

# LCRA Transmission Services Corporation

## Board Agenda

Wednesday, Sept. 18, 2024  
LCRA General Office Complex  
Board Room – Hancock Building  
3700 Lake Austin Blvd.  
Austin, TX 78703  
Earliest start time: 11 a.m.

### Item From the Chair

1. Comments From the Public ..... 4

### Consent Items

- \*2. Conveyance of Easement in Guadalupe County ..... 5
3. Minutes of Prior Meeting ..... 8

### Action Items

4. Capital Improvement Projects Approval ..... 12
5. Acquisition of Interests in Real Property – Use of Eminent Domain  
in Kendall County ..... 16

**\*This agenda item requires the approval of 12 members of the Board.**

### Executive Session

1. Legal Advice Regarding Transmission Cost of Service Rate Case for LCRA  
Transmission Services Corporation
2. Legal Advice on Pending and Anticipated Litigation, Claims and Settlements
3. Legal Advice on Legal Matters

The Board may go into executive session on any item listed above, pursuant to Chapter 551 of the Texas Government Code, including, but not limited to, sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code.

### Legal Notice

Legal notices are available on the Texas secretary of state website 72 hours prior to the meeting at the following link: <https://www.sos.texas.gov/open/index.shtml>

## OVERVIEW OF LCRA TRANSMISSION SERVICES CORPORATION

In connection with the implementation of retail competition in the electric utility industry in the state of Texas, LCRA was required by the Texas Legislature in its amendments to the Public Utility Regulatory Act (enacted in 1999 under state legislation known as Senate Bill 7 and referred to as SB 7) to unbundle its electric generation assets from its electric transmission and distribution assets. LCRA conveyed, effective Jan. 1, 2002, all of its existing electric transmission and transformation assets (collectively, the Transferred Transmission Assets) to the LCRA Transmission Services Corporation (LCRA TSC) pursuant to the terms of an Electric Transmission Facilities Contract (the Initial Contractual Commitment), dated Oct. 1, 2001.

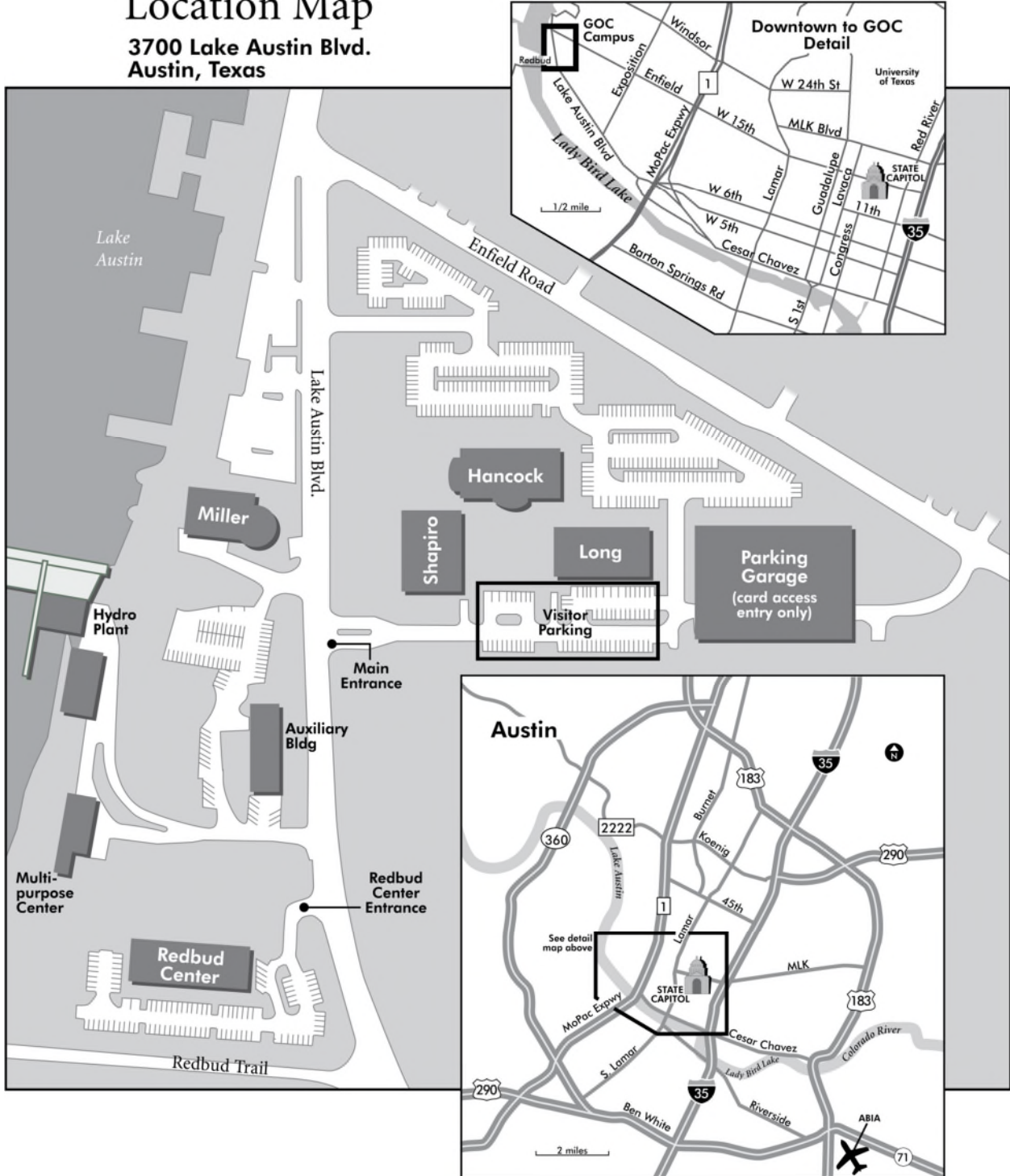
LCRA TSC is a nonprofit corporation created by LCRA to act on LCRA's behalf pursuant to Chapter 152, Texas Water Code, as amended. After Jan. 1, 2002, LCRA TSC engaged in the electric transmission and transformation activities previously carried out by LCRA and assumed LCRA's obligation to provide, and the right to collect revenues for, electric transmission and transformation services. LCRA TSC is an electric transmission service provider (a TSP) under the state's open-access electric transmission regulatory scheme within the approximately 85% area of the state covered by the Electric Reliability Council of Texas (ERCOT). In such capacity, LCRA TSC is entitled to receive compensation from all electric distribution service providers using the electric transmission system within ERCOT. As a TSP in the ERCOT region of the state, the rates that LCRA TSC will charge for transmission services are regulated by the Public Utility Commission of Texas (PUC) and determined pursuant to transmission cost of service rate proceedings filed with and approved by the PUC.

