

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TARRANT §

**CITY OF SAGINAW
PERMANENT DRAINAGE EASEMENT**

DATE: April ___, 2022

GRANTOR: Beltmill Saginaw, LLC

GRANTOR'S MAILING ADDRESS: 3045 Lackland Road, Fort Worth, TX 76116

GRANTEE: City of Saginaw

GRANTEE'S MAILING ADDRESS: 333 West McLeroy Blvd., Saginaw, Tarrant County, Tx. 76179

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

PROPERTY: Being more particularly described as Tracts I and II in Exhibit "A"

Grantor, for the Consideration paid to Grantor and other good and valuable consideration, hereby grants, sells and conveys unto the said Grantee an exclusive perpetual easement for the purpose of installing, repairing, maintaining, altering, replacing, relocating, rebuilding, removing, and operating drainage facilities in, into, upon, over, across, under and through the Easement Property and more fully described in Exhibit "A" attached hereto and incorporated herein for all pertinent purposes, together with the right and privilege at any and all times to enter the Easement Property, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading, and repairing said Facility.

GRANTOR covenants and agrees that GRANTOR and GRANTOR's heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein any temporary or permanent structures, and it is further agreed that GRANTEE shall have the right to excavate and fill upon said permanent easement and to remove from said permanent easement, any fences, buildings, trees, shrubs, or other obstructions or growths as may now be found upon said permanent easement.

It is further intended that the Permanent Easement herein granted to the GRANTEE shall run with the land and forever be a right in and to the land belonging to GRANTOR, and GRANTOR'S successors and assigns. Except for existing easements, the Permanent Easement, granted therein is exclusive, and GRANTOR covenants that unless GRANTOR has the approval of GRANTEE, it will not convey any other easement or conflicting rights within the area covered by the grant to any other person.

TO HAVE AND TO HOLD the above-described permanent easement, with the right of ingress and egress thereto, together with all and singular, the rights and appurtenances thereto, anywise belonging

unto the said GRANTEE, its successors and assigns forever; and GRANTOR does hereby bind itself, its heirs and assigns, to warrant and to forever defend all and singular premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 2022.

GRANTOR: Beltmill Saginaw, LLC

By: _____
Don Allen, Secretary

GRANTEE: City of Saginaw

By: _____
Todd Flippo, Mayor

APPROVED AS TO FORM AND LEGALITY

Bryn Meredith, City Attorney

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority in and for said County, Texas, on this day personally appeared Don Allen, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was executed for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2022.

Notary Public in and for the State of Texas

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority in and for said County, Texas, on this day personally appeared Todd Flippo, Mayor of the City of Saginaw, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the City of Saginaw and that he executed the same as the act of the City of Saginaw for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2022.

Notary Public in and for the State of Texas

_____ **AFTER**

FILING, PLEASE RETURN TO:

EXHIBIT A

LEGAL DESCRIPTION

DRAINAGE EASEMENT TRACT 1

2.741 ACRES

Being all that certain lot, tract or parcel of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, City of Saginaw, Tarrant County, Texas, and being part of that certain called 398.635 acre tract of land described in Exhibit A in deed in favor of Beltmill Saginaw, LLC., recorded in Instrument Number D220330746 of the Official Public Records of Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at a car axle found at the northerly re-entrant corner in the east line of said 398.635 acre tract at the southwest corner of that certain called 10.00 acre tract of land described in deed in favor of Lino Ochoa and Maria Ochoa recorded in Instrument Number D206196889 of the Official Public Records of Tarrant County, Texas;

THENCE N 89°55'00" E, with the easterly line of said 398.635 acre tract and the south line of said 10.00 acre tract, passing at a called distance of 465.01 feet the southeast corner of said 10.00 acre tract and the southwest corner of that certain called 10.223 acre tract of land described in deed in favor of Michael Burch and wife, Karen Burch recorded in Instrument Number D206408188 of the Official Public Records of Tarrant County, Texas, continuing with the south line of said 10.223 acre tract a total distance of 712.44 feet to a 3/8" rebar found at the most southerly southeast corner of said 10.223 acre tract, being the northwest corner of Lot 7-R, Block A of the B. Thomas Addition, an addition to Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 5610 (Document Number D200017631) of the Plat Records of Tarrant County, Texas;

