

**AN ORDINANCE VACATING AND ABANDONING A PORTION OF RIGHT-OF-WAY OF THE FORMER SOUTH 2ND AVENUE, AND RESERVING A PERMANENT UTILITY EASEMENT AND PERMANENT DRAINAGE EASEMENT IN SUCH VACATED AND ABANDONED PROPERTY; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council of the City of Mansfield, Texas, after careful study and consideration, has determined that a certain portion of right-of-way of the former South 2<sup>nd</sup> Avenue in the City of Mansfield, Johnson County, Texas, hereinafter more specifically described, is not being used by, nor useful or convenient to the public in general; therefore, it constitutes a public charge without a corresponding public benefit, and the public would be better served and benefited by its vacation and abandonment. Said right-of-way is described in Exhibit "A" and "B" attached hereto and made a part hereof for all purposes; and

**WHEREAS**, the City desires to reserve a permanent public utility easement and a drainage easement in said property for utility purposes, and to retain the right to enter the property being abandoned to conduct such operations as is necessary for the perpetual enjoyment of the easements being retained; and

**WHEREAS**, in order to remove any question as to the continued interest or ownership of the public in said right-of-way, the City desires to execute a Quit Claim Deed releasing all title, ownership and control in said right-of-way to the owner or owners of the abutting property, subject to the reservation of the drainage and utility easements.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:**

#### **SECTION 1**

The permanent drainage easement and permanent utility easement in the property being vacated and abandoned, attached hereto as Exhibits "C" and "D", are approved and the Mayor of the City of Mansfield is authorized and directed to execute said easements.

#### **SECTION 2**

The portion of the right-of-way, as described hereinabove, is not being used by, nor useful or convenient to the public in general. It constitutes a public charge without a corresponding benefit, and the public would be better served and benefited by its vacation and abandonment. Accordingly, the above described portion of the right-of-way in the City of Mansfield, Johnson County, Texas, is hereby vacated and abandoned, subject to reservation of the permamanet drainage easement and permamanet utility easement as public property, to the owner of the abutting property.

### SECTION 3

The Mayor of the City of Mansfield, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the right-of-way described hereinabove, on behalf of the City of Mansfield, Texas.

### SECTION 4

A copy of said easements and quitclaim deed shall be presented for filing with the County Clerk of Johnson County, Texas by the office of the City Secretary.

### SECTION 5

This Ordinance shall become effective immediately upon its passage as provided by law.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Jeanne Heard, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**AREA TO BE VACATED**

BEING 5.847 acres of land located in the J. C. GUEST SURVEY, ABSTRACT NO. 311, Johnson County, Texas and being a portion of the former right-of-way area for FM Highway No. 917 (South 2<sup>nd</sup> Avenue). Said 5.847 acres of land also being a portion of the 8.504 acre tract of land conveyed to City of Mansfield, by the deed recorded in Volume 4174, Page 840, of the Deed Records of Johnson County, Texas. Said 5.847 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a Texas Department of Transportation right-of-way monument found at the most Southerly corner of said City of Mansfield Tract, and said POINT OF BEGINNING also lying in the Northwest right-of-way line of FM Highway No. 917;

THENCE along the West boundary line of said City of Mansfield Tract, being the former West boundary line of South 2<sup>nd</sup> Avenue, as follows:

1. NORTHWESTERLY 561.01 feet, along a curve to the left, having a radius of 4533.66 feet, a central angle of 07° 05' 24", and a chord bearing N 04° 48' 07" W 560.65 feet, to a Texas Department of Transportation right-of-way monument found at the end of said curve;
2. N 08° 19' 17" W 843.11 feet, to a 5/8" iron rod found at the Northeast corner of the 13.66 acre tract of land conveyed to Set/Back Partners, by the deed recorded in Volume 2226, Page 464, of the Deed Records of Johnson County, Texas, and the Southeast corner of the tract of land conveyed to Johnson County Electric Cooperative by the deed recorded in Volume 1683, Page 669, of the Deed Records of Johnson County, Texas;
3. N 08° 21' 33" W 1467.00 feet, to a 5/8" iron rod found in the South right-of-way line of the new alignment of South 2<sup>nd</sup> Avenue;

