

AFTER RECORDING, RETURN TO:

**City Secretary  
CITY OF MCKINNEY  
P.O. Box 517  
McKinney, Texas 75070**

**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**

**PARTIAL RELEASE OF EASEMENT**

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STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

THIS PARTIAL RELEASE OF EASEMENT ("Partial Release of Easement") is made to be effective as of the \_\_\_\_ day of \_\_\_\_\_, 2014.

**RECITALS:**

- A. John H. Vervalin, as his separate property ("Grantor") granted to Danville Water Supply Corporation ("Danville") that certain blanket water pipeline easement dated August 14, 1967 and recorded on January 26, 1968 in Volume 703, Page 450 of the Real Property Records of Collin County, Texas (the "Easement") in, over and across Grantor's land located in the C. Searcy Survey, Abstract No. 830, Collin County, Texas and further described in deed recorded in Volume 388, Page 403 of the Deed Records of Collin County and containing 111.70 acres (the "Easement Property") for the purpose of constructing, operating and maintaining a water pipe line (the "Water Line").
- B. The City of McKinney, a Texas municipal corporation (the "City") has acquired all of the right, title and interest of Danville in and to the Easement and the Water Line in, over and across the Easement Property.
- C. Attached as Exhibit "A" is a description of the Easement Property which is the subject of this Partial Release of Easement and is referred to herein as the "Released Property".

- D. Grantor has requested that the City release its right, title and interest in the Released Property.
- E. The City no longer uses the Easement that runs in, on and across the Released Property to supply potable water and other utility services to the resident of this particular land area.
- F. The City has the authority to release any and all right, title and interest the City obtained from Danville in the Easement that runs in, on and across the Released Property.
- G. The City desires to release any and all right, title and interest the City possesses in the Easement that runs in, on and across the Released Property.

NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City agrees to the following:

1. Release. The City hereby releases any and all right, title and interest the City possesses in the Easement obtained from Danville which runs in, on and across the Released Property.
2. Authority. The easement released hereby shall not be deemed to constitute the grant or conveyance of any interest therein to any privately-owned adjacent tract or parcel of land.
3. Choice of Law. This Easement shall be subject to and governed by the laws of the State of Texas.

*[SIGNATURES TO FOLLOW ON NEXT PAGE]*

EXECUTED EFFECTIVE as of the date first written above.

***CITY OF MCKINNEY***

By: \_\_\_\_\_  
THOMAS MUEHLENBECK  
Interim City Manager

ATTEST:

\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE  
Assistant City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Office of the City Attorney

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the \_\_\_\_ day of August, 2014 by THOMAS MUEHLENBECK, Interim City Manager of the ***CITY OF MCKINNEY***, a Texas municipal corporation, on behalf of said municipal corporation.

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

**EXHIBIT "A"**  
**THE RELEASED PROPERTY**

BEING a 3.254 acre tract of land situated in the Christopher Searcy Survey, Abstract No. 830, in the City of McKinney, Collin County, Texas and being all of Lot 3, Block A, of Republic Self Storage Addition, an addition to the City of McKinney, Collin County, Texas according to the plat recorded in Cabinet O, Page 335 of the Plat Records of Collin County, Texas (PRCCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for corner located in the easterly right-of-way line of Custer Road (a 110 feet wide right-of-way) and being the most westerly southwest corner of said Lot 3;

THENCE along the easterly right-of-way line of said Custer Road NORTH 00° 05' 00" WEST a distance of 100.00 feet to a 5/8 inch iron rod set for corner;

THENCE departing the easterly right-of-way line of said Custer Road NORTH 89° 55' 00" EAST a distance of 30.00 feet for a 5/8 inch iron rod set for corner;

THENCE SOUTH 00° 05' 00" EAST a distance of 47.50 feet to an "x" cut in concrete found for corner;

THENCE NORTH 89° 55' 00" EAST a distance of 334.00 feet to an "x" cut in concrete found for corner;

THENCE NORTH 05° 05' 00" WEST a distance of 118.65 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 89° 55' 00" EAST a distance of 460.91 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 05° 05' 00" EAST a distance of 296.12 feet to a 5/8 inch iron rod found for corner and being the southeast corner of said Lot 3;

THENCE along the southerly line of said Lot 3 SOUTH 89° 35' 45" WEST a distance of 460.91 feet to a 5/8 inch iron rod found for the southerly southwest corner of said Lot 3;

THENCE NORTH 00° 05' 00" WEST a distance of 175.05 feet to an "x" cut in concrete set for corner;

THENCE SOUTH 89° 55' 00" WEST a distance of 334.00 feet to an "x" cut in concrete set for corner;

THENCE SOUTH 00° 05' 00" EAST a distance of 47.50 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 89° 55' 00" WEST a distance of 30.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 3.254 acres or 141,748 square feet of land, more or less.