Within the framework of SB 7, LCRA TSC implements the electric transmission business of LCRA, including the expansion of electric transmission services outside of LCRA's traditional electric service territory. LCRA personnel are responsible for performing all of LCRA TSC's activities pursuant to a services agreement between LCRA TSC and LCRA. This includes procuring goods and services on behalf of LCRA TSC and is reflected in the LCRA Board agenda contracts.

Under the LCRA Master Resolution, defined as the LCRA Board resolution governing LCRA's outstanding debt, and certain provisions of state law, the LCRA Board is required to exercise control over all operations of LCRA TSC. This control includes approval of LCRA TSC's business plan and of the sale or disposition of any significant assets of LCRA TSC. The Board of Directors of LCRA TSC (LCRA TSC Board) is appointed by and serves at the will of the LCRA Board. The current membership of LCRA TSC Board is made up entirely of the existing LCRA Board.

# LCRA General Office Complex Location Map

3700 Lake Austin Blvd.  
Austin, Texas



## **FOR DISCUSSION**

# **1. Comments From the Public**

### **Summary**

This part of the meeting is intended for comments from the public on topics under LCRA Transmission Services Corporation's jurisdiction but not related to an item on the Board of Directors agenda. No responses or action may be taken by the Board during public comments.

In order to address the Board, a member of the public is required to sign and complete the registration form at the entrance to the meeting room.

Any member of the public wishing to comment on an item listed on this agenda will be called to make comments at the appropriate time.

**FOR ACTION (CONSENT)**

## **2. Conveyance of Easement in Guadalupe County**

### **Proposed Motion**

Authorize the president and chief executive officer or his designee to convey a 10-foot-wide drainage easement across a portion of LCRA Transmission Services Corporation's Seguin Substation to the City of Seguin in Guadalupe County.

### **Board Consideration**

LCRA TSC Board Policy T401 – Land Resources requires the declaration, terms of conveyance and requests for easements across LCRA TSC land to be approved by a three-fourths vote of the membership of the LCRA TSC Board of Directors.

### **Budget Status and Fiscal Impact**

The fiscal year 2025 LCRA TSC business plan contains the administrative costs associated with the conveyance of this easement.