THENCE SOUTHEASTERLY 385.67 feet, along the Southwest right-of-way line of said South 2<sup>nd</sup> Avenue, with a curve to the left having a radius of 800.00 feet, a central angle of 27° 37' 19", and a chord bearing S 23° 32' 07" E 381.95 feet, to a 5/8" iron rod found in the Northeast right-of-way line of aforesaid former South 2<sup>nd</sup> Avenue and the Northeast boundary line of said tract of land conveyed to the City of Mansfield, by the deed recorded in Volume 4174, Page 840, of the Deed Records of Johnson County, Texas, and the West boundary line of the tract of land conveyed to Set/Back Partners, by the deed recorded in Volume 2711, Page 794, of the Deed Records of Johnson County, Texas;

THENCE along the East boundary line of said City of Mansfield Tract, the former East right-of-way line of South 2<sup>nd</sup> Avenue, and the West boundary line of the tracts of land conveyed to Set/Back Partners by the deeds recorded in Volume 2711, Page

794, Volume 2207, Page 816, and Volume 2241, Page 33, of the Deed Records of Johnson County, Texas, as follows:

1. S 08° 21' 32" E 1941.28 feet, to a broken Texas Department of Transportation right-of-way monument found at the beginning of a curve to the right;
2. SOUTHERLY 350.72 feet, along said curve to the right having a radius of 4633.10 feet, a central angle of 04° 20' 14", and a chord bearing S 06° 11' 06" E 350.64 feet, to a Texas Department of Transportation right-of-way monument found in the Northwest right-of-way line of aforesaid FM Highway No. 917;

THENCE SOUTHWESTERLY 244.38 feet, along the Southeast boundary line of said City of Mansfield Tract, and the Northwest right-of-way line of said FM Highway No. 917, with a curve to the right having a radius of 547.06 feet, a central angle of 25° 35' 41", and a chord bearing S 21° 52' 18" W 242.35 feet, to the POINT OF BEGINNING containing 5.847 acres (254,686 square feet) of land.

**EXHIBIT "B"**  
**SHEET 1 OF 2**

**BRITTAIN & CRAWFORD**  
LAND SURVEYING &  
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112  
FAX No. (817) 926-9347  
P.O. BOX 11374 • 3908 SOUTH FREEWAY  
FORT WORTH, TEXAS 76110  
EMAIL: admin@brittain-crawford.com  
WEBSITE: www.brittain-crawford.com

JOHNSON COUNTY  
ELECTRIC COOPERATIVE  
60.748 ACRES  
VOL. 1683, PG. 669  
D.R.J.C.T.

SET/BACK PARTNERS  
PART OF 23.394 ACRES  
VOL. 2711, PG. 794  
D.R.J.C.T.

**RIGHT-OF-WAY  
TO BE VACATED  
5.847 ACRES  
(254,686 SQ.F.)**

CITY OF MANSFIELD  
RIGHT-OF-WAY  
VOL. 4174, PG. 840  
D.R.J.C.T.

15' WIDE PERMANENT  
UTILITY EASEMENT  
BY SEPARATE DOC.

PERMANENT  
DRAINAGE EASEMENT  
BY SEPARATE DOC.

SET/BACK PARTNERS  
PART OF 121.42 ACRES  
VOL. 2207, PG. 816  
D.R.J.C.T.

SURVEYED ON THE GROUND  
JULY 26, 2016

*Krystian Golebiewski*  
KRYSTIAN GOLEBIEWSKI  
REGISTERED PROFESSIONAL  
LAND SURVEYOR  
STATE OF TEXAS NO. 6400



**MANSFIELD**  
TEXAS  
1200 East. Broad St.  
Mansfield, TX 76063  
Phone: 817-276-4200

**RIGHT-OF-WAY  
TO BE VACATED  
5.847 ACRES OF LAND  
LOCATED IN THE  
J.C. GUEST, SURVEY A-311J & R.B.  
& F.A. ENGLISH SURVEY, A-254J  
CITY OF MANSFIELD  
JOHNSON COUNTY, TEXAS**

SET/BACK PARTNERS  
13.66 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 3A, 2.66 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

