

**ELECTRIC UTILITY EASEMENT  
AND  
COVENANT OF ACCESS**

**State of Texas**

**County of Hidalgo.**

**KNOWN BY ALL MEN THESE PRESENTS:**

That the undersigned, hereinafter called "Grantor" (whether one or more) for good and valuable consideration including the approval and execution of an Electric Service Agreement by MAGIC VALLEY ELECTRIC COOPERATIVE, INC. (hereinafter called the "Cooperative"), does hereby covenant access to and grant and convey unto the Cooperative an easement and right-of-way upon and across the following described property of Grantor:

SEE EXHIBIT "A"

THE SKETCH ATTACHED HERETO IS INCORPORATED BY REFERENCE AS A PART OF THIS EASEMENT.

The right-of-way, easement, rights and privileges herein granted shall be used for the purpose of providing electric utility service (overhead or underground) including placing, constructing, operating, repairing, inspecting, rebuilding, replacing, removing, relocating electric lines, transmission or distribution facilities or equipment, as well as reading any meter or performing any act related to the provision of utility service. The Cooperative is specifically granted pedestrian and vehicular ingress and egress.

The easement rights herein described shall be no broader than reasonably necessary to provide electric utility and other service. The width of the easement shall be 10 feet, one-half (1/2) of such distance on either side of the Cooperative's lines, poles, or other facilities. The height of the easement shall be from fifteen (15) feet beneath the surface of the ground to a height of seventy (70) feet above ground.

The easement, right, and privilege herein granted shall be perpetual, appurtenant to the land, and shall inure to the benefit of the Cooperative's successors and assigns. Grantor represents that he is the owner of the above-described tract of land and binds himself, his heirs, assigns, and legal representatives to warrant and forever defend the easement and rights described herein to the Cooperative, its successors and assigns.

The Cooperative shall have the right to use so much of the surface of the hereinbefore described property of Grantor as may be reasonably necessary to construct and install within the right-of-way granted hereby the facilities that may at any time be necessary for the purposes herein specified.

The Cooperative shall have the right to clear the right-of-way of all obstructions, to cut and trim trees within the right-of-way or chemically treat trees or shrubbery with herbicides.

Grantor further covenants that Grantor, his heirs, successors and assigns shall facilitate and assist Cooperative personnel in exercising their rights and privileges herein described at all reasonable times and shall not build, construct or cause to be erected any building or other structure that may interfere with the provision of electric service or the exercise of rights granted to the Cooperative herein.

**HOWEVER**, it is expressly understood and agreed that should said easement be ceased to be used for providing electrical transmission services, the estate hereby conveyed shall revert to and revest in the Grantors and their successors and assigns, and it shall be lawful for them to re-enter and obtain sole possession of the premises hereby conveyed.

WITNESS My hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

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**Ramon Garcia**  
**Hidalgo County Judge**

STATE OF TEXAS

COUNTY OF HIDALGO

Before me, the undersigned authority, on this day personally, appeared Ramon Garcia, Known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

\_\_\_\_\_  
( Type or Print Name)

My Commission Expires: \_\_\_\_\_

**Attested:**

\_\_\_\_\_  
**Arturo Guajardo Jr.**  
**Hidalgo County Clerk**

STATE OF TEXAS  
COUNTY OF HIDALGO

**PROPOSED 15-FOOT WIDE  
MAGIC VALLEY ELECTRIC COOP.  
EXCLUSIVE EASEMENT**

**BEING A 0.013 ACRE (583 S.F.) TRACT OF LAND OUT OF THAT CERTAIN 12.48 ACRE TRACT OF LAND, RECORDED IN DOCUMENT No. 182516, OF THE OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, OUT OF FARM TRACT 1073, OF THE WEST & ADAMS TRACT SUBDIVISION AS RECORDED IN VOLUME 2, PAGES 34-37, OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 0.013 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 5/8 inch iron rod set with cap stamped "DLS BNDRY MKR" (hereinafter referred to as "with cap") at the intersection of the north right of way line of Mile 11 North and the west line of the proposed 15-foot Magic Valley Electric Coop. (here after referred to as "MVEC") easement, for the southwest corner of this tract, from which the common corner of Farm Tracts 69, 278, 1064 and 1073, bears South 88°47'09" West, a distance of 161.69 feet and South 01°12'51" East, a distance of 25.00 feet to a found Cotton Picker Spindle;

**THENCE**, North 01°13'10" West, along the west line of said 15-foot MVEC easement, a distance of 276.31 feet to a 5/8 inch iron rod set with cap, for the northwest corner of this tract;

**THENCE**, North 88°46'50" East, along the north line said 15-foot MVEC easement line, a distance of 15.00 feet to a 5/8 inch iron rod set with cap, for the northeast corner of this tract;

**THENCE**, South 01°13'10" East, along the east line of said 15-foot MVEC easement line, a distance of 276.31 feet to a 5/8 inch iron rod set with cap on the north right of way line of said Mile 11 North, for the southeast corner of this tract;

**THENCE**, South 88°47'09" West, along the north right of way line of said Mile 11 North, a distance of 15.00 feet to the **POINT OF BEGINNING** of the herein described tract of land, said tract contains 0.013 acres (583 S.F.), more or less, within these metes and bounds.

