

THE CITY OF AMARILLO, TEXAS
Final Distribution Memorandum

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

February 24, 2011

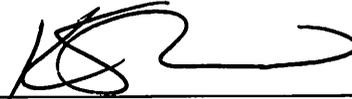
TO: Final Distribution List

FROM: Planning Department

SUBJECT: D-10-24 Dedication of a 0.14 acre Public Utility and Drainage Easement in Lot 4, Block 7, Amended West Amarillo Industrial Park Unit No. 5, in Section 224, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: NW 10th Ave & Prospect St.)

GRANTOR: Charles H. Miller

The City Commission approved the above item on January 25, 2011. The dedication instrument was filed of record in Official Public Records, Potter County Vol. 4292, Page 300-304. Copies of the instrument and vicinity sketch are attached. Please post your records accordingly.



Kelley Shaw, Planning Director

PUBLIC UTILITY AND DRAINAGE EASEMENT

GRANTOR: Charles H. Miller

GRANTOR'S MAILING ADDRESS: 913 N. Fairmont St.
Amarillo, TX 79106-7167

GRANTEE: City of Amarillo, Texas

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

01189290

CONSIDERATION: One Dollar (\$1.00) and other good and valuable consideration including but not limited to the value enhancement to GRANTOR'S adjacent property.

PROPERTY: A 0.138 acre tract of land out of Lot 4, Block 7 of the Amended West Amarillo Industrial Park Unit No. 5, an Addition to the City of Amarillo, Potter County, Texas as more particularly described in Exhibits A and B attached hereto and by this reference made a part of this document.

GRANTOR for the consideration grants, sells, and conveys to GRANTEE, its successors and assigns, a Public Utility and Drainage Easement in the PROPERTY for the purpose of constructing, maintaining, operating, repairing, inspecting, removing, replacing, rebuilding and upgrading public utilities and a drainage channel upon, over, under and across the PROPERTY, together with the right of ingress and egress over, along and across the PROPERTY and any adjacent property owned by GRANTOR.

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

The utilities and drainage channel constructed under this Easement will remain the property of GRANTEE.

GRANTOR, its successors and assigns, may use the 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 the utilities and the drainage

channel, and further provided that such use is not inconsistent with any laws, ordinances or codes pertaining to the construction, operation or maintenance of the utilities and the drainage channel and to which the GRANTOR is subject.

TO HAVE AND TO HOLD the above-described PROPERTY, together with all of the rights and appurtenances thereto belonging unto GRANTOR and GRANTOR'S successors and assigns forever. GRANTOR binds 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 14 day of Oct. 2010.

