

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

**CITY OF SAGINAW**  
**WATER-SEWER FACILITY EASEMENT**

DATE: **January 6, 2021**

GRANTOR: **Ardent Mills, LLC**

GRANTOR'S MAILING ADDRESS (including County):  
**401 E Industrial Ave**  
**Saginaw, Tarrant County, TX 76131**

GRANTEE: **CITY OF SAGINAW**

GRANTEE'S MAILING ADDRESS (including County):  
**333 W. 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 in Exhibit "A"**

Grantor, for the Consideration paid to Grantor and other good and valuable consideration, hereby grants, sells, and conveys to Grantee, its successors and assigns, an exclusive, perpetual easement for the construction, operation, maintenance, replacement, upgrade, and repair of a Permanent Water-Sewer Facility, hereafter referred to as "Facility". The Facility includes all incidental underground and aboveground attachments, equipment and appurtenances, including, but not limited to manholes, manhole vents, lateral line connections, valves, pipelines, water meters, junction boxes in, upon, under and across a portion of 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 Easement Property, or any part thereof, for the purpose of constructing, operating, maintaining, replacing, upgrading, and repairing said Facility.

In no event shall Grantor (I) use the Easement Property in any manner which interferes in any material way or is inconsistent with the rights granted hereunder, or (II) erect or permit to be erected within the Easement Property a permanent structure or building, including, but not limited to, monument sign, pole sign, billboard, brick or masonry fences or walls or other

structures that require a building permit. However, Grantor shall be permitted to install and maintain a concrete, asphalt or gravel driveway, road or parking lot across the Easement Property. Grantee shall be obligated to restore the surface of the Easement Property at Grantee's sole cost and expense, including the restoration of any sidewalks, driveways, or similar surface improvements located upon or adjacent to the Easement Property which may have been removed, relocated, altered, damaged, or destroyed as a result of the Grantee's use of the Easement Property granted hereunder. Provided, however, that Grantee shall not be obligated to restore or replace irrigation systems or other improvements installed in violation of the provisions and intended use of this Easement Property.

TO HAVE AND TO HOLD the above-described Easement Property, together with all and singular the rights and appurtenances thereto in anyway belonging unto Grantee, and Grantee's successors and assigns forever; and Grantor does hereby bind itself and its successor and assigns to warrant and forever defend all and singular the easement unto Grantee, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

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

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

GRANTOR:

Ardent Mills, LLC

GRANTEE: City of Saginaw

By (Signature):

(Print Name) Jonathan D Cozad, Title: **Regional Plant Manager**

APPROVED AS TO FORM AND LEGALITY

(Signature) \_\_\_\_\_

(Print Name) \_\_\_\_\_, Title \_\_\_\_\_

THE STATE OF TEXAS §  
§  
COUNTY OF TARRANT §

#### ACKNOWLEDGMENT

**BEFORE ME**, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Jonathan D Cozad**, known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of **Ardent Mills, LLC** and that he/she executed the same as the act of said **Ardent Mills, LLC** the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6<sup>th</sup> day of  
January, 2021.



Stacy Scott Alford 01/06/2021  
Notary Public in and for the State of Texas

**ACKNOWLEDGEMENT**

**STATE OF TEXAS                    §**

**COUNTY OF TARRANT           §**

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas,  
on    this    day    personally    appeared \_\_\_\_\_,  
\_\_\_\_\_ of the City of Saginaw, known to me to be the same 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/she 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  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**LEGAL DESCRIPTION**  
**20-FOOT WIDE WATER LINE EASEMENT**

**BEING** a 3,591 square foot (0.0824 acre) tract of land situated in the Alexander Albright Survey, Abstract No. 1849, City of Saginaw, Tarrant County, Texas; said tract being part of Lot 1, Block 1, Cargill-Saginaw Subdivision, an addition to the City of Saginaw according to the plat recorded in Instrument No. D212085988 of the Official Public Records of Tarrant County, Texas; said tract also being part of that tract of land described in Special Warranty Deed to Cargill A.M. Holdco LLC recorded in Instrument No. D214105937 of said Official Public Records; said tract being more particularly described as follows:

