

**RECLAIM SYSTEM FLUSHING MAIN AT DFW AIRPORT
DOE #7013; Parcel #1
DFW AIRPORT**

**STATE OF TEXAS §
 §
COUNTY OF TARRANT §**

RECLAIMED-WATER LINE EASEMENT

DATE:

**GRANTORS: THE CITY OF DALLAS, TEXAS
 1500 Marilla
 Dallas, Texas 75201**

And

**THE CITY OF FORT WORTH, TEXAS
200 Texas Street
Fort Worth, Texas 76102**

GRANTEE: CITY OF FORT WORTH

GRANTEE'S MAILING ADDRESS (including County):

**200 Texas Street
FORT WORTH, TARRANT COUNTY, TX 76102**

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, for installation, construction, reconstruction, operation, maintenance, replacement, upgrade, and repair of a reclaimed-water main and a salt-water main in, under, and across the described property.

EASEMENT PROPERTY: Being a 40' reclaimed-waterline easement in the H. Barnard Survey, Abstract No. 107 and Wilson Simpson Survey, Abstract No. 1459, Tarrant County Texas, said easement being located within the boundary of Dallas-Fort Worth International Airport and being more particularly described in Exhibit "A", attached and incorporated for all pertinent purposes ("Property").

Grantors, for the considerations paid to Grantors and other good and valuable consideration, hereby grants, sells, and conveys to Grantee, and its assigns an exclusive, perpetual easement on, over and through the property for the installation, construction, reconstruction, operation, maintenance, replacement, upgrade, and repair of a reclaimed-water main hereafter referred to as "Facilities." The

Facilities include all incidental underground and aboveground attachments, equipment and appurtenances, connections, structures, including, but not limited to manholes, manhole vents, lateral line connections, pipelines, junction boxes in, over, upon, under, along, through and across a portion of the property and more fully described in Exhibit "A", and depicted in plat of Exhibit "B" attached and incorporated for all pertinent purposes, together with the right and privilege at any and all times to enter Property, or any part thereof, for the purpose of installing, constructing, reconstructing, operating, maintaining, replacing, upgrading, and repairing the Facilities.

Grantors (i) shall not use the 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 area 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, Grantors shall be permitted to maintain any existing concrete driveway or road on the Property. Grantee shall be obligated to restore the surface of the 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 Property which may have been removed, relocated, altered, damaged, or destroyed as a result of the Grantee's use of the easement 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.

TO HAVE AND TO HOLD the above-described permanent easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto Grantee, and Grantee's successors and assigns forever; and Grantors do hereby bind themselves and their successors 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.

IN WITNESS WHEREOF, this instrument is executed on the dates acknowledged below.

CITY OF FORT WORTH
DAVID COOKE, City Manager

By: _____
Name: _____
Title: _____

Approved as to form:
Sarah Fullenwider, Fort Worth City Attorney

By: _____
Name: _____
Title: _____

Attest:

Ronald Gonzales, Acting City Secretary

CITY OF DALLAS
T.C. BROADNAX, City Manager

By: _____
Name: _____
Title: _____

Approved as to form:
Chris Caso, Dallas City Attorney

By: _____
Assistant City Attorney

Attest:

Biliera Johnson, City Secretary

Acknowledgment

State of Texas
County of Tarrant

This instrument was acknowledged before me on _____ by _____, _____ of the City of Fort Worth, a municipality, on behalf of said municipality.

Notary Public's Signature

Acknowledgment

State of Texas
County of Dallas

This instrument was acknowledged before me on _____ by _____, _____ of the City of Dallas, a municipality, on behalf of said municipality.

Notary Public's Signature