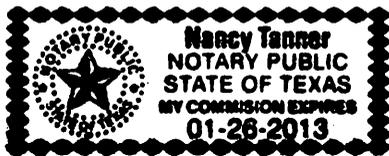
Charles H. Miller

Charles H. Miller

ACKNOWLEDGMENT

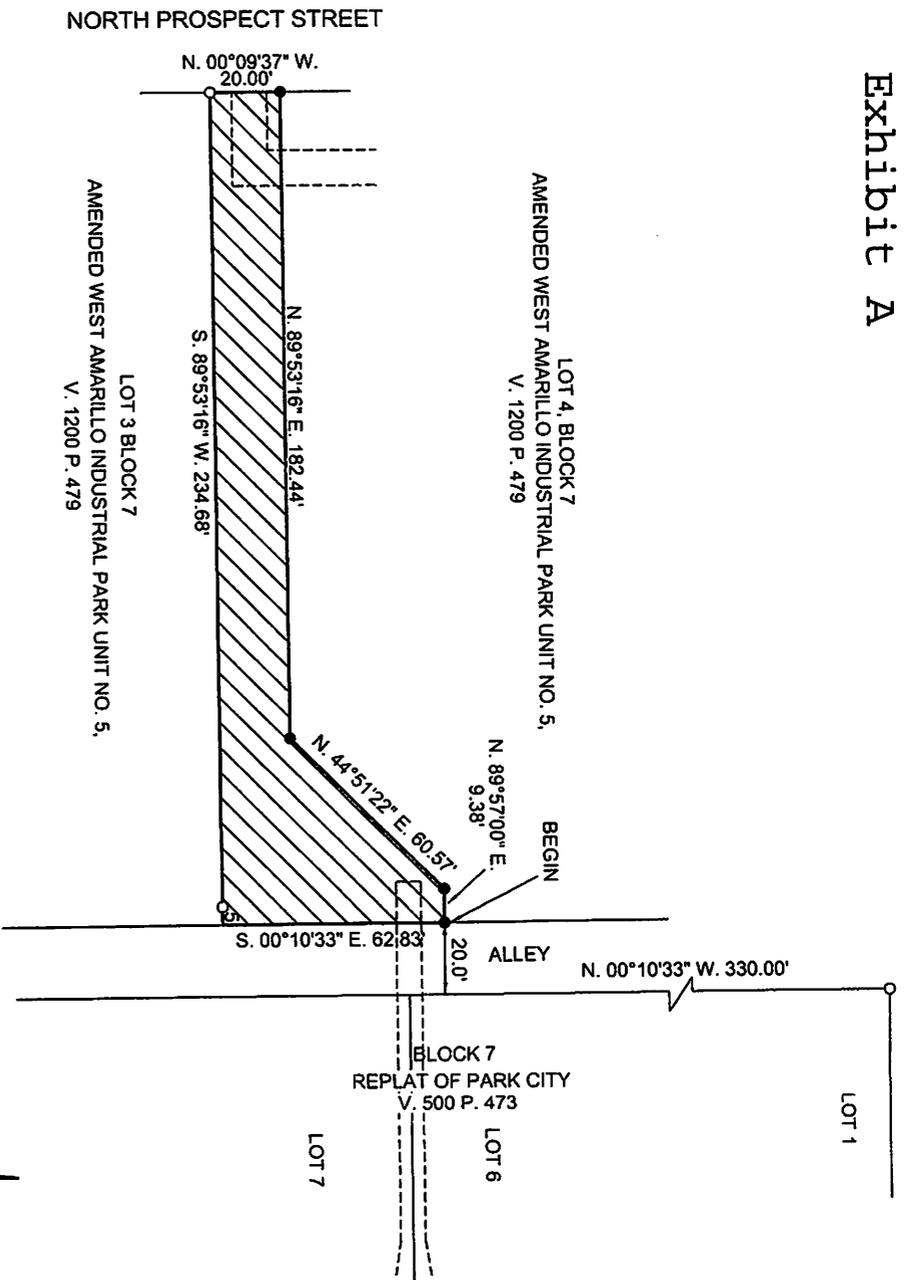
THE STATE OF TEXAS)
)
COUNTY OF Potter)

Charles H. Miller acknowledged this instrument before me on the 14 day of OCTOBER, 2010.



Nancy Tanner
Notary Public, State of Texas

Exhibit A



COPYRIGHT 2001-2010
 BY THOMAS & ISRAEL CONSULTING ENGINEERS
 THIS SURVEY IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED. THE USE OF THIS SURVEY IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT AND PERMISSION OF THOMAS & ISRAEL CONSULTING ENGINEERS.

LEGEND
 ● 1/2" REBAR (SET)
 ○ 1/2" REBAR (FOUND)



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED IN THE CERTIFICATE HEREON, AND CORRECTED ERRORS NOT SETFORTH IN ANY CORRECTED PERSON, PERSONS OR ENTITY WITHOUT AN EXPRESS WRITTEN ACTION BY THE SURVEYOR. PERSONS OR ENTITY

DESCRIPTION:

A 0.138 ACRE TRACT OF LAND BEING A PORTION OF LOT 4, BLOCK 7, AMENDED WEST AMARILLO INDUSTRIAL PARK UNIT NO. 5; AN ADDITION TO THE CITY OF AMARILLO FILED OF RECORD IN VOLUME 1200, PAGE 479 OF THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR WITH CAP STAMPED "HH" SET IN THE WEST LINE OF AN EXISTING ALLEY DEDICATED TO THE CITY OF AMARILLO IN VOLUME 2778, PAGE 438 OF THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS, MARKING THE NORTHEAST CORNER OF THIS TRACT AND FROM WHICH A 1/2 INCH REBAR FOUND AT THE NORTHWEST CORNER OF LOT 1, BLOCK 7, REPLAT OF PARK CITY ADDITION, RECORDED IN VOLUME 500, PAGE 473 OF THE DEED RECORDS OF POTTER COUNTY, TEXAS, BEARS S 89°57' 00" E, 20.00 FEET AND N 00°10'33" W (BASE BEARING), 330.00 FEET;

THENCE S 00°10'33" E, 62.83 FEET TO THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 89°53'16" W, ALONG THE SOUTH LINE OF SAID LOT 4, AT 5.00 FEET PASS A 1/2 INCH REBAR WITH CAP STAMPED "GRESHAM" FOUND A TOTAL DISTANCE OF 234.68 TO A 1/2 INCH REBAR WITH CAP STAMPED "GRESHAM" FOUND IN THE EAST RIGHT-OF-WAY LINE OF PROSPECT STREET MARKING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 00°09'37" W, 20.00 FEET TO A 1/2 INCH REBAR WITH CAP STAMPED "HH" SET AT THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 89°53'16" E, 182.44 FEET TO A 1/2 INCH REBAR WITH CAP STAMPED "HH" SET;

THENCE N 44°51'22" E, 60.57 FEET TO A 1/2 INCH REBAR WITH CAP STAMPED "HH" SET; THENCE S 89°57'00" E, 9.38 FEET TO THE PLACE OF BEGINNING.