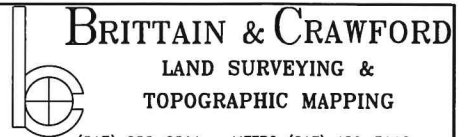
SET/BACK PARTNERS  
TR. 3, 31.49 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 1&2, 35.41 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

**POINT OF  
BEGINNING**  
**SCALE 1"=300'**

# EXHIBIT "B"

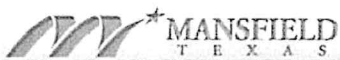
## SHEET 2 OF 2



**BRITTAIN & CRAWFORD**  
LAND SURVEYING &  
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112  
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WEBSITE: [www.brittain-crawford.com](http://www.brittain-crawford.com)

Course	Bearing	Distance
L1	Rad: -4533.66' Tan: 280.86' Chd: N 04°48'07" W	Arc: 561.01' CA: 7°05'24" 560.65'
L2	N 08°19'17" W	843.11'
L3	N 08°21'33" W	1467.00'
L4	Rad: 800.00' Tan: 196.66' Chd: S 23°32'07" E	Arc: 385.67' CA: 27°37'19" 381.95'
L5	S 08°21'32" E	1941.28'
L6	Rad: 4633.10' Tan: 175.44' Chd: S 06°11'06" E	Arc: 350.72' CA: 4°20'14" 350.64'
L7	Rad: 547.06' Tan: 124.26' Chd: S 21°52'18" W	Arc: 244.38' CA: 25°35'41" 242.35'



1200 East. Broad St.  
Mansfield, TX 76063  
Phone: 817-276-4200

### RIGHT-OF-WAY TO BE VACATED

5.847 ACRES OF LAND  
LOCATED IN THE

J.C. GUEST, SURVEY A-311J & R.B.  
& F.A. ENGLISH SURVEY, A-254J  
CITY OF MANSFIELD  
JOHNSON COUNTY, TEXAS

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

## PERMANENT DRAINAGE EASEMENT

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

WHEREAS, **THE CITY OF MANSFIELD, TEXAS**, (Grantor) acting by and through the undersigned, their duly authorized representative, is the legal owner in fee of that certain parcel of land more particularly described as follows:

An approximate 5.847 acre tract of land located in the J.C. Guest Survey, Abstract No. 311, Johnson County, Texas and being a portion of the former right-of-way area for South 2<sup>nd</sup> Avenue, Mansfield, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid by the GRANTEE, the receipt and sufficiency of which are hereby acknowledged and confessed, have granted, sold and conveyed, and by these presents do grant, sell and convey to the City of Mansfield, Texas GRANTEE, a permanent and perpetual drainage easement for the purpose of installing, repairing, maintaining, altering, replacing, relocating, rebuilding, removing, and operating drainage facilities in, into, upon, over, across, under and through all that land in Johnson County, Texas described as follows, to-wit:

A variable width Permanent Drainage Easement containing approximately 2.803 acres, as more particularly described on Exhibit "A" attached hereto and shown on Exhibit "B" attached hereto,

together with the right of ingress and egress as necessary for such purposes.

GRANTOR covenants and agrees that GRANTOR and GRANTOR's heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein any temporary or permanent structures, and it is further agreed that GRANTEE shall have the right to excavate and fill upon said permanent easement and to remove from said permanent easement, any fences, buildings, trees, shrubs, or other obstructions or growths as may now be found upon said permanent easement.

TO HAVE AND TO HOLD the above-described permanent easement, with the right of ingress and egress thereto, together with all and singular, the rights and appurtenances thereto, anywise belonging unto the said GRANTEE, its successors and assigns forever; and GRANTOR does hereby bind itself, its heirs and assigns, to warrant and to forever defend all and singular premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim same or any part thereof.

