Conveyance of an Easement for the Newly Constructed Electrical Vault Serving the Records Building Complex to Oncor Electric Delivery Company, LLC.

Briefing Date: Mar 3 2020  
Funding Source: N/A  
Originating Department: Engineering and Project Management  
Prepared by: Elizabeth Allen, Capital Improvement Program Manager  
Recommended by: Jonathon Bazan, Assistant County Administrator

**BACKGROUND INFORMATION:**
As part of the renovation and expansion of the Records Building Complex, the need to incorporate and construct a new main electrical vault within the footprint of the three buildings (Records Building, Records Annex and Old Criminal Courts) was needed for service of primary power through the downtown underground electrical grid system coming off of Main and Houston Streets.

**OPERATIONAL IMPACT:**
In order for Oncor Electrical Delivery Company, LLC, to provide a primary power source to the Criminal Courts facility, the main electrical vault must be conveyed to Oncor to take ownership as specified in the attached Exclusive Vault Easement agreement, once the main electrical vault has successfully been constructed.

**FINANCIAL IMPACT:**
A one-time payment of ten dollars ($10.00) will be paid to Dallas County by Oncor Electric Delivery Company, LLC.

**LEGAL IMPACT:**
The Exclusive Vault Easement agreement has been reviewed and approved by the Dallas County District Attorney, Civil Section Division.

**PROJECT SCHEDULE:**
Project schedule will commence (by Oncor) upon execution of the Exclusive Vault Easement agreement.

**SBE PARTICIPATION:**
N/A

**ADMINISTRATIVE PLAN COMPLIANCE:**
This request supports Objective 3 of the Dallas County’s Administrative Plan: Develop/Implement Strategy for the Future Uses of Old Red, the Administration Building, the Records Building, and the Allen Building.
RECOMMENDATION:
Approve the Exclusive Vault Easement agreement with Oncor Electric Delivery Company, LLC, and authorize the County Judge to sign said agreement on behalf of Dallas County.

MOTION:
On a motion made by TBD, and seconded by TBD, the following order will be voted on by the Commissioners Court of Dallas County, State of Texas:

Be it resolved and ordered that the Dallas County Commissioners Court does hereby approve the Exclusive Vault Easement agreement with Oncor Electric Delivery Company, LLC, and authorize the County Judge to sign said agreement on behalf of Dallas County.

ATTACHMENTS:
ONCOR Exclusive Vault Easement - Records Building Complex
EXCLUSIVE VAULT EASEMENT

THE STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DALLAS §

That County of Dallas, a political subdivision of the State of Texas, hereinafter called "Grantor," whether one or more, for and in consideration of Ten Dollars ($10.00) and other valuable consideration to Grantor in hand paid by Oncor Electric Delivery Company LLC, a Delaware limited liability company, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an exclusive easement for underground electric supply and communications facilities, consisting of a variable number of wires and cables, conduits, transformers, switches, protection, sectionalizing devices and all necessary or desirable appurtenances (the "Facilities") over, under, across and upon that certain vault within Grantor's improvements on Grantor's land in Dallas County, Texas, more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Vault"). Grantor shall not create, transfer or grant any easement, license or other property interests affecting the easement and no third parties shall have the right to use the Vault.

Together with the right of ingress and egress to and from the Vault over and across Grantor's adjoining land and, if necessary, improvements thereon, for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of the Facilities; the right to lock the Vault provided, however, that Grantor shall have access to the Vault at all times upon request to Grantee and when accompanied by an employee of Grantee, and Grantor and Grantee expressly agree that Grantee's right to lock the Vault shall not be construed as denial of Grantor's access thereto; the right to prevent changes to the structure of the Vault that may adversely affect the Facilities; the right to prevent construction of any and all obstructions within the Vault or on Grantor's adjacent property which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, access to and/or convenient operation of the Facilities; and the right to trim or remove trees or shrubbery on Grantor's property, as may be necessary to prevent possible interference with the access to Grantee's Facilities or to remove possible hazard thereto.

The Vault shall be Grantor's property and Grantee shall not own any portion thereof. Grantor shall have the sole obligation to maintain and repair the structural integrity of the floor, ceiling and walls of the Vault and Grantor's improvements in which the Vault is located, to the extent the condition thereof affects the Vault, in or to a condition reasonably satisfactory to Grantee. Grantee shall have no obligation whatsoever to maintain or repair the structural integrity of the Vault. Grantor shall not impound water within the Vault.
TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until all facilities installed hereunder shall be abandoned, and in that event said easement shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor’s heirs, successors or assigns.

And it does hereby bind itself, its successors, legal representatives, and assigns, to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _________ day of ___________________________, 2020

County of Dallas,
a political subdivision of the State of Texas

By: __________________________

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Schneider, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of, Dallas County, a political subdivision of the State of Texas as the Project Manager thereof, and for the purposes and consideration therein expressed, in the capacity therein stated and he is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____________ day of ____________________________, A. D. 2019.

