

WATER WELL MAINTENANCE AGREEMENT

STATE OF TEXAS

COUNTY OF COMAL

7
/C

The undersigned MICHAEL D. SADLER and PEGGY SADLER are the owners of that certain 50.58 acre tract described in Exhibit "A" and RON GRAVES is the owner of that certain 50.00 acre tract as described in Exhibit "B", both of which exhibits are attached hereto and made a part hereof for all purposes. We the undersigned parties covenant and agree as follows:

1. There is an existing water well located on the Sadler property approximately 15-20 feet from the common border of the 50.58 and the 50.00 acre tracts. The Sadlers have agreed, without warrant or any representation as to the quantity, quality or pressure of the water, to allow GRAVES to continue to draw water from the well for residential purposes. Graves agrees to supply power to the well and let the SADLERS use the well for the sum of \$15.00 per month, which rate is based upon the utility cost of running the well as of the date of this agreement. Sadlers agree to pay any pro rata increase in the utility rate for the operation of the well.

2. As further consideration for this agreement the parties agree to share the cost of maintenance of the well located upon the Sadler property which supplies the Graves property, 50% to the SADLERS and 50% to GRAVES. SADLERS and GRAVES are responsible for their own supply lines on their said properties.

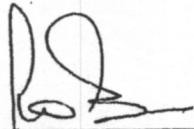
3. Either Sadlers or Graves may discontinue use of the well and be released from this agreement with 30 days written notice to the other party.

4. This agreement shall commence upon the execution of it by all parties and shall continue in force and effect until such time as the well, with customary maintenance and repair, no longer provides water meeting the health standards for the State of Texas and Comal County, Texas or either party decides to discontinue the use of this well as stated in the preceding paragraph. This well is to be used solely for the two tracts of land as described in Exhibit "A" and Exhibit "B".

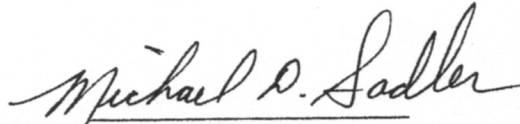
5. SADLERS hereby grant an easement to GRAVES for the purposes of access to and from the well site from the Graves tract, such easement to be limited to a 20 foot circular perimeter around the well. The specific and limited purpose of this easement being to maintain and repair the well facility and the supply line. This easement shall not be deemed or interpreted to be for any other purpose other than has been specifically described herein.

6. This agreement shall be binding upon our heirs, assigns and/or transferees and the covenants provided herein shall be covenants running with the land, appurtenant to and against the respective tracts of land.

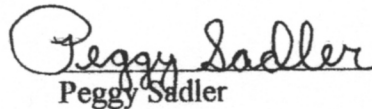
Executed the 13TH day of May, 1997.



Ron Graves



Michael D. Sadler

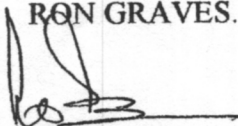
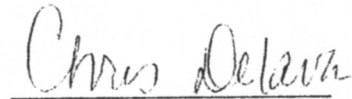


Peggy Sadler

STATE OF TEXAS

COUNTY OF COMAL

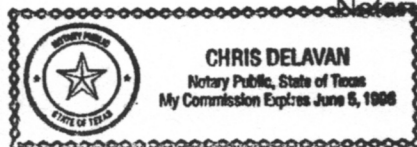
This instrument was acknowledged before me on the 13TH day of May, 1997, by
RON GRAVES.

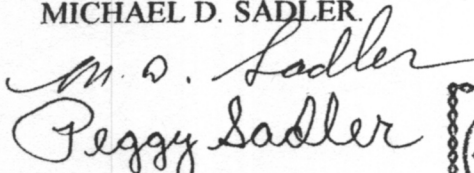
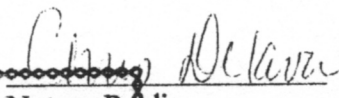
Notary Public

STATE OF TEXAS

COUNTY OF COMAL



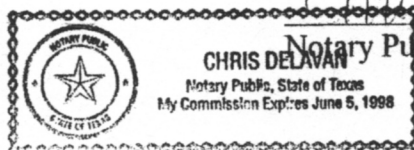
This instrument was acknowledged before me on the 13TH day of May, 1997, by
MICHAEL D. SADLER.