THENCE S 48°40'00" E, continuing with the easterly line of said 398.635 acre tract and the west line of said Lot 7-R, passing at a called distance of 233.86 feet the southwest corner of said Lot 7R and the northwest corner of Lot 6-R of said B. Thomas Addition, continuing with the west line of said Lot 6R a distance of 1257.47 feet to the southeast corner of said Lot 6R, being the southwest corner of Lot 5-R of said B. Thomas Addition, and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of William V. Sloan and June Perner Sloan, recorded in Volume 4338, Page 81 of the Deed Records of Tarrant County, Texas;

THENCE S 00°48'00" E, 537.46 feet continuing with the easterly line of said 398.635 acre tract and the west line of said 25 acre tract to a 3/4" steel rod found at the southwest corner of said 25 acre tract, being the southerly re-entrant corner in the easterly line of said 398.635 acre tract and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of CFI Farm Properties, LLC, recorded in Instrument Number D209083861 of the Real Property Records of Denton County, Texas;

THENCE N 89°50'10" E, continuing with the easterly line of said 398.635 acre tract, the south line of said 25 acre Sloan tract and the north line of said 25 acre CFI tract, passing at 1995.4 feet a 1" rebar found for witness on the west line of Wagley Robertson Road, A.K.A. County Road 4108, continuing a total

distance of 2027.83 feet to the southeast corner of said 25 acre Sloan tract, the northeast corner of said 25 acre CFI tract, and being the most easterly northeast corner of said 398.635 acre tract;

THENCE S 00°37'30" E, continuing with the east line of said 398.635 acre tract and the east line of said 25 acre CFI tract, in said Wagley Robertson Road, passing at a called distance of 535.0 feet the southeast corner of said 25 acre CFI tract, continuing a distance of 1055.85 feet to a magnetic nail found in asphalt paving at southeast corner of that certain called 241.626 acre tract of land described in deed in favor of D. R. Horton – Texas, Ltd., recorded in Instrument Number D220334094 of the Official Public Records of Denton County, Texas;

THENCE S 00°37'30" E, 1052.84 feet continuing with the east line of said 398.635 acre tract, in said Wagley Robertson Road to the **POINT OF BEGINNING**;

THENCE S 00°37'30" E, 144.00 feet continuing with the east line of said 398.635 acre tract, in said Wagley Robertson Road, to a 1/2" capped rebar set (MCADAMS) at the southeast corner of said 398.635 acre tract, being on the north line of East Bailey Boswell Road as evidenced by that certain called 3.318 acre tract of land described in right-of-way deed in favor of the City of Saginaw, Texas, recorded in Instrument Number D198013681 of the Official Public Records of Tarrant County, Texas;

THENCE S 33°04'55" W, 78.87 feet with the south line of said 398.635 acre tract, the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract;

THENCE S 46°14'50" W, 19.67 feet to the beginning of a curve to the left;

THENCE with the arc of said curve to the left having a radius of 210.00 feet, a central angle of 13°09'55" and an arc length of 48.25 feet whose chord bears S 39°39'52" W, 48.15 feet to a point of tangency;

THENCE S 33°04'55" W, 175.52 feet;

THENCE S 79°34'55" W, 20.65 feet;

THENCE N 53°55'00" W, 274.65 feet to the beginning of a curve to the right;

THENCE with the arc of said curve to the right having a radius of 650.00 feet, a central angle of 04°20'07" and an arc length of 49.18 feet whose chord bears N 51°44'57" W, 49.17 feet;

THENCE N 01°47'10" W, 13.55 feet;

THENCE N 45°34'10" E, 233.02 feet to the beginning of a curve to the left;

THENCE with the arc of said curve to the left having a radius of 275.00 feet, a central angle of 11°35'21" and an arc length of 55.62 feet whose chord bears N 39°46'29" E, 55.53 feet;

THENCE EAST, 261.61 feet to the **POINT OF BEGINNING** and containing approximately 2.741 acres of land.