WITNESS MY HAND at Mansfield, Tarrant County, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF MANSFIELD, TEXAS**

\_\_\_\_\_  
**By: David L. Cook, Mayor**

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day personally appeared David L. Cook, 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 considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public in and for The State of Texas  
Commission Expires:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING 2.802 acres of land located in the J. C. GUEST SURVEY, Abstract No. 311, and the R.B. & F.A. ENGLISH SURVEY, Abstract No. 254, Johnson County, Texas and being a portion of the former right-of-way area for FM Highway No. 917 (South 2<sup>nd</sup> Avenue). Said 2.802 acres of land also being a portion of the tract of land conveyed to City of Mansfield, by the deed recorded in Volume 4174, Page 840 of the Deed Records of Johnson County, Texas. Said 2.802 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a Texas Department of Transportation right-of-way monument found at the most Southerly corner of said City of Mansfield Tract, and said POINT OF BEGINNING also lying in the Northwest right-of-way line of FM Highway No. 917;

THENCE NORTHERLY 218.10 feet, along the West boundary line of said City of Mansfield Tract, being the former West right-of-way line of South 2<sup>nd</sup> Avenue, with a curve to the left having a radius of 4533.66 feet, a central angle of 02° 45' 23", and a chord bearing N 02° 38' 07" W 218.08 feet, to a point;

THENCE N 85° 58' 40" E 25.02 feet, to a point;

THENCE along a line 25 feet East of and parallel to the West boundary line of said City of Mansfield Tract, being 25 feet East of and parallel to the former West right-of-way line of said South 2<sup>nd</sup> Avenue, as follows:

1. NORTHWESTERLY 343.22 feet, along a curve to the left having a radius of 4558.66 feet, a central angle of 04° 18' 50", and a chord bearing N 06° 10' 45" W 343.14 feet, to a point at the end of said curve;
2. N 08° 20' 01" W 1787.89 feet, to a point;

THENCE N 44° 21' 27" E 94.00 feet, to a point in the East boundary line of the aforesaid City of Mansfield Tract, being the former Northeast right-of-way line of said South 2<sup>nd</sup> Avenue;

THENCE S 08° 21' 32" E 62.84 feet, along the East boundary line of said City of Mansfield Tract and the former East right-of-way line of said South 2<sup>nd</sup> Avenue, to a point;

THENCE S 44° 21' 27" W 31.26 feet, to a point;

THENCE along a line 25 feet West of and parallel to the East boundary line of said City of Mansfield Tract, being 25 feet West of and parallel to the former East right-of-way line of said South 2<sup>nd</sup> Avenue, as follows:

1. S 08° 20' 10" E 1763.08 feet, to a point at the beginning of a curve to the right;
2. SOUTHEASTERLY 346.98 feet, along said curve to the right having a radius of 4608.66 feet, a central angle of 04° 18' 50", and a chord bearing S 06° 10' 45" E 346.90 feet, to a point;

THENCE N 85° 58' 40" E 25.54 feet, to a Texas Department of Transportation right-of-way monument found in the Northeast boundary line of said City of Mansfield Tract, and the existing Northwest right-of-way line of FM Highway No. 917;

THENCE SOUTHWESTERLY 244.38 feet, along the Northwest right-of-way line of said FM Highway No. 917, with a curve to the right having a radius of 547.06 feet, a central angle of 25° 35' 41", and a chord bearing S 21° 52' 18" W 242.35 feet, to the POINT OF BEGINNING containing 2.802 acres (122,071 square feet) of land.



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Course		Bearing	Distance
C1	Rad: 4533.66'	Arc: 218.10'	
	Tan: 109.07'	CA: 2°45'23"	
	Chd: N 02°38'07" W	218.08'	
L2	N 85°58'40" E	25.02'	
C3	Rad: 4558.66'	Arc: 343.22'	
	Tan: 171.69'	CA: 4°18'50"	
	Chd: N 06°10'45" W	343.14'	
L4	N 08°20'01" W	1787.89'	
L5	N 44°21'27" E	94.00'	
L6	S 08°21'32" E	62.84'	
L7	S 44°21'27" W	31.26'	
L8	S 08°20'10" E	1763.08'	
C9	Rad: 4608.66'	Arc: 346.98'	
	Tan: 173.57'	CA: 4°18'50"	
	Chd: S 06°10'45" E	346.90'	
L10	N 85°58'40" E	25.54'	
C11	Rad: 547.06'	Arc: 244.38'	
	Tan: 124.26'	CA: 25°35'41"	
	Chd: S 21°52'18" W	242.35'	

SET/BACK PARTNERS  
16.54 ACRES  
VOL. 2711, PG. 777  
D.R.J.C.T.

