

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRAINAGE EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HIDALGO

That **EVERMAN DEVELOPMENT, LLC** resident of Hidalgo County Texas (Grantor) for good and valuable consideration, the receipt and sufficiency for which is hereby acknowledged and accepted does hereby GRANT, BARGAIN, SELL AND CONVEY unto Hidalgo County Grantee") is successors or assigns the following described free and permanent easement and right of way upon, over, across, under and along the following described certain tract of land situated in Hidalgo County, Texas as follows, to wit:

SEE EXHIBIT A AND B ATTACHED HERETO AND INCORPORATED HEREIN AT THIS POINT FOR ALL PURPOSES.

(the "Easement") for the purpose of constructing, reconstructing, excavating, digging, maintaining, and operating a drainage pipe and other storm drain structure(s) for the disposal of accumulated and excessive rainfall and/or floodwater, (the "Facilities") together with free ingress and egress at all reasonable times to and from the Easement for the purpose of doing and performing or having performed, any and all acts and functions for the orderly constructing, reconstructing, excavating, digging maintaining, and operating the Facilities together with any and all other functions and acts incident to the constructing, reconstructing, excavating, digging, maintaining, and operating the Facilities, upon, over, under across, and along the Easement.

Grantee shall have the right of ingress, egress, entry and access in, to, through, on, over, under, across and along the Easement and where same intersect any public road or public right of way or other easement to which Grantee has the right to access and along any roads designated by Grantor, for any and all purposes necessary and/or incident to the exercise by the Grantee of the rights granted to it by this Agreement.

TO HAVE AND TO HOLD, the Easement, with the right of ingress and egress thereto, together with all and singular the rights and appurtenances thereto, any wise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns, to warranty and to defend all and singular the Easement premises unto the Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim same or any part thereof.

Grantor represents and warrants it is the sole owner and holds fee simple title to the property on which the Easement is located. Grantor has the unrestricted rights and authority and has taken

all necessary action to authorize Grantor to execute the easement and to grant to Hidalgo County the rights granted hereunder.

This easement will be binding upon and inure to the benefit of the parties hereto and their respective successors, legal representatives, and assigns. The parties intend that this easement creates a valid and present interest in the property on which the easement is located in favor of Grantee and therefore this easement will be deemed an interest in and encumbrance upon the property on which the easement is located which will run with the property on which the easement is located. Grantee may assign all or part of its interest or rights in this Easement.

This Easement may only be modified in a separate writing signed by both parties. This Easement shall be governed by and construed under the laws of the State of Texas excluding any choice of law provisions thereof.

IN WITNESS WHEREOF, this instrument is executed on this the _____ day of _____, 2018.

Grantor:
EVERMAN DEVELOPMENT, LLC.

Grantee:
Hidalgo County:

By: _____

By: _____

Print Name: Manuel Chapa

Print Name: Ramon Garcia

Title: Member

Title: County Judge

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on the _____ of _____, 2018 by Manuel Chapa.

Notary Public, State of Texas

CORPORATION ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on the _____ of _____, 2018 by Ramon Garcia.

Notary Public, State of Texas

EXHIBIT "A"

R.O.W.

Surveying Services, L.L.C.

900 South Stewart Road, Suite 13
Mission, Texas 78572
TBPLS Firm No. 10193886

**Metes and Bounds Description
for a 0.5582 of an Acre Easement**

Being a 0.5582 of an acre easement situated in Hidalgo County, Texas, out of a called 130.465 acre tract of land out of the Nicholas Zamora Survey, A-76, Porcion 48, Hidalgo County, Texas, as described in Document No. 2806618, Official Records, Hidalgo County, Texas, said 0.5582 of an acre easement being more particularly described by metes and bounds as follows:

Commencing at a Mag Nail found in 3 Mile Road, being the East line of a called 30.00 foot Roadway as shown by plat of Texan Gardens Subdivision, as recorded in Volume 8, Page 58, of the Map Records, Hidalgo County, Texas, for the Southwest corner of said 130.465 tract;

Thence with 3 Mile Road and the South line of said called 130.465 acre tract of land of land, S 81°10'00" E a distance of 60.00 feet;

Thence across and through said 130.465 acre tract of land, N 08°51'00" E, at a distance of 23.53 feet passing a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set in the North existing Right of Way line of 3 Mile Road, continuing a total distance of 1463.97 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" for the Southwest corner, and **Point of Beginning** of this herein described easement;

Thence continuing across and through said 130.465 acre tract of land the following courses and distances:

N 08°51'00" E a distance of 15.00 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set for an exterior corner;

S 81°10'00" E, a distance of 530.47 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set for an interior corner;

N 08°50'00" E, a distance of 1,075.60 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set for an exterior corner;

S 81°10'00" E, a distance of 15.00 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set for the Northeast corner of this herein described easement;

S 08°50'00" W, a distance of 1,090.60 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set for an exterior corner of this herein described easement;

Thence N 81°10'00" W, a distance of 545.47 feet to the **POINT OF BEGINNING** and being a 0.5582 of an acre easement.

Bearing Basis, Texas Coordinate System, South Zone, North American Datum of 1983.

A survey plat of even date accompanies this herein metes and bounds description.