### **Summary**

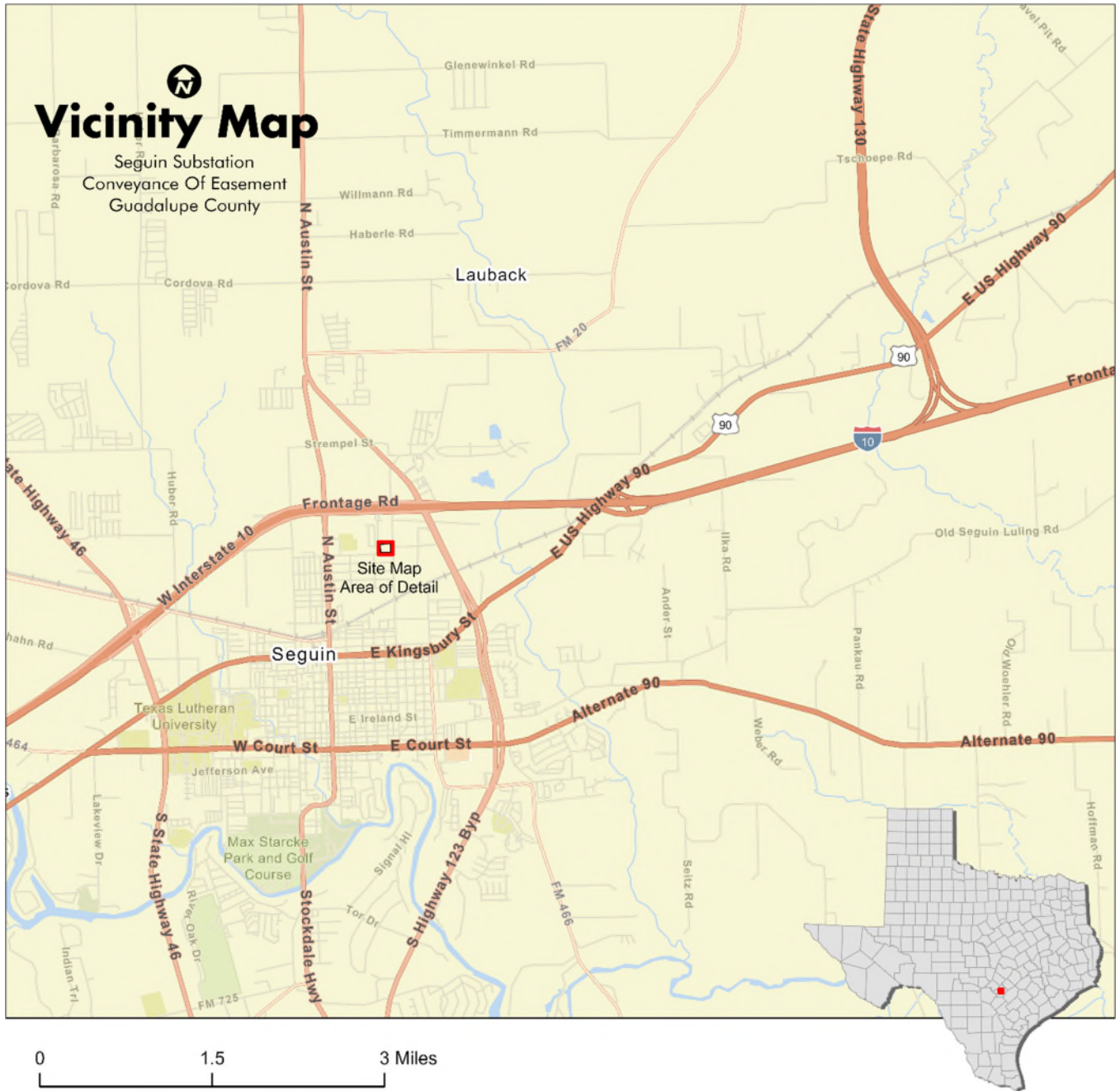
LCRA acquired the 6.75-acre Seguin Substation land in 1957 for the construction of an electric substation. The substation was conveyed from LCRA to LCRA TSC in 2002. Seguin has requested a 10-foot-wide, 0.004-acre drainage easement as shown on Exhibit B. Seguin had the proposed easement appraised by an independent, licensed and certified third-party appraiser who determined the market value to be \$689. LCRA TSC and Seguin have agreed to this price.

LCRA TSC representatives will complete environmental and cultural resource due diligence in accordance with LCRA TSC Board Policy T401.403 – Land Disposition prior to conveying the easement.

### **Exhibit(s)**

- A – Vicinity Map
- B – Site Map

**EXHIBIT A**



**EXHIBIT B**



**FOR ACTION (CONSENT)**

### **3. Minutes of Prior Meeting**

**Proposed Motion**

Approve the minutes of the Aug. 21, 2024, Board meeting.

**Board Consideration**

Section 4.06 of the LCRA Transmission Services Corporation bylaws requires the secretary to keep minutes of all meetings of the Board of Directors.

**Budget Status and Fiscal Impact**

Approval of this item will have no budgetary or fiscal impact.

**Summary**

Staff presents the minutes of each meeting to the Board for approval.

**Exhibit(s)**

A – Minutes of Aug. 21, 2024, Board meeting



## **EXHIBIT A**

LCRA Transmission Services Corporation Board of Directors  
Minutes Digest  
Aug. 21, 2024

- 24-22 Authorization for the general manager [president and chief executive officer] or his designee to convey an overhead 20-foot-wide easement to Oncor Electric Delivery Company, LLC across a portion of LCRA Transmission Services Corporation's Elgin Switch Substation in Williamson County.
- 24-23 Authorization for the general manager [president and chief executive officer] or his designee to convey an underground variable-width easement across a portion of LCRA Transmission Services Corporation's Bastrop West Substation to the City of Bastrop in Bastrop County.
- 24-24 Approval of the minutes of the June 18, 2024, Board meeting.
- 24-25 Approval of the Capital Improvement Project Authorization Request for the following projects and associated lifetime budgets: Battery Systems – FY 2024 Substation Upgrade; Circuit Switcher – FY 2023 Substation Upgrade; Concho County Transmission Line Restoration; Elgin Switch Substation Upgrade; Grounding – FY 2024 Substation Upgrade; Magnolia to Magnolia Tap Fiber Addition; McCarty Lane to Zorn Transmission Line Storm Hardening; Chief Brady to Georgetown Transmission Line Upgrade; Hornsby Power Transformer Addition; San Marcos to Strahan Transmission Line Upgrade; and Columbus Area Phase 2 Transmission Line Relocation.
- 24-26 Adoption of a resolution authorizing the use of the power of eminent domain in Gillespie County to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the Broadband Easement Enhancement project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Peach to Headwaters (T288) transmission line.

