



Control Number: 38597



Item Number: 2389

Addendum StartPage: 0

PUC DOCKET NO. 38597

APPLICATION OF ONCOR ELECTRIC
DELIVERY COMPANY TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR THE KRUM
WEST TO ANNA 345 KV CREZ
TRANSMISSION LINE IN COLLIN,
COOKE, DENTON, AND GRAYSON
COUNTIES

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PUBLIC UTILITY COMMISSION
OF TEXAS

**RESPONSE OF ONCOR ELECTRIC DELIVERY COMPANY LLC
TO CC JOINT VENTURES' FIRST REQUEST FOR INFORMATION**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

Oncor Electric Delivery Company LLC ("Oncor") files this Response to the
aforementioned requests for information.

I.
Written Responses

Attached hereto and incorporated herein by reference are Oncor's written
responses to the aforementioned requests for information. Each such response is set
forth on or attached to a separate page upon which the request has been restated.
Such responses are also made without waiver of Oncor's right to contest the
admissibility of any such matters upon hearing. Oncor hereby stipulates that its
responses may be treated by all parties exactly as if they were filed under oath.

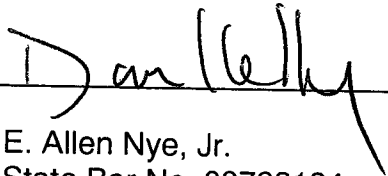
II.
Inspections

In those instances where materials are to be made available for inspection by
request or in lieu of a written response, the attached response will so state. For those
materials that a response indicates may be inspected at the Austin voluminous room,
please call at least 24 hours in advance for an appointment in order to assure that there
is sufficient space and someone is available to accommodate your inspection. To make
an appointment at the Austin voluminous room, located at 1005 Congress, Suite B-50,

Austin, Texas, or to review those materials that a response indicates may be inspected at their usual repository, please call Teri Smart at 214-486-4832. Inspections will be scheduled so as to accommodate all such requests with as little inconvenience to the requesting party and to company operations as possible.

Respectfully submitted,

ONCOR ELECTRIC DELIVERY COMPANY LLC

By: 

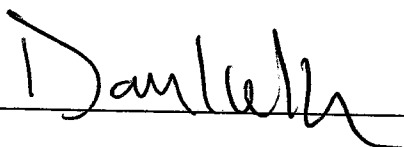
E. Allen Nye, Jr.
State Bar No. 00788134
Daniel J. Kelly
State Bar No. 24041229
Jaren A. Taylor
State Bar No. 24059069

Trammell Crow Center
2001 Ross Avenue, Suite 3700
Dallas, Texas 75201-2975
Telephone: 214-220-7700
Facsimile: 214-999-7700

**ATTORNEYS FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been emailed or sent via overnight delivery or first class United States mail, postage prepaid, to the propounding party, on this the 29th day of November, 2010.



REQUEST:

Describe the existing transmission facilities located on Whitley Place and McCullough Farm. Please include the following Information:

- a. The age, structure style, composition and height, and the voltage of conductors;
- b. Capacity and voltage of conductors;
- c. Date and nature of the facilities' last maintenance or reconstruction work; and
- d. Associated easement document(s).

RESPONSE:

The following response was prepared by or under the direct supervision of Jill L. Alvarez, P.E., the sponsoring witness for this response.

- a. The single circuit 345 kV transmission line was built in 1969. The structure is the lattice steel tower designed for a single circuit of 345 kV line. Structure heights range between 90-ft and 100-ft across the properties of interest.
- b. Conductor type is twin bundled 795 kcmil ACSR which has a nominal ampacity rating of 1,800-amps. Voltage is 345 kV.
- c. Attachment 1 summarizes the maintenance that has been done on the existing 345 kV line section over the past 5 years.
- d. The easement for the portion of the line that crosses the property now known as the McCullough Farm along link T5 is included as Attachment 2. Easements for the portion of the line that crosses the property now known as Whitley Place along link T5 are included in Attachment 3 through 6.

ATTACHMENTS

- ATTACHMENT 1: COLLIN – ANNA 345kV - WOs past 5 years, 1 page.
- ATTACHMENT 2: E-159875 Easement, 4 pages,
- ATTACHMENT 3: E-159876 Easement, 4 pages,
- ATTACHMENT 4: E-157022 Easement, 2 pages,
- ATTACHMENT 5: E-148670 Easement, 2 pages,
- ATTACHMENT 6: E-159897 Easement, 4 pages.

WONUM	STATUS	WORKTYPE	DESCRIPTION	LOCATION	NAME	JPNUM	PMNUM	CRT BY	CREATE DT	COMPLT DT	REGION	WKCNTR
1834808	CLOSE	PREVENTIVE	Annual Summer Preparedness for Lines & Sections 2006	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP06018-001	GP06018-001	UC9D	04/26/2006	05/15/2006	DALLAS	TEXOMA
2097982	CLOSE	PREVENTIVE	Annual Summer Inspection for Lines and Sections	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP06018-001	GP06018-001	SARF	04/18/2007	06/21/2007	DALLAS	TEXOMA
2231823	CLOSE	PREVENTIVE	Fall Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-002	1014256	G84G	11/16/2007	03/26/2008	DALLAS	TEXOMA
2251964	CLOSE	CORRECTIVE	Replace buzzard guards	SECT13945	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP02000-401	914526	JYX9	12/10/2007	12/12/2008	DALLAS	TEXOMA
2269726	CLOSE	PREVENTIVE	Spring Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-003	1016927	PMGEN	01/03/2008	05/23/2008	DALLAS	TEXOMA
2310751	CLOSE	PREVENTIVE	Road Crossing Inspection	SECT13945	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01012-001	915008	JYX9	03/18/2008	01/07/2009	DALLAS	TEXOMA
2370360	CLOSE	PREVENTIVE	Fall Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-002	1014256	PMGEN	06/18/2008	12/31/2008	DALLAS	TEXOMA
2391882	CLOSE	CORRECTIVE	Investigate ROW issue about a gate.	SECT13945	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP02000-401	914526	JYX9	08/01/2008	09/18/2008	DALLAS	TEXOMA
2484559	CLOSE	CORRECTIVE	Investigate ROW issue	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP02000-091	877181	JYX9	12/22/2008	12/22/2008	DALLAS	TEXOMA
2503636	CLOSE	PREVENTIVE	Spring Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-003	1016927	PMGEN	01/23/2009	07/22/2009	DALLAS	TEXOMA
2562824	CLOSE	PREVENTIVE	Abatement Inspection and Repair	SECT13945	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01013-001	915167	URMC	04/17/2009	04/17/2009	DALLAS	TEXOMA
N/A	CLOSE	VEGE MGMT	VM spot application, herbicide	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	N/A	N/A	N/A	N/A	09/22/2009	DALLAS	TEXOMA
2658843	CLOSE	CORRECTIVE	Inspecting issue with trees on ROW at 37/2	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP02000-091	877181	JYX9	09/22/2009	02/03/2010	DALLAS	TEXOMA
2715623	CLOSE	PREVENTIVE	Fall Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-002	1014256	PMGEN	12/16/2009	12/15/2009	DALLAS	TEXOMA
2900175	WSCH	PREVENTIVE	Fall Aerial Inspection	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	JP01008-002	1014256	PMGEN	09/23/2010		DALLAS	TEXOMA
N/A	CLOSE	VEGE MGMT	VM side trimming	LINE00105	ANNA SW BKR 07610 & BKR 07620 - COLLIN SW 345 BKR 07675	N/A	N/A	N/A	N/A	10/15/2010	DALLAS	TEXOMA

DOCKET 38597 ATTACHMENT 1
TO CC Joint Venture
QUESTION NO. 1-01

18308

Valley - New Carrollton
curfa

NO. 71-145-199th

TEXAS POWER & LIGHT COMPANY

VS.

