00'
L10	N 88°15'19" W	94.00'
L11	S 13°06'58" W	24.33'
L12	S 86°53'48" E	98.91'
L13	S 01°33'12" W	10.00'
L14	N 86°53'48" W	124.62'
L15	N 03°06'12" E	10.00'
L16	S 86°53'48" E	15.29'
L17	N 13°06'58" E	24.09'
L18	S 36°05'23" E	19.70'
L19	S 89°27'53" E	10.07'
L20	N 89°14'50" E	77.06'
L21	S 87°08'32" E	42.19'
L22	S 76°55'07" E	18.20'
L23	S 13°04'53" W	10.00'
L24	N 76°55'07" W	17.30'
L25	N 87°08'32" W	40.98'
L26	S 89°14'50" W	77.53'
L27	S 03°45'39" W	8.49'
L28	N 86°14'21" W	10.00'
L29	S 47°18'27" W	78.48'
L30	N 89°38'19" W	76.36'

LINE TABLE		
No.	BEARING	DIST.
L31	S 85°38'02" W	75.03'
L32	S 03°27'14" E	78.40'
L33	S 88°09'03" E	35.52'
L34	N 01°50'57" E	10.00'
L35	S 88°09'03" E	20.00'
L36	S 01°50'57" W	10.00'
L37	S 88°09'03" E	2.18'
L38	S 32°56'58" E	4.28'
L39	N 57°03'02" E	33.80'
L40	S 32°56'58" E	20.00'
L41	S 57°03'02" W	33.80'
L42	N 57°03'02" E	19.27'
L43	S 32°56'58" E	5.00'
L44	S 57°03'02" W	20.09'
L45	N 88°22'44" W	9.85'
L46	N 88°19'50" W	8.54'
L47	N 88°09'03" W	11.06'
L48	S 01°50'57" W	16.22'
L49	N 88°09'03" W	15.00'
L50	N 01°50'57" E	16.22'
L51	N 88°09'03" W	8.71'
L52	S 01°50'57" W	16.22'
L53	N 88°09'03" W	15.00'
L54	N 01°50'57" E	16.22'
L55	N 36°05'23" W	42.86'

CURVE TABLE				
No.	DELTA	RADIUS	ARC	CHORD
C1	04°56'02"	2051.95'	176.70'	N 24°53'24" E 176.64'
C2	00°35'43"	2051.95'	21.32'	N 22°07'31" E 21.32'
C3	05°34'30"	2051.95'	199.66'	S 19°02'25" W 199.58'

Date 03-2-2010

JOB No.: 17069



**Sparr Surveys**

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