

**CITY OF HUTCHINS  
RESOLUTION NO. R 2024 -11-1225**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING AND GRANTING A NON-EXCLUSIVE, PUBLIC UTILITY EASEMENT AND RIGHT OF WAY TO ONCOR ELECTRIC DELIVERY COMPANY, LLC, FOR THE PURPOSE OF LOCATION, CONSTRUCTION, MAINTENANCE, OPERATION, REPAIR, REMOVAL, REPLACEMENT, RECONSTRUCTION, AND RELOCATION OF ELECTRIC UTILITIES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Oncor Electric Delivery Company, LLC, (hereinafter referred to as “Grantee”), has submitted a request to the City of Hutchins for a non-exclusive, public utility easement and right of way to be granted in property owned by the City for the location, construction, maintenance, operation, repair, removal, replacement, reconstruction, and relocation of electrical utilities; and

**WHEREAS**, the City Council of the City of Hutchins has been provided with the Easement and Right of Way (the “Easement”); and

**WHEREAS**, upon full review and consideration of the Easement, the City Council is of the opinion and finds it to be in the public interest to approve and grant the Easement;

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

**SECTION 1.** The City of Hutchins hereby grants a non-exclusive, public utility easement and right of way to Oncor Electric Delivery Company, LLC, authorizing an easement and right of way for the location, construction, maintenance, operation, repair, removal, replacement, reconstruction, and relocation of electric utilities in City or Hutchins property, the terms of such document shall be substantially set forth in Exhibit “1”, attached hereto and incorporated herein by reference, and authorizes the City Administrator to sign the Easement on behalf of the City of Hutchins.

**SECTION 2.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Hutchins, Texas, this 18th day of November 2024.

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Mario Vasquez, Mayor

ATTEST:

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Cynthia Olguin, City Secretary

EXHIBIT "1"

PT #: 2024-6288  
District: DES  
WO #: 25486889  
ER #

**EASEMENT AND RIGHT OF WAY**

STATE OF TEXAS                   §  
  §                   KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF DALLAS           §

That **The City of Hutchins, a Municipal Corporation of the County of Dallas**, 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**, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234, 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)**

Grantor recognizes that the general course of said lines, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

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 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 lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; 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, in the sole judgment of Grantee, 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.

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 \_\_\_\_\_, 2024.

**GRANTOR:**

**The City of Hutchins,  
a Municipal Corporation of the County of Dallas**

By: \_\_\_\_\_

**James Quin  
City Administrator**

STATE OF TEXAS                    §  
   §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared **James Quin**, 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 Hutchins, a Municipal Corporation of the County of Dallas**, as the **City Administrator**, 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. 2024.

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

**EXHIBIT "A"**

**FIELD NOTE DESCRIPTION  
VARIABLE WIDTH ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT  
CITY OF HUTCHINS, TEXAS**

Being a variable width Oncor Electric Delivery Company, LLC Easement, and being under, over and across a tract of land located in the William H. Shelton Survey Abstract No. 1292, City of Hutchins, Dallas County, Texas, being a portion of Lot 4, Soriano Estates (Minor Plat), an addition to the City of Hutchins, by plat recorded in Instrument Number 202100235007 of the Plat Records of Dallas County, Texas (P.R.D.C.T.), as conveyed to the City of Hutchins by deed recorded in Instrument Number 202100243382, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said variable width Oncor Electric Delivery Company, LLC Easement being more particularly described as follows:

BEGINNING at a point for corner, said point being on the common north corner of said Lot 4, Soriano Estates, and the northeast corner of Lot 3, of said Soriano Estates, and also being on the west right-of-way line of Post Oak Road (variable width right-of-way), from which a 1/2 inch iron rod with cap stamped "BH&C" (Controlling Monument (CM)) found on the old south right-of-way line of Wintergreen Road (previously 60-foot right-of-way) (currently variable width right-of-way), bears N 71°05'59" W, a distance of 263.98 feet;

THENCE, S 34°08'03" E, along the common east line of said Lot 4, Soriano Estates, and the west right-of-way line of said Post Oak Road, a distance of 10.01 feet to a point for corner, from which a 1/2 inch iron rod with cap stamped "BH&C" (CM) found on the southeast corner of Lot 1, of said Soriano Estates bears S 34°08'03" E, a distance of 451.08 feet;

THENCE, departing the aforementioned common line, and being across said Lot 4, Soriano Estates, the following four (4) calls for course and distance;

- 1) S 58°21'06" W, a distance of 74.14 feet to a point for corner;
- 2) S 31°39'10" E, a distance of 10.00 feet to a point for corner;
- 3) S 58°20'50" W, a distance of 20.00 feet to a point for corner;
- 4) N 31°39'10" W, a distance of 20.00 feet to a point for corner, said point being on the common north line of said Lot 4, Soriano Estates, and the northernmost south line of said Lot 3, Soriano Estates;

THENCE, N 58°21'06" E, along the aforementioned common line, a distance of 93.71 feet to the POINT OF BEGINNING, said variable width Oncor Electric Delivery Company, LLC Easement containing 0.026 acre (1,139 square feet) of land, more or less.

**Notes:**

1. Bearings and Distances are based on the Texas State Plane Coordinate System, NAD-83, Texas North Central Zone 4202.
2. Field surveys concluded on 08/30/2024.
3. An Easement Plat of even date herewith accompanies this field note description.



