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EASEMENT AGREEMENT

EFFECTIVE DATE: November 3, 1997

1360 193

GRANTORS' NAMES AND MAILING ADDRESSES:

Martha E. Holmes
P.O. Box 97
Martindale, Texas 78655

Glenda Byrd, as Independent Executrix of the
Estate of Grace Louise Dahlen, Deceased

110 David Reese
Lorena, Texas 76655

H.P. Turner

Rt. 3 Box E501
Hico, TX 76457

Glenda Byrd, as Administratrix with Will Annexed
of the Estate of Eva Ester Priest, Deceased

110 David Reese
Lorena, Texas 76655

GRANTEE: Martha E. Holmes

GRANTEES' MAILING ADDRESS: P.O. Box 97, Martindale, Texas 78655

CONSIDERATION: The consideration for this conveyance, receipt of which is hereby acknowledged, is \$10.00 and other valuable consideration paid to Grantors for which no lien either express or implied is retained.

EASEMENT PROPERTY: The easement estate over, upon and across the following described property:

A 30 foot wide strip of land in the John Williams Survey, Abstract No. 490, and the Thomas Jefferson Chambers Survey, Abstract No. 2, in Hays County, Texas, the centerline of such strip of land being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

BENEFITTED PROPERTY: The following described land and any improvements:

57.14 acres of land, more or less, in the John Williams Survey, Abstract No. 490, and the Thomas Jefferson Chambers Survey, Abstract No. 2, in Hays County, Texas, and being more particularly described by metes and bounds on Exhibit "B" attached hereto and made a part hereof.

AFFECTED PROPERTY: The following described land and any improvements:

501.30 acres of land, more or less, in the John Williams Survey, Abstract No. 490, and the Thomas Jefferson Chambers Survey, Abstract No. 2, in Hays County, Texas, and being more particularly described by metes and bounds on Exhibit "C" attached hereto and made a part hereof.

SAVE AND EXCEPT 57.14 acres of land, more or less, in the John Williams Survey, Abstract No. 490, and the Thomas Jefferson Chambers Survey, Abstract No. 2, in Hays County, Texas, and being more particularly described by metes and bounds on Exhibit "B" attached hereto and made a part hereof

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the Property; rights of adjoining owners in any fences situated on a common boundary; any encroachments or overlapping of improvements; and ad valorem taxes and assessments for 1997, and subsequent assessments for that and prior years due to change in land usage or ownership.

By Partition Deeds dated to be effective of even date herewith, Grantors partitioned, released, granted and conveyed to Grantee the Benefitted Property and Grantee partitioned, released, granted and conveyed to Grantors the Affected Property. In connection with such partition, Grantee has required and Grantors have agreed to grant, sell and convey unto Grantee the access and right-of-way easement described in this Agreement.

THEREFORE, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, Grantors hereby grant, sell, and convey to Grantee a non-exclusive access and right-of-way easement over, upon and across the Easement Property, for the benefit of the Benefitted Property and portions thereof, affecting the Affected Property, and subject to the terms of this Agreement. To have and hold such easement to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantors hereby bind Grantors and Grantors' heirs, executors, administrators, and successors to warrant and forever defend all and singular the easement to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every

person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

1. Purpose. The purpose of the easement is to provide access, ingress, egress, and a right-of-way to and from the Benefitted Property and portions thereof.

2. Appurtenant to Benefitted Property. The easement is appurtenant to and shall run with the Benefitted Property and portions thereof.

3. Reservations. Grantors reserve the right to convey the same or other rights and easements to others, so long as such further conveyance is subject to this grant and Grantee's rights hereunder. Grantors reserve the right to continue to use and enjoy the right-of-way for all purposes which do not interfere with or interrupt Grantee's use and enjoyment of the easement.

4. Maintenance. Grantee shall improve and maintain the Easement Property at Grantee's sole expense. Grantee shall have the right to eliminate any encroachments into the Easement Property. Grantee shall have the right to construct a road and any culverts, bridges, drainage ditches, utilities, and other similar structures and facilities over or under all or any portion of the Easement Property.

5. Development of Affected Property. If and when the Affected Property is developed, the then owner of the Affected Property will use reasonable efforts to provide a dedicated public right of way over the Affected Property to the Benefitted Property.

6. Further Assurances. In connection with this Agreement as well as all transactions contemplated by this Agreement, each party hereto agrees to execute and deliver such additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all of the terms, provisions and conditions of this Agreement and all such transactions.

7. Indemnity. Each party hereby agrees to protect, indemnify and hold harmless the other party from and against any and all losses, costs (including, without limitation, the costs of litigation and attorney's fees), claims, causes of action, damages and liabilities that are attributable to the breach by the indemnifying party of any of the provisions of this Agreement.

8. Integration. This Agreement contains the complete agreement between the parties and cannot be varied except by the written agreement of the parties. The parties agree that there are no oral agreements, understandings, representations or warranties which are not expressly set forth herein.

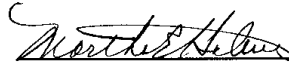
9. Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be invalid, illegal, or unenforceable in any respect, to the extent such

invalidity or unenforceability does not destroy the basis of the bargain among the parties, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein. Whenever, required by the context, as used in this Agreement, the singular number shall include the plural and the neuter shall include the masculine or feminine gender, and vice versa. The Article and Section headings appearing in this Agreement are for convenience of reference only and are not intended, to any extent or for any purpose, to limit or define the text of any Article or Section. This Agreement shall not be construed more or less favorably between the parties by reason of authorship or origin of language.

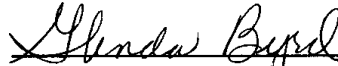
9. Indemnity by Easement Holder. Grantee shall indemnify and hold harmless Grantors and Grantors' heirs, executors, administrators, successors and assigns, from and against all liability, damages, suits, actions, costs and expenses of whatsoever nature (including reasonable attorney's fees) resulting from injuries to persons or property caused by or arising out of the use, operation, construction, or maintenance of the Easement Property.