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF  
LCRA TRANSMISSION SERVICES CORPORATION  
Austin, Texas  
Aug. 21, 2024

Pursuant to notice posted in accordance with the Texas Open Meetings Act, the Board of Directors (Board) of LCRA Transmission Services Corporation (LCRA TSC) convened in a regular meeting at 9:04 a.m. Wednesday, Aug. 21, 2024, in the Board Room of the Hancock Building, at the principal office of the Lower Colorado River Authority, 3700 Lake Austin Blvd., Austin, Travis County, Texas. The following directors were present, constituting a quorum:

Timothy Timmerman, Chair  
Stephen F. Cooper, Vice Chair  
Michael L. "Mike" Allen  
Matthew L. "Matt" Arthur  
Melissa K. Blanding [attended via videoconference]  
Carol Freeman  
Thomas L. "Tom" Kelley  
Robert "Bobby" Lewis  
Thomas Michael Martine  
Margaret D. "Meg" Voelter  
Martha Leigh M. Whitten  
David R. Willmann

Absent: Joseph M. "Joe" Crane  
Nancy Eckert Yeary

Chair Timmerman convened the meeting at 9:04 a.m. and led the Board in pledges of allegiance to the American and Texas flags. Director Whitten provided an invocation.

There were no comments from the public during the meeting [Agenda Item 1].

Treasurer and Chief Financial Officer Jim Travis presented financial highlights for LCRA TSC covering June 2024 and fiscal year 2024 [Agenda Item 2].

The Board next took action on the consent agenda.

Upon motion by Director Voelter, seconded by Director Whitten, the Board unanimously approved consent items 3, 4 and 5 by a vote of 12 to 0 as follows:

24-22 Authorization for the general manager [president and chief executive officer] or his designee to convey an overhead 20-foot-wide easement to Oncor Electric Delivery Company, LLC across a portion of LCRA Transmission Services Corporation's

Elgin Switch Substation in Williamson County, as recommended by staff in Consent Item 3 [attached hereto as Exhibit A].

24-23 Authorization for the general manager [president and chief executive officer] or his designee to convey an underground variable-width easement across a portion of LCRA Transmission Services Corporation's Bastrop West Substation to the City of Bastrop in Bastrop County, as recommended by staff in Consent Item 4 [attached hereto as Exhibit B].

24-24 Approval of the minutes of the June 18, 2024, Board meeting [Consent Item 5].

24-25 Vice President of Transmission Asset Optimization Kristian M. Koellner presented for consideration a staff recommendation, described in Agenda Item 6 [attached hereto as Exhibit C], that the Board approve the Capital Improvement Project Authorization Request for the following projects and associated lifetime budgets: Battery Systems – FY 2024 Substation Upgrade; Circuit Switcher – FY 2023 Substation Upgrade; Concho County Transmission Line Restoration; Elgin Switch Substation Upgrade; Grounding – FY 2024 Substation Upgrade; Magnolia to Magnolia Tap Fiber Addition; McCarty Lane to Zorn Transmission Line Storm Hardening; Chief Brady to Georgetown Transmission Line Upgrade; Hornsby Power Transformer Addition; San Marcos to Strahan Transmission Line Upgrade; and Columbus Area Phase 2 Transmission Line Relocation. Upon motion by Director Lewis, seconded by Director Willmann, the recommendation was unanimously approved by a vote of 12 to 0.

24-26 Vice President of Real Estate Services Mark Sumrall presented for consideration a staff recommendation, described in Agenda Item 7 – Acquisition of Interests in Real Property – Use of Eminent Domain in Gillespie County [attached hereto as Exhibit D]. Director Martine moved, seconded by Vice Chair Cooper, that the Board authorize by record vote the use of the power of eminent domain to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the Broadband Easement Enhancement project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Peach to Headwaters (T288) transmission line; and that the first record vote applies to all units of property to be condemned. The Board unanimously approved the motion by a record vote of 12 to 0.

There being no further business to come before the Board, the meeting was adjourned at 9:22 a.m.

---

Leigh Sebastian  
Secretary  
LCRA Transmission Services Corporation  
Approved: Sept. 18, 2024

**FOR ACTION**

## **4. Capital Improvement Projects Approval**

### **Proposed Motion**

Approve the Capital Improvement Project Authorization Request for the projects and associated lifetime budgets as described in exhibits A and B.

### **Board Consideration**

LCRA Transmission Services Corporation Board Policy T301 – Finance requires Board of Directors approval for any project exceeding \$1.5 million.

### **Budget Status and Fiscal Impact**

- All projects recommended for Board approval are within the total annual budget approved in the fiscal year 2025 capital plan.
- Staff will monitor the FY 2025 forecast and will request a fiscal year budget increase if needed.
- The treasurer and chief financial officer will release funds as needed.
- Project costs will be funded through LCRA TSC regulated rates, subject to approval by the Public Utility Commission of Texas.

### **Summary**

Staff recommends approval of the service reliability and system capacity capital projects described in exhibits A and B. These projects meet legal requirements in the Public Utility Regulatory Act and PUC rules.

Project funds will pay for activities, including but not limited to project management, engineering, materials acquisition, construction and acquisition of necessary land rights. LCRA TSC representatives will perform all necessary regulatory, real estate, environmental and cultural due diligence activities.