*Chase Crawford*  
10/3/24

Chase Crawford, R.P.L.S.  
Texas Registration No. 6913  
Birkhoff, Hendricks & Carter, L.L.P.  
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Dallas, Texas 75243  
Phone 214-361-7900

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REVISED: 10/3/24 - CCRAWFORD





# EXHIBIT "A"

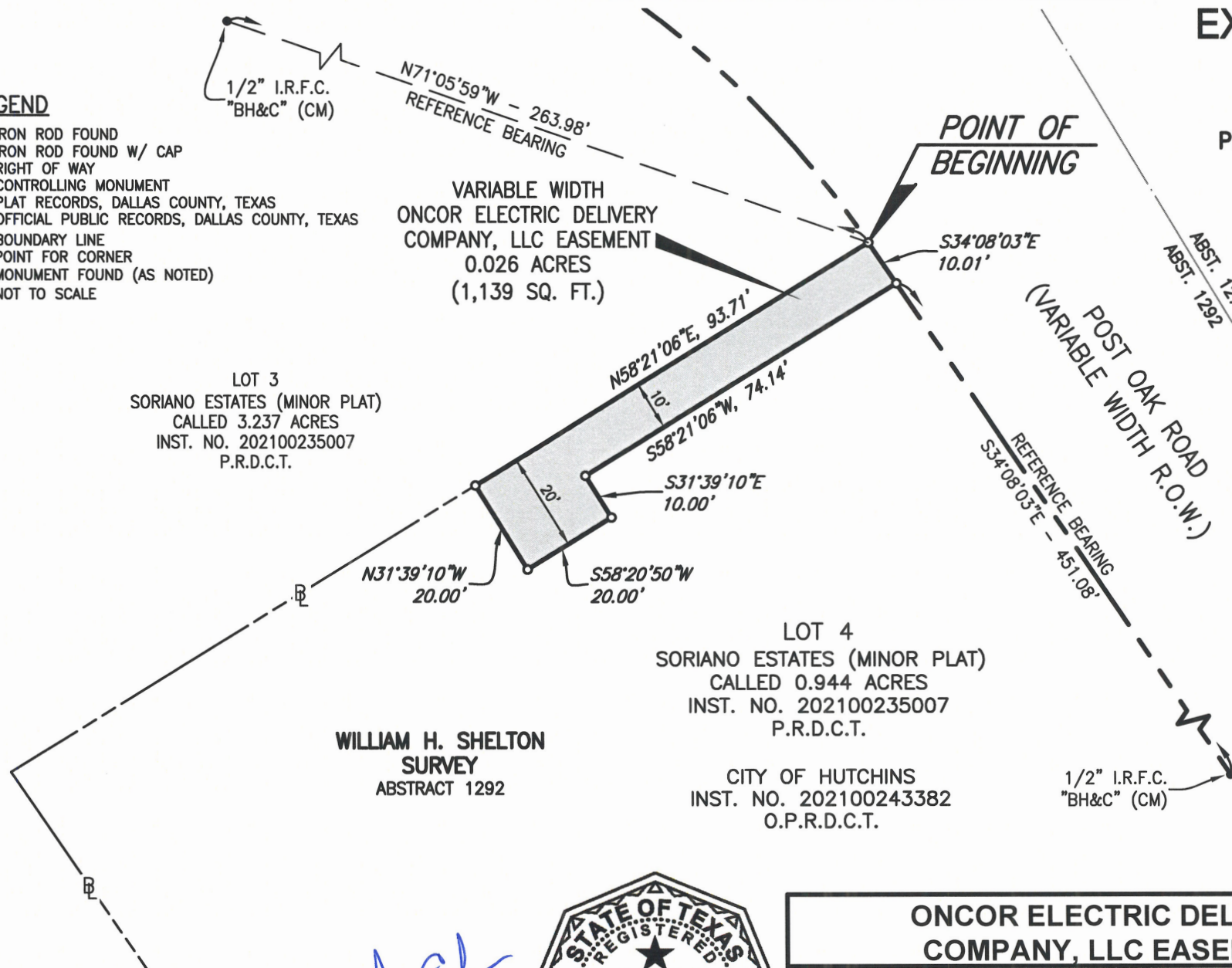
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PETER SAMPSON  
SURVEY  
ABSTRACT 1274

ABST. 1274  
ABST. 1292

## LEGEND

I.R.F.	IRON ROD FOUND
I.R.F.C.	IRON ROD FOUND W/ CAP
R.O.W.	RIGHT OF WAY
CM	CONTROLLING MONUMENT
P.R.D.C.T.	PLAT RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
	BOUNDARY LINE
	POINT FOR CORNER
	MONUMENT FOUND (AS NOTED)
	NOT TO SCALE



## NOTES:

1. BEARINGS AND DISTANCES CITED IN THIS PLAT DESCRIPTION ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD-83, TEXAS NORTH CENTRAL ZONE 4202.
2. FIELD SURVEYS CONCLUDED ON 08/30/2024.
3. A FIELD NOTE DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS EXHIBIT.

*Chase Crawford*  
10/3/24



## ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT

LOT 4, SORIANO ESTATES (MINOR PLAT)  
WILLIAM H. SHELTON SURVEY, ABST. NO. 1292  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS

BIRKHOFF, HENDRICKS & CARTER, L.L.P.

PROFESSIONAL ENGINEERS

TBPELS PE Firm 526; Survey Firm 10031800

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 (214) 361-7900

October  
2024