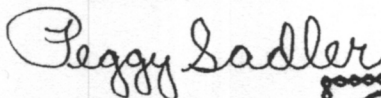
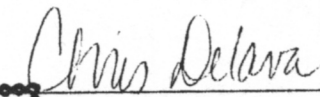
Notary Public

STATE OF TEXAS

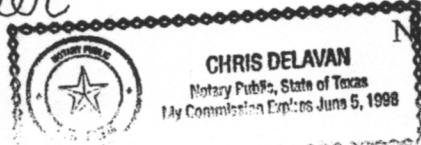
COUNTY OF COMAL



This instrument was acknowledged before me on the 13TH day of May, 1997, by
PEGGY SADLER.

Notary Public



50.00 acres of land, more or less being a portion of the C. E. Border Survey No. 959 in Comal County, Texas, and being a portion of that 1274.1 acre tract as described in a deed to Ernest E. Allen, Jr., Trustee, as recorded in Volume 201, page 879, Comal County Deed Records, and further, being 101.58 acres of land described in a deed from Ernest Allen, Jr., Trustee to Richard N. Clarence, Trustee and Rocky Romano, Trustee, dated October 30, 1980, recorded in Volume 303, page 27, Comal County Deed Records, SAVE AND EXCEPT the following two tracts of land:

DOCH 9706009898

I: One acre of land, being a portion of the C. E. Border Survey #959 in Comal County, and being the most northeastern portion of a 4.98 acre easement tract commencing at a fence corner post on the southwest line of the New Braunfels-Blanco Road (Purgatory Road), in the southeast line of the Wm. M. Hamlin Survey #677, and in a northwest line of the C. E. Border Survey #959 in Comal County, Texas, and from which post an old rock mound which is the east corner of the Wm. M. Hamlin Survey #677 and which is supported by its original bearing tree, (a 30" Live Oak which bears S 28° 00' W 149.4 feet), bears N 45° 44' E 507.2 feet, said commencing fence post being the most easterly north corner of that 1274.1 acre tract, a portion of the James T. Murphy Survey #24 and others in Comal County, Texas, as described in deed to Ernest E. Allen, Jr., Trustee, as recorded in Volume 201, page 879, Comal County Deed Records; said fence corner post being the most northerly corner of a 4.98 acre access easement tract;

Thence with the southwest line of the New Braunfels-Blanco Road, being also the most easterly northeast line of the said 1274.1 acre tract, and being with the northeast line of the said 4.98 acre easement, courses numbered 1-2 inclusive, as follows:

- (1) S 37° 03' E 85.8 feet to an iron stake;
- (2) S 38° 20' E 17.0 feet to a 60" nail in concrete at corner of fence, for the most easterly corner of the 1274.1 acre tract, and being the east corner of the said 4.98 acre easement;

Thence with a fence along the southeast line of the 1274.1 ac. tract, and the southeast line of the 4.98 acre easement, S 45° 50' W 423.7354 feet;

Thence N 45° W 102.8 feet to a point in an old fence line being in the northwest line of the said 4.98 acre easement tract;

Thence with the average of an old fence line along the northwest line of the said Border Survey N 45° 44' E 423.7354 feet to the place of beginning.

II:

FIELD NOTES OF 50.00 ACRES OF LAND, BEING A PORTION OF THE C. E. BORDER SURVEY #959 IN COMAL COUNTY, TEXAS, AND BEING A PORTION OF THAT 1274.1 ACRE TRACT OUT OF THE C. E. BORDER SURVEY #959 AND OTHERS IN COMAL COUNTY, TEXAS, AS DESCRIBED IN A DEED TO ERNEST E. ALLEN, JR., TRUSTEE, AS RECORDED IN VOLUME 201, PAGE 879, COMAL COUNTY DEED RECORDS, AS PREPARED FOR ROCKY ROMANO AND RICK CLARENCE BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

Commencing for reference at a fence corner post on the southwest line of the New Braunfels-Blanco Road (Purgatory Road), in the southeast line of the Wm. M. Hamlin Survey #677, and in a northwest line of the C. E. Border Survey #959, in Comal County, Texas, and from which post an old rock mound which is the east corner of the Wm. M. Hamlin Survey #677 and which is supported by its original bearing tree, (a 30" Live Oak which bears S 28° 00' W 149.4 feet), bears N 45° 44' E 507.2 feet, said commencing fence post being the most easterly north corner of that 1274.1 acre tract, a portion of the James T. Murphy Survey #24 and others in Comal County, Texas, as described in a deed to Ernest E. Allen, Jr., Trustee, as recorded in Volume 201, Page 879, Comal County

being also a northwest line of the said 1274.1 acre tract, the southwest line of the C. E. Border Survey 1959 and the southeast line of the Wm. M. Hamlin Survey 1677, S 45° 44' W 2169.4 feet to an iron stake near corner of fence for the south corner of the Hamlin Survey and an ell corner of the Border Survey and an ell corner of the 1274.1 acre tract;