Bearings based Texas Coordinate System, North Central Zone (4202), NAD '82.



EXHIBIT A
LEGAL DESCRIPTION
DRAINAGE EASEMENT TRACT 2

4.568 ACRES

Being all that certain lot, tract or parcel of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, City of Saginaw, Tarrant County, Texas, and being part of that certain called 398.635 acre tract of land described in Exhibit A in deed in favor of Beltmill Saginaw, LLC., recorded in Instrument Number D220330746 of the Official Public Records of Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at a car axle found at the northerly re-entrant corner in the east line of said 398.635 acre tract at the southwest corner of that certain called 10.00 acre tract of land described in deed in favor of Lino Ochoa and Maria Ochoa recorded in Instrument Number D206196889 of the Official Public Records of Tarrant County, Texas;

THENCE N 89°55'00" E, with the easterly line of said 398.635 acre tract and the south line of said 10.00 acre tract, passing at a called distance of 465.01 feet the southeast corner of said 10.00 acre tract and the southwest corner of that certain called 10.223 acre tract of land described in deed in favor of Michael Burch and wife, Karen Burch recorded in Instrument Number D206408188 of the Official Public Records of Tarrant County, Texas, continuing with the south line of said 10.223 acre tract a total distance of 712.44 feet to a 3/8" rebar found at the most southerly southeast corner of said 10.223 acre tract, being the northwest corner of Lot 7-R, Block A of the B. Thomas Addition, an addition to Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 5610 (Document Number D200017631) of the Plat Records of Tarrant County, Texas;

THENCE S 48°40'00" E, continuing with the easterly line of said 398.635 acre tract and the west line of said Lot 7-R, passing at a called distance of 233.86 feet the southwest corner of said Lot 7R and the northwest corner of Lot 6-R of said B. Thomas Addition, continuing with the west line of said Lot 6R a distance of 1257.47 feet to the southeast corner of said Lot 6R, being the southwest corner of Lot 5-R of said B. Thomas Addition, and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of William V. Sloan and June Perner Sloan, recorded in Volume 4338, Page 81 of the Deed Records of Tarrant County, Texas;

THENCE S 00°48'00" E, 537.46 feet continuing with the easterly line of said 398.635 acre tract and the west line of said 25 acre tract to a 3/4" steel rod found at the southwest corner of said 25 acre tract, being the southerly re-entrant corner in the easterly line of said 398.635 acre tract and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of CFI Farm Properties, LLC, recorded in Instrument Number D209083861 of the Real Property Records of Denton County, Texas;

THENCE N 89°50'10" E, continuing with the easterly line of said 398.635 acre tract, the south line of said 25 acre Sloan tract and the north line of said 25 acre CFI tract, passing at 1995.4 feet a 1" rebar found for witness on the west line of Wagley Robertson Road, A.K.A. County Road 4108, continuing a total

distance of 2027.83 feet to the southeast corner of said 25 acre Sloan tract, the northeast corner of said 25 acre CFI tract, and being the most easterly northeast corner of said 398.635 acre tract;

THENCE S 00°37'30" E, continuing with the east line of said 398.635 acre tract and the east line of said 25 acre CFI tract, in said Wagley Robertson Road, passing at a called distance of 535.0 feet the southeast corner of said 25 acre CFI tract, continuing a distance of 1055.85 feet to a magnetic nail found in asphalt paving at southeast corner of that certain called 241.626 acre tract of land described in deed in favor of D. R. Horton – Texas, Ltd., recorded in Instrument Number D220334094 of the Official Public Records of Denton County, Texas;

