



AFTER RECORDING, RETURN TO:

Jack Carr, P.E. CITY OF McKINNEY P.O. Box 517 McKinney, Texas 75069

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

DRAINAGE EASEMENT

STATE OF TEXAS

COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That MARGAUX WATER TOWER PARTNERS, LTD, a Texas limited partnership ("Grantor"), for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration to Grantor in hand paid by the CITY OF McKINNEY, a Texas municipal corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, and convey unto Grantee, a non-exclusive easement and right to construct, reconstruct and perpetually maintain storm drainage facilities (the "Facilities") in, on and under the following described property:

BEING 0.690 acres of land in the G. S. Baccus Survey, Abstract No. 119, more particularly described in Exhibit "A" and depicted in Exhibit "B" attached hereto and made a part hereof (the "Easement Property").

Improvements approved by the Grantee may be placed on the Easement Property which are compatible with the use of the easement and Facilities.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself, its successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof.

J F		0 1 0
WITNESS TH	E GRANTOR'S	HAND to be EFFECTIVE as of the 24 day of
JAMARY	, 2007.	
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		MARGAUX WATER TOWER PARTNERS, LTD
		A Texas limited partnership
		By:
		Printed Name: Matthew E. Malouf
		Title:

F:\Engineer\Easements\Virginia Pkwy-West Of Custer\Margaux-Drain-Esmt 1-07.Doc 1/12/2007

President

STATE OF TEXAS COUNTY OF COLLEY DAILY

This instrument was acknowledged before me on the 24th day of

of MARGAUX WATER TOWER PARTNERS, LTD., a Texas limited partnership.

MY COMMISSION EXPIRES
September 22, 2010

Notary Public, State of Texas

LEGAL DESCRIPTION DRAINAGE EASEMENT

LEGAL DESCRIPTION: DRAINAGE EASEMENT

THAT certain tract of land situated in the G. S. BACCUS SURVEY, ABSTRACT NUMBER 119, in the City of McKinney, Collin County, Texas, being part of PARCEL 11B10, according to the Final Boundary Plat thereof, as filed for record in Cabinet O, Page 546 of the Plat Records of Collin County Texas, same being the land conveyed by Special Warranty Deed to MARGAUX WATER TOWER PARTNERS, LTD., a Texas Limited Partnership, as filed for record in Volume 5462, Page 1313 of the Land Records of Collin County, Texas, being more particularly described by metes and bounds as follows:

COMMENCE at a 1/2" capped iron rebar (PETSCHE & ASSOC., INC.) found for corner at the northwesterly most northeast corner of said PARCEL 11B10, said corner also being the westerly most southeast corner of VIRGINIA PARKWAY PHASE 2A, according to the Record Plat thereof, as filed for record in Cabinet P, Page 342 of the Plat Records of Collin County, Texas;

THENCE in a westerly direction, along the north boundary of said MARGAUX WATER TOWER PARTNERS, LTD. tract and the south boundary of said VIRGINIA PARKWAY PHASE 2A, the following two (2) courses:

- S89°42'58"W, a distance of 150.00 feet to a 1/2" capped iron rebor (PETSCHE & ASSOC., INC.) found for corner at the beginning of a curve to the right, having a radius of 170.42 feet and a central angle of 3°21'51";
- 2.) along the arc of said curve to the right, a distance of 10.01 feet

to a point for corner and the POINT OF BEGINNING of the hereinafter described tract of land:

From said POINT OF BEGINNING, and continuing along the north boundary of said MARGAUX WATER TOWER PARTNERS, LTD. tract and the south boundary of said VIRGINIA PARKWAY PHASE 2A, the following two (2) courses:

- continuing along the arc of said curve to the right, subtended by a central angle of 13°41'51", an arc distance of 40.74 feet to a 1/2" capped iron rebar (PETSCHE & ASSOC., INC.) found for corner at the point of reverse curvature of a curve to the left having a radius of 170.42 feet and a central angle of 13°41'51";
- 2.) along the arc of said curve, a distance of 40.74 feet

to a point for corner;

THENCE S00°17'02"E, a distance of 218.75 feet to a point for corner;

THENCE S46°17'23"E, a distance of 343.80 feet to a point for corner;

THENCE N47°34'23"E, a distance of 19.98 feet to a point for corner;

THENCE N38°17'14"W, a distance of 295.83 feet to a point for corner;

THENCE NO0°17'02"W, a distance of 196.62 feet back to the POINT OF BEGINNING and containing 0.690 acres of land, more or less.

OUT 2 5 2006



PETSCHE & ASSOCIATES, INC.