### **Presenter(s)**

Kristian M. Koellner  
Vice President, Transmission Asset Optimization

### **Exhibit(s)**

A – Project Cost Estimates and Cash Flow  
B – Project Details

**EXHIBIT A**

**Project Cost Estimates and Cash Flow**

*Dollars in millions*

<b>Project Name</b>	<b>FY 2024 and Prior</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Lifetime</b>
<b>Service Reliability Projects</b>						
Dalchau Service Center Physical Security Facilities Upgrade	0.2	2.3	-	-	-	2.5
Mobile Substation – FY 2025 Power Transformer Addition	0.0	5.7	-	-	-	5.7
Spare Transformer – FY 2025 Power Transformer Addition	0.0	2.3	-	-	-	2.3
<b>System Capacity Projects</b>						
Redwood-San Marcos Transmission Line Upgrade	1.6	44.8	-	-	-	46.4
Redwood Substation Upgrade	0.5	5.1	-	-	-	5.6
<b>Total</b>	<b>2.3</b>	<b>60.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>62.5</b>

## **EXHIBIT B**

<h3><b>Project Details</b></h3>
---------------------------------

**Project Name:** Dalchau Service Center Physical Security Facilities Upgrade

**Project Number:** 1029604

**Lifetime Budget:** \$2.5 million

**Description:** The project will improve physical security at the Dalchau Service Center in Travis County by upgrading fencing and installing additional security equipment. The scope of work includes replacing existing facilities, site grading as needed and installing physical security measures. The recommended project completion date is June 30, 2025.

**Project Name:** Mobile Substation – FY 2025 Power Transformer Addition

**Project Number:** 1030815

**Lifetime Budget:** \$5.7 million

**Description:** The project will support the reliability of the transmission network by replacing an existing mobile transformer. The scope of work includes replacing an aging, low-capacity mobile substation with a new, larger dual high-side/dual low-side mobile substation that is capable of providing support for the majority of LCRA TSC's transformer fleet. The recommended project completion date is May 15, 2027.

**Project Name:** Spare Transformer – FY 2025 Power Transformer Addition

**Project Number:** 1031141

**Lifetime Budget:** \$2.3 million

**Description:** The project will acquire one additional spare power transformer to provide coverage due to unanticipated failures or other short-term needs. The scope of work includes acquiring one 46.7-megavolt ampere power transformer to be maintained for use throughout LCRA TSC's footprint. The recommended project completion date is June 30, 2025.

**Project Name:** Redwood to San Marcos Transmission Line Upgrade

**Project Number:** 1029878

**Lifetime Budget:** \$46.4 million

**Description:** The project will increase the capacity of the 138-kilovolt transmission line between Redwood and San Marcos substations in Hays County. The scope of work includes replacing conductor, optical ground wire and structures along the transmission line and switches, breakers and other supporting equipment at the substations. The recommended project completion date is June 30, 2025.

**Project Name:** Redwood Substation Upgrade

**Project Number:** 1028691

**Lifetime Budget:** \$5.6 million

**Description:** The project will increase the reliability of substation equipment at the Redwood Substation in Hays County. The scope of work includes replacing switches, transformers, breakers and other substation equipment at the Redwood Substation. The recommended project completion date is May 15, 2025.

## **FOR ACTION**

# **5. Acquisition of Interests in Real Property – Use of Eminent Domain in Kendall County**

### **Proposed Motion**

I move that the LCRA Transmission Services Corporation Board of Directors adopt the attached resolution; that the Board authorize by record vote the use of the power of eminent domain to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the Broadband Easement Enhancement project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Kendall to Fredericksburg (T120) transmission line; and that the first record vote applies to all units of property to be condemned.

### **Board Consideration**

LCRA TSC Board Policy T401 – Land Resources and Section 2206.053 of the Texas Government Code require Board authorization prior to the initiation of eminent domain proceedings.

Section 2206.053 of the Texas Government Code provides that if two or more Board members object to adopting a single resolution for all units, a separate record vote must be taken for each unit of property. If two or more units of real property are owned by the same person, those units may be treated as one unit of property.

LCRA uses LCRA TSC to provide LCRA with fiberoptic communications and broadband services at LCRA's expense pursuant to LCRA Board Policy 220 – Telecommunications and Section 8503.032 of the Special District Local Laws Code.

### **Budget Status and Fiscal Impact**

The acquisition cost was included in the Board-approved budget for the LCRA Broadband Easement Enhancement project.

### **Summary**

LCRA TSC proposes to acquire communication rights, including the facilitation of broadband services, in Kendall County for the Broadband Easement Enhancement project. Hornsby and Company are performing independent appraisals of the interests in real property to be acquired to determine just compensation to the landowners.

Staff will make an initial offer to acquire the necessary interests in real property voluntarily from the landowners listed on Exhibit C, as required by Section 21.0113 of the Texas Property Code. Staff will continue to negotiate for the purchase of the interests in real property. Staff seeks Board authorization to proceed with condemnation if an agreement cannot be reached with the landowner(s).

Staff has provided to the Board descriptions of the specific property to be acquired and will attach the descriptions to the resolution.

Staff requests that the Board adopt the resolution in Exhibit D authorizing the initiation of condemnation proceedings on the first record vote for all units of property.