THENCE S 00°37'30" E, 1,197.00 feet continuing with the east line of said 398.635 acre tract, in said Wagley Robertson Road, to a 1/2" capped rebar set (MCADAMS) at the southeast corner of said 398.635 acre tract, being on the north line of East Bailey Boswell Road as evidenced by that certain called 3.318 acre tract of land described in right-of-way deed in favor of the City of Saginaw, Texas, recorded in Instrument Number D198013681 of the Official Public Records of Tarrant County, Texas;

THENCE S 33°04'55" W, 345.29 feet with the south line of said 398.635 acre tract, the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract to a 1/2" capped rebar set (McAdams) at the beginning of a curve to the right;

THENCE continuing with the south line of said 398.635 acre tract, the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract with the arc of said curve to the right having a radius of 795.00 feet, a central angle of 07°41'18" and an arc length of 106.68 feet whose chord bears S 36°55'34" W, 106.60 feet to the **POINT OF BEGINNING**;

THENCE continuing with the south line of said 398.635 acre tract, the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract continuing with the arc of said curve to the right having a radius of 795.00 feet, a central angle of 49°02'59" and an arc length of 680.58 feet whose chord bears S 65°17'42" W, 659.99 feet to a point of tangency;

THENCE S 89°49'10" W, 7.96 feet continuing with the south line of said 398.635 acre tract, the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract;

THENCE N 45°10'50" W, 14.14 feet;

THENCE N 00°10'50" W, 111.82 feet to the beginning of a curve to the left;

THENCE with the arc of said curve to the left having a radius of 180.00 feet, a central angle of 65°42'10" and an arc length of 206.41 feet whose chord bears N 33°01'55" W, 195.29 feet;

THENCE S 65°53'00" E, 154.11 feet;

THENCE N 09°22'55" E, 13.15 feet;

THENCE N 24°07'10" E, 359.40 feet to the beginning of a curve to the right;

THENCE with the arc of said curve to the right having a radius of 10.00 feet, a central angle of 94°28'22" and an arc length of 16.49 feet whose chord bears N 71°21'21" E, 14.68 feet to a point of reverse curvature;

THENCE with the arc of a curve to the left having a radius of 157.00 feet, a central angle of $73^{\circ}58'58''$ and an arc length of 202.73 feet whose chord bears $N 81^{\circ}36'04'' E$, 188.93 feet;

THENCE with the arc of a curve to the left having a radius of 750.00 feet, a central angle of $04^{\circ}21'20''$ and an arc length of 57.01 feet whose chord bears $S 51^{\circ}44'20'' E$, 57.00 feet;

