

E-2

EXHIBIT  
A.5

030303  
00166

UTILITY EASEMENT

DATE: October 12, 1999

GRANTORS: BURTON RAY HERMANN and VIRGINIA BORISKI HERMANN

GRANTORS' MAILING ADDRESS: 2401 East Bypass  
Brazos County  
College Station, TX 77845

GRANTEE: CITY OF COLLEGE STATION, TEXAS

GRANTEE'S MAILING ADDRESS: 1101 Texas Avenue  
Brazos County  
College Station, Texas 77840

CONSIDERATION: Ten Dollars (\$10.00) and other  
good and valuable consideration.

PROPERTY:

Being all that certain 0.158 acre (6860 SF) tract or parcel of land, lying and being situated in the Morgan Rector League, Abstract No. 46, College Station, Brazos County, Texas, and being a portion out of the same 108.29 acre remainder tract conveyed to Burton Ray Hermann, et ux, et al., as described by deed recorded in Volume 2085, Page 289 of the Official Records of Brazos County, Texas, said 0.158 acre tract being more particularly described in the attached Exhibit "A".

This conveyance shall grant the rights herein specified only as to that portion of the above-described Property more particularly described on the attached Exhibit "A" known as the "easement area," and any additional area outside the easement area necessary to install and attach equipment, guy wires, and anchors necessary and incident to the uses of the Easement Area to erect, construct, install, and thereafter use, operate, inspect, repair, maintain, reconstruct, modify and remove the following:

- Electric transmission and distribution lines;
- Water lines and sanitary sewer lines, connecting lines, access facilities, and related equipment;
- Storm sewers and collection facilities;
- Television, telephone, and communications lines;
- Drainage ditches, drainage pipes and all other drainage structures, surface and subsurface;

upon, over, and across the said Property as described and any ways, streets, roads, or alleys abutting same; and to cut, trim, and control the growth of trees and other vegetation on and in the easement area or on adjoining property of Grantors, which might interfere with or threaten the operation and maintenance of any public utility equipment, accessories, or operations. It being understood and agreed that any and all equipment and facilities placed upon said property shall remain the property of Grantee.

Grantors expressly subordinate all rights of surface use incident to the mineral estate to the above described uses of said surface by Grantee, and agree to lender's subordinations on behalf of Grantee. Grantors will provide Grantee with the names and addresses of all lenders.

9:57  
susan

04-282-12/10/10

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RESERVATIONS AND RESTRICTIONS: None

TO HAVE AND TO HOLD, the rights and interests herein described unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, forever, and Grantors do hereby bind themselves, their heirs, executors, and administrators, to warrant and forever defend, all and singular, these rights and interests unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.

*Burton Ray Hermann*  
BURTON RAY HERMANN

*Virginia Boriski Hermann*  
VIRGINIA BORISKI HERMANN

STATE OF TEXAS \*  
COUNTY OF BRAZOS \*

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 12<sup>th</sup> day of October, 1999, by BURTON RAY HERMANN.



*Len S. Jeniak*  
Notary Public in and for the State of Texas

STATE OF TEXAS \*  
COUNTY OF BRAZOS \*

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 17<sup>th</sup> day of October, 1999, by VIRGINIA BORISKI HERMANN.



*Len S. Jeniak*  
Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:  
City of College Station Legal Dept.  
1101 Texas Avenue  
College Station, TX 77840

0699537

**METES AND BOUNDS DESCRIPTION  
OF A  
0.158 ACRE (6860 SF) TRACT  
(A 20' WIDE ELECTRIC EASEMENT)  
MORGAN RECTOR LEAGUE, ABSTRACT NO. 46  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

03633  
00168

Metes and bounds description of all that certain 0.158 acre (6860 SF) tract of parcel of land, lying and being situated in the Morgan Rector League, Abstract No. 46, College Station, Brazos County, Texas, and being a portion out of that same 108.29 acre remainder tract conveyed to Burton Ray Hermann, et ux, et al, as described by deed recorded in VOLUME 2085, PAGE 289 of the Official Record of Brazos County, Texas, said 0.158 acre tract being more particularly described as follows:

COMMENCING AT A 1/2" iron rod found marking the northwest corner of that same 22.00 acre tract conveyed from Burton Ray Hermann, et ux, to C. Carl Kolbe, et ux, as described by deed recorded in VOLUME 2558 PAGE 133 of said Official records.

THENCE S 05° 28' 46"E—105.19 feet across said 108.29 acre tract to a point for the PLACE OF BEGINNING.

THENCE S 31° 01' 10" W—346.97 feet across said tract to a point for corner.

THENCE N 58° 58' 50" W—20.00 feet across said tract to a point for corner.

THENCE N 31° 01' 10" E—339.22 feet across said tract to a point for corner.

THENCE S 79° 47' 13" E—21.40 feet across said tract to the PLACE OF BEGINNING, and containing 0.158 acres of land.