10. Multiple Counterparts. This Agreement may be executed by Grantors in multiple counterparts which together shall be considered a complete, executed document for all purposes.

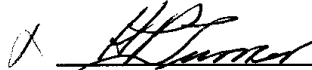
EXECUTED by Grantors to be effective on the Effective Date.



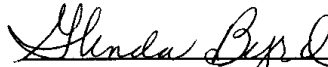
Martha E. Holmes



Glenda Byrd, as Independent Executrix of the Estate of Grace Louise Dahlen, Deceased



H.P. Turner



Glenda Byrd, as Administratrix with Will Annexed of the Estate of Eva Ester Priest, Deceased

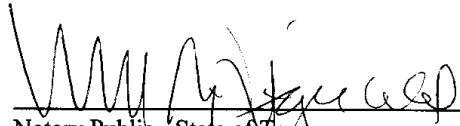
THE STATE OF TEXAS

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1360 197

COUNTY OF HAYS

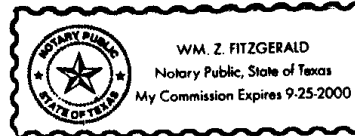
This instrument was acknowledged before me on November 3, 1997, by Martha E. Holmes.


Notary Public - State of Texas
Notary's name (printed):
My Commission Expires:

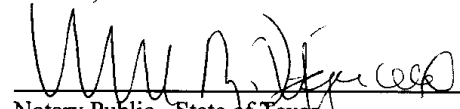
THE STATE OF TEXAS

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COUNTY OF HAYS



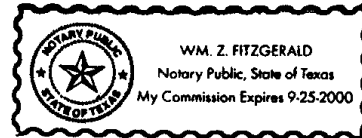
This instrument was acknowledged before me on November 3, 1997, by Glenda Byrd, as Independent Executrix of the Estate of Grace Louise Dahlen, Deceased.


Notary Public - State of Texas
Notary's name (printed):
My Commission Expires:

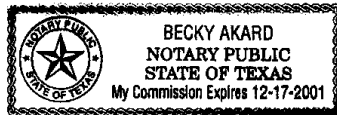
THE STATE OF TEXAS

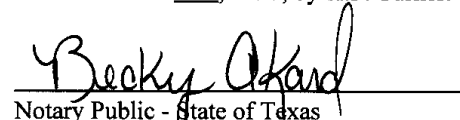
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COUNTY OF HAMILTON



This instrument was acknowledged before me on November 7, 1997, by H.P. Turner.




Notary Public - State of Texas
Notary's name (printed):
My Commission Expires:

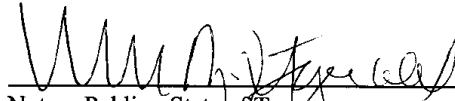
THE STATE OF TEXAS

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1360 198

COUNTY OF Hays

This instrument was acknowledged before me on November 3, 1997, by Glenda Byrd, as Administratrix with Will Annexed of the Estate of Eva Ester Priest, Deceased.



Notary Public - State of Texas

Notary's name (printed): _____

My Commission Expires: _____

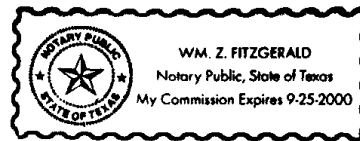


EXHIBIT "A"

1360 199

DESCRIPTION OF THE CENTERLINE OF A 30 FOOT WIDE STRIP OF LAND IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 AND THE THOMAS JEFFERSON CHAMBERS SURVEY, ABSTRACT NO. 2, HAYS COUNTY, TEXAS, BEING ALL OF THOSE TRACTS DESCRIBED AS 366.3 ACRE TRACT NO. 1 AND 127.41 ACRE TRACT NO. 2 IN A DEED FROM J.O. MCCLERRAN, ET UX TO T.B. MARTIN, ET UX DATED SEPTEMBER 16, 1955 AND RECORDED IN VOLUME 165, PAGE 556 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 10" cedar fence corner post in the southwest line of Amherst Avenue, a roadway shown on the plat of Westover Addition recorded in Volume 59, Page 184 of the Hays County Deed Records, as fenced and used upon the ground, for the east corner of the T.B. Martin 127.41 acre Tract No. 2 and the north corner of that 100 acre tract described in a deed from Mrs. Addie Walker, et al to Charles Laidley dated January 30, 1936 and recorded in Volume 110, Page 639 of the Hays County Deed Records;

THENCE with the common northeast line of the T.B. Martin Tract No. 2 and southwest line of Amherst Avenue, N 39° 33' 54" W 22.27 feet to a 1/2" iron rod set for on the centerline of a gravel driveway for the southeast terminus and PLACE OF BEGINNING of the centerline;;

THENCE leaving Amherst Avenue and entering the T.B. Martin tract with the centerline of a gravel roadway, the following twelve courses, as shown on that plat numbered 23596-96-2-d dated June 20, 1997 as prepared for the T.B. Martin Estate by Byrn & Associates, Inc. of San Marcos, Texas:

1. N 81° 53' 51" W 189.77 feet to a 1/2" iron rod set,
2. N 41° 22' 58" W 102.54 feet to a 1/2" iron rod set,
3. N 71° 39' 05" W 134.39 feet to a 1/2" iron rod set,
4. S 82° 21' 06" W 370.41 feet to a 1/2" iron rod set,
5. N 78° 33' 52" W 123.16 feet to a 1/2" iron rod set,
6. N 22° 43' 20" W 236.04 feet to a 1/2" iron rod set,
7. N 55° 33' 20" W 484.42 feet to a cotton gin spindle set,
8. N 60° 43' 53" W 170.48 feet to a cotton gin spindle set,
9. S 87° 19' 49" W 402.39 feet to a cotton gin spindle set,
10. N 84° 51' 02" W 442.35 feet to a cotton gin spindle set,
11. N 86° 56' 04" W 464.38 feet to a 1/2" iron rod set, and

EXHIBIT "A"

1360 200

12. S 59° 43' 51" W 230.80 feet to a 1/2" iron rod set for the northwest terminus of this centerline being in the east line of a proposed 57.14 acre tract, from which a 1/2" iron rod set for the east corner of the 57.14 acre tract bears S 39° 55' 42" E 243.58 feet and a 1/2" set for the north corner of the 57.14 acre tract bears N 39° 55' 42" W 395.92 feet.