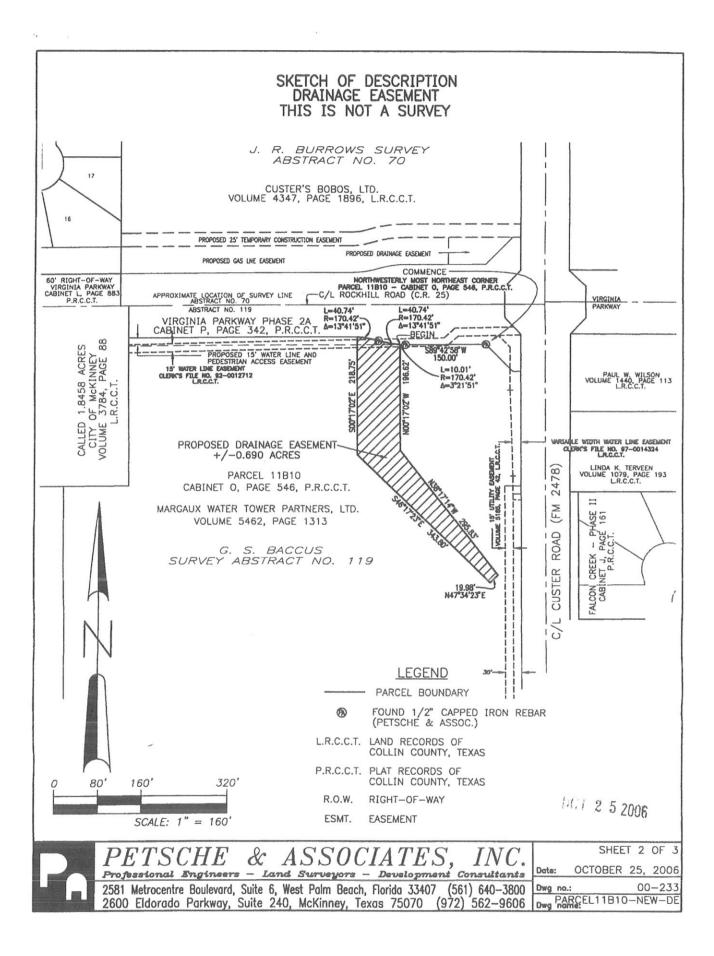
SHEET 1 OF 3

Professional Engineers - Land Surveyors - Development Consultants 2581 Metrocentre Boulevard, Suite 6, West Palm Beach, Florida 33407 (561) 640-3800

Date: OCTOBER 25, 2006
Job No.: 00-233

2581 Metrocentre Boulevard, Suite 6, West Palm Beach, Florida 33407 (561) 640—3800 2600 Eldorado Parkway, Suite 240, McKinney, Texas 75070 (972) 562—9606

Dwg PARCEL11B10-NEW-DE



SKETCH AND DESCRIPTION DRAINAGE EASEMENT THIS IS NOT A SURVEY

LEGEND

PARCEL BOUNDARY

FOUND 1/2" CAPPED IRON REBAR (PETSCHE & ASSOC.)

L.R.C.C.T. LAND RECORDS OF COLLIN COUNTY, TEXAS

P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS

R.O.W. RIGHT-OF-WAY ESMT. EASEMENT

SURVEYORS NOTES:

- 1. Sketch and description, this is not a survey.
- 2. Bearings shown hereon are based on an assumed meridian of S89°42'58"W, along the north line of PARCEL 11B10, according to the Final Boundary Plat thereof, as filed for record in Cabinet O, Page 546 of the Plat Records of Collin County, Texas, and are for the deliniation of angles only.

STATE OF TEXAS COUNTY OF COLLIN

I hereby certify that the Sketch (Sheet 2) and Description (Sheet 1), were made by me or under my direct supervision on October 25, 2006, and are true and correct to the best of my knowledge and belief.

Paul M. Valentine State of Texas Registered Professional Land Surveyor Number 5359



OCT 2 5 2008



Projessional Engineers - Land Surveyors - Development Consultants

2581 Metrocentre Boulevard, Suite 6, West Palm Beach, Florida 33407 (561) 640-3800 Dwg no.: 2600 Eldorado Parkway, Suite 240, McKinney, Texas 75070 (972) 562-9606 Dwg PARCEL11B10-NEW-DE

SHEET 3 OF 3

OCTOBER 25, 2006 Date:

00-233

Filed and Recorded Official Public Records Stacey Kemp Collin County, TEXAS 02/08/2007 03:16:28 PM \$40.00 DLAIRD 20070208000187060

