

625460

EASEMENT

This Agreement made and entered into this the 10th day of August, 1983, by and between JERRY W. LYND and wife, EVELYN LYND ("Grantors"), their heirs, executors, and assigns, and ^{✓ SMM}STEPHEN M. McLEAN and wife, SHEILA McLEAN ("Grantees"), their heirs, executors, and assigns, upon the following terms and conditions.

W I T N E S S E T H:

WHEREAS, Grantors are the owners of that certain real property more particularly described in Exhibit "A" attached hereto and made a part hereof ("Tract A"); and

WHEREAS, Grantees are the owners of the real property more particularly described in Exhibit "B" attached hereto and made a part hereof ("Tract B"); and

WHEREAS, Grantees desire to acquire from Grantors an easement for the benefit of Tract B across a portion of Tract A which easement is more particularly described in Exhibit "C" attached hereto and made a part hereof (the "Easement Tract"), for the purposes and considerations hereinafter set forth;

NOW, THEREFORE, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, Grantors do hereby grant, assign, and set over unto Grantees an easement and right-of-way, together with the right of ingress and egress over said right-of-way, giving Grantees the right to connect with water, to draw water from and across the Easement Tract, from Tract A, for the purposes of conveying water to Tract B to be taken from a well now existing or hereafter located on Tract A. Grantors may peacefully use and enjoy the said Tract A, and Easement Tract, except as expressly inconsistent herewith, and the rights granted herein. Grantees may construct and maintain such pipes, drains, and other improvements for the use of the easement and right-of-way

herein conveyed.

Grantees hereby agree to hold and save Grantors harmless from and against any and all damages arising out of the use of the easement and right-of-way herein granted and agree to pay any damages which may result from the use of Tract A or the Easement Tract by Grantees; and

Grantors do hereby by ourselves, our heirs, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the above described easement and right-of-way unto Grantees, their successors and assigns, against every person whomsoever lawfully claiming the same or any part thereof.

EXECUTED this 10th day of August, 1983.

GRANTORS:

Jerry W. Lynd
JERRY W. LYND
Evelyn Lynd
EVELYN LYND

GRANTEES:

Stephen M. McLean
STEPHEN MCLEAN
Sheila McLean
SHEILA MCLEAN

THE STATE OF TEXAS §
COUNTY OF §

This instrument was acknowledged to me on the 10th day of August, 1983, by JERRY W. LYND.

Connie Divin
Notary Public, State of Texas

Connie Divin
(print or type name)

My commission expires: 1/19/85

CONNIE DIVIN
Notary Public, Bexar County, Texas
My Commission Expires 1/19/85



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THE STATE OF TEXAS §

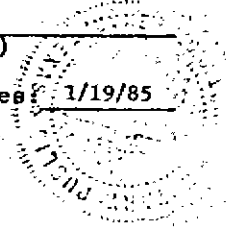
COUNTY OF §

This instrument was acknowledged to me on the 11th day of August, 1983, by EVELYN LYND.

Connie Divin
Notary Public, State of Texas

Connie Divin
(print or type name)

My commission expires: 1/19/85



THE STATE OF TEXAS §

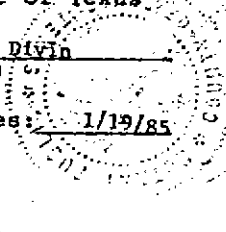
COUNTY OF §

This instrument was acknowledged to me on the 11th day of August, 1983, by STEPHEN McLEAN.

Connie Divin
Notary Public, State of Texas

Connie Divin
(print or type name)

My commission expires: 1/19/85



THE STATE OF TEXAS §

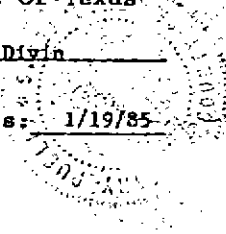
COUNTY OF §

This instrument was acknowledged to me on the 11th day of August, 1983, by SHEILA McLEAN.