September 1999

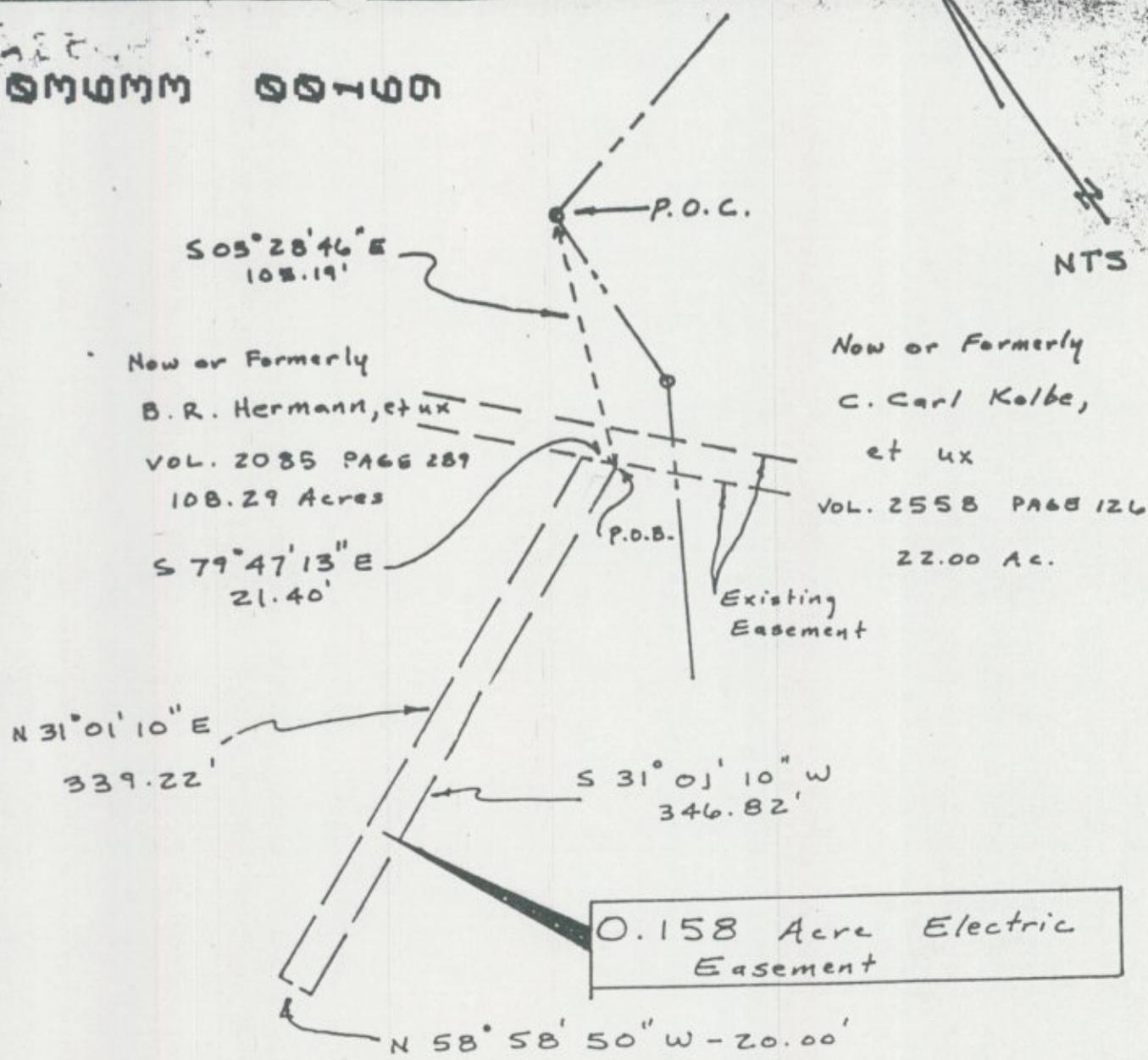
Municipal Development Group  
College Station, Texas



Surveyed by: A.W. Kessler 9.15.99  
A.W. Kessler  
R.P.L.S. No. 1852

0699537

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An  
 Exhibit Sketch  
 of a  
 0.158 Acre  
 Electric Easement  
 Morgan Rector League      MDG Project 000652-3233  
 College Station, Brazos County  
 September, 1999  
 NTS

0699537

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00170

Filed for Record in:  
BRAZOS COUNTY,

On: Oct 15, 1999 at 01:38PM

As a  
Recordings

Document Number: 0699537

Amount: 14.00

Receipt Number - 140178

By,  
Barbara Johnson

STATE OF TEXAS COUNTY OF  
I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the named records of:  
BRAZOS COUNTY,  
as stamped hereon by me.

Oct 15, 1999

HENRIETTA WARY ANN WARD, COUNTY CLERK  
BRAZOS COUNTY,