

59723

RELEASE OF UTILITY EASEMENTS OVER ALL LOTS IN TWIN BLUFFS

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HAYS §

WHEREAS, W. J. GEBHARD, JR. and C. MIKE MURPHY, JR., having heretofore recorded a plat of TWIN BLUFFS, a subdivision lying in Hays County and Comal County, Texas, said plat dated September 29, 1967, of record in Book 1, on Pages 50-51 of the Map or Plat Records of Hays County, Texas; and

WHEREAS, W. J. GEBHARD, JR. and C. MIKE MURPHY, JR., did adopt certain restrictive covenants, conditions and make certain reservations applicable to and enforceable against TWIN BLUFFS SUBDIVISION, for the benefit of all present and future owners by instrument under date of August 17, 1967, recorded in Volume 218, on Pages 610-620 of the Deed Records of Hays County, Texas; and

WHEREAS, Paragraph XV of said Building Restrictions and Reservations provides as follows:

"The undersigned herein reserve unto themselves, their heirs and assigns, a utility easement, in, over and across the outer five (5) feet around the perimeter of each of said tracts 1 - 30 for utility purposes, with the right of ingress and egress in, on and over said easement, for the purpose of maintaining, repairing and erecting such utilities as are necessary in said subdivision."

WHEREAS, Paragraph XII provides that the owners of the fee simple title to seventy-five (75%) per cent of the front footage of all tracts may amend or modify these restrictions in whole or in part; and

VOL 220 PAGE 582

WHEREAS, W. J. GEBHARD, JR. and C. MIKE MURPHY, JR., are the owners of the fee simple title to seventy-five (75%) per cent or more of all of the front footage of said platted lots lying and situated in TWIN BLUFFS, according to said map or plat; and

WHEREAS, it is the desire of the undersigned to release said utility easement to the present owners and the future owners within said TWIN BLUFFS, inasmuch the same is no longer required or necessary; and

WHEREAS, it is desired to amend said Building Restrictions by deleting said Paragraph XV in full so that the same shall no longer remain in force and effect;

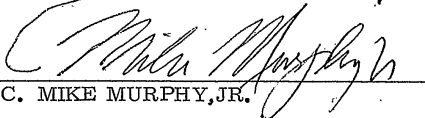
NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT we, being the owners of seventy-five (75%) per cent or more of the front footage of said platted lots for and in consideration of the premises, do hereby quitclaim, release, relinquish and demise all of our right, title, interest, claim and demand in and to said utility easements to the present owners and future owners within said subdivision;

TO HAVE AND TO HOLD said released, relinquished, demised and quitclaimed rights, titles, interests, claims and demands to the said owners, their heirs and assigns forever, so that neither we, nor our heirs, legal representatives or assigns shall have any right or title to or interest in said easements or any part thereof for utility purposes at any times hereafter. We do further hereby amend said restrictions and reservations imposed on TWIN BLUFFS by deleting said Paragraph XV in full, and the same shall no longer be applicable to TWIN BLUFFS.

EXECUTED on this the 30 day of October, A. D., 1967.

  
W. J. GEBHARD, JR.

  
C. MIKE MURPHY, JR.

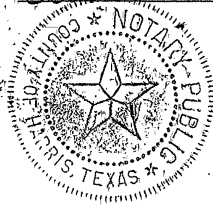
THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared W. J. GEBHARD, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

VOL 220 PAGE 583

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 30<sup>th</sup> day of October, A. D., 1967.



DARLYNE BROWNFIELD  
Notary Public  
In and For Harris County, Texas

Darlyne Brownfield  
NOTARY PUBLIC IN AND FOR HARRIS  
COUNTY, TEXAS

THE STATE OF TEXAS §  
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, on this day personally appeared C. MIKE MURPHY, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 3<sup>rd</sup> day of November, A. D., 1967.



Z. H. Fitzgibbon  
NOTARY PUBLIC IN AND FOR ~~HARRIS~~  
HAYS COUNTY, TEXAS

FILED FOR RECORD THE 14<sup>th</sup> DAY OF November A.D., 1967, AT 10:45 O'CLOCK A.M.  
RECORDED THE 15<sup>th</sup> DAY OF November A.D., 1967, AT 1:00 O'CLOCK P.M.

Lydell B. Clayton  
LYDELL B. CLAYTON, COUNTY CLERK, HAYS COUNTY, TEXAS.