Kurt Schumacher



Date

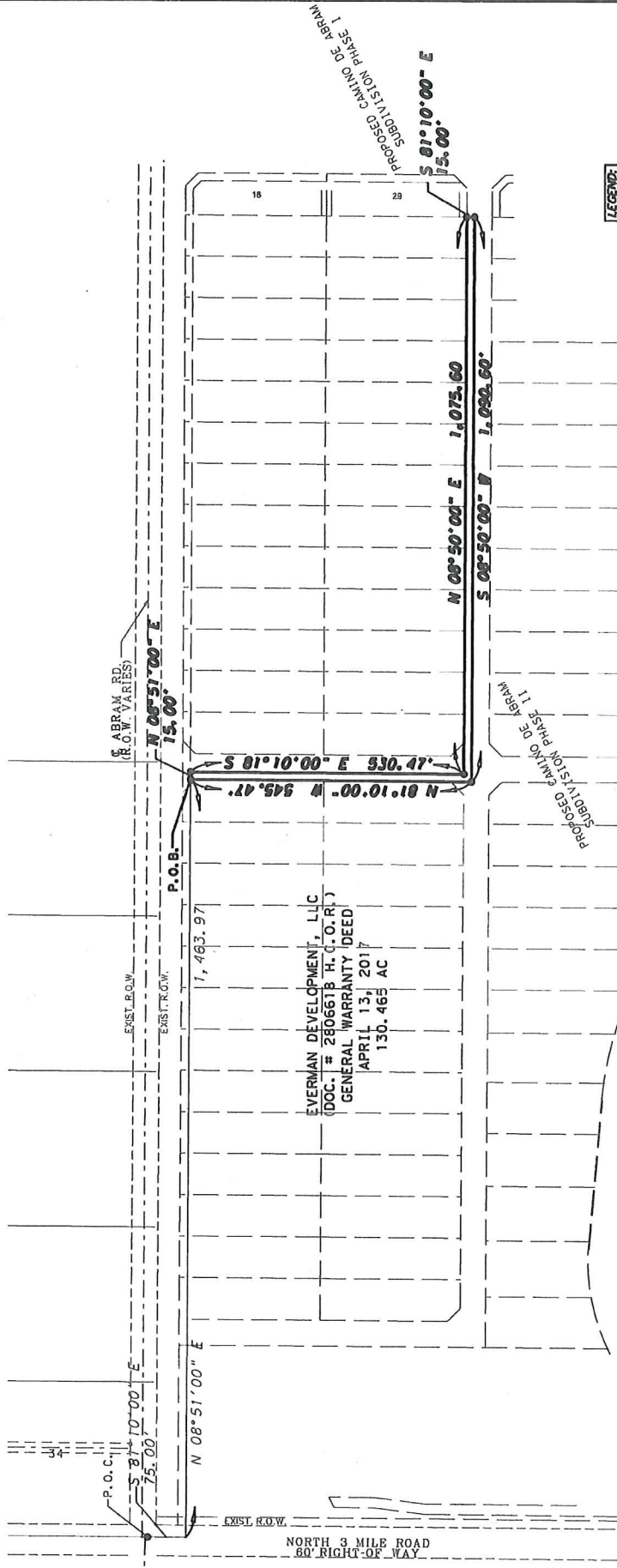
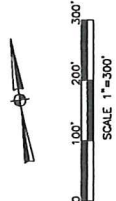
Registered Professional Land Surveyor No. 6333



EXHIBIT "B"

**PROPOSED 15' DRAINAGE
EASEMENT TO HIDALGO COUNTY**

BEING A 0.5582 OF AN ACRE EASEMENT OUT OF A 130.465 ACRE TRACT
OF LAND SITUATED IN NICHOLAS ZAMORA SURVEY, A-76, PORCION 48,
HIDALGO COUNTY, TEXAS, AS DESCRIBED
IN DOCUMENT # 2806618, H.C.O.R.



NORTH 3 MILE ROAD
60' RIGHT-OF-WAY

EVERMAN DEVELOPMENT, LLC
(DOC. # 2806618 H.C.O.R.)
GENERAL WARRANTY DEED
APRIL 13, 2017
130.465 AC



STATE OF TEXAS
COUNTY OF HIDALGO

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Kurt Schumacher
KURT SCHUMACHER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6333

a/14/21

- NOTES:
1. THIS IS NOT A BOUNDARY SURVEY.
 2. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.
 3. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH ZONE (4204), NORTH AMERICAN DATUM 1983.
 4. SUBJECT TO RULES, REGULATIONS, EASEMENTS OR CLAIMS OF EASEMENTS WHICH ARE NOT PART OF THE PUBLIC RECORD.

- LEGEND:
- LOT LINE
 - PROPERTY LINE
 - HIDALGO COUNTY DEED RECORDS
 - HIDALGO COUNTY OFFICIAL RECORDS
 - STAMPED "TRONSS PROP COR"
 - FOUND 1/2" IRON ROD
 - UNLESS OTHERWISE NOTED
 - OVERHEAD ELECTRIC
 - CHAIN LINK FENCE
 - WOODEN FENCE
 - PROPERTY LINE
 - LOT LINE
 - RIGHT-OF-WAY
 - H.C.D.R.
 - H.C.O.R.
 - ONE
 - ONE
 - R.O.W.

ROW

SURVEYING SERVICES, L.L.C.
800 S. STEWART RD. SUITE 13
THE WOODS, TEXAS 75797
TEL: (817) 424-3372
FAX: (817) 424-3372
WWW.ROW-SURVEYING.COM