DESCRIPTION OF 57.14 ACRES, MORE OR LESS, OF LAND AREA IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT DESCRIBED AS A 366.3 ACRE TRACT NO. 1, IN A DEED FROM J.O. McCLERRAN, ET UX TO T.B. MARTIN, ET UX DATED SEPTEMBER 16, 1955 AND RECORDED IN VOLUME 165, PAGE 556 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 10" cedar fence corner post in the southwest line of Amherst Avenue, a roadway shown on the plat of Westover Addition recorded in Volume 59, Page 184 of the Hays County Deed Records, as fenced and used upon the ground, for the east corner of the T.B. Martin 127.41 acre Tract No. 2 and the north corner of that 100 acre tract described in a deed from Mrs. Addie Walker, et al to Charles Laidley dated January 30, 1936 and recorded in Volume 110, Page 639 of the Hays County Deed Records;

THENCE with the common northeast line of the T.B. Martin Tract No. 2 and southwest line of Amherst Avenue, N 39° 33' 54" W 22.27 feet to a 1/2" iron rod set for on the centerline of a gravel driveway;

THENCE leaving Amherst Avenue and entering the T.B. Martin 127.41 acre tracts with the centerline of a gravel roadway, the following twelve courses:

1. N 81° 53' 51" W 189.77 feet to a 1/2" iron rod set,
2. N 41° 22' 58" W 102.54 feet to a 1/2" iron rod set,
3. N 71° 39' 05" W 134.39 feet to a 1/2" iron rod set,
4. S 82° 21' 06" W 370.41 feet to a 1/2" iron rod set,
5. N 78° 33' 52" W 123.16 feet to a 1/2" iron rod set,
6. N 22° 43' 20" W 236.04 feet to a 1/2" iron rod set,
7. N 55° 33' 20" W 484.42 feet to a cotton gin spindle set,
8. N 60° 43' 53" W 170.48 feet to a cotton gin spindle set,
9. S 87° 19' 49" W 402.39 feet to a cotton gin spindle set,
10. N 84° 51' 02" W 442.35 feet to a cotton gin spindle set,
11. N 86° 56' 04" W 464.38 feet to a 1/2" iron rod set, and
12. S 59° 43' 51" W 230.80 feet to a 1/2" iron rod set for, being in the east line of the herein described tract and the PLACE OF BEGINNING;

THENCE leaving the PLACE OF BEGINNING with a portion of the northeast line of the herein described tract, as shown on plat numbered 23596-96-2-d dated June 20, 1997 as prepared for the T.B. Martin Estate by Byrn & Associates, Inc. of San Marcos, Texas, S 39° 55' 42" E 243.58 feet to a 1/2" iron rod set for the east corner of the herein described tract;

THENCE with the general southeast line of the herein described tract, the following twenty courses:

1. S 36° 03' 41" W 187.33 feet to the east face of an 8" creosote fence corner post for an angle point,
2. S 33° 07' 13" W 191.93 feet with a fence line to a 4" cedar post for an angle point,
3. S 33° 32' 55" W 246.09 feet with a fence line to the east face of a 14" elm tree for an angle point,
4. S 47° 06' 21" W 132.65 feet with a fence line to a 6" cedar fence corner post for an angle point,
5. S 49° 04' 45" W 164.67 feet to a 1/2" iron rod set for an angle point
6. S 23° 17' 00" W 88.12 feet to a 1/2" iron rod set for an angle point,
7. S 28° 09' 54" W 293.86 feet to a 1/2" iron rod set for an angle point,
8. S 45° 46' 23" W 95.29 feet to a 26" live oak tree for an angle point,
9. S 63° 17' 28" W 31.27 feet to a 20" live oak tree for an angle point,
10. S 04° 16' 15" E 85.54 feet to a 1/2" iron rod set for an angle point,
11. S 42° 43' 30" E 20.59 feet to a 1/2" iron rod set for an angle point,
12. S 13° 51' 54" E 150.75 feet to a 1/2" iron rod set for an angle point,
13. S 56° 55' 21" E 184.45 feet to a 1/2" iron rod set for an angle point,
14. S 27° 35' 29" E 118.60 feet to a 1/2" iron rod set for an angle point,
15. S 35° 00' 13" W 104.55 feet to a 1/2" iron rod set for an angle point,
16. S 45° 39' 21" W 96.95 feet to a 1/2" iron rod set for an angle point,
17. S 06° 13' 50" W 77.81 feet to a 1/2" iron rod set for an angle point,
18. S 57° 30' 58" W 228.91 feet to a 1/2" iron rod set for an angle point,
19. S 41° 07' 37" W 427.66 feet to a 1/2" iron rod set for an angle point, and
20. S 54° 36' 25" W 104.43 feet to a 1/2" iron rod set for the most southerly corner of the herein described tract;

THENCE N 31° 50' 24" W 1622.81 feet to a 1/2" iron rod set for the west corner of the herein described tract, pass at 489.00 feet and 1257.67 feet 1/2" iron rods set;

EXHIBIT "B"

THENCE with the general northwest line of the herein described tract, the following fifteen courses:

