

THE CITY OF AMARILLO, TEXAS
Final Distribution Memorandum

Planning Department, City of Amarillo, Texas
P.O. Box 1971, Amarillo, Texas 79105-1971

April 22, 2010

TO: Final Distribution List

FROM: Planning Department

SUBJECT: D-10-11 Dedication of a 0.13 acre Drainage Easement in Section 10,
Block 9, BS&F Survey, Potter County, Texas. (Vicinity: Mark Davis Dr. &
Gem Lake Rd.)

GRANTOR: Brent Caviness

The City Commission approved the above item on April 6, 2010. The dedication instrument was filed of record in Official Public Records, Potter County in Volume 4207 Pages 6-7. Copies of the instrument and vicinity sketch are attached. Please post your records accordingly.



Kelley Shaw, Planning Director

3/3/2010 *cmh*

DRAINAGE EASEMENT FOR OVERLAND FLOW AND COVENANTS RUNNING WITH THE LAND

THIS DECLARATION OF COVENANTS, made on the date hereinafter set forth by the Tealwood Homeowner's Association of Amarillo, Potter County, Texas, hereinafter called "GRANTOR",

WITNESSETH

WHEREAS, on the 30 day of March, 2010, GRANTOR warrants that it is the owner of record of the real property, described on Exhibits A and B, attached hereto and incorporated herein by reference;

NOW THEREFORE, GRANTOR does hereby declare that said real property shall be subject to the Covenants and Easement hereinafter set forth, which shall run with the land and shall be binding on all present and future owners, and shall inure to the benefit of the City of Amarillo (City).

1. The City shall have a drainage easement for the purpose of overland flow of storm water runoff from Mark Davis Drive onto, over and across the following describe Drainage Easement for Overland Flow (Easement), to wit:

A 0.13-acre tract in Tealwood Lakes Unit No. 3, Amarillo, Potter County, Texas as shown in Exhibits A and B.

2. GRANTOR shall not cause any building, structure, fence or impediment of any kind to be erected or maintained on the Easement so as to in any way interfere with the flow of storm water runoff onto, over and across the Easement herein conveyed. A fence and a gate may be constructed across the Easement with the written approval of the City Engineer.

3. The Easement herein conveyed shall not be relinquished, vacated, or extinguished by GRANTOR, its successors or assigns, without the prior written consent of the Director of Public Works of the City.

4. GRANTOR, or GRANTOR'S successors and assigns may use said real property for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with the safe and efficient operation of the Easement, and further provided that such use is not inconsistent with any laws, ordinances or codes pertaining to the construction, operation or maintenance of the Easement and to which the GRANTOR is subject.

5. If the GRANTOR, or GRANTOR'S successors and assigns do not maintain the Easement in a reasonable and functional condition for the intended purpose described herein, the City may provide assistance to the GRANTOR by entering upon the property and doing all things necessary to restore and maintain the Easement to provide adequate and proper drainage, as deemed necessary, to protect public health and safety. The City is hereby granted right of access to the Easement for such purposes and GRANTOR by this conveyance releases the City from any and all claims for damages arising from or incidental to its operation, restoration or maintenance of the Easement.

IN WITNESS WHEREOF, the undersigned GRANTOR has executed or caused to be executed this instrument on the day and year first above written.

GRANTOR
TEALWOOD HOMEOWNER'S ASSOCIATION

By: Brent Caviness, Pres
Brent Caviness, President

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF Potter)

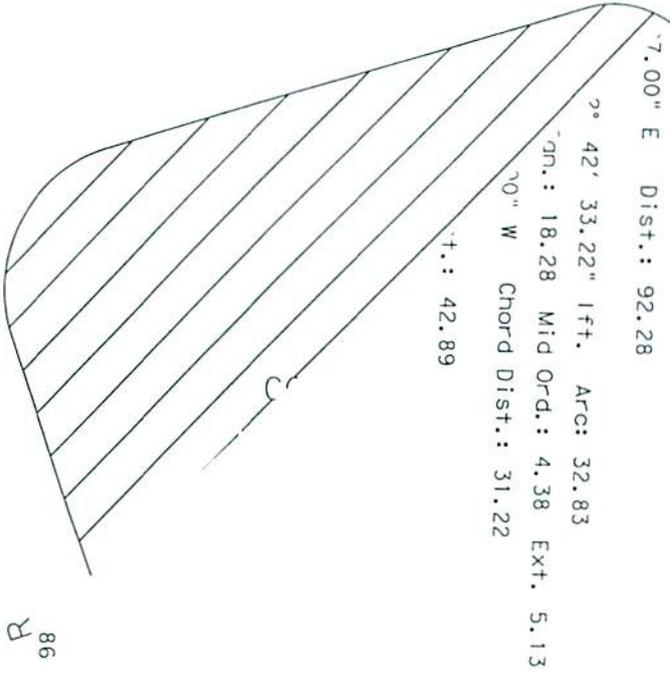
This instrument was acknowledged before me on the 30 day of March, 2010, by Brent Caviness, President of the Tealwood Homeowner's Association as the act and deed of said Association.