Connie Divin
Notary Public, State of Texas

Connie Divin
(print or type name)

My commission expires: 1/19/85



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EXHIBIT "A"

2.350-acre parcel of land out of Tract 3 of a subdivision of the Carrie Lynd 237 acre tract, being out of the M. G. de los Santos Survey No. 82, County Block 4446, Bexar County, Texas, said Tract 3 being 60.44 acres conveyed to Thelma Morgan by deed recorded in Volume 4055, pages 254-55, Bexar County Deed Records; and being more particularly described as follows:

BEGINNING at an iron pipe found at the southeast corner of said Tract 3 for the southeast corner and the PLACE OF BEGINNING of the parcel herein described.

THENCE N. $88^{\circ}48'00''$ W. along the south line of Tract 3 a distance of 208.76 feet to an iron pin set for the southwest corner of this parcel.

THENCE N. $00^{\circ}38'00''$ W. a distance of 488.48 feet to an iron pin set in the centerline of a 22-foot ingress and egress easement for the northwest corner of this parcel.

THENCE N. $89^{\circ}22'00''$ E. a distance of 208.67 feet along the centerline of said 22-foot ingress and egress easement to an iron pin set for the northeast corner of this parcel.

THENCE S. $00^{\circ}38'00''$ E. a distance of 492.85 feet to the place of beginning, and containing 2.350 acres of land.

A 1.000-acre parcel of land out of Tract 3 of a subdivision of the Carrie Lynd 237 acre tract, being out of the M. G. de los Santos Survey No. 82, County Block 4446, Bexar County, Texas, said Tract 3 being 60.44 acres conveyed to Thelma Morgan by deed recorded in Volume 4055, Pages 254-55, Bexar County Deed Records; and being more particularly described as follows:

BEGINNING at an iron pipe found at the southeast corner of said Tract 3 for the southeast corner and PLACE OF BEGINNING of the parcel herein described.

THENCE N. $88^{\circ}48'00''$ W. along the south line of said Tract 3 a distance of 208.76 feet to an iron pin set for the southwest corner of this parcel.

THENCE N. $00^{\circ}38'00''$ W. a distance of 208.76 feet to an iron pin set for the northwest corner of this parcel.

THENCE S. $88^{\circ}48'00''$ E. a distance of 208.76 feet to an iron pin set in the east line of said Tract 3, for the northeast corner of this parcel.

THENCE S. $00^{\circ}38'00''$ E. along the east line of said Tract 3 a distance of 208.76 feet to the place of beginning, and containing 1.000 acre of land.

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RECORDER'S MEMORANDUM:
ALL OR PARTS OF THE TEXT ON THIS PAGE
WAS NOT CLEARLY LEGIBLE FOR SATISFACTORY
RECORDATION

A 0.574-acre parcel of land out of Tract 3 of a subdivision of the Carrie Lynd 237-acre tract; being out of the M. G. de los Santos Survey No. 82, Abstract No. 664, County Block 4446, Bexar County, Texas; said Tract 3 being 60.44 acres conveyed to THELMA MORGAN by deed recorded in Volume 4055, Pages 254-255, Bexar County Deed Records; and being more particularly described as follows:

BEGINNING for point of reference at a $\frac{1}{4}$ " iron pipe found at the southeast corner of said Tract 3;

THENCE N. $00^{\circ}48'00''$ W. along the south line of said Tract 3 a distance of 208.76 feet to an iron pin found; Thence N. $00^{\circ}38'00''$ W. a distance of 208.76 feet to an iron pin found for the southeast corner and POINT OF BEGINNING of the herein described parcel;

THENCE S. $09^{\circ}22'00''$ W. a distance of 89.44 feet to an iron pin set at the southwest corner of this parcel;

THENCE N. $00^{\circ}38'00''$ W. a distance of 279.72 feet to an iron pin set in the center of a 22-foot-wide ingress and egress easement, for the northwest corner of this parcel;

THENCE N. $89^{\circ}22'00''$ E. along the centerline of said easement a distance of 89.44 feet to an iron pin found at the northeast corner of this parcel;

THENCE S. $00^{\circ}38'00''$ E. a distance of 279.72 feet to the point of beginning, and containing 0.574 acre of land.

