

RIGHT-OF-WAY EASEMENT

Applicant Name _____ Easement to Serve Map Number _____

KNOW ALL MEN BY THESE PRESENTS, that the undersigned _____ (unmarried) (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto Upshur Rural Electric Cooperative Corporation, a corporation whose office address is 1200 West Tyler Street, Gilmer, Texas; including Grantor's successors and assigns do(es) hereby grant to the Cooperative, an easement for the right, from time-to-time, for erection and continued operation, to construct, reconstruct, upgrade, operate, maintain, repair, patrol, inspect, alter, remove, relocate, improve and/or renew overhead and underground electric transmission, distribution and communication lines, including but not limited to attached apparatus and lights, with necessary or convenient towers, frames, poles, wires, manholes, transformers, anchors, guy wires/anchors, conduits, fixtures, apparatus, and appliances, protective wires and devices in connection therewith or incident to operation thereon, upon, over, through or under a strip of land more fully located and described as the Easement Area; together with all rights and privileges necessary, desirable, or convenient for the full enjoyment or use of said easement area for the purposes above described; including the right of ingress and egress to and from said easement area over the property of the Grantor adjacent to said easement area and the right to cut away and keep clear, control, remove and dispose of all trees, vegetation, and undergrowth, although the Cooperative may leave any controlled or cut trees, vegetation, and undergrowth on said easement area as may be required for regulatory compliances(s) or prudent construction methods. The right, in Cooperative's discretion, to cut down, trim, remove, and otherwise control, using herbicides or tree growth regulators or other means on any and all trees, overhanging branches, vegetation or brush situated within the Easement Area. Further, Cooperative shall have the right to remove and dispose of all obstructions on said easement area or that may at any time hereafter be placed thereon by the Grantor or any other person, and to cut, control, remove and dispose of dangerous trees on lands adjacent thereto, including those that appear dead, diseased, or dying or significantly leaning toward easement area that now or may hereafter injure or endanger any of the Cooperative's electric facilities and works placed pursuant to this easement on said easement area.

A tract of land approximately _____ acres in area located _____ miles _____ from the town of _____ and being a part of the _____ H. R. Survey, Recorded, Volume: _____ Page: _____ in _____ County. Said Easement Area is 30 feet wide divided by the centerline of the installed pole line except where noted otherwise in this Easement of an Attachment thereto, (if one exists). Said Attachment initialed by Owner(s).

The undersigned agrees that all the poles, wires and other facilities, installed on the above described lands, shall remain the property of the Cooperative. The failure of the Cooperative to exercise any of the rights granted in this easement, or the removal of any facilities from the easement area shall not be deemed to constitute and abandonment or waiver of the rights granted herein.

The undersigned covenant that they are the owners of record of the above described land.

It is further understood that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural and that the words used in the masculine gender shall be construed in the feminine.

In WITNESS WHEREOF, the undersigned has set his hand and seal this _____ day of _____, _____.

Signed and delivered in the presence of:

Owner(s) Signature _____

Owner's Printed Name(s) _____ Phone Number _____

Address _____ City, State, Zip _____

ACKNOWLEDGMENT

STATE OF TEXAS,)
COUNTY OF _____)

BEFORE ME, the undersigned, a Notary Public in and for said State of Texas, on this day personally appeared _____ known to me to be the person(s) whose name(s) _____ subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, _____.

Notary Public in and for the State of Texas