_________________________
Notary Public in and for the State of Texas
"EXHIBIT A"

Lying and situated in the City and County of Dallas, Texas, the John N. Bryan Survey, Abstract No. 149 and being a part of Lot 5, Block 3/22 of The Town of Dallas, an addition to the City of Dallas, according to the map or plat thereof recorded in Volume 143, Page 401 Map records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a brass disk stamped "El Centro" found at the intersection of the northwest right of way line of Main Street and the southwest right of way line of Lamar Street and being a distance of 201.30 feet. S 14° 00' 00" E, along said southwest right of way line from a brass disk stamped "El Centro" found; Thence S 76° 00' 00" W, along said northwest right of way line, a distance of 1041.75 feet to the southwest corner of the Dallas County Records building; Thence N 13° 50' 18" W, along the southwest line of said building, a distance of 19.78 feet to the interior wall of an electric transformer vault and the POINT OF BEGINNING;

THENCE N 13° 50' 18" W, along said building wall, a distance of 17.30 feet;

THENCE N 75° 35' 46" E, departing said right of way line and along the interior wall of said transformer vault, a distance of 3.66 feet;

THENCE along said interior wall the following COURSES:

\[
\begin{align*}
N \ 14° \ 24' \ 14" \ W, & \text{ a distance of 3.20 feet;} \\
N \ 75° \ 35' \ 46" \ E, & \text{ a distance of 11.40 feet;} \\
S \ 14° \ 24' \ 14" \ E, & \text{ a distance of 2.20 feet;} \\
N \ 75° \ 35' \ 46" \ E, & \text{ a distance of 2.30 feet;} \\
N \ 14° \ 24' \ 14" \ W, & \text{ a distance of 2.20 feet;} \\
N \ 75° \ 35' \ 46" \ E, & \text{ a distance of 11.10 feet;} \\
S \ 14° \ 24' \ 14" \ E, & \text{ a distance of 25.00 feet;} \\
S \ 75° \ 35' \ 46" \ W, & \text{ a distance of 11.10 feet;} \\
N \ 14° \ 24' \ 14" \ W, & \text{ a distance of 0.96 feet;}
\end{align*}
\]
S 75° 35' 46" W, a distance of 2.30 feet;
S 14° 24' 14" E, a distance of 0.96 feet;
S 75° 35' 46" W, a distance of 11.40 feet;
N 14° 24' 14" W, a distance of 2.20 feet;
S 75° 35' 46" W, a distance of 1.30 feet;
N 14° 24' 14" W, a distance of 2.30 feet;

THENCE S 75° 35' 46" W, along said interior vault wall, a distance of 2.53 feet to the POINT OF BEGINNING and containing 680.51 square feet of land more or less.

The above described easement area shall be limited in height to the ceiling elevation of the above mentioned electric transformer vault.
BEARING BASIS:
THE NORTHWEST RIGHT OF WAY LINE OF MAIN STREET PER
PLAT OF BLOCK 17/40, EL CENTRO ADDITION RECORDED IN
D.C.C. INST. NO. 200403093535.

JOHN N. BRYAN SURVEY
ABSTRACT NO. 149

EXHIBIT "A"
ONCOR ELECTRIC DELIVERY CO.
EASEMENT
IN THE CITY OF DALLAS

CORNERSTONE SURVEYING, INC
200 WEST MARSHALL
P.O BOX 699, PALMER, TEXAS 75152
TEL. (972) 845-2505 – FAX. (972) 845-2455
FIRM NO. 100215-00

PAGE 3 OF 3
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THENCE N 13° 50' 18" W, along said building wall, a distance of 17.30 feet;

THENCE N 75° 35' 46" E, departing said right of way line and along the interior wall of said transformer vault, a distance of 3.66 feet;

THENCE along said interior wall the following COURSES:

N 14° 24' 14" W, a distance of 3.20 feet;
N 75° 35' 46" E, a distance of 11.40 feet;
S 14° 24' 14" E, a distance of 2.20 feet;
N 75° 35' 46" E, a distance of 2.30 feet;
N 14° 24' 14" W, a distance of 2.20 feet;
N 75° 35' 46" E, a distance of 11.10 feet;
S 14° 24' 14" E, a distance of 25.00 feet;
S 75° 35' 46" W, a distance of 11.10 feet;
N 14° 24' 14" W, a distance of 0.96 feet;
S 75° 35' 46" W, a distance of 2.30 feet;
S 14° 24' 14" E, a distance of 0.96 feet;
S 75° 35' 46" W, a distance of 11.40 feet;
N 14° 24' 14" W, a distance of 2.20 feet;
S 75° 35' 46" W, a distance of 1.30 feet;
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CM = CONTROLLING MONUMENT
TANGENT BEARING LENGTH
T1 N 13°30'17" W 17.30'
T2 N 75°35'46" E 3.66'
T3 N 14°24'14" W 3.20'
T4 N 75°35'46" E 11.40'
T5 S 14°24'14" E 2.20'
T6 N 75°35'46" E 2.30'
T7 N 14°24'14" W 2.20'
T8 N 75°35'46" E 11.10'
T9 S 14°24'14" E 25.00'
T10 S 75°35'46" W 11.10'
T11 N 14°24'14" W 0.96'
T12 S 75°35'46" W 2.30'
T13 S 14°24'14" E 0.96'
T14 S 75°35'46" W 11.40'
T15 N 14°24'14" W 2.20'
T16 S 75°35'46" W 1.30'
T17 N 14°24'14" W 2.30'
T18 S 75°35'46" W 2.53'

O = BRASS DISK
"EL CENTRO"
FOUND (CM)

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