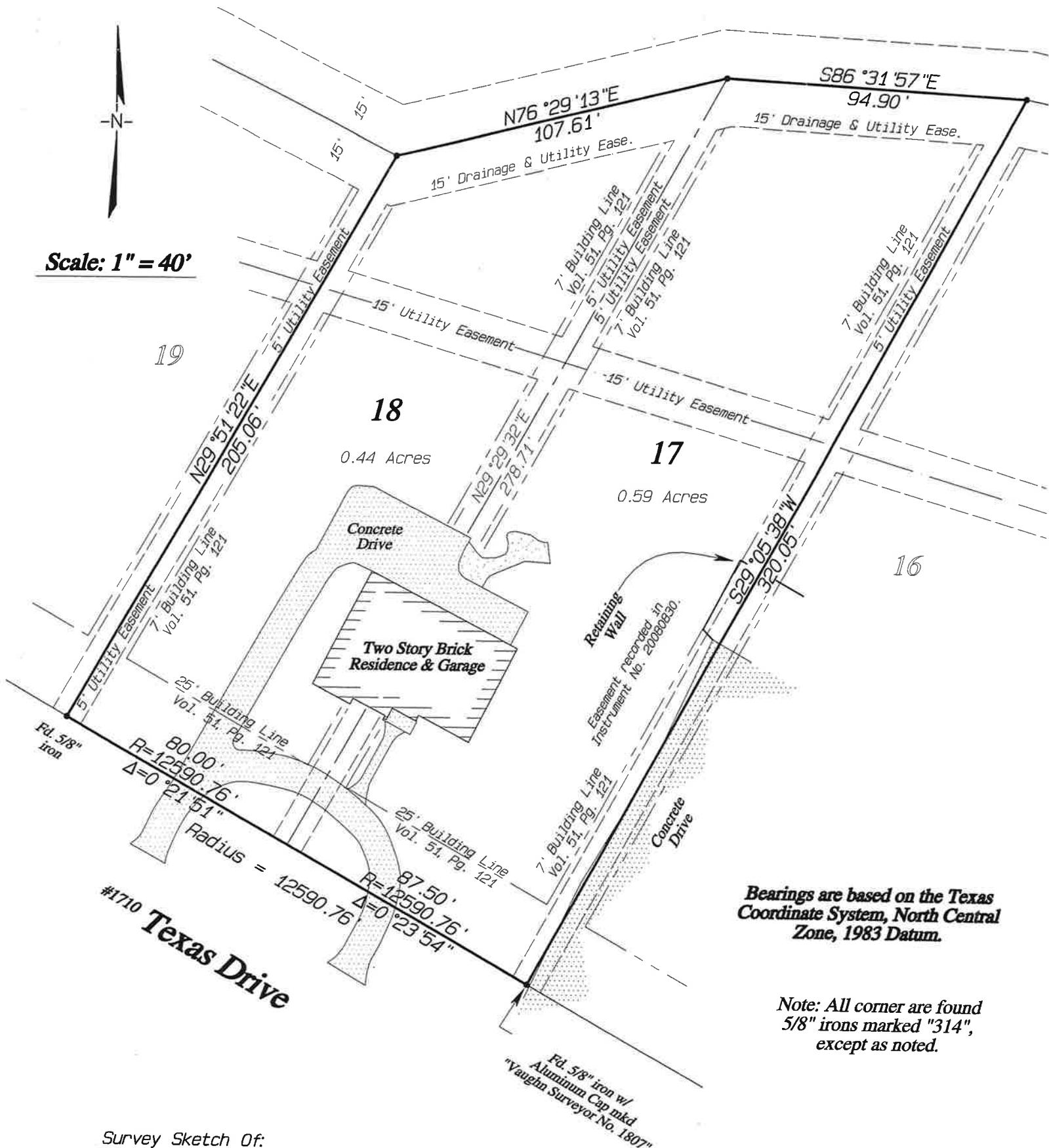


Scale: 1" = 40'



Survey Sketch Of:

Lots 17 and 18 of Cactus Creek Addition to the City of Glen Rose, Somervell County, Texas, subdivision plat recorded in Volume 51, Page 118 of the Somervell County Real Property Records.