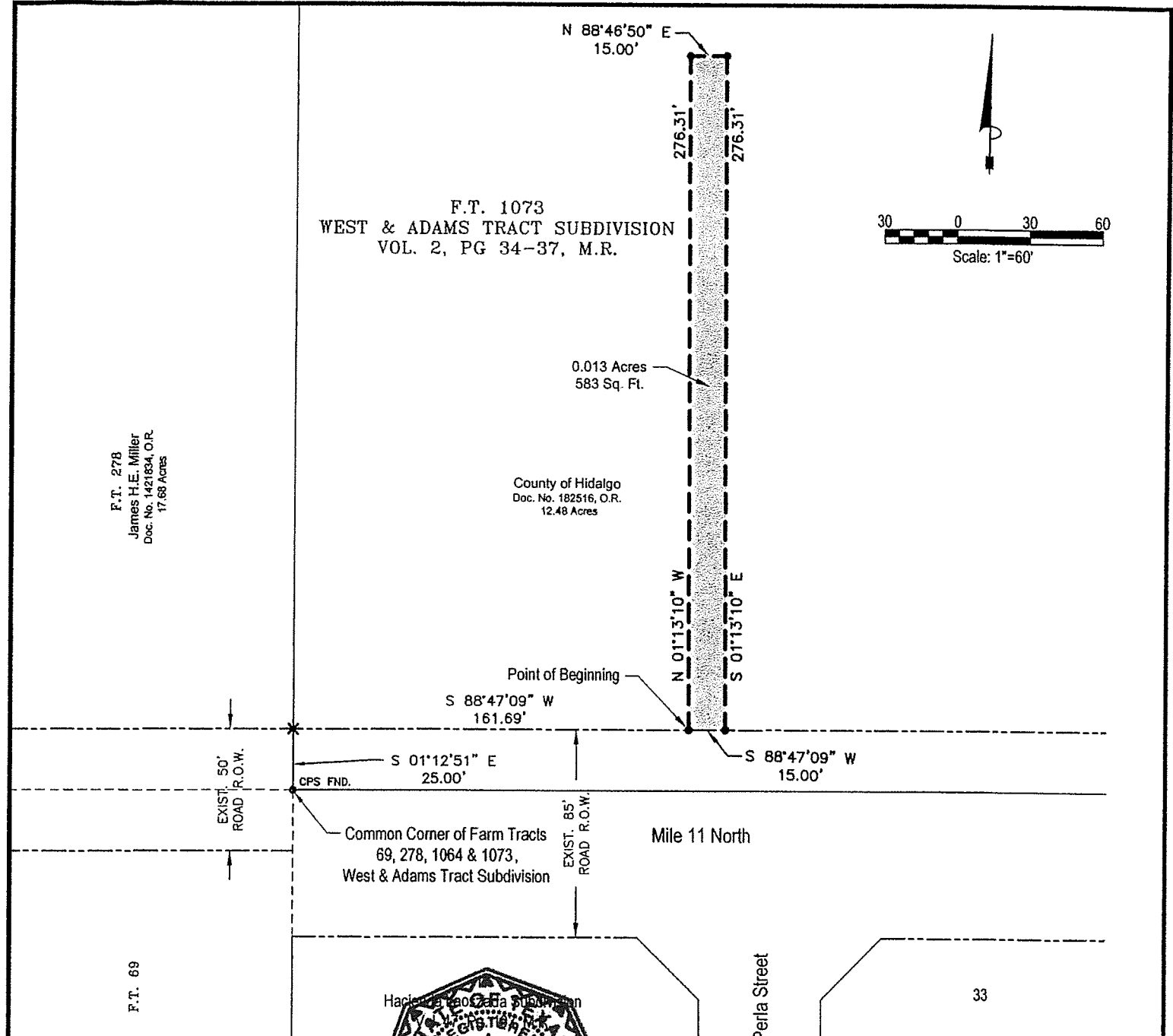
Bearings are Grid North, based on the Texas State Plane Coordinate System, South Zone (4205), NAD 83

A survey plat of even date was prepared and is made a part of this metes and bounds description.

The deed of records for the subject tract is recorded in Document No. 182516, of the Official Records of Hidalgo County, Texas.



Juan M. Castillo 3-22-2012  
Juan M. Castillo, R.P.L.S. No. 6146



I, Juan M. Castillo, a Registered Professional Land Surveyor in the State of Texas, hereby certify that the foregoing plat correctly represents the facts found in the ground.



*Juan M. Castillo* 3-22-2012  
 Juan M. Castillo, R.P.L.S. 6146

**PROPOSED 15-FOOT WIDE MAGIC VALLEY  
 ELECTRIC COOP.  
 ELECTRICAL EXCLUSIVE EASEMENT**

**GENERAL NOTES:**

1. Bearings are Grid North, based on the Texas State Plane Coordinate System, South Zone (4205), NAD 83(93).
2. Original survey plats are signed and sealed in blue ink. All other copies are null and void.
3. A metes and bounds description of even date was prepared, and is made a part of this survey plat.
4. The deed of record for subject tract is recorded in Doc. No. 182516, Official Records of Hidalgo County, Texas.
5. This plat was prepared without the benefit of a title search.

M.R.	MAP RECORDS HIDALGO COUNTY, TEXAS
D.R.	DEED RECORDS HIDALGO COUNTY, TEXAS
O.R.	OFFICIAL RECORDS HIDALGO COUNTY, TEXAS
●	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "DLS BNDY MARKER"
○	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
X	CALCULATED POINT—NO MONUMENT FOUND/NO MONUMENT SET
—	PROPERTY LINE

**DLS**  
**Dos Land Surveying**

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 Weslaco, TX 78596 Fax (956)447-8194