CERTIFICATE:

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE ABOVE SURVEY IS TRUE AND CORRECT. IT WAS PREPARED FROM A SURVEY MADE ON THE GROUND BY ME OR BY OTHERS UNDER MY DIRECT SUPERVISION ON THE 29TH DAY OF JULY, 2010.

H.O. Hartfield
 H.O. HARTFIELD
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5377

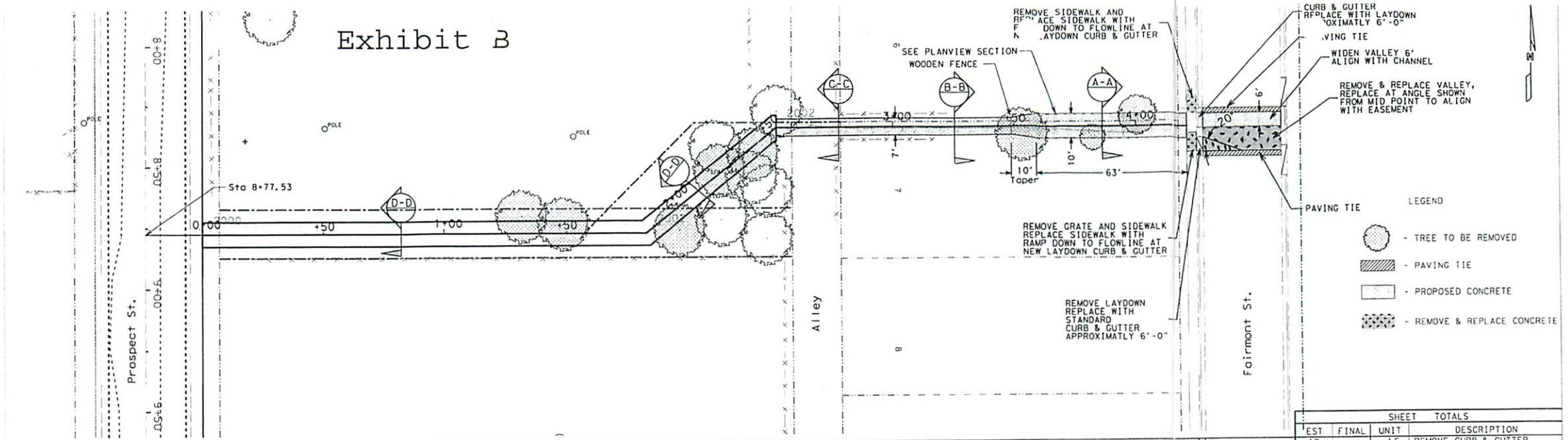


THOMAS-ISRAEL CONSULTING ENGINEERS
 TEXAS REGISTERED ENGINEERING FIRM F-2916

517 N. POLK STREET AMARILLO, TEXAS 79107 FAX (806) 358-4820 (806) 358-4829	
E-MAIL: tomisrael@tomisrael.com	
SCALE: 1"=40'	REVISED: 8/3/10
DATE: 8/2/10	DRAWN BY: MG
JOB NO.: 11577	