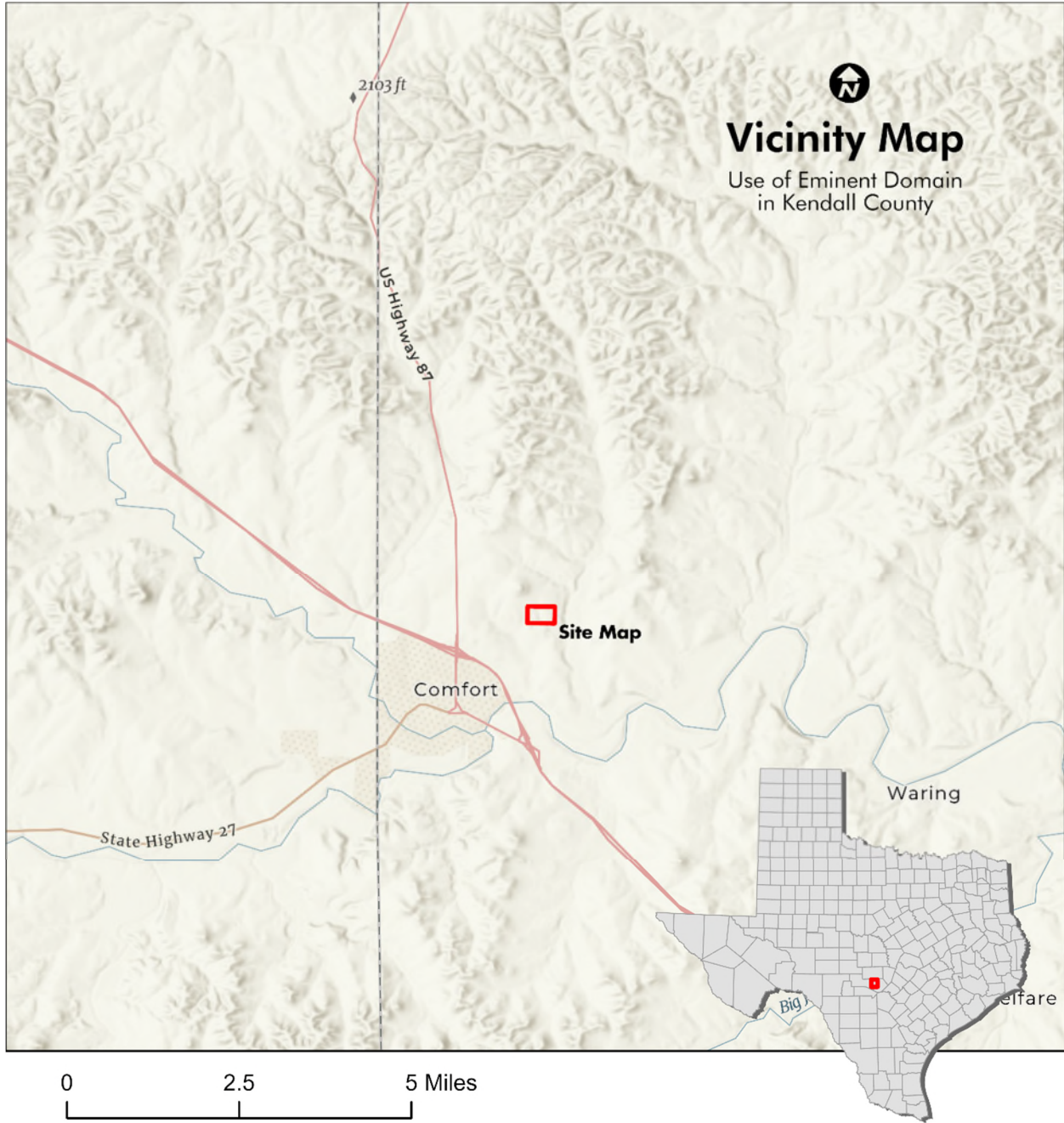
**Presenter(s)**

Mark Sumrall  
Vice President, Real Estate Services

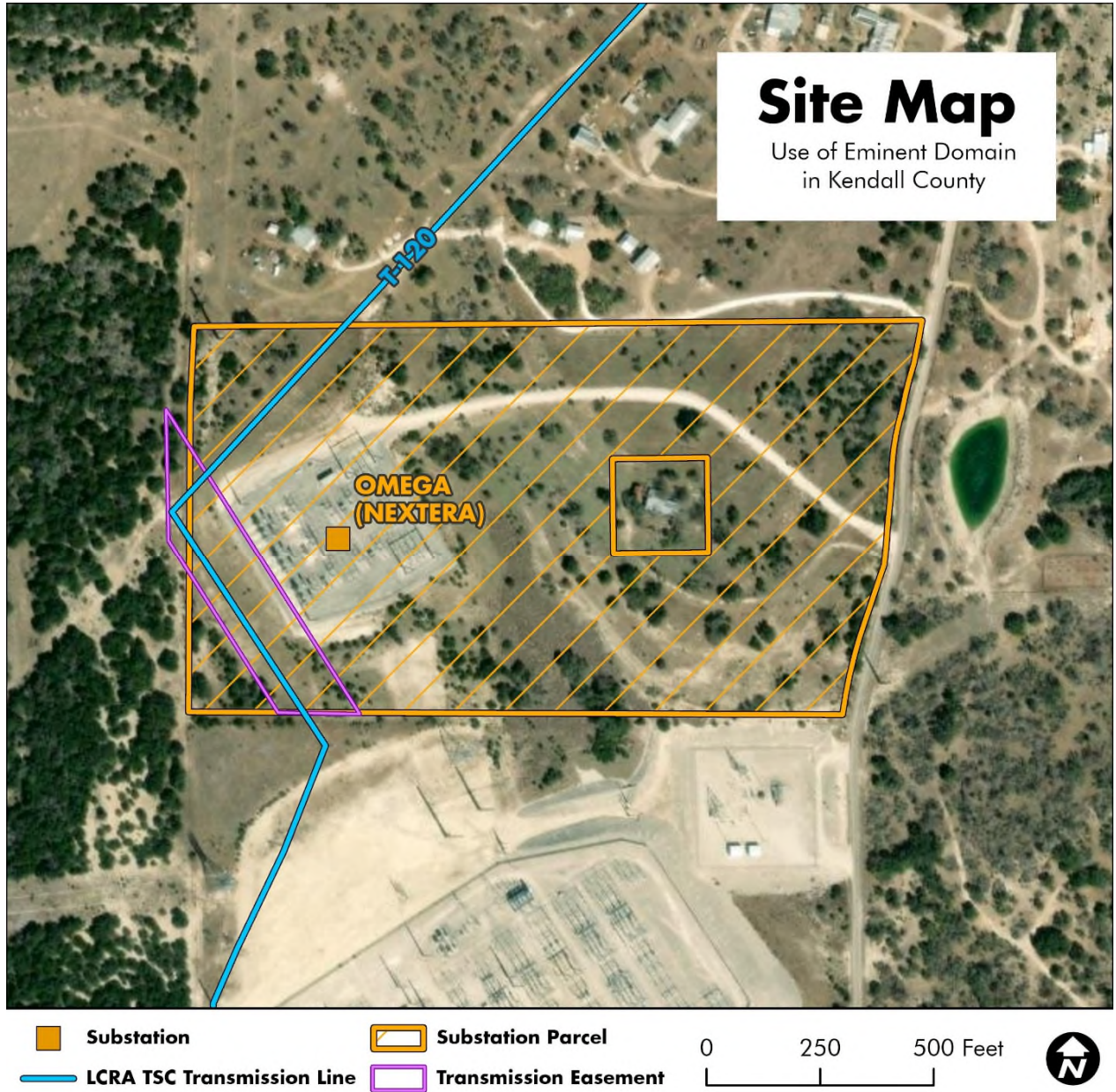
**Exhibit(s)**

- A – Vicinity Map
- B – Site Map
- C – Landowner List
- D – Resolution
- 1 – Property Descriptions

**EXHIBIT A**



**EXHIBIT B**



**EXHIBIT C**

<b>Tract ID</b>	<b>Landowner</b>	<b>Approximate Parent Tract Acreage</b>	<b>Land Rights</b>	<b>Approximate Easement Acreage</b>	<b>County</b>	<b>Approximate Value</b>
259_152446	Horse Hollow Generation Tie	29 acres	Third-Party Communications	2.21 acres	Kendall	\$1,717.62

**EXHIBIT D**

Page 1 of 2

**PROPOSED MOTION**

**I MOVE THAT THE LCRA TRANSMISSION SERVICES CORPORATION BOARD OF DIRECTORS ADOPT THE ATTACHED RESOLUTION; THAT THE BOARD AUTHORIZE BY RECORD VOTE THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE RIGHTS IN THE PROPERTY DESCRIBED IN EXHIBIT 1 TO THE RESOLUTION FOR THE ACQUISITION OF EASEMENT AMENDMENTS NECESSARY TO PROVIDE, ON BEHALF OF LCRA AND AT LCRA'S EXPENSE, FOR COMMUNICATIONS AND TO FACILITATE BROADBAND SERVICES ON THE KENDALL TO FREDERICKSBURG (T120) TRANSMISSION LINE; AND THAT THE FIRST RECORD VOTE APPLIES TO ALL UNITS OF PROPERTY TO BE CONDEMNED.**

**RESOLUTION  
AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY BY  
CONDEMNATION IN KENDALL COUNTY FOR TRANSMISSION LINE EASEMENT  
AMENDMENTS.**

**WHEREAS**, LCRA Transmission Services Corporation has determined the need to acquire the interests in real property necessary for the public uses of construction, operation and maintenance of electric transmission line(s), communication lines, and appurtenances thereto in Kendall County; and

**WHEREAS**, an independent, professional appraisal of the subject property will be submitted to LCRA Transmission Services Corporation, and an amount will be established to be just compensation for the interests in real property to be acquired;

**NOW, THEREFORE, BE IT RESOLVED** that the president and chief executive officer or his designee is authorized to purchase