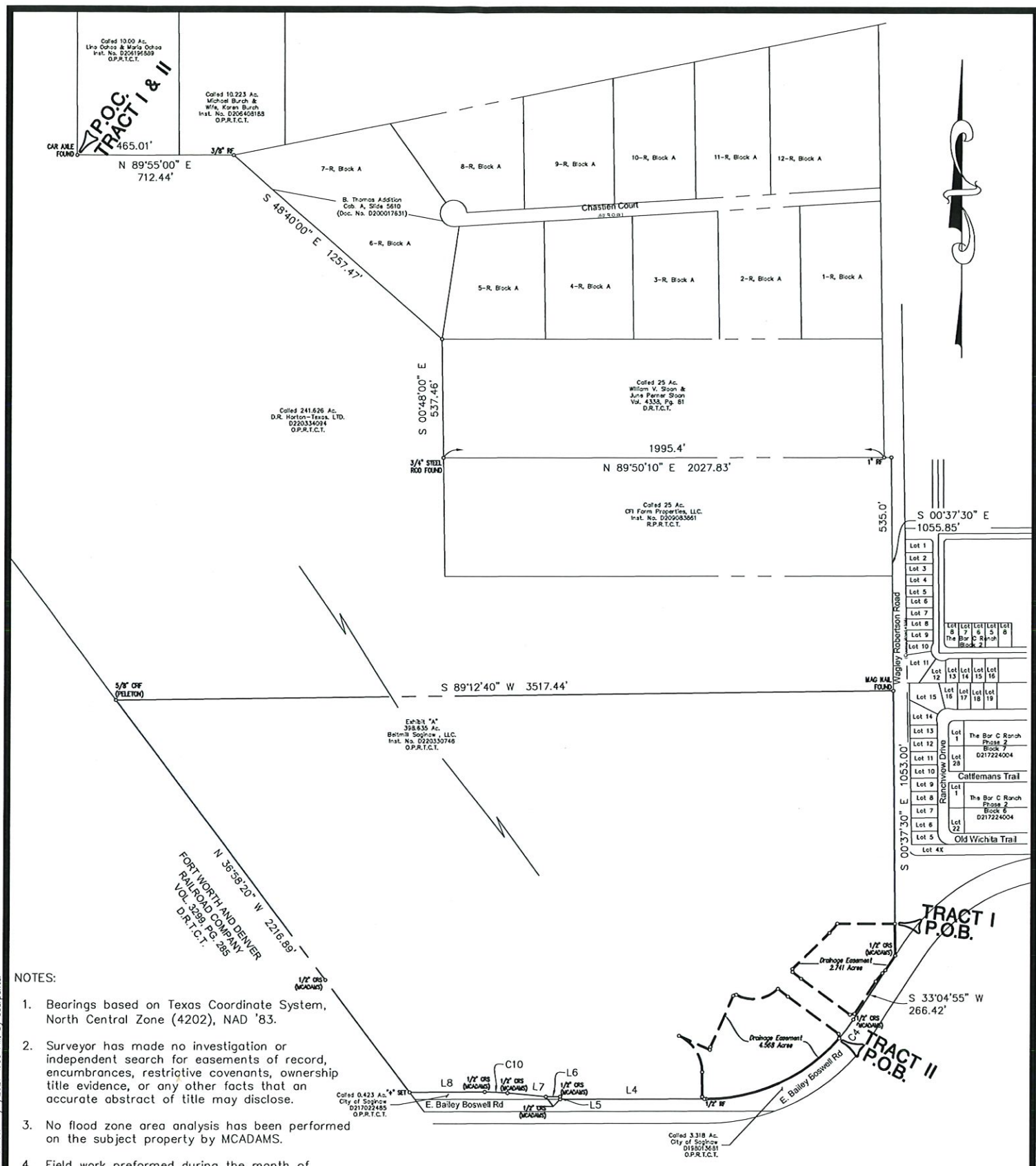
THENCE $S 53^{\circ}55'00'' E$, 284.62 feet

THENCE $S 06^{\circ}50'35'' E$, 20.43 feet to the **POINT OF BEGINNING** and containing approximately 4.568 acres of land.

Bearings based Texas Coordinate System, North Central Zone (4202), NAD '82.



File: Z:\Projects\LLH-19000 Drawings\Survey\EASEMENTS\LLH-19000 DE
Plotted: 7/17/2021 4:31 PM by Carpenter, Cole. Saved: 7/17/2021 4:06 PM by carpenter



- NOTES:
1. Bearings based on Texas Coordinate System, North Central Zone (4202), NAD '83.
 2. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
 3. No flood zone area analysis has been performed on the subject property by MCADAMS.
 4. Field work performed during the month of December 2020.