Thence with the southwest line of the Hamlin Survey, being also a northeast line of the Border Survey and a northeast line of the 1274.1 acre tract, N 44° 31' W 1041.4 feet to an iron stake at corner of fence for the west corner of the Hamlin Survey, being also a north corner of the Border Survey and a north corner of the 1274.1 acre tract, said corner being in the southeast line of the Wm. C. Gould Survey #106 in Comal County, Texas, as fenced and used upon the ground;

Thence with the southeast line of the Gould Survey, being also a northwest line of the Border Survey and a northwest line of the 1274.1 acre tract, S 45° 50' W 1063.9 feet to a point in or near a fence line for the BEGINNING and most northerly corner of the herein described tract;

(1) THENCE S 44° 10' E at 533.30 feet to a point in the centerline of a fifty foot access easement surveyed in August 1979, in all 1056.64 feet to a point in a line of fence along a southeast line of the said 1274.1 acre tract, for the most easterly corner of the herein described tract;

THENCE with a fence along a southeast line of the 1274.1 acre tract, courses numbered 2-5 inclusive as follows:

- (2) S 50° 16' W 90.75 feet to an iron stake;
- (3) S 50° 33' W 451.9 feet to an iron stake;
- (4) S 50° 32' W 521.4 feet to an iron stake;
- (5) S 50° 16' W 135.2 feet to an iron stake for the most southerly corner of the herein described tract;

(6) THENCE N 44° 10' W 1172.11 feet to an iron stake in the centerline of a fifty foot access easement surveyed in August 1979;

THENCE with the centerline of said fifty foot access easement, courses numbered 7-10 inclusive as follows:

- (7) N 65° 14' W 125.06 feet to an iron stake;
- (8) N 17° 36' W 131.43 feet to an iron stake;
- (9) N 70° 06' W 240.48 feet to an iron stake;
- (10) N 5° 51' W 134.15 feet to an iron stake;
- (11) THENCE N 29° 38' E 110.29 feet to an iron stake in the northwest line of the Border Survey and being the most southerly corner of the Wm. C. Gould Survey No. 106 and being the east corner of the Peter Young Survey No. 107 in Comal County, Texas, said iron stake being also an ell corner of the said 1274.1 acre tract;

(12) THENCE with the average of an old fence line along the southeast line of the Gould Survey and a northwest line of the Border Survey and a northwest line of the 1274.1 acre tract, N 45° 50' E 1098.0 feet to the beginning corner of the herein described tract, containing 50.00 acres of land.

RECORDERS MEMORANDUM
AT THE TIME OF REGISTRATION, THIS
INSTRUMENT WAS FOUND TO BE INADEQUATE
FOR A POST PHOTOGRAPHIC REPRODUCTION

TOGETHER with a nonexclusive easement for ingress and egress over and across a 4.98 acre meadow easement described as Tract I and a fifty foot (50') easement described as Tract II in a deed from Ernest Allen, Jr., Trustee to Richard N. Clarence, Trustee, et al, recorded in Vol. 303, page 27, Comal County Deed Records.

RECORDER'S MEMORANDUM
 AT THE TIME OF RE-RECORDING THIS
 INSTRUMENT WAS FOUND TO BE INADEQUATE
 FOR THE BEST PHOTOGRAPHIC REPRODUCTION
 BECAUSE OF THE QUALITY OF THE PAPER OR
 PHOTO COPY, DISCOLORED PAPER, ETC.

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WATER Well

Depth: 420 FEET Pump: 3 Horsepower
1 1/4 inch pipe
BRASS check valve set AT App. 200 Feet

4-16-99

Pulled pump. Check valve BAD.
Replaced check valve & back in hole.
Pump pulling 60 Amps. Well man
Replaces complete BOX ON TOP.
NO GOOD - pulled pump again AND
parted pump to check - Pump BAD.
Replaced with new 3 HP pump (Built
in check on pump) TOTAL COST \$2318.⁰⁰

4-23-99

INSTALLED TWO PRESSURE TANKS. ONE
NEW & ONE FROM HOUSE. NEW TANK = 541⁰⁰

4-30-08

Replaced complete Top Control Box