This lot is not in the "100-year floodplain" according to Flood Insurance Rate Map No. 48425C0050 C, dated April 3, 1995.

There is no apparent physical evidence on the subject property of the easements found in the following records: Vol. 55, Pgs. 199 and 201, Somervell County Real Property Records, Vol. 50, Pg. 530, Vol. 32, Pg. 136, Vol. 36, Pg. 247, and Vol. 28, Pg. 300, Somervell County Deed Records.

**Vaughn Surveying, LLC**

P.O. Box 124  
Glen Rose, Texas  
76043

Ph. (254) 897-4868  
facs. (254) 897-7404

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Surveyed on the ground in June of 2009.

*W.L. Vaughn*

**W.L. "Will" Vaughn**  
Registered Professional Land  
Surveyor No. 1807.

EASEMENT FOR ENCROACHMENT

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SOMERVELL

THAT, WHEREAS, STEVE SHUFFIELD and KATHY SHUFFIELD (hereinafter referred to as "Shuffield") are the Owners of the real property described as Lot 16 of "CACTUS CREEK ADDITION" to the City of Glen Rose, Somervell County, Texas, according to the plat thereof recorded in Volume 51, Page 118 of the Real Records of Somervell County, Texas; and,

WHEREAS, JOHN B. CLANTON and MELISSA L. CLANTON (hereinafter referred to as "Clanton") are the owners of Lot 17 of "CACTUS CREEK ADDITION" to the City of Glen Rose, Somervell County, Texas, according to the plat thereof recorded in Volume 51, Page 118 of the Real Records of Somervell County, Texas; and,

WHEREAS, a concrete drive and a portion of a retaining wall extends over from the property owned by Shuffield to and on a portion of the property owned by Clanton as shown on the attached survey marked Exhibit "A" and made a part hereof by reference for all purposes; and,

WHEREAS, it is the desire of the said Clanton to grant an Easement to the said Shuffield in order that they may maintain and continue to use said concrete drive and retaining wall as presently located;

NOW, THEREFORE, in and for the sum of TEN DOLLARS (\$10.00) Cash, and other good and valuable consideration, each to the other in hand paid, the receipt of which is hereby acknowledged, Clanton hereby grants unto Shuffield, their heirs, executors, administrators and assigns, an easement over and across that portion of Lot 17 of "CACTUS CREEK ADDITION" to the City of Glen Rose, Somervell County, Texas, according to the plat thereof recorded in Volume 51, Page 118 of the Real Records of Somervell County, Texas, on which the said concrete drive and retaining wall extends. The said Clanton agrees not to impair, damage, remove, alter or modify, or interfere with the use of said concrete drive so long as it is maintained as presently constructed. This easement shall lapse and terminate at any time, as to the concrete drive, if the concrete drive is removed. This easement shall lapse and terminate at any time, as to the retaining wall, should the retaining wall fall. Should the retaining wall fall, Shuffield shall remove the wall debris and not reconstruct the wall on the Clanton property.

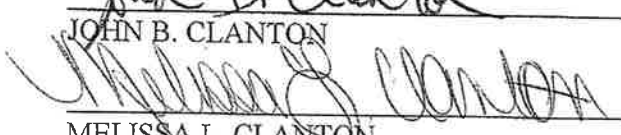
This Agreement shall be binding on the parties hereto, their heirs, executors, administrators and assigns, and shall run with the land.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
STEVE SHUFFIELD

\_\_\_\_\_  
KATHY SHUFFIELD

  
\_\_\_\_\_  
JOHN B. CLANTON

  
\_\_\_\_\_  
MELISSA L. CLANTON

THE STATE OF TEXAS  
COUNTY OF SOMERVELL

This instrument was acknowledged before me on \_\_\_\_\_, 2007, by STEVE SHUFFIELD.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS  
COUNTY OF SOMERVELL

This instrument was acknowledged before me on \_\_\_\_\_, 2007, by KATHY SHUFFIELD.