VIRGIL FISHER, ET AL

CONDEMNATION PROCEEDINGS
DISTRICT

IN THE COUNTY COURT

199th Judicial District

Collin

COUNTY, TEXAS

JUDGMENT

On the 21 day of DECEMBER, 1971, came on to be

heard the above cause, wherein Texas Power & Light Company is plaintiff and Virgil Fisher, Margaret Ruth Tompkins, Jack Leslie Fisher, Dorothy Gladys Hendrick and Joe Frank Fisher,

are defendants, and it appearing to the Court that on the 20 day of JULY

19 70, plaintiff, Texas Power & Light Company, filed with the judge of this Court a petition seeking to condemn an easement and right of way for electric power lines across certain land therein described owned by defendants, and that said judge appointed

Sam Hill

Frank Smith

and H. H. Neilson, three disinterested freeholders of this County, as Special Commissioners to assess the damages occasioned by the condemnation of said easement and right of way, that said Commissioners, as prescribed by law, set a time and place for such hearing and issued notices in the manner and time required by law, which notices were served on each of said defendants in the manner provided by law at least ten days, exclusive of the day of service, before the day set for said hearing; and it further appearing to the Court that such hearing was held as required by law, that said defendants appeared at said hearing, and that said Commissioners made their award and decision as follows:

"On this 20 day of August, 1970, the undersigned Special Commissioners, appointed by the judge of the above court to assess damages in the above condemnation proceedings brought by plaintiff Texas Power & Light Company to condemn a certain easement for electric power lines over and across the property of defendants, which easement is described in plaintiff's petition filed with said judge on the day 20th

of July, 19 70, having determined that defendants have been duly served with notice as required by law, and that all parties, plaintiff and defendants, appeared and announced ready for hearing, proceeded to hear said petition and the evidence as to the damages which will be sustained by the defendants by reason of such condemnation, and find that the amount of such damage due to defendants is \$ 10,000.00

(Signed) Sam Hill

(Signed) Frank Smith

(Signed) H. H. Neilson

Special Commissioners"

which decision was filed with the judge of this Court on the 26 day of August

19 70 ;

And it further appearing to the Court that more than twenty days have elapsed since such decision was filed and that no objection to such decision has been filed by any party:

It is, therefore, ORDERED, ADJUDGED AND DECREED that such decision be, and same is hereby made the judgment of this court;

And it further appearing to the Court that Defendants have

has filed objection to said decision within twenty days

after same was filed, but that all parties have appeared and announced to the Court that they have since agreed on the amount of damages due to defendants by reason of the condemnation of such easement, and that the amount of such damages agreed upon is \$ 15,000.00 :

It is therefore, ORDERED, ADJUDGED AND DECREED that said agreement be, and the same is hereby approved, confirmed and made the judgment of this Court;

DOCKET 38597 ATTACHMENT 2
TO C. H. V. at two 281
QUESTION NO. 1-01

It is accordingly further ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Texas Power & Light Company, recover judgment against defendants, Virgil Fisher, Margaret Ruth Tompkins, Jack Leslie Fisher, Dorothy Gladys Hendrick and Joe Frank Fisher,

for an easement and right of way as described in said petition for electric power lines to be used for transmitting and transporting electric current and power over and across certain lands owned by defendants described as follows:

All that certain tract of land in the Langdon S. Searcy Survey, Abstract No. 816, Collin County, Texas, containing 12.021 acres of land, being part of a 130.4 acre tract of land described in Deed dated December 14, 1960, from L. V. Cole, et ux to Virgil Fisher, et ux, recorded in Vol. 575, Page 263, Deed Records of Collin County, Texas, said tract being described by metes and bounds as follows:

BEGINNING at the Southwest corner of the above referred to 130.4 acre tract of land;
THENCE with the west boundary line of said tract North 01 deg. 31' East 184.72 feet to corner;
THENCE NORTH 51 degs. 40' East 1639 feet and North 47 degs. 33' East 1278.28 feet to corner located in the south right of way line of Farm Road No. 1461;
THENCE with the south right of way line of said farm road south 89 degs. 18' East 248.57 feet to corner;
THENCE SOUTH 47 degs. 33' West 1465.72 feet and south 51 degs. 40' West 1727.28 feet to corner located in the south boundary line of the above referred to 130.4 acre tract of land;
THENCE with said south boundary line North 89 degs. 33' West 45.91 feet to the place of beginning, being a strip of land 170 feet in width, located as above described and covering an area of 12.021 acres.

Such easement shall include the right to construct, erect and install on said land such poles, wires, towers, cross-arms, braces, pins, insulators, fasteners, guy wires, guy anchorages, and other attachments as plaintiff may, from time to time, find useful or desirable, together with the right of ingress and egress over and upon said land for the purpose of constructing, reconstructing, operating, inspecting, patrolling and removing such facilities, and the right to remove from said land and prevent the construction thereon of any building or other structure, and also to remove therefrom all growth other than crops, shrubs and fruit trees less than fifteen feet high. All wires other than guy wires shall be suspended at a height sufficient to insure a minimum clearance of 22 feet above the ground. However, plaintiff shall have no right to occupy permanently any part of said land, except the portion occupied by the facilities aforesaid, and shall have no right to fence or enclose said land or to use it for any purpose other than as aforesaid, and the right of defendants and subsequent owners of said land to pass back and forth across said land on foot or in vehicles, to cultivate or landscape the same, to raise crops or gardens thereon, or use it for recreation or any other purpose not inconsistent with plaintiff's use of the facilities above mentioned, shall not be obstructed or interfered with, except to the extent above stated.

The right is reserved to defendants and subsequent owners of said land to lay out, dedicate, construct and maintain roads, streets, alleys, railroad tracks, underground communication conduits, and gas, water and sewer pipelines across said land at any angle of not less than 45 degrees to any electric line thereon, so long as such roads, streets, alleys, tracks, conduits, and gas, water

and sewer pipelines do not interfere with any facilities theretofore constructed by plaintiff, and provided that the surface of any such road, street, alley or track shall be so constructed as to insure a minimum clearance of 22 feet below any wire installed by plaintiff. Plaintiff shall have no right to erect or install any of its facilities within the traveled portion of any paved road, street, alley, or track so constructed hereafter across said land by defendants or the subsequent owners of said land, or of any road, street, alley or track now existing on said land.

The right is also reserved to defendants and subsequent owners of said land to erect fences not more than 8 feet high across and upon said land, provided all such fences shall have gates, openings or removable sections at least 10 feet wide which will permit plaintiff reasonable access to all parts of said land.

The right of ingress and egress shall not include the right in the future, after the original construction of any electric power line, to destroy or damage any crops, shrubs, fences or other property of defendants or of any subsequent owner of said land, without payment to defendants or said owners of reasonable compensation; provided, however, that no compensation need be paid for the removal from said land of buildings or other structures, or for the trimming or cutting down of trees or shrubs more than fifteen feet high, or for damages to fences without gates, openings or removable sections as above provided.

