

THE CITY OF AMARILLO, TEXAS
Final Distribution Memorandum

Planning Department, City of Amarillo, Texas
P.O. Box 1971, Amarillo, Texas 79105-1971

April 22, 2010

TO: Final Distribution List

FROM: Planning Department

SUBJECT: D-10-03 Dedication of a 10 ft. Sanitary Sewer Easement in Section 10, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: Hwy 66 [Amarillo Blvd. West])

GRANTOR: Southwestern Public Service

The City Commission approved the above item on April 6, 2010. The dedication instrument was filed of record in Official Public Records, Potter County in Volume 4207 Pages 1-5. Copies of the instrument and vicinity sketch are attached. Please post your records accordingly.



Kelley Shaw, Planning Director

SANITARY SEWER EASEMENT

01171401

VOL. 4207 PAGE 1

GRANTOR: Southwestern Public Service Company

GRANTOR'S MAILING ADDRESS: P.O. Box 840
Denver, Colorado 80201-0840

GRANTEE: City of Amarillo, Texas

GRANTEE'S MAILING ADDRESS: P.O. Box 1971
Amarillo, TX 79105-1971

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY: A 10 foot wide tract of land out of a 1.427 acre tract of land out of Section 10, Block 9, BS&F Survey Amarillo, Potter County, Texas as described in that certain Warranty Deed recorded in Volume 1145, Page 10 of the Deed Records of Potter County, Texas and more particularly described in Exhibits A and B attached hereto and by reference made a part of this Sanitary Sewer Easement.

GRANTOR for the consideration grants, sells, and conveys to GRANTEE, its successors and assigns, an exclusive Sanitary Sewer Easement for the purpose of constructing, maintaining, operating, repairing, removing, replacing and upgrading a sanitary sewer main (hereinafter called "Main") upon, over, under and across the Property, together with the right of ingress and egress over, along and across the PROPERTY and GRANTOR'S adjacent property for the same purposes.

This Easement is subject to all existing easements, rights-of-way, encumbrances and restrictions of record.

The Main constructed shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, rebuild, repair, improve, and make such changes, alterations, additions to or extensions of its Main within the boundaries of the PROPERTY as are consistent with the purpose expressed herein. All construction, maintenance, equipment and facilities shall comply with all applicable laws, ordinances, codes and regulations.

GRANTOR, its successors and assigns, may use said PROPERTY for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with the safe and efficient construction, operation or maintenance of Main, and further provided that such use is not inconsistent with any laws, ordinances or codes pertaining to the construction, operation or maintenance of the Main and to which the GRANTOR is subject.

TO HAVE AND TO HOLD the above-described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto GRANTOR and GRANTOR'S successors and assigns, forever. GRANTOR does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Executed this 18 day of January ²⁰¹⁰ 2009.

(GRANTOR)
SOUTHWESTERN PUBLIC SERVICE
COMPANY.

By: Riley Hill

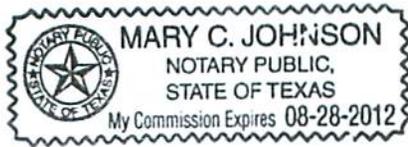
Printed Name: Riley Hill

Title: President and CEO, SPS

ACKNOWLEDGMENT

THE STATE OF Texas)
)
COUNTY OF Potter)

Riley Hill, President and CEO of Southwestern Public Service Company.
acknowledged this instrument before me on the 18 day of January ²⁰¹⁰ ~~2009~~ as the act of
Southwestern Public Service Company.

