

PERPETUAL STREET EASEMENT

STATE OF TEXAS §

COUNTY OF KAUFMAN §

THIS EASEMENT AGREEMENT ("Agreement") is made and entered into effective as of the 25th day of August 2025, by and between Mabank Independent School District, a political subdivision of the State of Texas ("Grantor"), and City of Mabank, a Texas home-rule/general-law municipality ("Grantee").

RECITALS

1. Authority. Grantor is the fee simple owner of the property described herein and is authorized under Texas Education Code § 11.154 to convey an interest in real property by easement for public purposes.
2. Public Purpose. Grantee desires to use the easement for the construction, maintenance, operation, and repair of public streets and related public infrastructure, serving the public and benefiting the Grantor's property.
3. Board Approval. The Board of Trustees of Grantor has determined that the easement described herein is not needed for school purposes and that granting it to Grantee for public street purposes serves a public purpose.

AGREEMENT

1. Grant of Easement. Grantor hereby grants, sells, and conveys unto Grantee, its successors and assigns, a perpetual, non-exclusive easement (the "Easement") across the land described in Exhibit "A" attached hereto and incorporated herein for all purposes, for the purpose of constructing, reconstructing, operating, maintaining, repairing, replacing, and using public streets, sidewalks, utilities, drainage, and associated public infrastructure.
2. Use of Easement. The Easement shall be used solely for public right-of-way purposes, including vehicular and pedestrian travel, and the installation of related street improvements, utilities, and appurtenances customarily located within public rights-of-way.
3. Maintenance. Grantee shall, at its sole cost, maintain the Easement area in good condition, free of hazards, and in a manner consistent with municipal street standards.
4. Ownership. Grantor retains fee simple title to the land subject to the Easement, together with the right to use the Easement area for any purpose not inconsistent with the rights herein granted.
5. Binding Effect. This Easement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

EXECUTION

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers on the date(s) indicated below.

GRANTOR:

Mabank Independent School District

By: 

Todd Grimes, President, Board of Trustees

ATTEST: 

Robby Teague, Secretary, Board of Trustees

GRANTEE:
City of Mabank

ATTEST:

By: _____
Randy Teague, Mayor

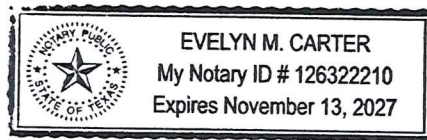
Kim McClaskey, City Secretary

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This instrument was acknowledged before me on this 25th day of August, 2025, by Todd Grimes, President of the Board of Trustees of Mabank Independent School District, on behalf of said political subdivision.

Evelyn M. Carter / Evelyn M. Carter
Notary Public, State of Texas
My Commission Expires: November 13, 2027



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This instrument was acknowledged before me on this _____ day of _____, 20____, by Randy Teague, Mayor of Mabank, on behalf of said municipality.

Notary Public, State of Texas
My Commission Expires: _____

EXHIBIT "A"

Legal description of the Easement area (metes and bounds or survey sketch).



Mabank
Independent School District

Agenda Item Action Sheet

MEETING DATE:

August 25, 2025

AGENDA ITEM:

Consider approval of the Resolution to approve the conveyance of a perpetual street easement to the City of Mabank for public right-of-way purposes.

BACKGROUND/RATIONALE:

It is to the mutual benefit of the District, City of Mabank, and community to convey a perpetual street easement for public use between the Intermediate Campus, Park Blvd., and Hwy 175 Service Rd. to ease traffic congestion on Hwy 198, provide additional ingress and egress to the campus, and serve as a public right-of-way for the community.

BUDGET PROVISIONS:

N/A

P-Scott

M - Litchfield
2nd - Conner

ATTACHMENTS:

Board Resolution – City of Mabank Easement
MISD – City of Mabank Perpetual Street Easement
Exhibit A (Survey & Field Notes)

6-D passes

RECOMMENDATION:

Superintendent recommends the approval of the resolution to convey a perpetual street easement to the City of Mabank for public right-of-way purposes as presented.

RECOMMENDED MOTION:

I move to approve the resolution to convey a perpetual street easement to the City of Mabank for public right-of-way purposes as presented.

SUPERINTENDENT SIGNATURE:

Russell J. Marshall