

**PUBLIC SANITARY SEWER EASEMENT
(0.1195 acres - MISD)**

THE STATE OF TEXAS §
 § KNOW EVERYONE BY THESE PRESENTS:
COUNTY OF MONTGOMERY §

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

That **MONTGOMERY INDEPENDENT SCHOOL DISTRICT ("Grantor")** a Texas public school district, whose address is 20774 Eva Street, Montgomery, Texas 77356, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, has GRANTED AND CONVEYED, and by these presents does hereby GRANT AND CONVEY unto **THE PUBLIC**, an unobstructed, permanent and perpetual easement and right-of-way (the "**Easement**") for access to and the construction, installation, maintenance, repair, replacement, enlargement, removal, and operation of underground sanitary sewer line or lines and all related appurtenances (the "**Facilities**"), across, along, under, over, and upon that certain tract of land consisting of 0.1195 of an acre (5,207 square feet), more or less, being more particularly described and depicted on Exhibit "A" attached hereto and made a part hereof for all purposes (the "**Property**").

The Easement has been granted for the express purpose of giving the **CITY OF MONTGOMERY, TEXAS**, (the "**City**"), the right to construct, install, maintain, repair, replace, enlarge, remove, and operate the Facilities across, along, under, over and upon the Property.

Grantor expressly reserves the right to the use and enjoyment of the surface of the Property for any and all purposes, except construction of houses, buildings and structures (other than sidewalks, driveways, and parking lots); provided that such use will not prevent the City or other governmental entity from constructing, installing, maintaining, repairing, replacing, enlarging, removing or operating the Facilities thereon.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances and mineral or royalty reservations or interests affecting the Property and appearing of record in the Real Property Records of Montgomery County, Texas and in the Official Public Records of Montgomery County, Texas, to the extent that said items and matters are in effect and validly enforceable against the Easement granted herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein, the above-described Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, including all necessary rights to ingress, egress, and regress, unto **THE PUBLIC**, forever. Grantor does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular the said Easement and right-of-way and other rights

described herein unto THE PUBLIC, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

(EXECUTION PAGES FOLLOW)

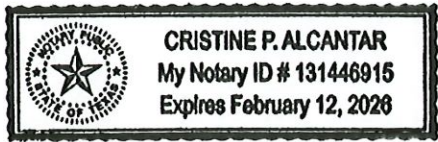
IN WITNESS WHEREOF this instrument is executed the 4th day of October, 2022.

MONTGOMERY INDEPENDENT SCHOOL DISTRICT, a Texas public school district

By: [Signature]
Name: Dr. Heath Morrison
Title: Superintendent

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 4th day of October, 2022, by Dr. Heath Morrison, Superintendent, of Montgomery Independent School District, a Texas public school district.



Cristine P. Alcantar
Notary Public, State of Texas

AGREED TO AND ACCEPTED as of the _____ day of _____, 2022.

CITY OF MONTGOMERY, TEXAS, a
political subdivision of the State of Texas

By: _____
Byron Sanford, Mayor

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the _____ day of _____, 2022, by Byron Sanford, Mayor of the City of Montgomery, Texas, a political subdivision of the State of Texas.

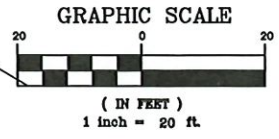
Notary Public, State of Texas

After recording return to:
Johnson Petrov LLP
2929 Allen Parkway, Suite 3150
Houston, Texas 77019
Attention: Mirna Croon
713-489-8977

EXHIBIT "A"

LEGEND / ABBREVIATIONS

| | |
|------------------|--------------------------|
| A | ABSTRACT |
| C.F.N. | CLERK'S FILE NUMBER |
| FND. | FOUND |
| I.R. | IRON ROD |
| O.P.R. | OFFICIAL PUBLIC RECORDS |
| M.C.T. | MONTGOMERY COUNTY, TEXAS |
| STORM MANHOLE | ⊙ |
| SANITARY MANHOLE | ○ |
| PROPERTY MARKER | ○ |



SS MH
RIM=282.10'
8" PVC= 273.30' (SW)
8" PVC= 276.60' (SE)
8" PVC= 273.20' (NE)

ASPALT
PARKING LOT

SSTM MH
RIM=283.82'
18" RCP= 279.04' (SE)

25' SANITARY SEWER
EASEMENT
0.1195 ACRES
(5,207 SQ. FT.)