The easement and right of way above described shall continue for the use of plaintiff, its successors and assigns, until all of plaintiff's facilities and lines located on said land shall be permanently removed or abandoned.

It is further ORDERED, ADJUDGED AND DECREED by the Court that writ of possession issue in behalf of plaintiff for the easement and right of way above described.

It is further ORDERED, ADJUDGED AND DECREED by the Court that defendants Virgil Fisher, Margaret Ruth Tompkins, Jack Leslie Fisher, Dorothy Gladys Hendrick and Joe Frank Fisher,

recover of and from plaintiff, Texas Power & Light Company, the sum of Fifteen Thousand, and No/100----- (\$ 15,000.00) Dollars, the amount of the damages fixed as above set out, but it appearing to the Court that plaintiff has deposited in the registry of the Court the full amount of such damages, it is ordered that no execution issue for same.

It is further ORDERED that all costs herein be adjudged against Plaintiff

Written draft of judgment signed this 21st day of December

19 11
APPROVED

[Signature]

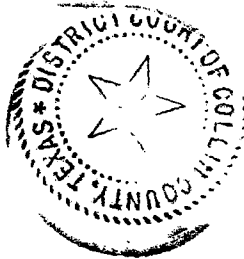
[Signature]

[Signature]

Judge

STATE OF TEXAS
COUNTY OF COLLIN

I, Clara Travillion, District Clerk in and for Collin County, Texas do hereby certify that the above and foregoing is a true and correct copy of the Judgment in Cause No. 71-145-199 As the same appears of record in Vol. 1 page Civil minutes District Court, Collin County, Texas Witness my hand and seal of said Court, this the 22nd day of Dec. A.D. 19 71



CLARA TRAVILLION, DISTRICT CLERK
COLLIN COUNTY, TEXAS

Clara Travillion

STATE OF TEXAS
COUNTY OF COLLIN
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded on the 22 day of Dec. A.D. 19 71 in Vol. 1 page 429 of the Dec. records of Collin County, Texas.



Jas. R. Webb

County Clerk, Collin
County, Texas

TPH Valley - no connection
FILED
1971 DEC 22 PM 1:40
JAS. R. WEBB, COUNTY CLERK
COLLIN COUNTY, TEXAS
159875
NUMBER
Queen County

Virginie Fisher et al
Judgment
Return to
Alamity & Son
112 W. Virginia
McKung
45/

35-142

Valley - NW Casselton
Casper

118

18312

NO. 71-121-199

TEXAS POWER & LIGHT COMPANY

VS.

CHARLES HOOPER, ET AL

CONDEMNATION PROCEEDINGS

IN THE DISTRICT COURT

199th JUDICIAL DISTRICT

COLLIN

COUNTY, TEXAS

JUDGMENT

On the 21st day of DECEMBER, 19 71, came on to be

heard the above cause, wherein Texas Power & Light Company is plaintiff and Charles Hooper, Dr. Doyle Stacy, Collin County National Bank, McKinney, Texas, and Jack Furr,

are defendants, and it appearing to the Court that on the 8th day of JUNE

19 70, plaintiff, Texas Power & Light Company, filed with the judge of this Court a petition seeking to condemn an easement and right of way for electric power lines across certain land therein described owned by defendants, and that said judge appointed

SAM HILL, FRANK SMITH

and H. H. NEILSON, three disinterested freeholders of this County, as Special Commissioners to assess the damages occasioned by the condemnation of said easement and right of way, that said Commissioners, as prescribed by law, set a time and place for such hearing and issued notices in the manner and time required by law, which notices were served on each of said defendants in the manner provided by law at least ten days, exclusive of the day of service, before the day set for said hearing; and it further appearing to the Court that such hearing was held as required by law, that said defendants appeared at said hearing, and that said Commissioners made their award and decision as follows:

"On this 9 day of July, 19 70, the undersigned Special Commissioners, appointed by the judge of the above court to assess damages in the above condemnation proceedings brought by plaintiff Texas Power & Light Company to condemn a certain easement for electric power lines over and across the property of defendants, which easement is described in plaintiff's petition filed with said judge on the day

of June 8th, 19 70, having determined that defendants have been duly served with notice as required by law, and that all parties, plaintiff and defendants, appeared and announced ready for hearing, proceeded to hear said petition and the evidence as to the damages which will be sustained by the defendants by reason of such condemnation, and find that the amount of such damage due to defendants is \$ 3,250.00

(Signed) Sam Hill

(Signed) H. H. Neilson

(Signed) Frank Smith

Special Commissioners"

which decision was filed with the judge of this Court on the 9 day of JULY,

19 70;

And it further appearing to the Court that more than twenty days have elapsed since such decision was filed and that no objection to such decision has been filed by any party:-

It is, therefore, ORDERED, ADJUDGED AND DECREED that such decision be, and same is hereby made the judgment of this court;

And it further appearing to the Court that Defendants

has filed objection to said decision within twenty days

after same was filed, but that all parties have appeared and announced to the Court that they have since agreed on the amount of damages due to defendants by reason of the condemnation of such easement, and that the amount of such damages agreed upon is \$ 6,000.00

It is therefore, ORDERED, ADJUDGED AND DECREED that said agreement be, and the same is hereby approved, confirmed and made the judgment of this Court;

DOCKET 38597 ATTACHMENT 3
TO Dr. Doyle Stacy
QUESTION NO. 1-01

It is accordingly further ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Texas Power & Light Company, recover judgment against defendants, Charles Hooper, Dr. Doyle Stacy, Collin County National Bank, McKinney, Texas, and Jack Furr,

for an easement and right of way as described in said petition for electric power lines to be used for transmitting and transporting electric current and power over and across certain lands owned by defendants described as follows:

All that certain tract of land in the Larkin McCarty Survey, Abstract No. 600, Collin County, Texas, containing 4.324 acres, being part of a 188.89 acre tract of land described in Deed dated July 24, 1967, from Lillian C. Cunningham to Charles Hooper, et al recorded in Volume 693, Page 557, Deed Records of Collin County, Texas, and said tract being described by metes and bounds as follows:
BEGINNING at a point in the northboundary line of the above referred to 188.89 acre tract of land, same being also the north boundary line of the Larkin McCarty Survey, Abstract No. 600, located in the centerline of a road, said point being 1158.6 feet north 89 degs. 27' West from the Northeast corner of said survey and said corner being further described as being in the centerline of a road;
THENCE SOUTH 51 degs. 40' West 1281.95 feet to corner located in the West boundary line of the above referred to 188.89 acre tract of land;
THENCE with said West boundary line North 00 deg. 33' East 218.39 feet to corner;
THENCE NORTH 51 degs. 40' East 934.05 feet to corner located in the northboundary line of the above referred to 188.89 acre tract of land, same being also the north boundary line of the Larkin McCarty Survey, Abstract No. 600, located in the centerline of a road;
THENCE with said common boundary line and along the centerline of a road South 89 degs. 27' East 270.81 feet to the place of beginning, being a strip of land 170 feet in width, located as above described and covering an area of 4.324 acres.