the interests in real property from the landowner(s) listed in the attached Exhibit C, with the description of the location of and interest in the property LCRA Transmission Services Corporation seeks to acquire being more particularly described in maps provided to the Board and attached to this Resolution as Exhibit 1; that the public convenience and necessity requires the acquisition of said interests in real property; that the public necessity requires the condemnation of the interests in real property in order to acquire them for such uses; that LCRA Transmission Services Corporation does not intend to acquire rights to groundwater or surface water in the land; that LCRA Transmission Services Corporation will make a bona fide offer to acquire the interests in real property from the landowner(s) voluntarily as required by Section 21.0113 of the Texas Property Code; and that at such time as LCRA Transmission Services Corporation has determined that the landowner(s) and LCRA Transmission Services Corporation will be unable to reach an agreement on the fair market value of the subject interests in real property and that it should appear that further

**EXHIBIT D**

Page 2 of 2

negotiations for settlement with the landowner(s) would be futile, then the president and chief executive officer or his designee is authorized and directed to initiate condemnation proceedings against the owner(s) of the property, and against all other owners, lien holders, and other holders of an interest in the property, in order to acquire the necessary interests in real property, and that this resolution take effect immediately from and after its passage;

**BE IT FURTHER RESOLVED** that the president and chief executive officer or his designee is hereby authorized to do all things necessary and proper to carry out the intent and purpose of this resolution, including determination and negotiation of the interest(s) in real property that are proper and convenient for the operation of the electric transmission line(s).