1. N 56° 12' 14" E 672.75 feet to the south face of a 14" elm tree for an angle point, pass at 294.37 feet an 8" cedar post for the beginning of the fence on this course,
2. N 49° 03' 31" E 140.48 feet with the fence to the north face of a 10" live oak tree for an angle point,
3. N 47° 50' 55" E 73.81 feet with the fence to the south face of a 12" live oak tree for an angle point,
4. N 41° 42' 13" E 78.94 feet with the fence to an 8" live oak tree for an angle point,
5. N 37° 38' 25" E 89.87 feet with the fence to an 8" live oak tree for an angle point,
6. N 27° 14' 33" E 33.02 feet with the fence to an 12" live oak tree for an angle point,
7. N 24° 33' 26" E 23.17 feet with the fence to a 8" live oak tree for an angle point,
8. N 14° 00' 12" E 8.60 feet with the fence to a 12" live oak tree for an angle point,
9. N 03° 51' 40" E 9.67 feet with the fence to a 12" live oak tree for an angle point,
10. N 72° 31' 40" E 277.42 feet with the fence to the south face of a 10" live oak tree for an angle point,
11. N 69° 56' 28" E 77.74 feet with the fence to the south face of a 14" live oak tree for an angle point,
12. N 71° 48' 59" E 40.55 feet with the fence to the north face of an 18" cedar tree for an angle point,
13. N 26° 56' 54" E 262.69 feet with the fence to a 4" cedar post for an angle point and end of the fence,
14. N 45° 18' 33" E 519.72 feet to a 1/2" iron rod set for the north corner of the herein described tract, and
15. S 39° 55' 42" E 395.92 feet to the PLACE OF BEGINNING for the herein described tract.

DESCRIPTION OF 501.30 ACRES, MORE OR LESS, OF LAND AREA IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 AND THE THOMAS JEFFERSON CHAMBERS SURVEY, ABSTRACT NO. 2, HAYS COUNTY, TEXAS, BEING ALL OF THOSE TRACTS DESCRIBED AS 366.3 ACRE TRACT NO. 1 AND 127.41 ACRE TRACT NO. 2 IN A DEED FROM J.O. McCLERRAN, ET UX TO T.B. MARTIN, ET UX DATED SEPTEMBER 16, 1955 AND RECORDED IN VOLUME 165, PAGE 556 OF THE HAYS COUNTY DEED RECORDS AND THE REMAINDER OF THAT 443.26 ACRE TRACT DESCRIBED IN A DEED FROM EDDIE MUTSCHLECHNER, ET AL TO T.B. MARTIN DATED DECEMBER 15, 1962 AND RECORDED IN VOLUME 194, PAGE 179 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 10" cedar fence corner post in the southwest line of Amherst Avenue, a roadway shown on the plat of Westover Addition recorded in Volume 59, Page 184 of the Hays County Deed Records, as fenced and used upon the ground, for the east corner of the T.B. Martin 127.41 acre Tract No. 2 and the north corner of that 100 acre tract described in a deed from Mrs. Addie Walker, et al to Charles Laidley dated January 30, 1936 and recorded in Volume 110, Page 639 of the Hays County Deed Records;

THENCE leaving the PLACE OF BEGINNING, as shown on plat numbered 23596-96-d dated August 8, 1996 as prepared for T.B. Martin Estate by Byrn & Associates, Inc. of San Marcos, Texas, with the common northwest line of the Laidley 100 acre tract and the southeast line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, the following six courses:

1. S 49° 13' 35" W 92.17 feet to an 8" cedar fence corner post,
2. N 57° 13' 32" W 368.25 feet to a 6" cedar fence corner post,
3. S 83° 59' 09" W 543.38 feet to a 4" cedar fence post for an angle point,
4. S 77° 06' 18" W 12.69 feet to a dead 30" live oak for an angle point,
5. S 48° 55' 34" W 16.94 feet to a 6" cedar fence corner post for an angle point, and
6. S 45° 27' 55" W 2014.55 feet to a 9" cedar fence post at the edge of a bluff for the end of fence for an interior corner of the Martin 127.41 acre Tract No. 2 and the occupied west corner of the Laidley 100 acre tract;

THENCE with the common southwest line of the Laidley 100 acre tract and the Martin 127.41 acre Tract No. 2, and the approximate edge of bluff, the following three courses:

1. S 33° 31' 49" E 198.52 feet to a calculated point at edge of bluff,

2. S 23° 52' 39" E 180.48 feet to a calculated point at edge of bluff, and
3. S 33° 33' 02" E 109.82 feet to a quadruple 4" elm tree at the beginning of a fence.

THENCE continuing with the common occupied southwest line of the Laidley 100 acre tract and the Martin 127.41 acre Tract No. 2 partially with fence and generally along the edge of bluff, the following twenty courses:

1. S 76° 14' 57" E 28.58 feet to an 8" elm tree for an angle point in fence,
2. S 14° 26' 51" E 10.63 feet to the east face of a 12" cedar tree for an angle point in fence,
3. S 03° 54' 16" E 63.69 feet to a 6" live oak tree at end of fence,
4. S 08° 16' 45" E 81.43 feet to a calculated point at top of bluff,
5. S 47° 48' 12" E 41.75 feet to the northeast face of an 18" live oak tree at fence corner,
6. S 26° 57' 43" E 60.40 feet to a 12" live oak tree for an angle point in fence,
7. S 27° 29' 13" E 65.63 feet to the east face of a 10" live oak tree for an angle point in fence,
8. S 30° 41' 15" E 37.29 feet to the northeast face of a 12" cedar tree for an angle point in fence,
9. S 19° 11' 35" E 22.00 feet to the northeast face of a 12" cedar tree for an angle point in fence,
10. S 13° 26' 47" E 40.78 feet to the west face of an 8" cedar tree for an angle point in fence,
11. S 21° 29' 52" E 65.35 feet to the east face of an 18" cedar tree for an angle point in fence,
12. S 19° 32' 40" E 53.43 feet to the east face of a 10" live oak tree for an angle point in fence,
13. S 03° 23' 35" E 43.13 feet to the east face of a 10" live oak tree for an angle point in fence,
14. S 05° 38' 01" E 48.26 feet to the west face of a 12" cedar tree for an angle point in fence,
15. S 14° 28' 51" E 68.49 feet to the west base of a 10" live oak tree for an angle point in fence,
16. S 14° 40' 35" E 72.92 feet to the west base of an 8" cedar tree for an angle point in fence,
17. S 19° 28' 25" E 31.77 feet to the west face of a 12" live oak tree for an angle point in fence,
18. S 09° 21' 38" E 153.23 feet to the west face of a 16" cedar tree for an angle point in fence,

