

CP 460 (OH/UG) Rev. (01/21)
Town: Bay City
Submitted by: fg

TX211301
WR#76878890

EASEMENT AND RIGHT OF WAY

BAY CITY (“Grantor”), for and in consideration of Ten & 00/100 Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by **AEP TEXAS INC.**, a Delaware Corporation, whose address is P.O. Box 2121, Corpus Christi, Texas 78403 (“Grantee”) the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto Grantee, its successors and assigns, a perpetual easement and right of way for electric distribution lines, consisting of poles made of wood, metal, or other materials, cross arms, static wires, guys, wire circuits, underground cables and conduits, communication circuits, metering equipment and all necessary or desirable appurtenances (including, but not limited to, transformers, meters, vaults, and service pedestals) over, under, across, and upon a portion of the following described land located in Matagorda County, Texas, to wit:

A tract of land containing 14.33 acres of land, more or less, out of the Thos. Cayce League, Matagorda County, Texas, and being a portion of Lot No. 5 of the Subdivision of the Elliot Lands, Matagorda County, Texas, being further described in Volume 99, Page 102, Deed Records of Matagorda County, Texas.

More specifically, the strip of land covered by this Easement and Right of Way shall be 15 feet in width, 7.5 feet on each side of a centerline as described by GPS waypoints and as depicted on Exhibit “A”, attached hereto, made a part hereof and incorporated herein for all applicable purposes. Notwithstanding the foregoing, the actual as-built location of the electric line shall locate, define and establish the centerline of the easement. (the “Easement Area”)

Together with the right of ingress and egress over, under, across and upon the Easement Area and Grantor’s adjacent land for the purpose of constructing, operating, reconstructing on poles or burying and replacing underground cables and conduits (including necessary ditching and backfilling), enlarging, inspecting, patrolling, repairing, maintaining, upgrading and removing said lines, circuits, underground cables and conduits, poles, wires and appurtenances; the right to relocate along the same general direction of said lines, cables, and conduits; and the right to remove from the Easement Area all structures, obstructions, trees and parts thereof, using generally accepted vegetation management practices, (whether from the Easement Area or that could grow into the Easement Area) which may, in the reasonable judgment of Grantee, endanger or interfere with the safe and efficient operation and/or maintenance of said lines, cables, conduits or appurtenances or ingress and egress to, from or along the Easement Area.

Grantor reserves the right to use the Easement Area subject to said Easement and Right of Way in any way that will not interfere with Grantee’s exercise of the rights hereby granted. However, Grantor shall not construct or permit to be constructed any house or other above ground structure on or within the Easement Area containing Grantee’s improvements without the express written consent of Grantee.

TO HAVE AND TO HOLD the above described easement and rights unto the Grantee, its successors and assigns forever. Grantor binds itself, assigns, and legal representatives to warrant and forever defend all and singular the above described 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.

EXECUTED this _____ day of _____, 2021.

[Rest of this page intentionally left blank-Signature page follows]

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GRANTOR: BAY CITY

By: _____

Title: _____

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF MATAGORDA**

This instrument was acknowledged before me on this _____ day of _____, 2021,
by _____ as _____ for Bay City, Texas.

NOTARY PUBLIC, State of Texas

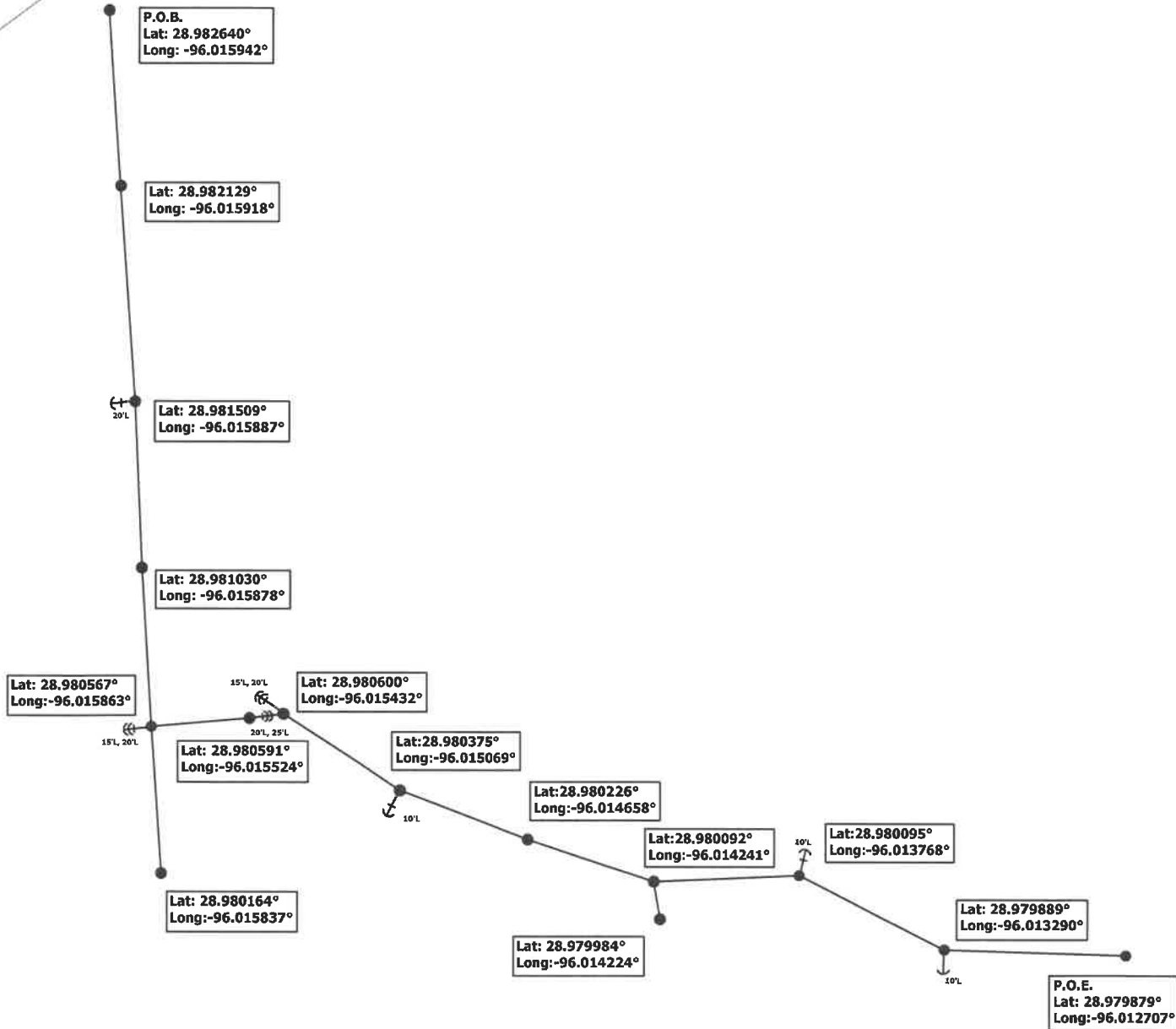
(Seal)

Exhibit "A"

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Center Line Depiction of a 15' wide AEP Easement
LeTulle Park Reconductor and OH Line Relocation

State Highway 35



Town: Bay City
County: Matagorda

Coordinate System
Map Datum: NAD 1983
Texas South Central

3.38 miles Northeast of the St. Hwy 35 & FM1468 Intersection