**COMMENCING**, at a 1/2-inch iron rod found for the most easterly northeast corner of said Lot 1; from said point a 1/2" iron rod with "HARP 2002" cap found in the south line of said Lot 1 and the north right-of-way line of E Industrial Road (a variable width right-of-way) bears South 00°32'05" East, a distance of 368.33 feet and South 89°36'06" West, a distance of 1,415.01 feet;

**THENCE**, North 37°00'12" West, along the northeast line of said Lot 1, a distance of 419.07 feet to the **POINT OF BEGINNING**;

**THENCE** South 53°18'50" West, departing the said northeast line of Lot 1, a distance of 21.23 feet to a point for corner;

**THENCE** North 36°29'07" West, a distance of 156.44 feet to a point for corner;

**THENCE** North 81°59'28" West, a distance of 20.00 feet to a point for corner;

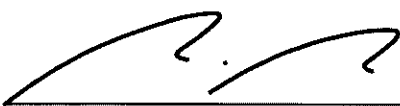
**THENCE** North 53°01'45" East, a distance of 33.95 feet to a point for corner in the northeast line of said Lot 1;

**THENCE** South 37°00'12" East, along the said northeast line of Lot 1, a distance of 170.68 feet to the **POINT OF BEGINNING** and containing 3,591 square feet or 0.0824 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

  
MICHAEL C. BILLINGSLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6558  
801 CHERRY STREET,  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
michael.billingsley@kimley-horn.com



20-FOOT WIDE  
WATER LINE EASEMENT  
ALEXANDER ALBRIGHT SURVEY,  
ABSTRACT NO. 1849  
CITY OF SAGINAW  
TARRANT COUNTY, TEXAS

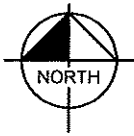
**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102

FIRM # 10194040

Tel. No. (817) 335-6511  
www.kimley-horn.com

| Scale | Drawn by | Checked by | Date      | Project No. | Sheet No. |
|-------|----------|------------|-----------|-------------|-----------|
| N/A   | CDP      | MCB        | DEC, 2020 | 061003131   | 1 OF 2    |



TEMPORARY  
CONSTRUCTION EASEMENT  
(INST. NO. D220244288)  
WATER LINE EASEMENT  
(INST. NO. D220244288)

**WATER LINE  
EASEMENT  
0.0824 ACRES  
3,591 SQ. FT.**

| LINE TABLE |             |         |
|------------|-------------|---------|
| NO.        | BEARING     | LENGTH  |
| L1         | N37°00'12"W | 419.07' |
| L2         | S53°18'50"W | 21.23'  |
| L3         | N36°29'07"W | 156.44' |
| L4         | N81°59'28"W | 20.00'  |
| L5         | N53°01'45"E | 33.95'  |
| L6         | S37°00'12"E | 170.68' |

#### LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRF = IRON ROD FOUND  
IPF = IRON PIPE FOUND  
C.M. = CONTROLLING MONUMENT  
**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A metes & bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the plat of survey accurately sets out the metes and bounds of the easement tract.

MICHAEL C. BILLINGSLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6558  
801 CHERRY STREET,  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
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20-FOOT WIDE  
WATER LINE EASEMENT  
ALEXANDER ALBRIGHT SURVEY,  
ABSTRACT NO. 1849  
CITY OF SAGINAW  
TARRANT COUNTY, TEXAS

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| Scale     | Drawn by | Checked by | Date      | Project No. | Sheet No. |
|-----------|----------|------------|-----------|-------------|-----------|
| 1" = 100' | CDP      | MCB        | DEC, 2020 | 061003131   | 2 OF 2    |