

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

ELECTRIC UTILITY EASEMENT

DATE:

GRANTOR: City of San Marcos, a home rule municipal corporation

GRANTOR'S ADDRESS: 630 East Hopkins Street, San Marcos, Hays County, TX 78666

GRANTEE: Bluebonnet Electric Cooperative, Inc.

GRANTEE'S ADDRESS: 650 Highway 21 E, Bastrop, Bastrop County, TX 78602

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration.

EASEMENT AREA: THREE AREAS DESCRIBED AS:

AREA NO. 1

BEING 0.760 ACRES OF LAND OUT OF THAT 38.04 ACRES OF LAND DESCRIBED AS TRACT NO. 2 AS CONVEYED IN GENERAL WARRANTY DEED RECORDED IN VOLUME 3657, PAGE 44 OFFICAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF.

AREA NO. 2

BEING 0.007 ACRES OF LAND OUT OF THAT 38.04 ACRES OF LAND DESCRIBED AS TRACT NO. 2 AS CONVEYED IN GENERAL WARRANTY DEED RECORDED IN VOLUME 3657, PAGE 44 OFFICAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "B," ATTACHED HERETO AND MADE A PART HEREOF.

AREA NO. 3

BEING 0.006 ACRES OF LAND OUT OF THAT 38.04 ACRES OF LAND DESCRIBED AS TRACT NO. 2 AS CONVEYED IN GENERAL WARRANTY DEED RECORDED IN VOLUME 3657, PAGE 44 OFFICAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "C," ATTACHED HERETO AND MADE A PART HEREOF.

Grantor, for the Consideration, grants, sells and conveys to Grantee, its successors and assigns, a non-exclusive easement, over, across, through and under the Easement Area for the purposes of installing, erecting, constructing, operating, repairing, replacing, upgrading, enlarging, relocating, inspecting and maintaining underground electric distribution lines or systems, telecommunication lines or systems, and associated above-ground appurtenances and equipment (the "Electric Facilities"), together with the right of ingress and egress over the Easement Area for such purposes. The foregoing grant and rights are collectively referred to herein as the "Easement").

TO HAVE AND TO HOLD the Easement and rights and interests herein granted to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend this Easement to Grantee and Grantee's successors and assigns against every person whomever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor, but not otherwise.

Any above-ground appurtenances and equipment shall be allowed only in Area No. 2 and Area No. 3. Grantee's right of ingress and egress may extend to Grantor's adjacent property as reasonably necessary for Grantee to carry out the foregoing activities, subject to Grantor's right to approve access routes and other terms of use of such adjacent property.

Grantee shall restore the surface of and plant new grass in any portions of the Easement Area and adjacent property damaged as a result of excavation or other activities of Grantee in connection with this Easement. Grantee, however, shall have the right to cut, trim, and control the growth of trees and other vegetation, which interferes with or threatens the operation and maintenance of the Electric Facilities.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:
City of San Marcos

By: _____
Jared Miller, City Manager

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on October ____, 2015 by Jared Miller, City Manager of the City of San Marcos, in such capacity, on behalf of said municipality.

Notary Public, State of Texas