

**CITY OF SEABROOK  
RESOLUTION NO. 2016-21**

**ACCEPTANCE OF A 10' UTILITY EASEMENT  
FROM JOSHUA D. PIVER AND SAMUEL D. PIVER  
OUT OF LOT 7 AND NORTH ½ OF LOT 8, BLOCK 19, MORRISTOWN  
FOR TODVILLE SEWER LINE REPAIR**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "TODVILLE ROAD SEWER LINE REPAIR" PUBLIC IMPROVEMENTS PROJECT; APPROVING THE ACCEPTANCE OF SAID 10' UTILITY EASEMENT FROM JOSHUA D. PIVER AND SAMUEL D. PIVER, PROPERTY OWNERS OF A 0.0172 ACRE TRACT OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, OUT OF LOT 7 AND THE NORTH ½ OF LOT 8, BLOCK 19, MORRISTOWN, OF THE MAP OF SEABROOK, AS MORE PARTICULARLY DESCRIBED HEREIN**

**WHEREAS**, the City Council of the City of Seabrook finds and determines that public convenience and necessity for the "Todville Road Sewer Line Repair" ("Project") require that the City acquire easements over, across and under a certain property being the northwesterly ten (10) feet of Lot 7 and the northwesterly ten (10) feet of the northerly ½ of Lot 8, Block 19, Morristown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joshua D. Piver and Samuel Dean Piver by deed recorded under Harris County Clerks File Number 20070478309, as described on the attached Survey and Easement, attached hereto and incorporated by reference ("Utility Easement"); and

**WHEREAS**, the City of Seabrook, through its duly authorized representatives, has been able to agree with owners Joshua D. Piver and Samuel D. Piver for acceptance of such Utility Easement for the herein stated purpose and Joshua D. Piver and Samuel D. Piver have agreed to donate and grant the subject Utility Easement for dedication to the City of Seabrook upon terms contained in the said Utility Easement; and

**WHEREAS**, the City of Seabrook has been able to agree with such owners as to the terms for donation of the Utility Easement and dedication related thereto to the City; now, therefore

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

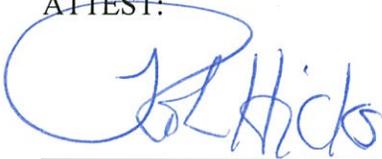
**Section 2.** The City Council of the City of Seabrook finds that bona fide negotiations have been conducted by the authorized representatives of the city for the acquisition of the subject Utility Easement, attached hereto as Exhibit A, and incorporated by reference, over the therein described tract of land, and that said negotiations were successful, and that donation and grant of the Utility Easement for dedication to the City should be accepted.

**Section 3.** The Mayor is authorized to execute any documentation necessary to accept, document, and record said Utility Easement.

PASSED, APPROVED AND RESOLVED THIS 18<sup>TH</sup> DAY OF OCTOBER, 2016.

  
\_\_\_\_\_  
Glenn Royal, Mayor

ATTEST:

  
\_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary



UTILITY EASEMENT

STATE OF TEXAS }

COUNTRY OF HARRIS }

I, Joshua D. Piver & Samuel D. Piver, owner of 10' Utility Easement out of Lot 7 and the north 1/2 of Lot 8, Block 19, Morrystown, City of Seabrook, Harris County, Texas, a subdivision of record in Volume 1, Page 34 of Harris County Map of Records, do hereby convey an unobstructed easement to the city of Seabrook, Texas for utilities/easement. The 10 foot wide Utility Easement containing 0.0172 acres (750 square feet) of land situated in the Ritson Morris Survey, Abstract Number 52, City of Seabrook, Harris County, Texas; being the northwesterly ten (10) feet of Lot 7 and the northwesterly ten (10) feet of the northerly 1/2 of Lot 8, Block 19 of Morrystown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joshua D. Piver and Samuel Dean Piver by deed recorded under Harris County Clerks File Number Z334386 and redefined by a Boundary Line Agreement recorded under Harris County Clerks File Number 20070478309, as described on the attached Survey and Exhibit A of 10' Utility Easement.