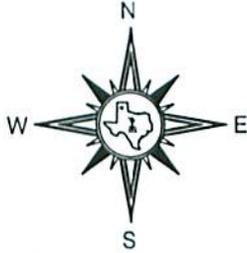


Mary C Johnson
Notary Public, State of Texas

Return to:
DONNA DeRIGHT
City Secretary, City of Amarillo
P.O. Box 1971
Amarillo, Texas 79105-1971

EXHIBIT "A"

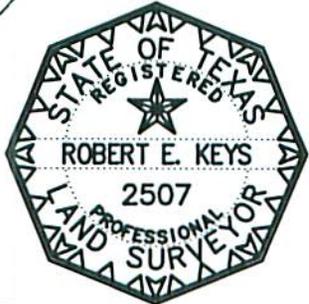
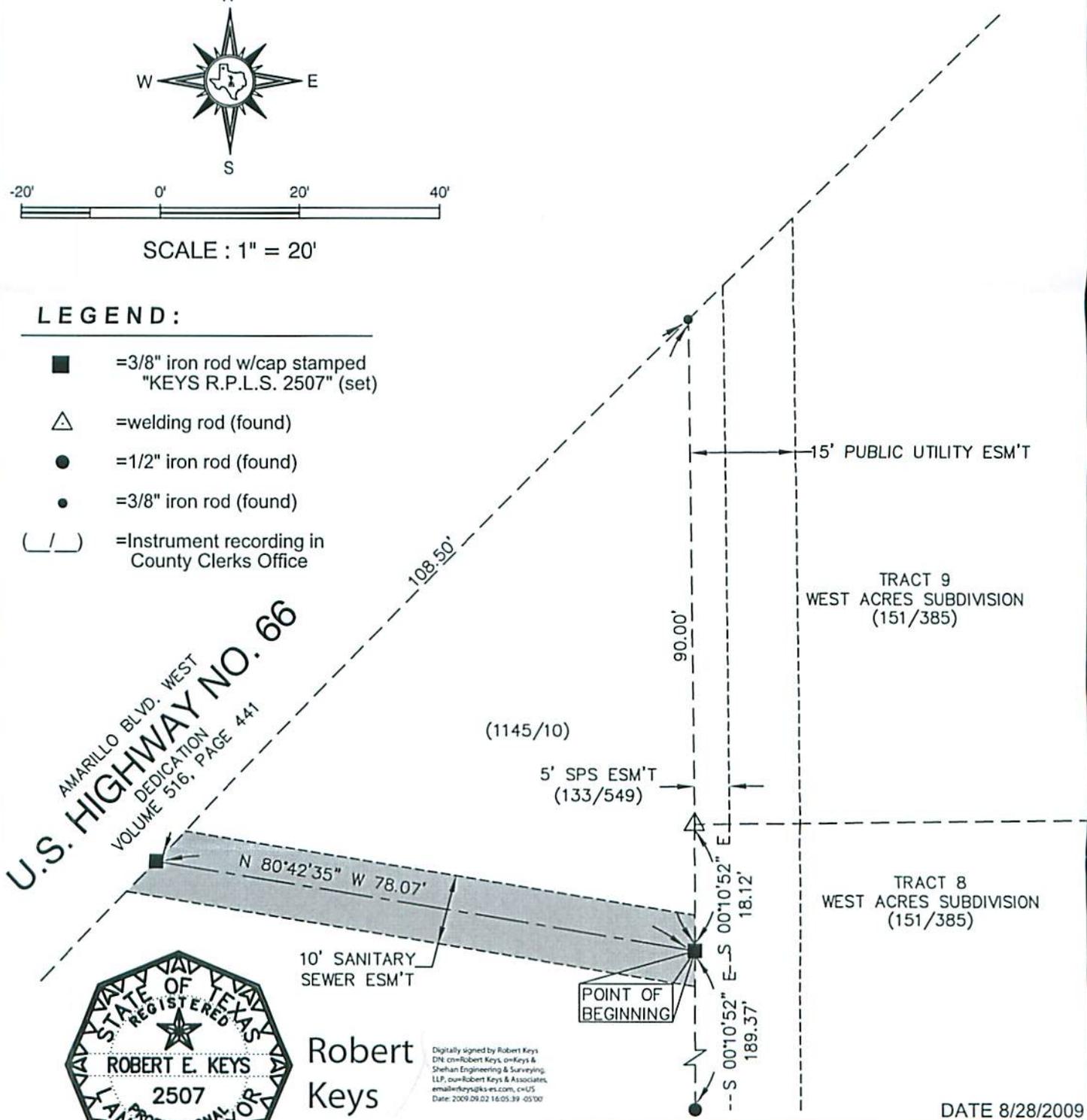
10 FT. SANITARY SEWER ESM'T



