

CURTIS W. HERBORT, ET UXTOALTON HERBORTROAD EASEMENT

THE STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GILLESPIE §

THAT WE, CURTIS W. HERBORT, and wife, CAROLYN D. HERBORT, (Grantors), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, to us in hand paid by ALTON HERBORT, (Grantee), the receipt of which is hereby acknowledged, have GRANTED AND CONVEYED and by these presents do GRANT AND CONVEY unto the said Grantee, his heirs, successors and assigns, the free non-exclusive and uninterrupted use, liberty, privilege and easement of passage in and along that way described on Exhibit "B", attached hereto and made a part hereof, together with free ingress, egress and regress, over and across the same, at all times and seasons forever, in, along, upon and out of said way, in common with us, our heirs and assign and our, and their tenants. The right to use and enjoy said easement shall exist in favor of and shall inure to the benefit of the Grantee, his heirs, successors and assigns, and all of his tenants, guests and invitees. This easement shall further be deemed an easement appurtenant to the lands of the grantee, and each and every portion thereof. The right of ingress and egress provided herein may be exercised by any reasonable means.

To have and to hold all and singular the rights and privileges aforesaid to the Grantee, his heirs, successors and assigns, to his proper use and behoof, in common with us, our heirs and assign and our and their tenants.

Grantee, by accepting the easement herein conveyed to him as shown by his signature hereto does hereby relinquish any right title and interest he may have in any other easements going over or affecting the property of Grantor, including, but not limited to the easement from Reinhold E. Herbort, et ux to Grantee dated August 18, 1982, recorded in Volume 148, page 937 et seq. of the Deed Records of Gillespie County, Texas, here referred to and made a part hereof for all pertinent purposes.

EXECUTED this 30th day of April, 2007.

Accepted and Agreed to:

Alton Herbort
ALTON HERBORT

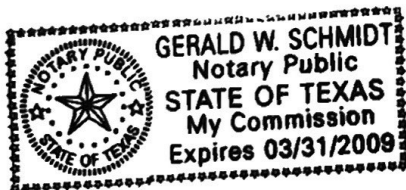
Curtis W. Herbort
CURTIS W. HERBORT

Carolyn D. Herbort
CAROLYN D. HERBORT

STATE OF Texas §

COUNTY OF Gillespie §

This instrument was acknowledged before me on this the 30th day of April, 2007, by CURTIS W. HERBORT and wife CAROLYN D. HERBORT.



Gerald W. Schmidt
Notary Public in and for
The State of Texas

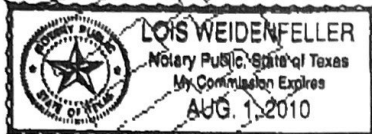
STATE OF TEXAS

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COUNTY OF GILLESPIE

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This instrument was acknowledged before me on this the 1st day of June, 2007, by ALTON HERBORT.



Lois Weidenfeller
Notary Public, The State of Texas

Unrecorded Document

EXHIBIT B

Centerline of a proposed 30' wide road
(through 71.0 acre Curtis Herbort tract)

STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes and accompanying plat of a survey of the centerline of a 30 foot wide road made at the request of Verdie Mae Feller. Said road is situated in Gillespie County, Texas, and passes through part of the Luis Fuentes Survey No. 91, Abstract No. 223, and through part of 71.0 acre tract of land described in a conveyance to Curtis Herbort by Reinhold E. Herbort, et ux, dated August 18, 1982, found of record in Volume 148, pages 930-932 of the Deed Records of Gillespie County, Texas.

Said centerline of road is described by metes and bounds as follows, to wit:

BEGINNING at a point in the centerline of a paved private road known as Herbort Road and in the most northerly West line of that 70.6 acre tract of land described in a conveyance to Dalton Herbort by Reinhold E. Herbort, et ux, dated August 18, 1982, found of record in Volume 148, pages 927-929 of said Deed Records and being a point in the most northerly East line of said 71.0 acre Curtis Herbort tract, 50.77 feet N. 0 deg. 09 min. E. from a 3/4 inch dia. pipe found set for a reentrant corner of said 70.6 acre tract and for the E.S.E. corner of said 71.0 acre tract, for the POINT OF BEGINNING;

THENCE with the centerline of said Herbort Road as follows:

N. 69 deg. 42 min. W. 5.27 feet to a 1/2 inch steel bar set;
N. 83 deg. 11 min. 20 sec. W. 115.91 feet to a 1/2 inch steel bar set;
N. 69 deg. 09 min. 25 sec. W. 119.21 feet to a 1/2 inch steel bar set;
N. 79 deg. 25 min. 45 sec. W. 77.65 feet to a 1/2 inch steel bar set;
S. 84 deg. 58 min. 55 sec. W. 77.93 feet to a 1/2 inch steel bar set;
S. 60 deg. 50 min. 05 sec. W. 100.85 feet to a 1/2 inch steel bar set;
N. 89 deg. 06 min. 15 sec. W. 394.87 feet to a 1/2 inch steel bar set;
N. 81 deg. 23 min. 05 sec. W. 488.97 feet to a 1/2 inch steel bar set in the centerline of the Center Point (county) Road for the end of this description of the centerline of said road, from which a pine fence corner post found set for the N.N.W. corner of said 71.0 acre Curtis Herbort tract bears N. 1 deg. 26 min. 30 sec. W. 816.7 feet.

Surveyed May 6, 2003



Carey Bonn
Reg. Prof. Land Surveyor No. 4447
Bonn Surveying 830-997-3884

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

GWS



Mary Lynn Rusche

Mary Lynn Rusche, County Clerk

Gillespie County TEXAS

June 05, 2007 09:33:12 AM

FEE: \$27.00

20073010

KC

Official Document