Such easement shall include the right to construct, erect and install on said land such poles, wires, towers, cross-arms, braces, pins, insulators, fasteners, guy wires, guy anchorages, and other attachments as plaintiff may, from time to time, find useful or desirable, together with the right of ingress and egress over and upon said land for the purpose of constructing, reconstructing, operating, inspecting, patrolling and removing such facilities, and the right to remove from said land and prevent the construction thereon of any building or other structure, and also to remove therefrom all growth other than crops, shrubs and fruit trees less than fifteen feet high. All wires other than guy wires shall be suspended at a height sufficient to insure a minimum clearance of 22 feet above the ground. However, plaintiff shall have no right to occupy permanently any part of said land, except the portion occupied by the facilities aforesaid, and shall have no right to fence or enclose said land or to use it for any purpose other than as aforesaid, and the right of defendants and subsequent owners of said land to pass back and forth across said land on foot or in vehicles, to cultivate or landscape the same, to raise crops or gardens thereon, or use it for recreation or any other purpose not inconsistent with plaintiff's use of the facilities above mentioned, shall not be obstructed or interfered with, except to the extent above stated.

The right is reserved to defendants and subsequent owners of said land to lay out, dedicate, construct and maintain roads, streets, alleys, railroad tracks, underground communication conduits, and gas, water and sewer pipelines across said land at any angle of not less than 45 degrees to any electric line thereon, so long as such roads, streets, alleys, tracks, conduits, and gas, water

and sewer pipelines do not interfere with any facilities theretofore constructed by plaintiff, and provided that the surface of any such road, street, alley or track shall be so constructed as to insure a minimum clearance of 22 feet below any wire installed by plaintiff. Plaintiff shall have no right to erect or install any of its facilities within the traveled portion of any paved road, street, alley, or track so constructed hereafter across said land by defendants or the subsequent owners of said land, or of any road, street, alley or track now existing on said land.

The right is also reserved to defendants and subsequent owners of said land to erect fences not more than 8 feet high across and upon said land, provided all such fences shall have gates, openings or removable sections at least 10 feet wide which will permit plaintiff reasonable access to all parts of said land.

The right of ingress and egress shall not include the right in the future, after the original construction of any electric power line, to destroy or damage any crops, shrubs, fences or other property of defendants or of any subsequent owner of said land, without payment to defendants or said owners of reasonable compensation; provided, however, that no compensation need be paid for the removal from said land of buildings or other structures, or for the trimming or cutting down of trees or shrubs more than fifteen feet high, or for damages to fences without gates, openings or removable sections as above provided.

The easement and right of way above described shall continue for the use of plaintiff, its successors and assigns, until all of plaintiff's facilities and lines located on said land shall be permanently removed or abandoned.

It is further ORDERED, ADJUDGED AND DECREED by the Court that writ of possession issue in behalf of plaintiff for the easement and right of way above described.

It is further ORDERED, ADJUDGED AND DECREED by the Court that defendants Charles Hooper, Dr. Doyle Stacy, Collin County National Bank, McKinney, Texas, and Jack Furr,

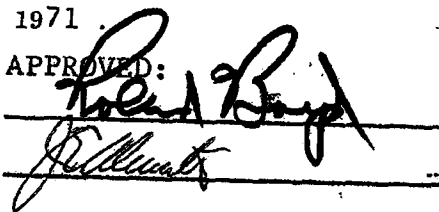
recover of and from plaintiff, Texas Power & Light Company, the sum of SIX THOUSAND AND NO/100----- (\$6,000.00) Dollars, the amount of the damages fixed as above set out, but it appearing to the Court that plaintiff has deposited in the registry of the Court the full amount of such damages, it is ordered that no execution issue for same.

It is further ORDERED that all costs herein be adjudged against Plaintiff

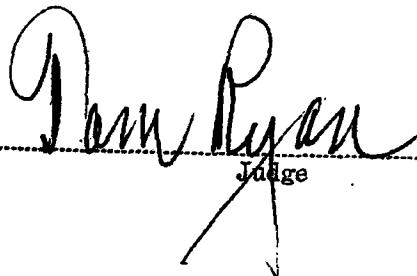
Written draft of judgment signed this 21st day of DECEMBER

1971

APPROVED:



Judge



Judge

STATE OF TEXAS }
COUNTY OF COLLIN }

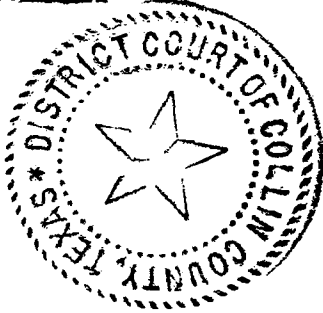
I, Clara Travillion, District Clerk in and for Collin County, Texas do hereby certify that the above and foregoing is a true and correct copy of the Judgment in Cause No. 71-121-199

As the same appears of record in Vol. 1 page Civil minutes

District Court, Collin County, Texas

Witness my hand and seal of said Court, this the 22 day of Dec

A.D. 19 71



CLARA TRAVILLION, DISTRICT CLERK
COLLIN COUNTY, TEXAS

Clara Travillion

STATE OF TEXAS
COUNTY OF COLLIN

I hereby certify that this instrument was
filed on the date and time stamped here-
on by me and was duly recorded on the
23 day of Dec A.D. 19 71, in Vol.
805 page 425 of the Deed
records of Collin County, Texas.



Jas. R. Webb
County Clerk, Collin
County, Texas

Charles Hooper
Judgment

Return to
Alvin H. Orr
112 W. Virginia
McHenry, Tex

145-3

71-121-199-Valley - M21 (12-14-71)
Collin County
FILED
1971 DEC 22 PM 1:41
CLERK OF DISTRICT COURT
COLLIN COUNTY TEXAS
159876
NUMBER

Tract No. 35-143

VALLEY-NW CARROLLTON
SEE TD-46475
620-4-57549-350

EASEMENT AND RIGHT OF WAY

THE STATE OF TEXAS

County of COLLINThat I, Charles V. Campbell,of DallasCounty, Texas, hereinafter called "Grantor," whether one or more, for and in consideration of One Dollar and other good and valuable consideration Dollars (\$ 1.00) to Grantor in hand paid by Texas Power & Light Company of Dallas, Texas, has granted, sold and conveyed and by these presents does grant, sell and convey unto said Company an easement and right of way for one or more electric power lines and communication lines, each consisting of a variable number of wires, and all necessary and desirable appurtenances and attachments, including poles, H-frames, metal towers, guy wires and guy anchorages, over, across and upon all that certain land in Collin County, Texas, more particularly described as follows:

All that certain tract of land in the Larkin McCarty Survey, Abstract No. 600, Collin County, Texas, containing 2.871 acres, being part of a 492.072 acre tract of land described in deed dated April 17, 1967, from Ramon M. Esteve, Jr., et al to Charles V. Campbell, recorded in Volume 689, Page 450, Deed Records of Collin County, Texas, the tract hereby conveyed being described by metes and bounds as follows:

BEGINNING at a point in the most Easterly East boundary line of the above referred to 492.072 acre tract of land, said point being 591.81 feet South 00° 33' West from an ell corner in said line, said ell corner being in the North boundary line of the Larkin McCarty Survey, Abstract No. 600;

THENCE with the aforementioned East boundary line South 00° 33' West 218.39 feet to corner;

THENCE South 51° 40' West 647.61 feet to corner located in the centerline of a creek, same being also a Southwest boundary line of the above referred to 492.072 acre tract of land;

THENCE with the centerline of said creek North 62° 20' West 93.04 feet and North 15° 50' West 92 feet to corner;

THENCE North 51° 40' East 787.34 feet to the place of beginning, being a strip of land 170 feet in width, located as above described and covering an area of 2.871 acres.