SCALE : 1" = 20'

LEGEND :

- = 3/8" iron rod w/cap stamped "KEYS R.P.L.S. 2507" (set)
- △ = welding rod (found)
- = 1/2" iron rod (found)
- = 3/8" iron rod (found)
- (/) = Instrument recording in County Clerks Office



Robert Keys

Digitally signed by Robert Keys
DN: cn=Robert Keys, o=Keys & Shehan Engineering & Surveying, LLP, ou=Robert Keys & Associates, email=rkeys@ks-es.com, c=US
Date: 2009.08.02 16:05:39 -0500

DATE 8/28/2009

NOTE:

BEARING BASIS IS PER G.P.S. OBSERVATION.

KEYS & SHEHAN
Engineering & Surveying, LLP

4423 S.W. 45th Avenue
Amarillo, Texas 79109
Office (806) 352-1782
Fax (806) 352-1942

3324 S. Loop 289, Ste. 240 D
Lubbock, Texas 78423
Office (806) 368-2424
Fax (806) 796-1647

Email: info@KS-es.com
Web: www.KS-es.com

EXHIBIT "B"

10 FOOT SANITARY SEWER EASEMENT

DESCRIPTION

A 10 foot wide tract of land out of a 1.427 acre tract of land as described in that certain Warranty Deed recorded in Volume 1145, Page 10 of the Deed Records of Potter County, Texas, being a portion of Section 10, Block 9, B. S. & F. Survey, Amarillo, Potter County, Texas and the centerline of said 10 foot wide tract being described by metes and bounds as follows:

Commencing at a welding rod, found at the northwest corner of Tract 8, West Acres Subdivision, an addition to the City of Amarillo, Potter County, Texas, according to the recorded map or plat thereof, of record in Volume 151, Page 385 of the Deed Records of Potter County, Texas;

Thence S. 00° 10' 52" E., (bearing basis is per G.P.S. observation) along the west line of said Tract 8, 18.12 feet to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", set at the **POINT OF BEGINNING** of said centerline, from whence a 1/2 inch iron rod, found at the southwest corner of said Tract 8 bears S. 00° 10' 52" E., 189.37 feet;

Thence N. 80° 42' 35" W., 78.07 feet to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", set in the southeasterly right-of-way line of U.S. Highway No. 66, as described in that Certain Instrument recorded in Volume 516, Page 441 of the Deed Records of Potter County, Texas and the **END POINT** of said centerline;

See Plat: Job No. 908023 Exhibit A

Robert Keys & Associates

Surveying / Mapping / Planning
4423 S. W. 45th Avenue, Amarillo, Texas 79109
Voice: (806) 352-1782 Fax: (806) 352-1942
EMAIL: info@keyssurveying.com
Web Site: www.keyssurveying.com
Prepared: August 31st, 2009

Robert Keys

Digitally signed by Robert Keys
DN: cn=Robert Keys, o=Keys &
Shehan Engineering & Surveying,
LLP, ou=Robert Keys & Associates,
email=rkeys@ks-es.com, c=US
Date: 2009.09.02 16:39:41 -0500

Registered Professional Land Surveyor

Filed AND Recorded
OFFICIAL PUBLIC RECORDS
On: Apr 12, 2010 at 08:30A

Receipt# - 142324

Document Number 01171401:

Amount 28.00

Julie Smith
County Clerk, Potter County

by _____ Deputy

STATE OF TEXAS COUNTY OF POTTER
I hereby certify that this instrument was
FILED on this date and at this time stamped
hereon by me and was duly RECORDED in the
OFFICIAL PUBLIC RECORDS OF POTTER COUNTY TEXAS,
in the volume and page as shown.



Julie Smith, County Clerk
Potter County

By Lynett Seaton Deputy

Any provision herein which restricts the sale,
rental or use of the described real property
because of color or race is invalid and
unenforceable under federal law.

COUNTY CLERK'S MEMO

Portions of this document may
not be legible and/or reproducible
when received for recording.