19. S 18° 34' 18" E 59.18 feet to the west face of a 12" hackberry tree for an angle point in fence, and
20. S 34° 50' 17" E 33.23 feet to a 60d nail found in the south face of a 14" cedar tree in the northwest line of that 40 acre tract conveyed in a deed from Josefa Lucio Garcia et al to Monica Lucio, et al dated October 10, 1978 and recorded in Volume 317, Page 390 of the Hays County Deed Records, as fenced and used upon the ground;

THENCE leaving the Laidley 100 acre tract with the common northwest line of the Lucio 40 acre tract and the southeast line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, the following three courses:

1. S 21° 36' 22" W 5.13 feet to an 8" elm tree for an angle point,
2. S 40° 41' 49" W 33.53 feet to a 4" cedar fence post for angle point, and
3. S 48° 57' 16" W 23.30 feet to a 4" cedar post at a three-way fence corner for the west corner of the Lucio 40 acre tract and a north corner of that 376.14 acre tract described in a deed from Corrie J. Smith et ux to Handler Smith et al dated April 14, 1972 and recorded in Volume 249, Page 835 of the Hays County Deed Records;

THENCE with the common northwest line of the Smith 376.14 acre tract and southeast line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, the following eight courses:

1. S 50° 21' 48" W 154.82 feet to a 3" cedar post for an angle point,
2. S 38° 13' 28" W 25.49 feet to a 3" cedar post for an angle point,
3. S 06° 58' 31" E 3.97 feet to a 4" cedar post for an angle point,
4. S 49° 16' 51" W 93.36 feet to the northwest face of a 6" elm tree for an angle point,
5. S 52° 50' 21" W 32.25 feet to a 3" cedar post for an angle point,
6. S 43° 23' 20" W 22.98 feet to the northwest face of a 10" elm tree for an angle point,
7. S 46° 19' 18" W 83.20 feet to a 3" cedar post for an angle point, and
8. S 45° 45' 29" W 47.87 feet to a 6" elm tree for an angle point in fence, pass at 42.9 feet a 1/2" iron rod found at the centerline of a creek for the north corner of Lot 215, The Ridge at Willow Creek, a subdivision recorded in Volume 3, Page 93 of the Hays County Plat Records;

THENCE with the common northwest line of Lot 215, The Ridge at Willow Creek and the southeast line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, the following four courses:

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1. S 48° 50' 59" W 82.11 feet to a 6" hackberry tree for an angle point,
2. S 70° 24' 23" W 9.88 feet to the northwest face of a 6" live oak tree for an angle point,
3. S 44° 28' 55" W 153.00 feet to a 3" cedar fence post for an angle point, and
4. S 43° 57' 50" W 146.61 feet to an iron rod found with an aluminum cap stamped "Protech Eng" for the west corner of Lot 215, The Ridge at Willow Creek and the north corner of that 0.07 acre reserve tract shown on the plat of The Ridge at Willow Creek;

THENCE with the common northwest line of the 0.07 acre Reserve tract and the southeast line of the Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, S 45° 59' 47" W 61.25 feet to an iron rod found with an aluminum cap stamped "Protech Eng" for the common west corner of the 0.07 acre Reserve tract and the north corner of Lot 214, The Ridge at Willow Creek, Section 2;

THENCE with the common northwest line of Lot 214, The Ridge at Willow Creek and the southeast line of the Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, S 45° 09' 15" W 77.53 feet to a 2" pipe corner post in the northwest line of Lot 214, The Ridge at Willow Creek, for the south corner of the Martin 127.41 acre Tract No. 2 and the east corner of Lot 269, The Ridge at Willow Creek, Section 2 recorded in Volume 6, Page 183 of the Hays County Plat Records;

THENCE with the common northeast line of the Ridge at Willow Creek, Section 2, and the southwest line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, the following four courses:

1. N 45° 12' 01" W 432.61 feet to an iron rod found in fence with an aluminum cap stamped "Protech Eng" for the north corner of Lot 269, The Ridge at Willow Creek, Section 2 and the east corner of Ridge Crest, a roadway shown on the plat of the Ridge at Willow Creek, Section 2,
2. N 45° 13' 26" W 505.73 feet to an iron rod found in fence with an aluminum cap stamped "Protech Eng" for the common north corner of Lot 270 and the east corner of Lot 279, The Ridge at Willow Creek, Section 2,
3. N 45° 20' 35" W 507.35 feet to an iron rod found in fence with an aluminum cap stamped "Protech Eng" for the east corner of Lot 280, The Ridge at Willow Creek, Section 2 and the north corner of Summit Ridge, a roadway shown on the plat of The Ridge at Willow Creek, Section 2, and
4. N 45° 04' 30" W 406.94 feet to a 10" cedar tree with a concrete nail and shiner at a three-way fence corner for the north corner of Lot 280, the Ridge at Willow Creek, Section 2 and an interior corner of the herein described tract;

THENCE leaving the T.B. Martin 127.41 acre Tract No. 2 with the northerly line of Lots 280 through 284, The Ridge at Willow Creek, Section 2, as fenced and used upon the ground, the following nine courses:

