

DEDICATION OF SIDEWALK EASEMENT

(Current as of 07-07-09)

Date:

Grantor:

Grantor's Mailing Address:

Grantee: **THE CITY OF TOMBALL, TEXAS**, a home-rule municipal corporation.

City's Address: Care of City Manager, 401 Market Street, Tomball, TX 77375 (Harris County).

Consideration: For One Dollar and other good and valuable consideration and as a dedication or gift for the mutual benefit of the Grantor and the City.

Property (including any improvements): An exclusive and perpetual ten foot (10') easement for **sidewalk** purposes, including the right to construct, operate, maintain, inspect, replace, and remove said sidewalk and other related pedestrian amenities and improvements including but not limited to benches, planters, planting areas, shade trades, and water fountains, along, across, over, and under that certain tract or parcel of land in Harris County, Texas, described by metes and bounds in *Exhibits 'A'* attached hereto, and described by survey plat in *Exhibit 'B'* attached hereto, Exhibits 'A' and 'B' being incorporated herein by this reference for all purposes.

The City may do and perform all acts necessary to construct, operate, maintain, inspect, replace, and remove a sidewalk and other pedestrian amenities and improvements along, across, over, and under said easement, and operate thereon all necessary machinery and equipment, and the City shall have the right to cut, trim, and remove trees, brush, or shrubbery, or weeds, or to remove improvements which may encroach upon, burden, or interfere with the easement herein granted.

Reservations from Conveyance: Grantor retains the right to use of the Property for any lawful purpose that is consistent with and does not impair any right granted to the City.

Exceptions to Conveyance and Warranty: NONE.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to the City the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to City, its successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to the City, its successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any from this instrument before it is filed for record in the public records your social security number or your driver's license number.

GRANTOR: _____

By: _____

Printed Name: _____

Its: _____

Accepted by THE CITY OF TOMBALL

By: _____

Jan Belcher, Its City Manager

Attachments: *Exhibit 'A'* - ____ ' Easement for **Sidewalk** Purposes, *Metes and Bounds*
Exhibit 'B' - ____ ' Easement for **Sidewalk** Utility Purposes, *Survey Plat*

ACKNOWLEDGEMENT

The State of Texas,
County of Harris.

Before me, the undersigned authority, on this day personally appeared

_____, known to me to be the person whose name is subscribed to the

foregoing instrument, and acknowledged to me that he/she executed the same as the

_____(Title) for _____ and for the purposes and consideration therein

expressed.

Given under my hand and seal of office on this ____ day of _____, 2009.

Seal

Notary Public in and for the State of Texas