Witness my (or our) hand in Seabrook, Harris County, Texas of this 3rd day of October, 2016.

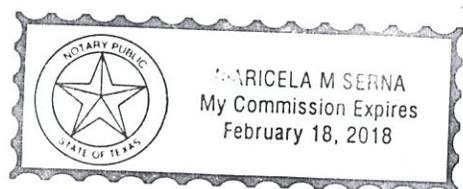
  
Joshua D. Piver & Samuel D. Piver,  
Property Owner

STATE OF TEXAS }

COUNTRY OF HARRIS }

Before me, the undersigned authority on this day personally appeared Joshua D. Piver & Samuel D. Piver known to me to be persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out.

Given under my hand and seal of office, this 3rd day of October, 2016.



  
Notary Public in and for  
Harris County, Texas

EXHIBIT A

Page 1 of 1  
September 28, 2016

LEGAL DESCRIPTION

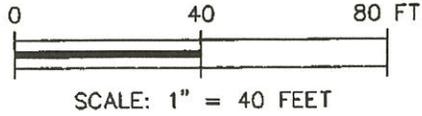
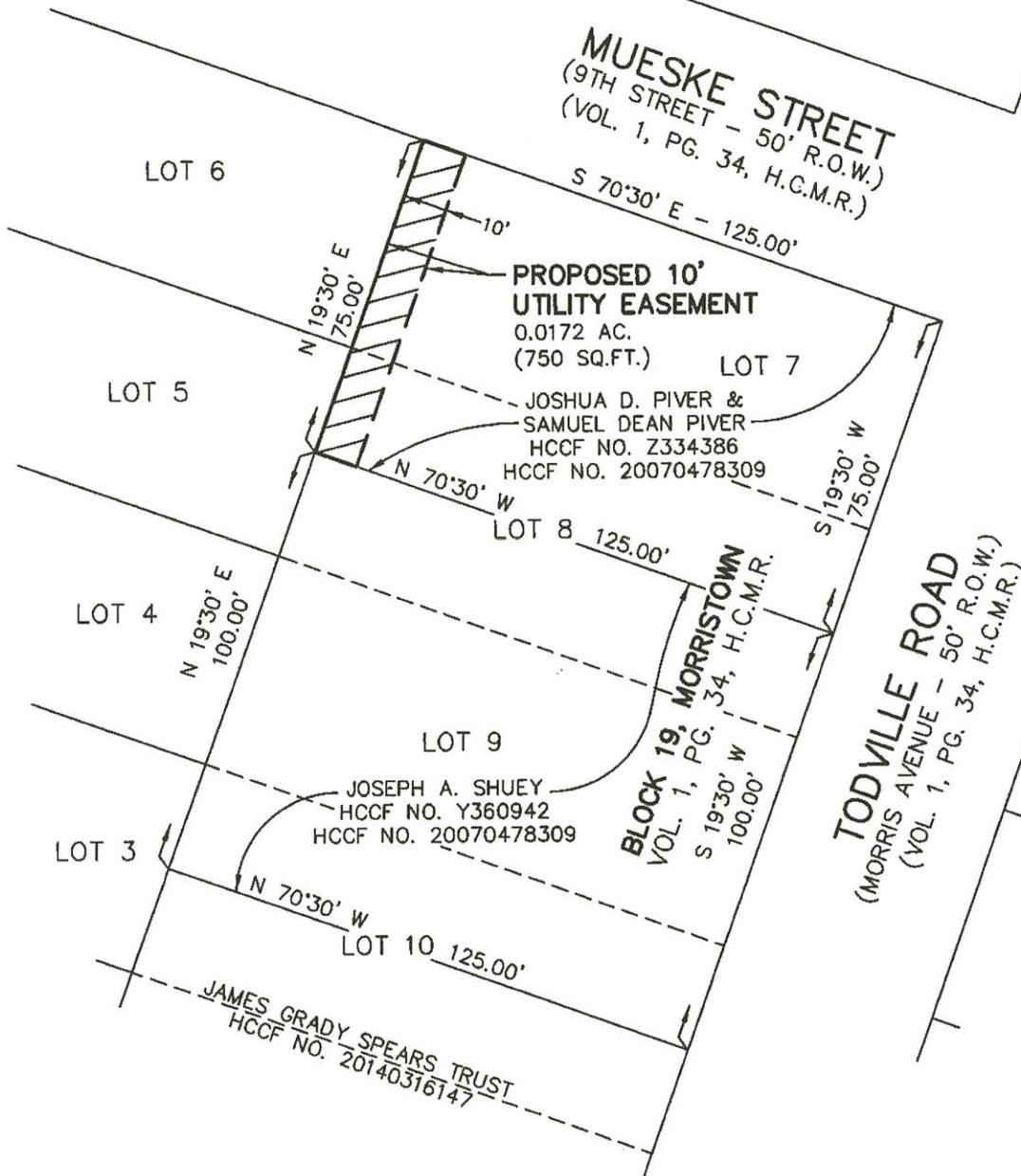
10' UTILITY EASEMENT OUT OF LOT 7 & THE NORTH 1/2 OF LOT 8,  
BLOCK 19, MORRISTOWN  
CITY OF SEABROOK, HARRIS COUNTY, TEXAS

