

DRAINAGE EASEMENT A

1151

2

9.00 DEED  
2 06/22/90

STATE OF TEXAS §  
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, for and in consideration of the sum Ten and no/100 Dollars (\$10.00) and other good and valuable consideration to Terence Elliott ("Grantor") in hand paid by the TOWN OF ADDISON ("Grantee"), the receipt of which is hereby acknowledged, and confessed, Grantor has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY, unto Grantee, its successors and assigns, an easement and right in, over, under, through, across and along that certain parcel of land situated in Dallas County, Texas, and described by metes and bounds on Exhibit "A" attached hereto and incorporated herein by reference (the "Easement Tract") for drainage purposes (which purposes shall include without limitation, the construction, maintenance, repair, operation and modification of an open waterway) together with all necessary appurtenances thereto, and with the right and privilege at any and all times to enter the Easement Tract, or any part thereof, as is necessary for the proper use of any right granted herein.

TO HAVE AND TO HOLD, the same perpetually, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever, and Grantor is hereby bound, together with its successors and assigns, to WARRANT and FOREVER DEFEND, all and singular the said easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

The easement granted hereby shall be non-exclusive and Grantor retains and reserves the right to use the Easement Tract for any purpose which does not interfere unreasonably with the use of the Easement Tract for the purposes contemplated hereby. Notwithstanding the foregoing, Grantor shall not install or

construct or permit to be installed or constructed any vertical improvement or structure above the surface of the Easement Tract.

It is expressly understood and agreed that the parties hereto do not intend that there be, and there shall in no event be, a merger of the dominant and servient tenements by virtue of the ownership of any of said tenements being vested in the same person or entity, but do intend that the easement servitudes shall not be extinguished thereby and that the said dominant and servient tenements be kept separate.

EXECUTED as of this 5th day of June, 1990.

GRANTOR:

[Handwritten Signature]  
Terence Elliott

Grantee's Address:

Town of Addison  
P. O. Box 144  
Addison, Texas 75001

ACKNOWLEDGMENT

THE STATE OF TEXAS  
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me to be the person.....whose name...is..subscribed to the foregoing instrument, and acknowledged to me that..... he..... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the  
5TH day of JUNE, A.D. 1990



Diana Miller  
Notary Public in and for DALLAS County, Texas.  
My commission expires JUNE 14, 1990

DIANA MILLER  
(Printed or stamped name of notary)

EXHIBIT A

A 10-FOOT WIDE STRIP OF LAND FOR A DRAINAGE EASEMENT, BEING A PART OF THE T. J. ELLIOTT ESTATE, AS RECORDED IN VOLUME 79137, PAGE 3147, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS (PRDCT), BEING OUT OF THE A. BLEDSOE SURVEY, ABSTRACT NO. 157, IN THE TOWN OF ADDISON, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 3/4-inch iron pipe marking the southwest corner of said T. J. Elliott Estate, same being an ell corner in the northeast corner of Lot 11, Block 1 of the Bellbrook Estates, as recorded in Volume 86024, Page 4884, PRDCT;

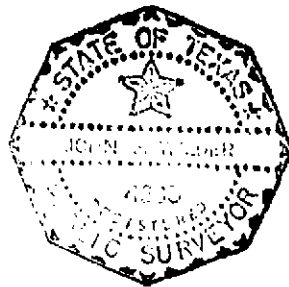
THENCE N 04° 08' 27" E, passing at 19.50 feet a northeast corner of said Lot 11, same being the southeast corner of Lot 12, continuing with a line common to said T. J. Elliott Estate and said Lot 12, in all a distance of 149.89 feet to the northwest corner of said T. J. Elliott Estate, same being the northeast corner of said Lot 12 and being on the South line of Bellbrook Way (variable-width right-of-way);

THENCE N 82° 21' 22" E, with the line common to the said T. J. Elliott Estate and said Bellbrook Way, a distance of 10.22 feet;

THENCE S 04° 08' 27" W, leaving said Bellbrook Way and crossing the T. J. Elliott Estate, a distance of 149.89 feet to a point on the South line of said T. J. Elliott Estate, being the North line of the Wismer Estate Addition, as recorded in Volume 69195, Page 1908, PRDCT, same being a northeast corner of Lot 11, Block 1 of said Bellbrook Estates, as recorded in Volume 86024, Page 4884, PRDCT;

THENCE S 82° 21' 24" W, with the line common to said T. J. Elliott Estate and said Lot 11, a distance of 10.22 feet to the POINT OF BEGINNING, and containing 1,499 square feet.