\_\_\_\_\_  
Notary Public, State of Texas

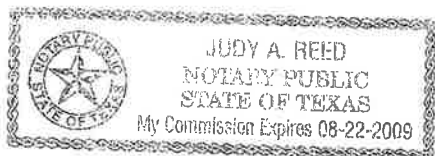
THE STATE OF TEXAS  
COUNTY OF SOMERVELL

This instrument was acknowledged before me on \_\_\_\_\_, 2007, by JOHN B. CLANTON

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS  
COUNTY OF SOMERVELL

This instrument was acknowledged before me on 3/27, 2007, by MELISSA L. CLANTON



Judy A. Reed  
Notary Public, State of Texas

**LIENHOLDER'S CONSENT AND SUBORDINATION**

The undersigned being the owner and holder of an existing lien upon and against Lot 17 of "CACTUS CREEK ADDITION" to the City of Glen Rose, Somervell County, Texas, according to the plat thereof recorded in Volume 51, Page 118 of the Real Records of Somervell County, Texas, does hereby consent to this Easement Agreement, its contents and to the recording of same. The lienholder subordinates its lien(s) to the right and interests of Steve Shuffield and Kathy Shuffield, their heirs, executors, administrators and assigns, such that a foreclosure of the lien(s) shall not extinguish the easement rights and interests.

This consent shall not be construed or operate as a release of said lien(s) owned and held by the undersigned, or any part hereof, as to the property described as Lot 17 of "CACTUS CREEK ADDITION" to the City of Glen Rose, Somervell County, Texas, according to the plat thereof recorded in Volume 51, Page 118 of the Real Records of Somervell County, Texas.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

LIENHOLDER:

NATIONAL CITY BANK


BY: \_\_\_\_\_  
\_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2008, by  
\_\_\_\_\_, on behalf of NATIONAL CITY  
BANK, a \_\_\_\_\_ bank.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_

**AFTER RECORDING RETURN TO:**



19

0.44 Acres

0.59 Acres

16

**Texas Drive**

Survey Sketch Of:

Lots 17 and 18 of Cactus Creek Addition to the City of Glen Rose, Somervell County, Texas, according to the plat thereof, recorded in Volume 51, Page 112 of the Somervell County Plat Book.

**T-47 Residential Real Property Affidavit**  
**(May be Modified as Appropriate for Commercial Transactions)**

Date: \_\_\_\_\_

GF No. \_\_\_\_\_

Name of Affiant(s): Gabe Robinson, Cortnie Robinson

Address of Affiant: 1710 Texas Drive, Glen Rose, TX 76043

Description of Property: Lot 17 Cactus Creek Addition, Glen Rose  
County Somervell, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of \_\_\_\_\_, personally appeared Affiant(s) who after by me being duly sworn, stated:

1. We are the owners of the Property. Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.":  
\_\_\_\_\_

2. We are familiar with the Property and with the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as the Title Company may deem appropriate. We understand that the owner of the Property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since June 2009 there have been no:

- a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
- b. changes in the location of boundary fences or boundary walls;
- c. construction projects on immediately adjoining property(ies) which encroach on the Property;
- d. conveyance, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property;

EXCEPT for the following (If None, Insert "None" Below): Privacy fence, pool and deck located well within property lines to East side and behind house  
\_\_\_\_\_  
\_\_\_\_\_

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

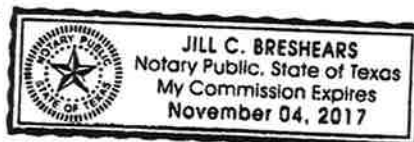
6. We understand that we have no liability to the Title Company or the title insurance company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

Gabe Robinson  
Gabe Robinson

Cortnie Robinson  
Cortnie Robinson

SWORN AND SUBSCRIBED this 26 day of March, 2015

Jill Breshears  
Notary Public  
State of Texas



(TAR- 1907) 5-01-08

CENTURY 21 Quad J Realty, 1305 NE Big Bend Trail Glen Rose, TX 76043  
Phone: 254-897-7005 Fax: 888-313-0068 Gayla DeLay

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Page 1 of 1

Robinson, Gabe &