Together with the right of ingress and egress over and along the above described right of way, and over Grantor's adjacent lands to or from said right of way, for the purpose of constructing, operating, improving, reconstructing, repairing, relocating, inspecting, patrolling, maintaining and removing such electric power and communication lines as the Company may from time to time find necessary, convenient or desirable to erect thereon, the right to trim and cut down trees and shrubbery to the extent, in the sole judgment of the Company, necessary to prevent possible interference with the operation of any of said lines or to remove possible hazards thereto, and the right to remove or prevent the construction on said land of any or all buildings, structures and obstructions. If any such buildings, structures or obstructions are constructed or permitted by Grantor to exist on said land without prior written consent of Company, then the Company shall have the right to remove same from such land and Grantor agrees to pay to Company the reasonable cost of such removal, and this agreement, together with the other provisions of this grant, shall constitute a covenant running with the land for the benefit of the Company, its successors and assigns. The rights hereby granted are severable and may be assigned either in whole or in part.

Grantor reserves the right to use said land for general agricultural and grazing purposes, provided such use shall not include the growing of trees thereon or any other use that might, in the sole judgment of Company, interfere with the exercise by the Company of the rights hereby granted. Grantor further reserves the right to lay out, dedicate, construct, maintain and use across said land such roads, streets, alleys, railroad tracks, underground telephone cables and conduits and gas, water and sewer pipe lines as will not interfere with Company's use of said land for the purposes aforesaid, provided that all such facilities shall be located at angles of not less than 45 degrees to any of Company's lines, and shall be so constructed as to provide with respect to Company's wires and other facilities the minimum clearances provided by law and recognized as standard in the electrical industry. Grantor also reserves the right to erect fences not more than 8 feet high across and upon said land, provided all such fences shall have gates, openings or removable sections at least 10 feet wide which will permit Company reasonable access to all parts of said land.

In addition to the consideration above recited for the easement and right of way hereby granted, the Company will pay to the owner of the land, and if leased, to his tenant, as they may be respectively entitled, for actual damage as done to timber, fences and growing crops by reason of the construction, maintenance or removal of said lines; provided, however, that no such payment will be made for trimming or removal of trees hereafter permitted to grow on said land, nor for removal of buildings, structures or obstructions erected upon said land after any of said lines are constructed.

TO HAVE AND TO HOLD the above described easement and rights unto the said Company, its successors and assigns, until all of said lines shall be abandoned, and in that event said easement and right of way shall cease and all rights herein granted shall terminate and revert to Grantor, his heirs, successors or assigns; and Grantor hereby binds himself, his heirs and legal representatives, to warrant and forever defend the above described easement and rights unto Company, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. by, through and under him only.

EXECUTED this 8th day of October, A. D. 19 70Charles V. CampbellDOCKET 38597 ATTACHMENT 4
TO Deed & Vesting 84-1
QUESTIONNO. 1-01

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

THE STATE OF TEXAS

County of Dallas

BEFORE ME, the undersigned authority, on this day personally appeared Charles V. Campbell

known to me to be the person(s) whose name(s) is (are) Charles V. Campbell subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 8th day of October, A. D. 1970

Notary Public Brian Jean Marks County, Texas

I, Charles V. Campbell, County Clerk in and for said County, hereby certify that the within Conveyance was filed in my office for record on the 8th day of October, 1970 at 10:00 o'clock A.M., and duly recorded by me in Book 157022 of the Deed Records of said County, at page 157022.
Given under my hand and seal of office this 8th day of October, 1970.
County Clerk Abernathy & Orr County, Texas.
by McKinney Deputy.
Rec. \$2.50

STATE OF TEXAS

Texas Power & Light Co.

Essement and Right of Way
157022

THE STATE OF TEXAS

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

THE STATE OF TEXAS

County of _____

BEFORE ME, the undersigned authority, on this day personally appeared _____

known to me to be the person(s) whose name(s) is (are) _____ subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, A. D. 19____

Notary Public _____ County, Texas

CERTIFICATE OF ACKNOWLEDGMENT FOR CORPORATIONS, ASSOCIATIONS, CHURCHES, SCHOOL DISTRICTS, ETC.

THE STATE OF TEXAS

County of _____

BEFORE ME, the undersigned authority, on this day personally appeared _____

of _____ (Title) known to me to be the person(s) whose name(s) is (are) _____ subscribed to the foregoing instrument, and acknowledged to me that _____ executed the same as the act and deed of _____

and as _____ (Title) thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, A. D. 19____

Notary Public _____ County, Texas

Tract No. 35-144

VALLEY-NW-CARROLLTON

SEE TD-46475

620-4-57549-350

EASEMENT AND RIGHT OF WAY

THE STATE OF TEXAS

County of Collin

KNOW ALL MEN BY THESE PRESENTS:

1944

That I, J. B. Cannaday, Jr.

of Yuma Arizona County, Yuma, hereinafter called "Grantor," whether one or more, for and in consideration of Jan Ballaro & other good & valuable Dollars (\$ 12.00) to Grantor in hand paid by Texas Power & Light Company of Dallas, Texas, has granted, sold and conveyed and by these presents does grant, sell and convey unto said Company an easement and right of way for one or more electric power lines and communication lines, each consisting of a variable number of wires, and all necessary and desirable appurtenances and attachments, including poles, H-

frames, metal towers, guy wires and guy anchorages, over, across and upon all that certain land in Collin County, Texas, more particularly described as follows: All that certain tract of land in the Larkin McCarty Survey, Abstract 600, Collin County, Texas, containing 5.26 acres of land being part of a 147.56 acre tract of land described in Deed dated April 25, 1966 from Antha L. Cannaday to J. B. Cannaday, Jr., recorded in Volume 672, Page 392, Deed Records of Collin County, Texas, the tract hereby conveyed being described by metes and bounds as follows:

BEGINNING at a point in the Northeast boundary line of the above referred to 147.56 acre tract of land, same being also the centerline of a creek. Said point being 910 feet when measured along the meandering centerline of said creek Northwesterly from its intersection with the centerline of another creek and said point of intersection being the Southeast corner of the above referred to 147.56 acre tract of land;

THENCE South $51^{\circ} 40'$ West 1322.77 feet to corner located in the South boundary line of the above referred to 147.56 acre tract of land, same being in the centerline of a creek;

THENCE with the centerline of said creek North $68^{\circ} 20'$ West 98.15 feet and North $58^{\circ} 20'$ West 90.46 feet to corner;

THENCE North $51^{\circ} 40'$ East 1400.15 feet to corner located in the Northeast boundary line of the above referred to 147.56 acre tract of land located in the centerline of a creek;

THENCE with the centerline of said creek South $15^{\circ} 50'$ East 92 feet and South $62^{\circ} 20'$ East 93.04 feet to the place of beginning, being a strip of land 170 feet in width located as above described and covering an area of 5.26 acres of land.