5/8" IRF BENT

SET/BACK PARTNERS  
PART OF 23.394 ACRES  
VOL. 2711, PG. 794  
MOOTH D.R.J.C.T.

5/8"

JOHNSON COUNTY  
ELECTRIC COOPERATIVE  
60.748 ACRES  
VOL.1683, PG. 669  
D.R.J.C.T

SET/BACK PARTNERS  
PART OF 23.394 ACRES  
VOL. 2711, PG. 794  
D.R.J.C.T.

CITY OF MANSFIELD,  
VOL. 4174, PG. 840  
D.R.J.C.T.

**PERMANENT  
DRAINAGE EASEMENT  
2.802 ACRES  
(122,071 SQ.F.)**

GUEST, J C SURVEY  
ABSTRACT No. 311J

SET/BACK PARTNERS  
PART OF 121.42 ACRES  
VOL. 2207, PG. 816  
D.B.J.C.T.

SET/BACK PARTNERS  
TR. 3A, 2.66 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

SET/BACK PARTNERS  
13.66 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 3, 31.49 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 1&2, 35.41 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

POINT OF BEGINNING  
SCALE 1

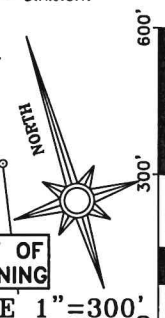


*Kristian Golbiewski*  
MAY 16, 2017

 **MANSFIELD**  
T E X A S

1200 East. Broad St.  
Mansfield, TX 76063  
**Phone:** 817-276-4200

**PERMANENT  
DRAINAGE EASEMENT  
2.802 ACRES OF LAND  
LOCATED IN THE J.C. GUEST,  
SURVEY, A-311J, & R.B. & F.A.  
ENGLISH SURVEY, A- 254J  
CITY OF MANSFIELD  
JOHNSON COUNTY, TEXAS**



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

**PERMANENT UTILITY EASEMENT**

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

WHEREAS, **THE CITY OF MANSFIELD, TEXAS**, (Grantor) acting by and through the undersigned, their duly authorized representative, is the legal owner in fee of that certain parcel of land more particularly described as follows:

An approximate 5.847 acre tract of land located in the J.C. Guest Survey, Abstract No. 311, Johnson County, Texas and being a portion of the former right-of-way area for South 2<sup>nd</sup> Avenue, Mansfield, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, have granted, sold and conveyed, and by these presents do grant, sell and convey to the CITY OF MANSFIELD, TEXAS ("Grantee"), a permanent and perpetual public utility easement for the purpose of installing, burying, repairing, maintaining, altering, replacing, relocating, and operating any and all public utility facilities and appurtenances in, into, upon, over, across and under that land in Johnson County, Texas, described as follows, to-wit:

A 15 foot wide Permanent Public Utility Easement containing approximately 1.030 acres, as more particularly described on Exhibit "A" attached hereto and shown on Exhibit "B" attached hereto,

together with the right of ingress and egress as necessary for such purposes.

Grantor covenants and agrees that Grantee shall have the right to excavate and fill upon said permanent easement and to remove from said permanent easement, any fences, building or other obstructions as may now or hereafter be found upon said permanent easement.

Grantor covenants and agrees that Grantor and Grantor's heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed any temporary or permanent structure in, into, upon, over, across or under any easement granted herein.

**TO HAVE AND TO HOLD** the above-described permanent public utility easement forever, together with all and singular, the rights and appurtenances thereto, anywise belonging unto Grantee, its successors and assigns; and Grantor does hereby bind Grantor, Grantor's heirs and assigns, to warrant and to forever defend all and singular the premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim same or any part thereof.