CALLED 61.8107 ACRES
MONTGOMERY INDEPENDENT
SCHOOL DISTRICT
C.F.N. 2001065612
O.P.R. M.C.T.

FND. 5/8" I.R.
W/CAP

CALLED 2.8922 ACRES TRACT 1
CHRISTIAN C. CHEATHAM
C.F.N. 2011058808 O.P.R. M.C.T.

P.O.B.
(SANITARY SEWER
EASEMENT)

N41°44'15"E 5.89'
FND. 5/8" I.R.
P.O.C.

RESIDUE
CALLED 1.1972 ACRES
TRACT 2 CHRISTIAN C.
CHEATHAM
C.F.N. 2011058808
O.P.R. M.C.T.

EASEMENT EXHIBIT
25' SANITARY SEWER EASEMENT
0.1195 ACRES (5,207 SQ. FT.)
OUT OF 61.8107 ACRES
C.F.N. 2001065612 O.P.R. M.C.T.
IN THE
BENJAMIN RIGSBY SURVEY, A-31
MONTGOMERY COUNTY, TEXAS

CORE
LAND SURVEYING TBPLS REG NO. 10194560
10210 GROGAN'S MILL ROAD, SUITE 120
THE WOODLANDS, TX 77380
T: 224.828.1208
corelandsurveying.com

GENERAL NOTES

1. Bearing based on Texas State Plane Coordinates, Central Zone, NAD83.

X:\2021\U21-00328\PHASE IV EASEMENTS\DWG\U21-00328 TOWN CREEK STORAGE II-PH IV-EASEMENTS.dwg



**SANITARY SEWER EASEMENT
SITUATED IN THE
BENJAMIN RIGSBY, A-31
MONTGOMERY COUNTY, TEXAS**

Being 0.1195 acres (5,207 square feet) of land out of the called 61.8107 acre tract conveyed to Montgomery Independent School District by Warranty deed recorded under Clerk's File No. (C.F.N.) 2001065612 of the Official Public Records of Montgomery County, Texas (O.P.R. M.C.T.), said 0.1195 acre tract being a 25 foot wide Sanitary Sewer Easement lying within the Benjamin Rigsby Survey, A-31, and is more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found in the southeast line of said 61.8107 acres for the northwest corner of the called 2.8922-acres, Tract 1, conveyed to Christian C. Cheatham by Warranty Deed recorded under Clerk's File No. 2011058808 O.P.R. M.C.T., the northeast corner of the Residue of a called 1.1972 acres, conveyed to Christian C. Cheatham, by deed recorded under C.F.N. 2011058808 O.P.R. M.C.T. and an angle point in the south line of said 61.8107 acre tract;

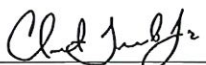
THENCE North 41°44'15" East, with the common lines between said 2.8922 acre tract and said 61.8107 acre tract, a distance of 5.89 feet to a point for the southwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE North 05°42'11" East, over and across said 61.8107 acres, a distance of 213.53 feet to a point for the northwest corner of the herein described tract;

THENCE North 52°01'07" East, a distance of 34.57 feet to a point for the northeast corner of the herein described tract;

THENCE South 05°42'11" West, over and across said 61.8107 acres, a distance of 203.04 feet to a point in said common line of said 2.8922 acres and said 61.8107 acres for the southeast corner of the herein described tract;

THENCE South 41°44'15" West, with said common line a distance of 42.50 feet to the **POINT OF BEGINNING**, containing 0.1195 acres (5,207 square feet) of land.


Clemente Turrubiarres Jr.
RPLS No. 6657
Job No. U21-00328
Issue Date: July 6, 2022



10210 Grogans Mill Road, Ste. 120
The Woodlands, TX 77380
(224) 828-1208