Together with the right of ingress and egress over and along the above described right of way, and over Grantor's adjacent lands to or from said right of way, for the purpose of constructing, operating, improving, reconstructing, repairing, relocating, inspecting, patrolling, maintaining and removing such electric power and communication lines as the Company may from time to time find necessary, convenient or desirable to erect thereon, the right to trim and cut down trees and shrubbery to the extent, in the sole judgment of the Company, necessary to prevent possible interference with the operation of any of said lines or to remove possible hazards thereto, and the right to remove or prevent the construction on said land of any or all buildings, structures and obstructions. If any such buildings, structures or obstructions are constructed or permitted by Grantor to exist on said land without prior written consent of Company, then the Company shall have the right to remove same from such land and Grantor agrees to pay to Company the reasonable cost of such removal, and this agreement, together with the other provisions of this grant, shall constitute a covenant running with the land for the benefit of the Company, its successors and assigns. The rights hereby granted are severable and may be assigned either in whole or in part.

Grantor reserves the right to use said land for general agricultural and grazing purposes, provided such use shall not include the growing of trees thereon or any other use that might, in the sole judgment of Company, interfere with the exercise by the Company of the rights hereby granted. Grantor further reserves the right to lay out, dedicate, construct, maintain and use across said land such roads, streets, alleys, railroad tracks, underground telephone cables and conduits and gas, water and sewer pipe lines as will not interfere with Company's use of said land for the purposes aforesaid, provided that all such facilities shall be located at angles of not less than 45 degrees to any of Company's lines, and shall be so constructed as to provide with respect to Company's wires and other facilities the minimum clearances provided by law and recognized as standard in the electrical industry. Grantor also reserves the right to erect fences not more than 8 feet high across and upon said land, provided all such fences shall have gates, openings or removable sections at least 10 feet wide which will permit Company reasonable access to all parts of said land.

In addition to the consideration above recited for the easement and right of way hereby granted, the Company will pay to the owner of the land, and if leased, to his tenant, as they may be respectively entitled, for actual damage as done to ~~the~~ fences and growing crops by reason of the construction, maintenance or removal of said lines; provided, however, that no such payment will be made for trimming or removal of trees hereafter permitted to grow on said land, nor for removal of buildings, structures or obstructions erected upon said land after any of said lines are constructed.

TO HAVE AND TO HOLD the above described easement and rights unto the said Company, its successors and assigns, until all of said lines shall be abandoned, and in that event said easement and right of way shall cease and all rights herein granted shall terminate and revert to Grantor, his heirs, successors or assigns; and Grantor hereby binds himself, his heirs and legal representatives, to warrant and forever defend the above described easement and rights unto Company, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 12 day of February, A. D. 1970

Robert E. Smith
Notary Public.

J. B. Cannaday, Jr.

Comm. exp. 7/10/73



DOCKET 38597 ATTACHMENT 5
TO CC Real Estate Set 1
QUESTION NO. 1-D1

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS
ARIZONA
THE STATE OF ~~TEXAS~~

County of YUMA

BEFORE ME, the undersigned authority, on this day personally appeared

J. B. Cannaday, Jr.

known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12 day of February, A. D. 1970

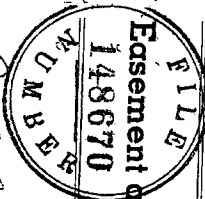
comm. exp. 7/10/73

Notary Public Yuma Arizona
County, TEXAS

County Clerk in and for said County, hereby certify that the within Conveyance was filed in my office for record on the 12 day of February, 1970 at 10 o'clock M., and duly recorded by me in Book 148670 of the Deed Records of said County, at page 19.
Given under my hand and seal of office this 12 day of February, 1970.
County Clerk Yuma, Texas.
Deputy Yuma, Texas.

STATE OF TEXAS,

TO
Texas Power & Light Co.



FROM

THE STATE OF TEXAS

County

620-4-57549-350

35-144 Valley - N. B. Cannaday

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

THE STATE OF TEXAS

County of

BEFORE ME, the undersigned authority, on this day personally appeared

known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of Feb, A. D. 1970, in Vol. 751 page 767 of the Deed Records of Collin County, Texas.

STATE OF TEXAS
COUNTY OF COLLIN

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded on the 26 day of Feb, A. D. 1970, in Vol. 751 page 767 of the Deed Records of Collin County, Texas.

Jas. R. Webb
County Clerk, Collin
County, Texas

Notary Public Collin County, Texas

CERTIFICATE OF ACKNOWLEDGMENT FOR CORPORATIONS, ASSOCIATIONS, CHURCHES, SCHOOL DISTRICTS, ETC.

THE STATE OF TEXAS

County of

BEFORE ME, the undersigned authority, on this day personally appeared

person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of

and as thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 25 day of Feb, A. D. 1970

Notary Public Collin County, Texas

VOL 828 PAGE 783

13252

NO. 71-143 -149

TEXAS POWER & LIGHT COMPANY

VS.

TOM AMIS, ET AL

CONDEMNATION PROCEEDINGS

District
IN THE COUNTY COURT
199th Judicial District

Collin

COUNTY, TEXAS

JUDGMENT

On the 12th day of ~~JUNE~~ JULY, 1972, came on to beheard the above cause, wherein Texas Power & Light Company is plaintiff and
TOM AMIS and E. V. HARDWICK,

are defendants, and it appearing to the Court that on the 20

day of JULY

1970, plaintiff, Texas Power & Light Company, filed with the judge of this Court a petition seeking to condemn an easement and right of way for electric power lines across certain land therein described owned by defendants, and that said judge appointed

Sam Hill

Frank W. Smith

and H. H. Neilson

, three disinterested freeholders of this County, as Special Commissioners to assess the damages occasioned by the condemnation of said easement and right of way, that said Commissioners, as prescribed by law, set a time and place for such hearing and issued notices in the manner and time required by law, which notices were served on each of said defendants in the manner provided by law at least ten days, exclusive of the day of service, before the day set for said hearing; and it further appearing to the Court that such hearing was held as required by law, that said defendants appeared at said hearing; and that said Commissioners made their award and decision as follows:

"On this 18 day of August

, 1970, the undersigned Special Commissioners, appointed by the judge of the above court to assess damages in the above condemnation proceedings brought by plaintiff Texas Power & Light Company to condemn a certain easement for electric power lines over and across the property of defendants, which easement is described in plaintiff's petition filed with said judge on the day

of July 20, 1972, having determined that defendants have been duly served with notice as required by law, and that all parties, plaintiff and defendants, appeared and announced ready for hearing, proceeded to hear said petition and the evidence as to the damages which will be sustained by the defendants by reason of such condemnation, and find that the amount of such damage due to defendants is \$ 5,000.00

(Signed) Sam Hill

(Signed) Frank W. Smith

(Signed) H. H. Neilson

Special Commissioners"

which decision was filed with the judge of this Court on the 26 day of AUGUST

1972;

And it further appearing to the Court that more than twenty days have elapsed since such decision was filed and that no objection to such decision has been filed by any party:

It is, therefore, ORDERED, ADJUDGED AND DECREED that such decision be, and same is hereby made the judgment of this court;

And it further appearing to the Court that the Defendant

has filed objection to said decision within twenty days

after same was filed, but that all parties have appeared and announced to the Court that they have since agreed on the amount of damages due to defendants by reason of the condemnation of such easement, and that the amount of such damages agreed upon is \$ 10,000.00

It is therefore, ORDERED, ADJUDGED AND DECREED that said agreement be, and the same is hereby approved, confirmed and made the judgment of this Court;

DOCKET 38597 ATTACHMENT 4
TO CE and Venturing Set 1
QUESTION NO. 1-01

It is accordingly further ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Texas Power & Light Company, recover judgment against defendants,