Jennifer Ledbetter
Notary Public, State of Texas

Return to:
DONNA DeRIGHT
City Secretary, City of Amarillo
P.O. Box 1971
Amarillo, Texas 79105-1971

TEALWOOD LAKES
UNIT NO. 3



Proposed Drainage Easement
Bearing: North: 5000.00 East: 5000.00
(100')

7.00" E Dist.: 92.28
42' 33.22" 1ft. Arc: 32.83
Angle: 18.28 Mid Ord.: 4.38 Ext. 5.13
10" W Chord Dist.: 31.22
Dist.: 42.89

R
86



W AMARILLO BLVD

W AMARILLO BLVD

LOS ALTOS

ALE ST

AVONDALE ST

COUNTY CLERK'S MEMO
Portions of this document not
legible and/or reproducible when
received for recording

3

1

8

4

8

Filed AND Recorded
OFFICIAL PUBLIC RECORDS
On: Apr 12, 2010 at 08:30A

Receipt# - 142324

Document Number 01171402:

Amount 36.00

Julie Smith
County Clerk, Potter County

by  Deputy

STATE OF TEXAS COUNTY OF POTTER
I hereby certify that this instrument was
FILED on this date and at this time stamped
hereon by me and was duly RECORDED in the
OFFICIAL PUBLIC RECORDS OF POTTER COUNTY TEXAS,
in the volume and page as shown.



Julie Smith, County Clerk
Potter County

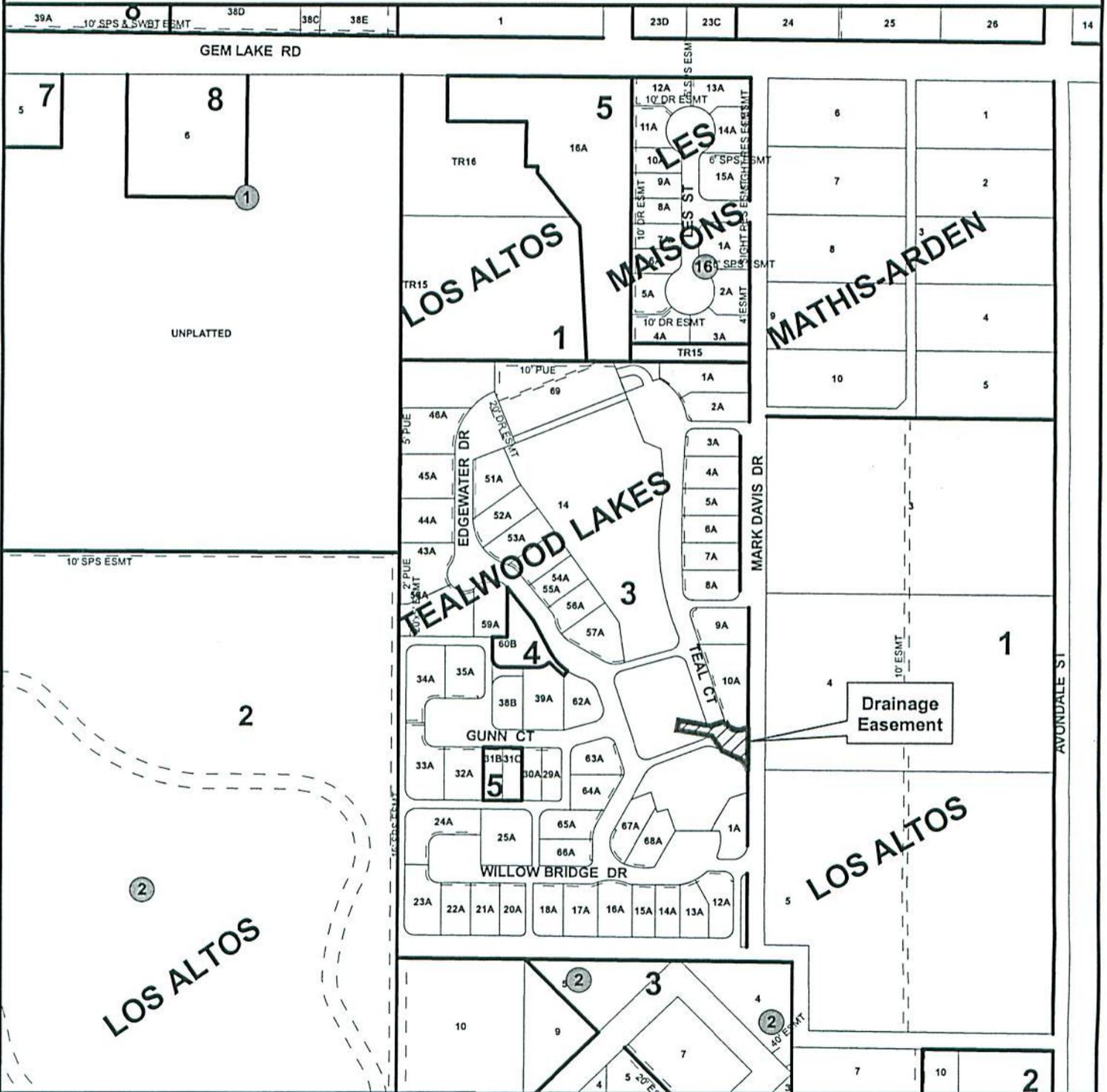
By  Deputy

Any provision herein which restricts the sale,
rental or use of the described real property
because of color or race is invalid and
unenforceable under federal law.

COUNTY CLERK'S MEMO

Portions of this document may
not be legible and/or reproducible
when received for recording.

DEDICATION OF A DRAINAGE EASEMENT



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1" = 300'
Date: 3-31-10
Case No: D-10-11



Dedication of a 0.13-acre Drainage Easement in Tealwood Lakes Unit #3 in Section 10, Block 9, BS&F Survey, Potter County, TX

Grantor: Brent Caviness

Vicinity: Mark Davis Dr. & Gem Lake Rd.

A.P.: K-11

CW