1. S 27° 17' 42" W 108.23 feet to a 2" cedar post for an angle

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point in fence,

2. S 17° 55' 05" W 24.34 feet to a cotton gin spindle found at an angle point in fence,
3. S 21° 37' 27" W 24.98 feet to an 8" cedar stump for an angle point in fence,
4. S 32° 49' 47" W 105.32 feet to a concrete nail found,
5. S 25° 14' 53" W 24.51 feet to an 8" cedar fence post for an angle point in fence,
6. S 80° 28' 10" W 38.71 feet to an iron rod found with an aluminum cap stamped "Protech Eng" at an angle point in fence,
7. S 78° 16' 52" W 29.74 feet to the north face of a double 6" live oak tree for an angle point in fence,
8. N 87° 59' 18" W 144.72 feet to the south face of a dead 8" cedar tree for an angle point in fence, and
9. S 81° 49' 33" W 25.27 feet to an iron rod found with an aluminum cap stamped "Protech Eng" for the northwest corner of Lot 284, The Ridge at Willow Creek, Section 2 and the east corner of Lot 351, Willow Creek Estates, Section 9 as recorded in Volume 7, Page 122 of the Hays County Plat Records;

THENCE leaving Lot 284, The Ridge at Willow Creek, Section 2 with the north line of Lot 351, Willow Creek Estates, Section 9, as fenced and used upon the ground, the following two courses:

1. N 60° 19' 03" W 123.49 feet to a dead 6" cedar tree, and
2. N 88° 39' 01" W 43.64 feet to a dead 12" cedar tree for the northwest corner of Lot 351, Willow Creek Estates, Section 9 and the east corner of the aforereferenced T.B. Martin 443.26 acre tract;

THENCE with the common north line of Willow Creek Estates, Section 9 and the south line of the remainder of the T.B. Martin 443.26 acre tract, as fenced and used upon the ground, the following nineteen courses:

1. S 88° 17' 22" W 141.16 feet to the south face of an 8" cedar tree for an angle point in fence,
2. N 67° 37' 07" W 102.53 feet to a 4" cedar post for an angle point in fence,
3. N 86° 48' 48" W 37.38 feet to a double 10" Texas oak for an angle point in fence,
4. N 74° 47' 37" W 23.42 feet to a PK nail with "Protech" washer found in south face of a 10" Texas oak for an angle point in fence,
5. N 87° 47' 05" W 34.07 feet to the south face of a 14" cedar tree for an angle point in fence,
6. N 79° 14' 43" W 38.28 feet to a 5" elm tree for an angle point in fence,
7. N 83° 20' 57" W 56.15 feet to a PK nail with "Protech" washer

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found in the southwest base of a 12" cedar tree for an angle point in fence,

8. N 64° 45' 14" W 148.58 feet to an 8" cedar tree for an angle point in fence,
9. N 68° 23' 59" W 92.50 feet to a 14" cedar tree for an angle point in fence,
10. N 71° 56' 09" W 101.53 feet to an iron rod found in fence with an aluminum cap stamped "Protech Eng",
11. N 65° 43' 38" W 108.19 feet to an 4" cedar post at the end of fence,
12. N 67° 46' 44" W 48.79 feet to an iron rod found with an aluminum cap stamped "Protech Eng",
13. N 67° 51' 37" W 48.26 feet to a 4" cedar post in fence,
14. N 70° 00' 30" W 148.35 feet to an iron rod found in fence with an aluminum cap stamped "Protech Eng",
15. N 74° 05' 59" W 41.44 feet to an 3" cedar post for an angle point in fence,
16. N 76° 09' 29" W 130.06 feet to an 8" cedar post for an angle point in fence,
17. N 31° 52' 41" W 29.97 feet to a 15" cedar tree for an angle point in fence,
18. S 71° 29' 54" W 32.66 feet to a 10" cedar tree for an angle point in fence, and
19. N 85° 49' 19" W 11.62 feet to a 14" elm tree for an angle point in fence and an angle point in the north line of Lot 341, The Ridge at Willow Creek, Section 9;

THENCE leaving Lot 341, Willow Creek Estates, Section 9, with the common northeast line of the Handler Smith 376.14 acre tract, and the southwest line of the T.B. Martin 443.26 acre tract, as fenced and used upon the ground, the following three courses:

1. N 13° 38' 46" W 17.09 feet to a 6" soapberry tree for an angle point in fence,
2. N 37° 10' 23" W 32.79 feet to the northeast face of a dead 20" elm tree in a creek for an angle point in fence, and
3. N 31° 00' 12" W 34.03 feet to a 1/2" iron rod found for an angle point in fence, and the southeast corner of Lot 24-B, of the resubdivision of Lots 19, 20, 22, 23, 24, 25, 26, 28, and 53, Siesta Verde Subdivision as recorded in Volume 1, Page 321 of the Hays County Plat Records;

THENCE with the common east line of Siesta Verde Subdivision and the southwest line of the Martin 443.26 acre tract, as fenced and used upon the ground, the following ten courses:

1. N 32° 59' 57" E 19.59 feet to a 6" cedar tree for an angle point in fence,
2. N 24° 07' 08" E 73.80 feet to the west face of a 24" live oak

tree for an angle point in fence,

3. N 20° 07' 32" E 57.17 feet to a 1/2" iron rod found at an angle point in fence,
4. N 15° 14' 47" E 150.06 feet to a 1/2" iron rod found at an angle point in fence,
5. N 17° 16' 53" E 201.33 feet to a 1/2" iron rod found at an angle point in fence,
6. N 20° 05' 34" E 74.06 feet to the east face of an 18" live oak for an angle point in fence,
7. N 25° 30' 18" E 37.62 feet to 1/2" iron rod found at an angle point in fence,
8. N 16° 08' 38" W 115.13 feet to the north face of an 18" elm tree for an angle point in fence,
9. N 47° 44' 13" W 220.91 feet to a 16" elm tree for an angle point in fence, and
10. N 37° 51' 36" W 9.07 feet to the west face of a 20" live oak tree for the common north corner of Lot 23-B, Siesta Verde, the northwest corner of the remaining portion of the Martin 443.26 acre tract in the south line of that 428.00 acre tract described in a deed from T.B. Martin, et ux to Clovis Barker, et al dated June 15, 1976 and recorded in Volume 285, Page 326 of the Hays County Deed Records;