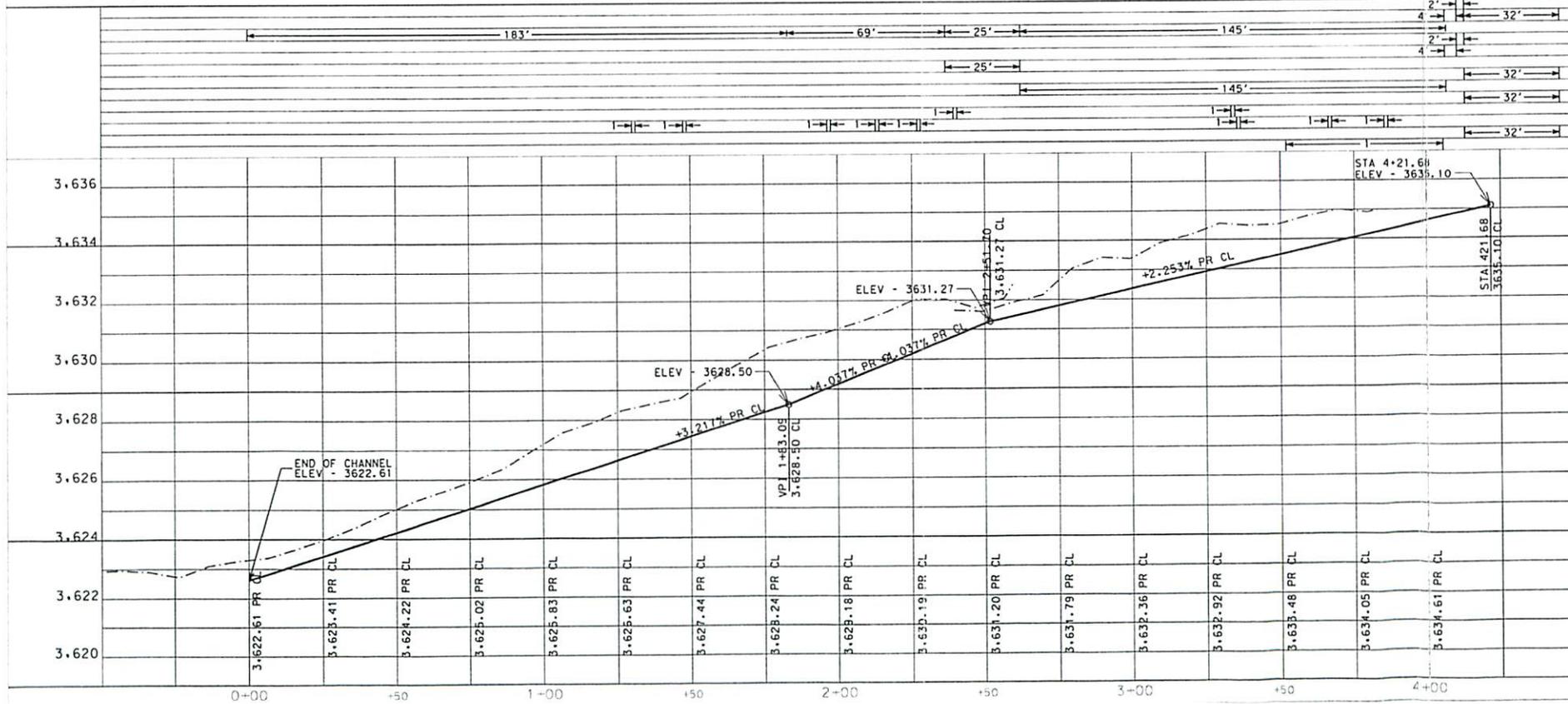
COUNTY CLERK'S MEMO
 Portions of this document not
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Exhibit B



LEGEND

- TREE TO BE REMOVED
- PAVING TIE
- PROPOSED CONCRETE
- REMOVE & REPLACE CONCRETE



SHEET TOTALS		UNIT	DESCRIPTION
EST	FINAL	12	LF REMOVE CURB & GUTTER
368		SF	REMOVE CONCRETE
195		CY	EXCAVATE & REGRADE CHANNEL
12		LF	CURB & GUTTER (6")
48		SF	4" CONCRETE FLATWORK
175		SF	6" CONCRETE FLATWORK
512		SF	8" CONCRETE FLATWORK
1238		SF	4" CONCRETE DRAINWAY
36		SY	HMAC REMOVAL
20		LF	REMOVE AND REPLACE FENCE
8		EA	TREE REMOVAL
14		SY	PLACE 1 1/2" HMAC TYPE D
		EA	IRRIGATION REL & REPAIR

PLAN AND PROFILE



5/27/10

PROSPECT DRAINAGE

DRAWN BY: FD
 DESIGNED BY: FD
 PATH: ... \11-5-09\sheet 4 hse.dgn
 HORZ. SCALE: VERT. SCALE: DATE: 5/27/2010
 JOB NO. ENG-9632 SHEET

Filed AND Recorded
OFFICIAL PUBLIC RECORDS
On: Jan 31, 2011 at 08:40A

Receipt# - 153350

Document Number 01189290:

Amount 28.00

Julie Smith
County Clerk, Potter County

by JCB 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 volume and page as shown.



Julie Smith, County Clerk
Potter County

By Kimberly 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

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when received for recording.

Return to
City of Amarillo
PO Box 1971
Amarillo, TX 79105