**EXHIBIT 1**

E00000086-51

051-1

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of Kendall

That We, Fred Weber of Kendall County, Texas, for and in

consideration of the sum of Sixty Dollars DOLLARS to us cash in hand paid by WEST TEXAS UTILITIES COMPANY, a private Corporation, the receipt of which is hereby acknowledged, have bargained, sold and conveyed and by these presents do hereby bargain, sell and convey unto the said WEST TEXAS UTILITIES COMPANY, a private corporation, its successors and assigns, an easement and right of way across the following described real estate situated in Kendall County, Texas, with the right to construct, operate, patrol, maintain and repair its transmission line, including a private telephone line along said easement for said purposes, and including necessary poles, and fixtures, and authority for cutting and trimming all trees along the line necessary to keep the wires cleared and with the right to set the necessary guy and brace poles and attach to trees and to maintain the needed guy wires, together with the right of ingress and egress across said property for the above named purposes. Said real estate across which said easement is granted being described as follows:

See attached sheet for field note of this land, containing 3 1/2 a.

Fred Weber

Surv. #25 - 344 1/2 acres  
Beginning at a point in E line of Surv. #25. 3492 ors N. from the original S.E. cor. of Surv. #25.  
Thence N 732 ors to a rock pile for N.E. cor.  
" W. 935 ors to a rk. md. for N.W. cor.  
" S 3039 ors to a stake on bank of Guadalupe River for S.W. cor. Thence down the river with its meanders to a stake at a point 925 ors N. and 533 ors W. of the S.E. cor. of this Surv. #25. Thence N. 12° 40' E. 497 ors. to a rk. md. on S. side of Sisterdale road. Thence N. 2082 ors to a rk. md. Thence E 425 ors to the place of beginning

001001927

**EXHIBIT 1**

E00000086-51

Said Easement along which said line of transmission extends is described as follows:

*beginning at a point in the N.B. line, 1370.0 feet S of the N.W. corner  
thence N 45° 43' E 2607.0 feet across said land to a point in the  
N.B. line, 725.0 feet W of the N.E. corner*

TO HAVE AND TO HOLD the above described easement, rights and privileges unto the said WEST TEXAS UTILITIES COMPANY, its successors and assigns forever so long as same are used for said purposes.

And we hereby warrant unto said WEST TEXAS UTILITIES COMPANY, its successors and assigns, that we have the title to said property and the right to convey said easement and that we will forever warrant and defend the title to same to the said West Texas Utilities Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof so long as said easement is used for said purposes for which it is granted.

Witness *my* hand this the *18<sup>th</sup>* day of *April*, A. D. 192*6*  
*Fred Weber*  
*Fanny Weber*

THE STATE OF TEXAS,  
COUNTY OF \_\_\_\_\_

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  
executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_

THE STATE OF TEXAS,  
COUNTY OF *Wardall*

Before me, the undersigned authority, on this day personally appeared *Fred Weber*  
and *Fanny Weber*, his wife, both known to me to be the persons whose names are  
subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and con-  
sideration therein expressed, and the said *Fanny Weber*, wife of *Fred Weber*  
having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said  
*Fanny Weber* acknowledged such instrument to be her act and deed, and she declared that she  
had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the *24* day of *June*, A. D. 19*26*

*Ed Walker, Jr., Compt. Texas*  
*Notary Public*  
001001228



**EXHIBIT 1**

E00000086-51

24-2

FILE: Easement 6-24  
Kendall Co.  
Weber Fred.  
C. P. L. Assignment

49

THE STATE OF TEXAS  
 County, ss  
Kendall  
 Easement and Right of Way

FROM  
Fred Weber

TO  
West Texas Utilities Co

THE STATE OF TEXAS  
 County  
Kendall

I, Otto Schweppe  
 County Clerk in and for said County hereby certify  
 that the within Conveyance was filed in my office  
 for record on the 2<sup>nd</sup> day of July  
 1926, at 1 o'clock P. M., and duly recorded  
 by me on the 3<sup>rd</sup> day of July  
 1926, in Book 41 Records of Deeds of said  
 County, at page 625-626.

Given under my hand and seal of office the day  
 and date last above written.  
Otto Schweppe  
 County Clerk Kendall County, Texas  
 Deputy.

THE STATE OF TEXAS }  
 COUNTY OF KENDALL }  
 I, OTTO SCHWEPPE, Clerk of the County Court in and  
 for said County, do hereby certify that the foregoing instrument of writing  
 dated the 2<sup>nd</sup> day of July, 1926, with its certificates of authentication was filed for  
 Record in my office, the 3<sup>rd</sup> day of July, 1926, at 1 o'clock P. M., and duly  
 Recorded the 3<sup>rd</sup> day of July, 1926, at 3 o'clock P. M., in  
 Record of said County, in Vol. 41 on Pages 625-626

WITNESS my hand and the seal of the County Court of said County, at office in Boerne, Texas,  
 the day and year last above written.

By Otto Schweppe Clerk,  
 Deputy. County Court, Kendall County, Texas

**THIS PAGE LEFT BLANK INTENTIONALLY**