TOM AMIS and E. V. HARDWICK

for an easement and right of way as described in said petition for electric power lines to be used for transmitting and transporting electric current and power over and across certain lands owned by defendants described as follows:

All that certain tract of land in the Larkin McCarty Survey, Abst. No. 600, Collin County, Texas, containing 7.569 acres, being part of a 199.591 acre tract of land described in Deed dated September 21, 1966, from E. V. Hardwick, et ux to Tom L. Amis, recorded in Vol. 679, Page 803, Deed Records of Collin County, Texas, said tract being described by metes and bounds as follows: BEGINNING at a point in the west boundary line of the above referred to 199.591 acre tract of land, same being also the west boundary line of the Larkin McCarty Survey, Abst. No. 600, said point being 1058.08 feet South 00 deg. 59' East from the Northwest corner of the aforementioned 199.591 acre tract of land, said Northwest corner being in the centerline of a creek; THENCE NORTH 51 deg. 40' East 1839.19 feet to corner located in a North boundary line of the above referred to 199.591 acre tract of land located in the centerline of a creek; THENCE with said centerline of creek and north boundary line south 58 deg. 20' East 90.46 feet and South 68 deg. 20' East 98.15 feet to corner; THENCE SOUTH 51 deg. 40' West 2048.94 feet to corner located in the West boundary line of the above referred to 199.591 acre tract of land, same being also the west boundary line of the Larkin McCarty Survey, Abst. No. 600; THENCE with said common boundary line North 00 deg. 59' West 213.85 feet to the place of beginning, being a strip of land 170 feet in width, located as above described and covering an area of 7.569 acres.

Such easement shall include the right to construct, erect and install on said land such poles, wires, towers, cross-arms, braces, pins, insulators, fasteners, guy wires, guy anchorages, and other attachments as plaintiff may, from time to time, find useful or desirable, together with the right of ingress and egress over and upon said land for the purpose of constructing, reconstructing, operating, inspecting, patrolling and removing such facilities, and the right to remove from said land and prevent the construction thereon of any building or other structure, and also to remove therefrom all growth other than crops, shrubs and fruit trees less than fifteen feet high. All wires other than guy wires shall be suspended at a height sufficient to insure a minimum clearance of 22 feet above the ground. However, plaintiff shall have no right to occupy permanently any part of said land, except the portion occupied by the facilities aforesaid, and shall have no right to fence or enclose said land or to use it for any purpose other than as aforesaid, and the right of defendants and subsequent owners of said land to pass back and forth across said land on foot or in vehicles, to cultivate or landscape the same, to raise crops or gardens thereon, or use it for recreation or any other purpose not inconsistent with plaintiff's use of the facilities above mentioned, shall not be obstructed or interfered with, except to the extent above stated.

The right is reserved to defendants and subsequent owners of said land to lay out, dedicate, construct and maintain roads, streets, alleys, railroad tracks, underground communication conduits, and gas, water and sewer pipelines across said land at any angle of not less than 45 degrees to any electric line thereon, so long as such roads, streets, alleys, tracks, conduits, and gas, water

and sewer pipelines do not interfere with any facilities theretofore constructed by plaintiff, and provided that the surface of any such road, street, alley or track shall be so constructed as to insure a minimum clearance of 22 feet below any wire installed by plaintiff. Plaintiff shall have no right to erect or install any of its facilities within the traveled portion of any paved road, street, alley, or track so constructed hereafter across said land by defendants or the subsequent owners of said land, or of any road, street, alley or track now existing on said land.

The right is also reserved to defendants and subsequent owners of said land to erect fences not more than 8 feet high across and upon said land, provided all such fences shall have gates, openings or removable sections at least 10 feet wide which will permit plaintiff reasonable access to all parts of said land.

The right of ingress and egress shall not include the right in the future, after the original construction of any electric power line, to destroy or damage any crops, shrubs, fences or other property of defendants or of any subsequent owner of said land, without payment to defendants or said owners of reasonable compensation; provided, however, that no compensation need be paid for the removal from said land of buildings or other structures, or for the trimming or cutting down of trees or shrubs more than fifteen feet high, or for damages to fences without gates, openings or removable sections as above provided.

The easement and right of way above described shall continue for the use of plaintiff, its successors and assigns, until all of plaintiff's facilities and lines located on said land shall be permanently removed or abandoned.

It is further ORDERED, ADJUDGED AND DECREED by the Court that writ of possession issue in behalf of plaintiff for the easement and right of way above described.

It is further ORDERED, ADJUDGED AND DECREED by the Court that defendants

Tom Amis and E. V. Hardwick

recover of and from plaintiff, Texas Power & Light Company, the sum of TEN THOUSAND AND NO/100----- (\$ 10,000.00) Dollars, the amount of the damages fixed as above set out, but it appearing to the Court that plaintiff has deposited in the registry of the Court the full amount of such damages, it is ordered that no execution issue for same.

It is further ORDERED that all costs herein be adjudged against Plaintiff

Written draft of judgment signed this 12th day of ~~June~~ JULY

1972

APPROVED:

✓ ROLAND BOYD

✓ J. E. ASERVATHY

Myr

✓ Tom Ryan

TOM RYAN, Judge
199th Judicial District Court, Collin County, Texas

STATE OF TEXAS
COUNTY OF COLLIN

I hereby certify that this instrument was
filed on the date and time stamped here-
on by me and was duly recorded on the 18
day of July A.D. 19, 72 in the
Volume and page as shown hereon in the
Need records of Collin County, Texas.



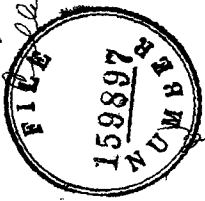
Jas. R. Webb

County Clerk, Collin County, Texas

FILED
1972 JUL 17 AM 9:58
[Signature]

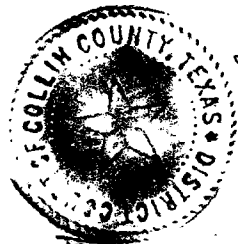
4250

35-145 Valley - NW Corner
FILE Collin County



Don Amos et al
Condemnation

CLARA TRAVILLION, DISTRICT CLERK
COLLIN COUNTY, TEXAS
[Signature]



Return to:
Alametha & Dore
112 W. Virginia
McKinnery Texas

STATE OF TEXAS
COUNTY OF COLLIN
I, Clara Travillion, District Clerk in and for Collin County, Texas do hereby certify that
the above and foregoing is a true and correct copy of the Judgment in Cause No. 72-143-199
As the same appears of record in Vol. 134 page 2
District Court, Collin County, Texas
Witness my hand and seal of said Court, this the 18th day of July A.D. 19 72
Civil minutes

VOL 828 PAGE 786

REQUEST:

Identify any residential subdivision or master-planned development within which Oncor has constructed a 345-kilovolt line using transmission towers utilizing the above-surface heights proposed for use in this Application within the Dallas-Fort Worth Metroplex and, for each, specify:

- a. The name and location of the development;
- b. The date the facilities were constructed;
- c. As of the date the public was informed of the planned construction of the facilities, whether the residential development had been selling lots to the public or/and had homes being built on the development; and
- d. Whether, as of the date of construction, members of the public were being sold lots or/and had homes being built on the development.

RESPONSE:

The following response was prepared by or under the direct supervision of Jill L. Alvarez, P.E., the sponsoring witness for this response.