WITNESS MY HAND at Mansfield, Tarrant County, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF MANSFIELD, TEXAS**

\_\_\_\_\_  
**By: David L. Cook, Mayor**

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day personally appeared David L. Cook, 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 considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public in and for The State of Texas  
Commission Expires:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING a 15 foot wide strip of land located in the J. C. GUEST SURVEY, Abstract No. 311, and the R.B. & F.A. ENGLISH SURVEY, Abstract No. 254, Johnson County, Texas and being a portion of the former right-of-way area for FM Highway No. 917 (South 2<sup>nd</sup> Avenue). Said 15 foot wide strip of land also being a portion of the tract of land conveyed to City of Mansfield, by the deed recorded in Volume 4174, Page 840 of the Deed Records of Johnson County, Texas. Said 15 foot wide strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a Texas Department of Transportation right-of-way monument found at the most Southerly corner of said City of Mansfield Tract, and said POINT OF BEGINNING also lying in the Northwest right-of-way line of FM Highway No. 917;

THENCE along the West boundary line of said City of Mansfield Tract, and the former West right-of-way line of said South 2<sup>nd</sup> Avenue, as follows:

1. NORTHERLY 561.01 feet, along a curve to the left, having a radius of 4533.66 feet, a central angle of 07°05'24", and a chord bearing N 04° 48' 07" W 560.65 feet, to a Texas Department of Transportation right-of-way monument found at the end of said curve;
2. N 08° 19' 17" W 843.11 feet, to a 5/8" iron rod found at the Southeast corner of the tract of land conveyed to Johnson County Electric Cooperative, by the deed recorded in Volume 1683, Page 669 of the Deed Records of Johnson County, Texas;
3. N 08° 21' 33" W 1467.00 feet, along the East boundary line of said Johnson County Electric Cooperative Tract, to a point in the new Southwest right-of-way line of aforesaid South 2<sup>nd</sup> Avenue;

THENCE SOUTHEASTERLY 137.29 feet, along the new Southwest right-of-way line of said South 2<sup>nd</sup> Avenue, with a curve to the left having a radius of 800.00 feet, a central angle of 09° 49' 57", and a chord bearing S 14° 38' 26" E 137.12 feet, to a point;

THENCE S 08° 21' 37" E 257.30 feet, to a point;

THENCE N 82° 43' 44" E 65.77 feet, to a point;

THENCE N 08° 18' 24" W 63.03 feet, to a point in the new Southwest right-of-way line of aforesaid South 2<sup>nd</sup> Avenue;

THENCE SOUTHEASTERLY 32.77 feet, along the new Southwest right-of-way line of said South 2<sup>nd</sup> Avenue, with a curve to the left having a radius of 800.00 feet, a central angle of 02° 20' 50", and a chord bearing S 35° 32' 48" E 32.77 feet, to a point;

THENCE S 08° 18' 24" E 49.17 feet, to a point;

THENCE S 82° 43' 44" W 80.77 feet, to a point;

THENCE along a line 15 feet East of and parallel to the West boundary line of said City of Mansfield Tract, as follows:

1. S 08° 21' 33" E 1052.54 feet, to a point;
2. S 08° 19' 17" E 539.72 feet, to a point;

THENCE S 81° 53' 01" E 88.99 feet, to a point in the East boundary line of said City of Mansfield Tract;

THENCE S 08° 21' 32" E 15.64 feet, along the East boundary line of said City of Mansfield Tract and the former East right-of-way line of said South 2<sup>nd</sup> Avenue, to a point;

THENCE N 81° 53' 01" W 89.00 feet, to a point;

THENCE along a line 15 feet East of and parallel to the West boundary line of said City of Mansfield Tract, as follows:

1. S 08° 19' 17" E 293.62 feet, to a point at the beginning of a curve to the right;
2. SOUTHERLY 541.15 feet, along said curve to the right, having a radius of 4548.66 feet, a central angle of 06° 48' 59", and a chord bearing S 04° 56' 19" E 540.83 feet, to a point in the West right-of-way line of aforesaid FM Highway No. 917;

THENCE SOUTHWESTERLY 26.36 feet, along the West right-of-way line of said FM Highway No. 917, with a curve to the right having a radius of 547.06 feet, a central angle of 02° 45' 40", and a chord bearing S 33° 17' 18" W 26.36 feet, to the POINT OF BEGINNING containing 1.030 acre (44,866 square feet) of land.