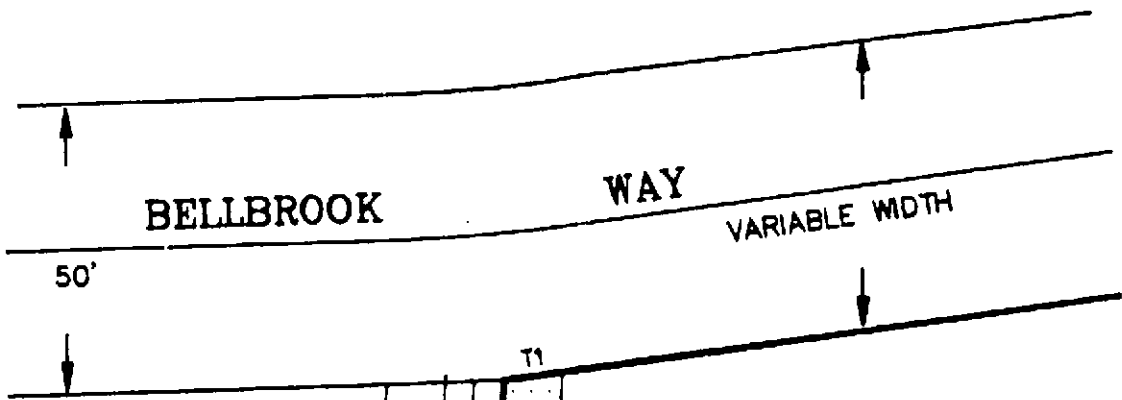
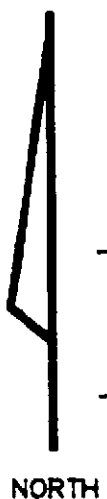
It is the intention of this description to describe a 10-foot wide drainage easement out of the T. J. Elliott Estate, being bounded on the North by said Bellbrook Way, being bounded on the South by said Lot 11, and being bounded on the West by said Lot 11 and said Lot 12.



**SURVEY:** A. BLEDSOE SURVEY A-157  
**LOCATION:** TOWN OF ADDISON, DALLAS COUNTY, TEXAS  
**EASEMENT ACQUISITION:** 1499 SQ. FT

**PROPOSED  
 DRAINAGE EASEMENTS  
 FOR  
 THE TOWN OF ADDISON**

PLAT OF EXHIBIT "A"



**BELLBROOK**

**WAY**

VARIABLE WIDTH

50'

**BELLBROOK ESTATES**  
 VOL. 86024 PG. 4884  
 SHARIF-MUNIR-DAVIDSON  
 DEVELOPMENT CORPORATION  
 OWNERS

T. J. ELLIOTT  
 ESTATE  
 VOL. 79137 PG. 3147

12

10' T.P. & L  
 ESMT

EXHIBIT "A"  
 PROPOSED 10' WIDE  
 DRAINAGE ESMT

11  
**BLOCK 1**

POB "A"  
 FND 3/4" IP

FND 3/4" IP

15' SANITARY  
 SEWER ESMT

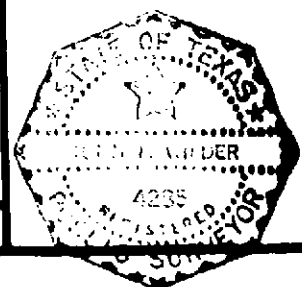
WISMER ESTATE  
 ADDITION  
 VOL. 69195 PG. 1908

TANGENT	BEARING	LENGTH
T1	N 82°21'22" E	10.22'
T2	S 82°21'24" W	10.22'

**ESPEY, HUSTON & ASSOCIATES, INC.**  
 Engineering & Environmental Consultants  
 17822 Veterans Parkway Dallas, Texas 75252  
 (214) 669-9600

JOHN F. WILDER R.P.S. NO. 4285

SCALE: 1" = 30'



PREPARED BY GC  
 CHECKED BY JW  
 DATE 5/11/90

90122 4509

COUNTY CLERK, DALLAS COUNTY, TEXAS



JUN 22 1990

My personal books which contain the...  
STATE OF TEXAS  
COUNTY OF DALLAS

90 JUN 22 PM 4:07

COUNTY CLERK  
DALLAS COUNTY  
Earl B. Smith

FILED  
015122 4510