Within the DFW metroplex in the past 5 years, the only new 345 kV transmission lines that passed near any proposed or planned residential development are the Venus – Liggett 345 kV line and the Jacksboro – West Denton 345 kV line. The planned development that the Venus - Liggett line passed near was a future plan as reported by the landowner. The planned development that the Jacksboro – West Denton line passed near was a master planned development in Denton County. The following responses pertain to the Denton County development that was proposed in 2006:

- a. Cole Ranch, I-35W, Denton, Texas (located just south of and adjacent to Denton Municipal Airport);
- b. Not applicable (no residential properties have been offered for sale, one commercial site and several sites for future schools have sold);
- c. Cole Ranch has been included in City of Denton and Denton ISD expansion plans since 2006 (property annexed in May 2006);
- d. No.

REQUEST:

Admit that "community values" are not limited to those values expressed during the public participation process prior to the filing of Oncor's Application. If you cannot admit, please explain the basis of your denial.

RESPONSE:

The following response was prepared by or under the direct supervision of Charles T. Jasper, the sponsoring witness for this response.

Admit.

REQUEST:

Admit that Whitley Place (www.whitleyplace.com) is a residential development with existing homeowner and an active marketing program. If you admit, describe:

- a. When you developed an awareness of the status of Whitley Place; and
- b. Why T-5 was not routed around the development;

If you deny or cannot admit this request without qualification, describe the basis of your position,

RESPONSE:

The following response was prepared by or under the direct supervision of Russell J. Marusak the sponsoring witness for this response.

Admit.

a. Halff developed an awareness of the residential development during the development of Link T5. Preliminary versions of Link T5 were developed on August 18, 2010. Halff identified the development as Whitley Place during field reconnaissance on August 19, 2010.

b. In considering the Link T5 alignment as proposed, Halff utilized the information from the same website provided in this RFI, including the site plan which is linked on the site. Recognizing that this area was an active development, Halff considered alternatives that would route around the development. Existing residential developments precluded any alternatives to the west. Rather than parallel the existing transmission line, Halff looked at alternatives (generally moving southwest to northeast) that would parallel CR 73(east) and then FM 2478 (north). However, cemeteries on both the north and south side of CR 73 and a habitable structure east of the CR 73/FM 2478 intersection prevented such an option. Halff looked at other alternatives in this region at a larger scale. After consideration of different routing constraints, in particular habitable structures and land uses, Halff decided to route Link T5 parallel to the east side of the existing 345 kV transmission line.

REQUEST:

Describe why segment T-5 does not parallel the existing 345-kV transmission line immediately north of Whitley Place over property belonging to the Collin County Lighthouse Christian Fellowship, Inc.

RESPONSE:

The following response was prepared by or under the direct supervision of Russell J. Marusak, the sponsoring witness for this response.

Please refer to Figure 3-1B of the Environmental Assessment and Alternative Route Analysis for the Krum West—Anna CREZ 345 kV transmission line project in Collin, Cooke, Denton, and Grayson Counties (Environmental Assessment), which is included as Attachment No. 1. Habitable structure ID 835, which is northeast of the intersection of CR 123 and the existing 345-kV transmission line, is measured between 160-170 feet from the centerline of the existing 345 kV transmission line. Continuing to parallel the existing transmission line on the east side would result in the habitable structure being within the right-of-way of the proposed transmission line.

REQUEST:

Describe how segment T-5 was developed: provide any documents related to its development or addition; and please identify any Oncor representatives involved in the decision to include T-5.

RESPONSE:

The following response was prepared by or under the direct supervision of Russell J. Marusak the sponsoring witness for this response.

Halff utilized data compiled during the constraints mapping process to develop a preliminary alignment for Link T5. After developing a preliminary alternative, Halff conducted field reconnaissance to determine if any adjustments were necessary. Please refer to Figure 3-1B of the Environmental Assessment for documents showing Link T5. Halff does not have any other documents related to the development or addition of Link T5. Russell Marusak is responsible for the decision to include Link T5.

REQUEST:

Describe whether metal buildings or buildings with a metal roof can be affected by being located in proximity to a 345-kilovolt transmission line and, if so, describe the potential effect, conditions that may increase the likelihood or severity of the effect, and what mitigating measures might be undertaken by Oncor to reduce or eliminate the effect.

RESPONSE:

The following response was prepared by or under the direct supervision of Jill L. Alvarez, P.E., the sponsoring witness for this response.

The electromagnetic field within the confines of the right-of-way (ROW) for the 345 kV line can be strong enough that any ungrounded conductive metal object located beneath the transmission line may develop induced voltage so that when contacted by animal or human, may deliver a shock, not strong enough to cause serious harm but similar to that of a static electric shock. The propensity of this effect is dependent on the size and conductivity of the object, the location of the object relative to the transmission line conductors, the length that the conductive object and transmission line may be parallel, and the field strength developed by the transmission line.

As a result, Oncor's preference is for no metal structure to remain or to be located within the width of the ROW. The field strength dissipates rapidly with distance away from the conductors and as a result, beyond the edges of the ROW, there is no effect on metal objects or structures. For those conductive objects that must be located within the ROW, for example a fence, then that object must be properly grounded to eliminate the unpleasantness of a shock on contact. Oncor commonly assists landowners with grounding these types of objects. In addition, where vehicles may traverse the ROW such as for agricultural purposes, it is recommended that a grounding chain be used to prevent shock if the vehicle is to be parked beneath the transmission line for some length of time.

REQUEST:

Admit that actual right-of-way acquisition costs will be higher than Oncor estimated for the acquisition of rights-of way within:

- a. Whitley Place,
- b. Highland Lakes,
- c. CP Development, and/or
- d. McCullough Farm.

If you cannot admit one or more of the foregoing, please explain the basis of your denial.

RESPONSE:

The following response was prepared by or under the direct supervision of Jill L. Alvarez, P.E., the sponsoring witness for this response.

- a. Deny.
- b. Deny.
- c. Deny.
- d. Deny.

The actual right-of-way acquisition costs are unknown at this time. A route has not yet been approved by the PUC. The width of the right-of-way is dependent on the primary structure type for the project, and that is currently undecided as well. The high level market study that was done included the impact of the existing transmission line as well as the ongoing development across the referenced properties and the area's real estate market. The market study incorporated the influence of actual sales listings as well as closed sales from the past several years in the immediate area.

REQUEST:

With regard to Mr. Donohoo's use of the term, "critical," in response to various RFIs, e.g., Forrest City & Mahard RFI Set No. 1, Question No. 1-06, please define the term and describe what factors are considered in determining that a transmission line or system component is "critical."

RESPONSE:

The following response was prepared by or under the direct supervision of Kenneth A. Donohoo, the sponsoring witness for this response.

Information responsive to this request was provided in Oncor's supplement response to docket No. 38597, Forest City & Mahard RFI Set No. 1, Question No. 1-05.

REQUEST:

Admit that Oncor has no right to add an additional circuit to the existing 345-kilovolt transmission line that crosses Whitley Place or McCullough Farm. If you cannot admit without qualification, please describe your reasons.

RESPONSE:

The following response was prepared by or under the direct supervision of Jill L. Alvarez, P.E., the sponsoring witness for this response.

Admit. Because the transmission line was built prior to the advent of the PUC and because it is built on single circuit structures, it was "grandfathered" as a single circuit 345-kV transmission line and a CCN would be required to upgrade it to double circuit.