THENCE leaving Siesta Verde Subdivision with the common north line the remaining portion of the T. B. Martin 443.26 acre tract and the south line of the Barker 428.00 acre tract, N 84° 28' 07" E 214.45 feet to a 1/2" iron rod set in the remains of a fence on the top of a bluff for the southeast corner of the Barker 428.00 acre tract and the north corner of the remaining portion of the T.B. Martin 443.26 acre tract;

THENCE leaving the remaining portion of the T.B. Martin 443.26 acre tract with the common northeast line of the Barker 428.00 acre tract and the occupied southwest line of the Martin 366.3 acre tract, being partially with fence, the following thirty courses:

1. N 41° 22' 29" W 28.56 feet to a 1/2" iron rod found
2. N 81° 41' 48" W 39.84 feet to an angle point in the top of a bluff,
3. N 24° 21' 38" W 22.00 feet to an angle point in the top of a bluff,
4. N 02° 41' 56" W 35.00 feet to an angle point in the top of a bluff,
5. N 21° 12' 13" W 39.87 feet to an angle point in the top of a bluff,
6. N 30° 26' 49" W 49.35 feet to a 1/2" iron rod found at a fence corner,
7. N 65° 38' 12" W 110.16 feet to a 1/2" iron rod found at an angle point in fence,

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8. N 79° 38' 12" W 37.67 feet to a 1/2" iron rod found at an angle point in fence,
9. N 56° 10' 10" W 30.07 feet to a 6" cedar tree for an angle point in fence,
10. N 25° 42' 16" W 44.52 feet to a 6" cedar tree for an angle point in fence,
11. N 61° 43' 07" W 46.68 feet to an 8" cedar tree for an angle point in fence,
12. N 68° 04' 40" W 12.28 feet to a 12" cedar tree for an angle point in fence,
13. N 53° 38' 42" W 50.22 feet to a 6" cedar tree for an angle point in fence,
14. N 28° 35' 27" W 26.96 feet to a 10" cedar tree for an angle point in fence,
15. N 38° 13' 17" W 14.62 feet to an 8" cedar tree for an angle point in fence,
16. N 54° 50' 59" W 22.41 feet to a 4" cedar post for an angle point in fence,
17. N 40° 52' 35" W 115.96 feet to a 14" cedar tree for an angle point in fence,
18. N 48° 00' 02" W 147.99 feet to 10" Texas Oak tree for an angle point in fence,
19. N 40° 33' 55" W 111.41 feet to the west face of a 24" live oak tree for an angle point in fence,
20. N 27° 18' 42" W 51.43 feet to the east face of a 20" cedar tree for an angle point in fence,
21. N 32° 36' 13" W 157.44 feet to a 10" elm tree for an angle point in fence,
22. N 36° 31' 50" W 44.37 feet to 10" elm tree for an angle point in fence,
23. N 46° 14' 19" W 149.87 feet to the southwest face of a 22" cedar tree for an angle point in fence,
24. N 43° 08' 04" W 64.75 feet to the northeast face of a 10" cedar tree for an angle point in fence,
25. N 45° 29' 43" W 167.08 feet to a 10" cedar tree for an angle point in fence,
26. N 36° 38' 04" W 12.90 feet to a 10" cedar tree for an angle point in fence,
27. N 44° 49' 23" W 191.63 feet to the northeast face of a 20" cedar tree for an angle point in fence,
28. N 47° 12' 31" W 42.96 feet to a 16" live oak tree for an angle point in fence,
29. N 42° 51' 56" W 85.64 feet to a 12" live oak tree for an

angle point in fence, and

30. N 38° 09' 40" W 105.54 feet to a 6" live oak stump for an angle point in fence and an approximate record northwest corner of the T.B. Martin 366.3 Tract No. 1;

THENCE leaving the Barker 428.00 acre tract and the occupied southwest line of the Martin 366.3 acre tract with the approximate record northwest line of the Martin 366.3 acre Tract No. 1 (and crossing on the corner of the R. B. Martin Ranch, as fenced and used upon the ground), the following five courses:

1. N 44° 59' 51" E 1232.83 feet to a calculated point at the top of a bluff,
2. N 39° 32' 17" W 325.03 feet to an angle point at the top of a bluff,
3. N 59° 32' 17" W 238.91 feet to an angle point at the top of a bluff,
4. N 80° 32' 17" W 83.34 feet to a calculated point at the top of a bluff, and
5. N 20° 28' 27" E 339.52 feet to an 8" oak stump for an angle point in fence in common northwest line of the T. B. Martin 366.3 acre tract and the southeast line of that 300 acre tract described in a deed from R. E. McKie to Bryan Wildenthal dated May 20, 1929 and recorded in Volume 98, Page 396 of the Hays County Deed Records, as fenced and used upon the ground;

THENCE with the common southeast line of the Widenthal 300 acre tract and a northwest line of the T.B. Martin 366.3 acre Tract No. 1, as fenced and used upon the ground, the following five courses:

1. N 21° 34' 13" E 102.17 feet to a 12" elm tree for an angle point in fence,
2. N 20° 56' 25" E 330.89 feet to a 6" cedar post for an angle point in fence,
3. N 21° 44' 52" E 372.60 feet to a 10" cedar tree for an angle point in fence,
4. N 25° 50' 58" E 38.55 feet to a 10" live oak tree for an angle point in fence, and
5. N 33° 40' 15" E 72.47 feet to a 4" cedar post at a three-way fence corner at a southwest corner of that 114.00 acre tract described in a deed from Minnie Mae Wills Howard, et al to Marvin C. Wills dated September 25, 1986 and recorded in Volume 629, Page 186 of the Hays County Real Property Records;