BEING a 10 foot wide Utility Easement containing 0.0172 acre (750 square feet) of land situated in the Ritson Morris Survey, Abstract Number 52, City of Seabrook, Harris County, Texas; being the northwesterly ten (10) feet of Lot 7 and the northwesterly ten (10) feet of the northerly 1/2 of Lot 8, Block 19 of Morrystown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joshua D. Piver and Samuel Dean Piver by deed recorded under Harris County Clerks file Number Z334386 and redefined by a Boundary Line Agreement recorded under Harris County Clerks File Number 20070478309.

This description is referenced to an "EXHIBIT OF A 10' UTILITY EASEMENT" prepared by Cobb Fendley & Associates, Inc. dated September 28, 2016.

Prepared by:  
Cobb Fendley & Associates, Inc.  
1920 Country Place Parkway, Suite 310  
Pearland, Texas 77584  
TBPLS Firm Registration No. 100467

# EXHIBIT



**NOTES:**

1. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND/OR RESTRICTIONS MAY EXIST THAT ARE NOT SHOWN HEREON.
2. BEARINGS SHOWN HEREON ARE REFERENCED TO THE PLAT OF EDGEWATER TOWNHOMES, VOL. 302, PG. 132, H.C.M.R..
3. THIS EXHIBIT IS REFERENCED TO A DESCRIPTION PREPARED BY COBB, FENDLEY & ASSOCIATES, INC. DATED SEPTEMBER 28, 2016.

|  |  |                                |                |
|--|--|--------------------------------|----------------|
| <b>PROJECT</b>   | EXHIBIT OF A 10' UTILITY EASEMENT<br>IN LOT 7 & THE NORTH 1/2 OF LOT 8,<br>BLOCK 19, MORRISTOWN<br>VOLUME 1, PAGE 34,<br>HARRIS COUNTY MAP RECORDS<br>SEABROOK, HARRIS COUNTY, TEXAS |                                |                |
| <b>OWNER</b>   | JOSHUA D. PIVER & SAMUEL DEAN PIVER  |                                |                |
| <b>CobbFendley</b><br>T.B.P.L.S. Firm Registration No. 100467<br>1920 Country Place Pkwy, Suite 310 Pearland, Texas 77584<br>281.993.4952   fax 281.993.8086   www.cobbfendley.com |  |                                |                |
| <b>DRAWN BY:</b><br>WEM  | <b>DATE:</b><br>09/28/16   | <b>SHEET</b> 1 <b>OF</b> 1     | <b>REVISED</b> |
| <b>DESIGNED BY:</b><br>WEM   | <b>SCALE:</b><br>1"=40'  | <b>F.B. NO.</b> LL             |                |
|  | <b>CHK'D BY:</b> WEM   | <b>PROJECT NO.</b> 1112-001-00 |                |