TOGETHER WITH RIGHT OF INGRESS AND EGRESS, ON AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

A 20-foot-wide strip of land out of a 2.350-acre tract conveyed to Jerry W. Lynd and Evelyn E. Lynd by deed recorded in Volume 723, Page 479, Bexar County Deed Records; being out of the Maria Gertrude de los Santos Survey No. 82, Abstract No. 664, County Block 4446, Bexar County, Texas; and being more particularly described as follows:

BEGINNING at the northeast corner of said 2.350-acre tract, for the northeast corner of this strip;

THENCE S. $00^{\circ}38'00''$ E., along the east line of said 2.350-acre tract, a distance of 20.00 feet to a point for the southeast corner of this strip;

THENCE West, parallel to and 20.00 feet south of the north line of said 2.350-acre tract, a distance of 208.67 feet to a point on the west line of said 2.350-acre tract, for the southwest corner of this strip;

THENCE N. $00^{\circ}38'00''$ W., along said west line, a distance of 20.00 feet to the northwest corner of said 2.350-acre tract, for the northwest corner of this strip;

THENCE East, along the north line of said 2.350-acre tract, a distance of 208.67 feet to the point of beginning, and containing 4173 square feet or 0.096 of land, more or less.

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EXHIBIT "B"

W. F. CASTELLA & ASSOCIATES, Inc.
Consulting Civil Engineers & Surveyors
1039 W. HILDEBRAND —:— 734-5351
SAN ANTONIO, TEXAS 78201

DESCRIPTION OF
PROPOSED 10' WATER
LINE EASEMENT

A 10-foot-wide strip of land out of a 2.350-acre parcel of land conveyed to Jerry W. Lynd and Evelyn E. Lynd by deed recorded in Volume 7213, Page 479, Bexar County Deed Records; being out of the Maria Gertrude de los Santos Survey No. 82, Abstract No. 664, County Block 4446, Bexar County, Texas; and being more particularly described as follows:

BEGINNING at a point on the west line of said 2.350-acre parcel, for the most northerly corner of this strip; said corner bearing S. 00° 38' 00" E., along said west line, a distance of 236.75 feet from the northwest corner of said 2.350-acre parcel;

THENCE S. 46° 53' 15" E. a distance of 120.75 feet to an angle point;

THENCE S. 07° 45' 59" E. a distance of 72.44 feet to an angle point;

THENCE S. 89° 22' 00" W. a distance of 96.22 feet to a point on the west line of said 2.350-acre parcel;

THENCE N. 00° 38' 00" W., along said west line, a distance of 10.00 feet to a point;

THENCE N. 89° 22' 00" E. a distance of 84.90 feet to an angle point;

THENCE N. 07° 45' 59" W. a distance of 57.56 feet to an angle point;

THENCE N. 46° 53' 15" W. a distance of 107.62 feet to a point on the west line of said 2.350-acre parcel;

THENCE N. 00° 38' 00" W., along said west line, a distance of 13.84 feet to the point of beginning, and containing 2697 square feet or 0.062 acre of land.

NOTE: This description does not represent a survey made on the ground.

July 26, 1983
J.O. No. 41458-A

EXHIBIT "C"

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FILED IN OFFICE
ROBERT D. GREEN
COUNTY CLERK BEXAR CO.

1983 AUG 16 P 3:55

STATE OF TEXAS
COUNTY OF BEXAR
I do hereby certify that this instrument was FILED in File Number
Supports of the date and of the fact stated herein by me, and
was duly RECORDED, in the Official Public Records of said Property of
Bexar County, Texas on



AUG 17 1983

Robert D. Green
COUNTY CLERK BEXAR COUNTY, TEXAS

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