# EXHIBIT "B" SHEET 1 OF 2

GUEST, J C SURVEY  
ABSTRACT No. 311J

**BRITTAIN & CRAWFORD**  
LAND SURVEYING &  
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112  
FAX No. (817) 926-9347  
P.O. BOX 11374 • 3908 SOUTH FREEWAY  
FORT WORTH, TEXAS 76110  
EMAIL: admin@brittain-crawford.com  
WEBSITE: www.brittain-crawford.com

JOHNSON COUNTY  
ELECTRIC COOPERATIVE  
60.748 ACRES  
VOL. 1683, PG. 669  
D.R.J.C.T.

CITY OF MANSFIELD  
RIGHT-OF-WAY  
VOL. 4174, PG. 840  
D.R.J.C.T.

SET/BACK PARTNERS  
PART OF 23.394 ACRES  
VOL. 2711, PG. 794  
D.R.J.C.T.

**15' WIDE PERMANENT  
UTILITY EASEMENT  
1.030 ACRE  
(44,866 SQ.F.)**

SET/BACK PARTNERS  
PART OF 121.42 ACRES  
VOL. 2207, PG. 816  
D.R.J.C.T.

J.C. GUEST, SURVEY  
ABSTRACT No. 311J



*Krystian Golebiewski*  
MAY 16, 2017

**MANSFIELD** 1200 East. Broad St.  
T E X A S Mansfield, TX 76063  
Phone: 817-276-4200

**15' WIDE PERMANENT  
UTILITY EASEMENT  
1.030 ACRE OF LAND LOCATED IN  
THE J.C. GUEST, SURVEY  
A-311J, & R.B. & F.A. ENGLISH  
SURVEY, A-254J,  
CITY OF MANSFIELD  
JOHNSON COUNTY, TEXAS**

SET/BACK PARTNERS  
13.66 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 3A, 2.66 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 3, 31.49 ACRES  
VOL. 2241, PG. 33  
D.R.J.C.T.

SET/BACK PARTNERS  
TR. 1&2, 35.41 ACRES  
VOL. 2226, PG. 464  
D.R.J.C.T.

**POINT OF  
BEGINNING**

**SCALE 1"=300'**

# EXHIBIT "B" SHEET 2 OF 2



**BRITTAIN & CRAWFORD**

LAND SURVEYING &  
TOPOGRAPHIC MAPPING

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FAX No. (817) 926-9347

P.O. BOX 11374 \* 3908 SOUTH FREEWAY

FORT WORTH, TEXAS 76110

EMAIL: admin@brittain-crawford.com

WEBSITE: www.brittain-crawford.com

Course	Bearing	Distance
L1	Rad: 4533.66' Tan: 280.86' Chd: N 04°48'07" W	Arc: 561.01' CA: 7°05'24" 560.65'
L2	N 08°19'17" W	843.11'
L3	N 08°21'33" W	1467.00'
L4	Rad: 800.00' Tan: 68.81' Chd: S 14°38'26" E	Arc: 137.29' CA: 9°49'57" 137.12'
L5	S 08°21'37" E	257.30'
L6	N 82°43'44" E	65.77'
L7	N 08°18'24" W	63.03'
L8	Rad: 800.00' Tan: 16.39' Chd: S 35°32'48" E	Arc: 32.77' CA: 2°20'50" 32.77'
L9	S 08°18'24" E	49.17'
L10	S 82°43'44" W	80.77'
L11	S 08°21'33" E	1052.54'
L12	S 08°19'17" E	539.72'
L13	S 81°53'01" E	88.99'
L14	S 08°21'32" E	15.64'
L15	N 81°53'01" W	89.00'
L16	S 08°19'17" E	293.62'
L17	Rad: 4548.66' Tan: 270.89' Chd: S 04°56'19" E	Arc: 541.15' CA: 6°48'59" 540.83'
L18	Rad: 547.06' Tan: 13.18' Chd: S 33°17'18" W	Arc: 26.36' CA: 2°45'40" 26.36'



1200 East. Broad St.  
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UTILITY EASEMENT**  
1.030 ACRE OF LAND LOCATED IN  
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A-311J, & R.B. & F.A. ENGLISH  
SURVEY, A-254J,  
CITY OF MANSFIELD  
JOHNSON COUNTY, TEXAS