

FORM ED-168-A

THE STATE OF TEXAS

EXCHANGE JOHNSON CITY 5140

COUNTY OF BLANCO

KNOW ALL MEN BY THESE PRESENTS:

ORDER NO. 686180

That WE, DAVID J. EMILIENBURG and wife, BETTE A. EMILIENBURG,

of the County of Blanco and State aforesaid, for and in consideration of the sum of

FIFTY AND NO/100----- Dollars (\$50.00--) to US In hand paid by General Telephone Company of the Southwest, a Delaware corporation, the receipt of which is hereby acknowledged and confessed, have this day granted and conveyed and do, by these presents, grant and convey unto General Telephone Company of the Southwest, its successors and assigns, an easement ten feet in width, to construct, place, operate, inspect, maintain, repair, replace and remove such buried communication cable as Grantee may from time to time require, consisting of buried cable, markers and necessary fixtures and appurtenances, over, across, under and upon the following described property to wit:

That certain tract or parcel of land containing 9.6 acres of land out of the Zeno J. Hemphill Survey 167, Blanco County, Texas, said tract being more particularly described in a deed from Edna L. Creel and Timothy M. Creel to David J. Emilienburg and wife, Betty A. Emilienburg, said deed being dated February 12, 1970, and recorded in Volume 98, Page 507, of the Deed Records of Blanco County, Texas.

An easement ten feet in width for the placement of buried communication cable upon, across and under said tract, the centerline of said easement being the line formed by the actual placement of said buried telephone facilities and the easement will extend five feet either side of the aforesaid centerline.

Situated in Blanco County, State of Texas, and the Grantor(s) recognizes the general course of said line, as above described, is based upon preliminary survey only, and Grantor(s) hereby agree(s) that the easement hereby granted shall apply to the actual location of said line where constructed.

Grantor covenants for himself, his successors and assigns, not to place or maintain any building or structure on said easement.

Grantor grants to the Grantee the right of ingress and egress over ~~our~~ (our) adjacent lands to or from said right of way for the purpose of inspecting, maintaining, constructing, reconstructing, operating and removing its buried communication cable and associated appurtenances over, under, across and upon the above described property, and the right to place markers and other devices to support or mark said construction where necessary.

The Grantor also agrees to include the right to relocate said buried communication cable on said premises to conform to any future highway relocation, widening or improvement.

The Grantor acknowledges that the consideration recited above includes compensation for any and all damages to the surface or grass or crops located thereon resulting from original construction by Grantee. Should Grantee or its agents or employees, subsequent to original installation of communication facilities within the easement described above, have occasion to enter upon the premises to perform maintenance upon such facilities, Grantee agrees to pay Grantor the actual cash value of that portion of crops destroyed in the course of performance of such maintenance; and Grantor agrees to receive such amount in full discharge of any claim for damages which might have been advanced.

TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until said line shall be abandoned.

And ~~we~~ (we) do hereby bind ~~ourselves~~ (ourselves), ~~our~~ (our) legal representatives, to warrant and forever defend, all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 4th day of December, 1980

David J. Emilienburg
DAVID J. EMILIENBURG

Bette A. Emilienburg
BETTE A. EMILIENBURG

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

THE STATE OF TEXAS
County of BLANCO

BEFORE ME, the undersigned authority, on this day personally appeared DAVID J. EMILIENBURG and
wife, BETTE A. EMILIENBURG,

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 4th day of December, A. D. 19 80
Rose DANE

Notary Public Blanco County, Texas
Name printed: Rose DANE
My commission expires: 8-31-84

THE STATE OF TEXAS
BLANCO County
**EASEMENT AND
RIGHT OF WAY**

FROM

DAVID J. EMILIENBURG and
wife, BETTE A. EMILIENBURG

TO

**GENERAL TELEPHONE COMPANY
OF THE SOUTHWEST**

STATE OF _____
County _____

I, Jeffy B. Furber
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 December, 1980,
at 8:46 o'clock A. M., and duly recorded by me
in Book _____ of the Dead Records of said
County, at page _____
Given under my hand and seal of office this
day of _____, 19____
County Clerk _____ County, _____
by _____ Deputy,
GENERAL TELEPHONE CO. OF SW
P. O. Box 1013
Brownwood, Texas 76801

FILED FOR RECORD
At 8:46 O'Clock 8 M

DEC 8 1980
Jeffy B. Furber
Clerk, Co. Court, Blanco County, Texas
BY Jessie Hardy DEPUTY

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

THE STATE OF _____
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 _____
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, _____

FILED FOR RECORD DECEMBER 8th, 1980 at 8:46 A.M.
JEFFY B. FURBER, CLERK, BLANCO COUNTY, TEXAS
RECORDED DECEMBER 8th, 1980 at 11:10 A.M.