**DRAINAGE
EASEMENT EXHIBIT**
TRACT I - 2.741 Acres
TRACT II - 4.568 Acres
in the
B. THOMAS SURVEY, ABSTRACT NO. 1497
CITY OF SAGINAW
TARRANT COUNTY, TEXAS



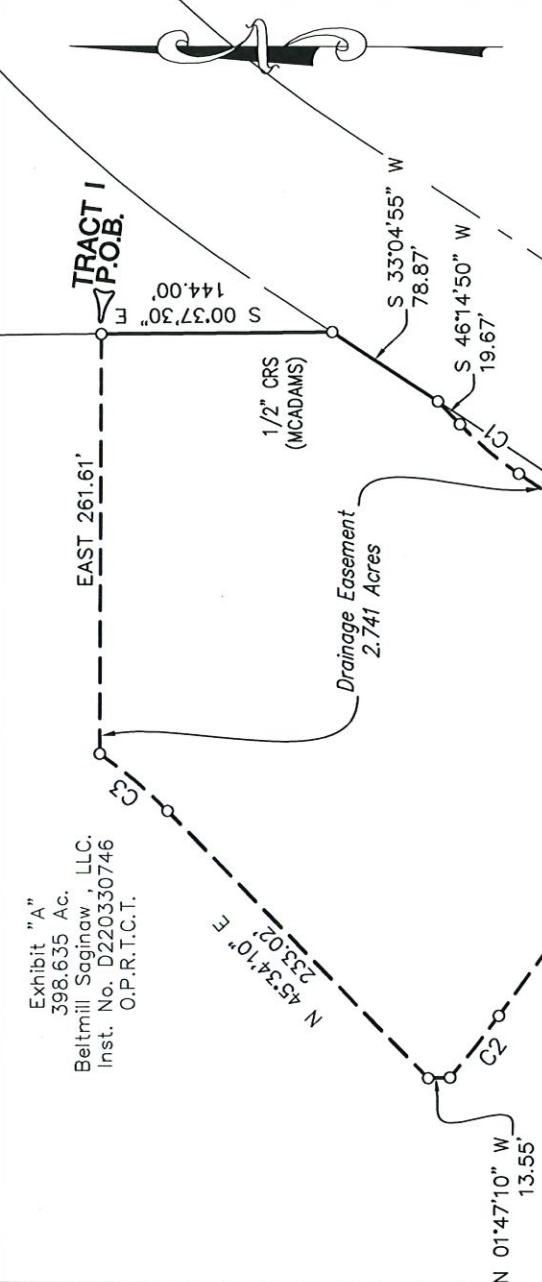
The John R. McAdams
Company, Inc.
111 Hillside Drive
Lewisville, Texas 75057
972-438-9712
201 Country View Drive
Roanoke, Texas 76262
940-240-1012
TBE: 19762 TBEPLS: 10194449
www.mcadamsco.com

1/2

DRAWN BY: SP DATE: 06/17/2021 SCALE: 1" = 600' JOB. NO. LLH-19000

CURVE TABLE			
CURVE	RADIUS	DELTA ANGLE	LONG CHORD
C1	210.00'	13°09'55"	48.25'
C2	650.00'	4°20'07"	49.18'
C3	275.00'	11°35'21"	55.62'
C4	795.00'	7°41'18"	106.68'
C5	795.00'	49°02'59"	680.58'
C6	180.00'	65°42'10"	206.41'
C7	10.00'	94°28'22"	16.49'
C8	157.00'	73°58'58"	202.73'
C9	750.00'	4°21'20"	57.01'
C10	1038.00'	5°43'25"	103.69'

Exhibit "A"
398.635 Ac.
Beltmill Saginaw, LLC.
Inst. No. D220330746
O.P.R.T.C.T.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 89°49'10" W	7.96'
L2	N 45°10'50" W	14.14'
L3	S 06°50'35" E	20.43'
L4	S 89°49'10" W	652.47'
L5	N 00°10'50" W	12.00'
L6	S 89°49'10" W	65.00'
L7	N 84°42'10" W	175.17'
L8	S 89°34'25" W	341.35'

DRAINAGE EASEMENT EXHIBIT TRACT I - 2.741 Acres TRACT II - 4.568 Acres in the B. THOMAS SURVEY, ABSTRACT NO. 1497 CITY OF SAGINAW TARRANT COUNTY, TEXAS

McADAMS

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