THENCE leaving the Widenthal 300 acre tract with the common south line of the Marvin C. Wills 114.00 acre tract and that 114.00 acre tract described in a deed from Minnie Mae Wills Howard, et al to Marion Wills dated September 25, 1986 and recorded in Volume 629, Page 186 of the Hays County Real Property Records, and a north line of the T.B. Martin 366.3 acre Tract No. 1, as fenced and used upon the ground, the following eight courses:

1. N 89° 45' 34" E 6.52 feet to a 12" cedar tree for an angle point in fence,

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2. S 71° 10' 27" E 4.06 feet to a 14" cedar tree for an angle point in fence,
3. S 84° 59' 57" E 184.27 feet to a 14" cedar tree for an angle point in fence,
4. S 87° 21' 58" E 1147.47 feet to an 8" Chinese elm tree for an angle point in fence,
5. S 87° 29' 05" E 185.23 feet to a 14" live oak tree for an angle point in fence near the corner of a possible old road bed,
6. N 56° 32' 28" E 79.14 feet to a 10" cedar tree for an angle point in fence,
7. N 51° 19' 26" E 49.68 feet to a dead 8" cedar tree for an angle point in fence, and
8. N 44° 51' 53" E 334.42 feet to an 8" cedar post at a three-way fence corner for the easterly north corner of the Martin 366.3 acre Tract No. 1 and the west corner of that 232.1 acre tract described in a deed from Milton D. Buie, et al to Milton Daniel Buie Properties dated June 29, 1983 and recorded in Volume 399, Page 326 of the Hays County Deed Records;

THENCE leaving the Marion Wills 114.0 acre tract with the common southwest line of the Buie Properties 232.1 acre tract and a northeast line of the T.B. Martin 366.3 acre Tract No. 1, as fenced and used upon the ground, the following fourteen courses:

1. S 47° 26' 08" E 89.37 feet to a 10" cedar tree for an angle point in fence,
2. S 44° 59' 42" E 265.46 feet to an 8" elm tree for an angle point in fence,
3. S 47° 31' 12" E 101.34 feet to a 4" live oak tree for an angle point in fence,
4. S 51° 10' 59" E 20.41 feet to a 14" cedar tree for an angle point in fence,
5. S 38° 32' 57" E 66.22 feet to a 10" cedar tree for an angle point in fence,
6. S 44° 25' 13" E 332.90 feet to an 8" elm stump for an angle point in fence,
7. S 33° 22' 32" E 166.17 feet to a 10" live oak tree for an angle point in fence,
8. S 36° 20' 55" E 69.08 feet to a 6" live oak tree for an angle point in fence,
9. S 42° 32' 00" E 451.12 feet to a 4" cedar post for an angle point in fence,
10. S 43° 49' 29" E 229.99 feet to a 4" cedar post for an angle point in fence,

11. S 45° 21' 39" E 423.32 feet to a 4" cedar post for an angle point in fence,
12. S 45° 10' 39" E 345.10 feet to an 8" cedar post at a three-way fence corner for an angle point in fence,
13. S 45° 11' 51" E 549.36 feet to a 3" cedar post for an angle point in fence, and
14. S 46° 45' 42" E 102.80 feet to an 8" cedar post for an angle point in fence for a north corner of the T.B. Martin 127.41 acre Tract No. 2;

THENCE with the common north line of the T.B. Martin 127.41 acre Tract No. 2 and a south line of the Milton Daniel Buie Properties 232.1 acre tract, as fenced and used upon the ground, the following four courses:

1. N 88° 19' 42" E 469.59 feet to a 4" cedar fence post for an angle point in fence,
2. S 53° 33' 35" E 96.09 feet to a 6" cedar post for an angle point in fence,
3. N 58° 37' 36" E 469.76 feet to an 8" cedar post for an angle point in fence, and
4. S 55° 35' 22" E 836.71 feet to an 8" cedar post at a three-way fence corner in the northwest line of that strip of land shown as 7.3 feet wide on the plat of Westover Addition that is adjacent to Franklin Street (formerly known as Boynton Street);

THENCE leaving the Buie 231.1 acre tract with the common northwest line of the strip of land shown as 7.3 feet wide on the Westover Addition and a southeast line of the T.B. Martin 127.41 acre Tract No. 2, as fenced and used upon the ground, S 44° 38' 48" W 58.88 feet to a 6" cedar fence post at the northeast face of a stone wall for an angle point in fence;

THENCE with the common southwest end of said strip of land and the southwest line of the aforereferenced Amherst Avenue and a northeast line of the T.B. Martin 127.41 acre Tract No. 2, and the northeast face of a stone wall, S 43° 07' 17" E 255.57 feet to a 4" cedar post for an angle point in fence at the end of the stone wall, pass at 8.3 feet the south corner of the strip of land shown on the Westover Addition plat and the west corner of Amherst Avenue as shown on the plat of Westover Addition to the City of San Marcos;

THENCE with a northeast line of the T.B. Martin 127.41 acre Tract No. 2 and a southwest line of Amherst Avenue, as fenced and used upon the ground, the following four courses:

1. S 18° 23' 47" E 20.16 feet to a double 12" elm tree for an angle point in fence,
2. S 39° 05' 13" E 59.54 feet to a "T" post for an angle point in fence,
3. S 56° 10' 02" E 54.76 feet to an 8" hackberry tree for an angle point in fence, and

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4. S 43° 16' 30" E 127.69 feet to a 6" cedar post for an angle point in fence;

THENCE leaving fence with the southwest line of Amherst Avenue, S 39° 33' 54" E 42.37 feet to the PLACE OF BEGINNING.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Margie T Villalpando

11-20-97 10:08 AM 9719529
LACKEY \$53.00
MARGIE T VILLALPANDO, County Clerk
HAYS COUNTY