

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 §
 §
COUNTY OF HIDALGO §**

KNOW ALL MEN BY THESE PRESENTS:

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" ATTACHED HERETO AND INCORPORATED HEREIN AT THIS POINT FOR ALL PURPOSES.

(the "Easement") for the purposes 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 purposes 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 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 the 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. 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 _____ day of _____, 2019.

Grantor:
EVERMAN DEVELOPMENT, LLC.

Grantee:
Hidalgo County

By: _____

By: _____

Print Name: Manuel Chapa

Print Name: Richard F. Cortez

Title: Member

Title: County Judge

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on the _____ of _____, 2019 by Manuel Chapa.

Notary Public in and for the State of Texas

CORPORATION ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on the _____ of _____, 2019 by Richard F. Cortez.

Notary Public in and for the 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 0.112 of one Acre Proposed Drainage Easement

Being a 0.112 (4, 865 square feet) of one 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, conveyed by General Warranty Deed to Everman Development, LLC as described in Document No. 2806618, Official Records, Hidalgo County, Texas, said 0.112 (4, 865 square feet) of an acre easement being more particularly described by metes and bounds as follows:

COMMENCING at a Mag Nail found in the centerline of 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, being the Southwest corner of said 130.465 acre tract;

THENCE South 81°08'08" East 640.89 feet along the centerline of 3 Mile Road, to a set mag nail;

THENCE North 08°50'00" East 50.39 to a set 5/8-inch iron rod with plastic cap stamped "ROWSS PROP COR" in the existing North Right of Way line of 3 Mile Road, being the southwest corner and **POINT OF BEGINNING** of this herein described easement;

THENCE North 08°50'00" East at 20.00 feet past the north line of an Irrigation District No. 6 easement as described in Document Number 2867352, over and across said 130.465 acres, a total distance of 324.34' to a set 5/8-inch iron rod with plastic cap stamped "ROWSS PROP COR" set for the northwest corner;

THENCE South 81°10'00" East 15.00 feet continuing over and across said 130.465 acre tract of land to a set 5/8-inch iron rod with plastic cap stamped "ROWSS PROP COR" for northeast corner;

THENCE South 08°50'00" West, over and across said 130.465 acre tract of land, at 304.35 feet past said 20.00 foot Irrigation District No. 6 easement, a total distance of 324.35 to a set 5/8-inch iron rod with plastic cap stamped "ROWSS PROP COR", at the north Right of Way line of said 3 Mile Road for the southeast corner;

THENCE North 81°06'27" West 15.00 feet with the existing North Right of Way line of 3 Mile Road a to the **POINT OF BEGINNING** and containing a computed area of 0.112 (4, 865 square feet) of one 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.

 10/03/2019
Juan E. Galvan Date

Registered Professional Land Surveyor No. 4011
Job No. R17015



PROPOSED 15'
DRAINAGE EASEMENT TO
HIDALGO COUNTY
BEING A 0.112 OF ONE 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.

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
THIS 10TH DAY OF OCTOBER 2019

Juan E Galvan
JUAN E GALVAN
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 4011
10/03/2019



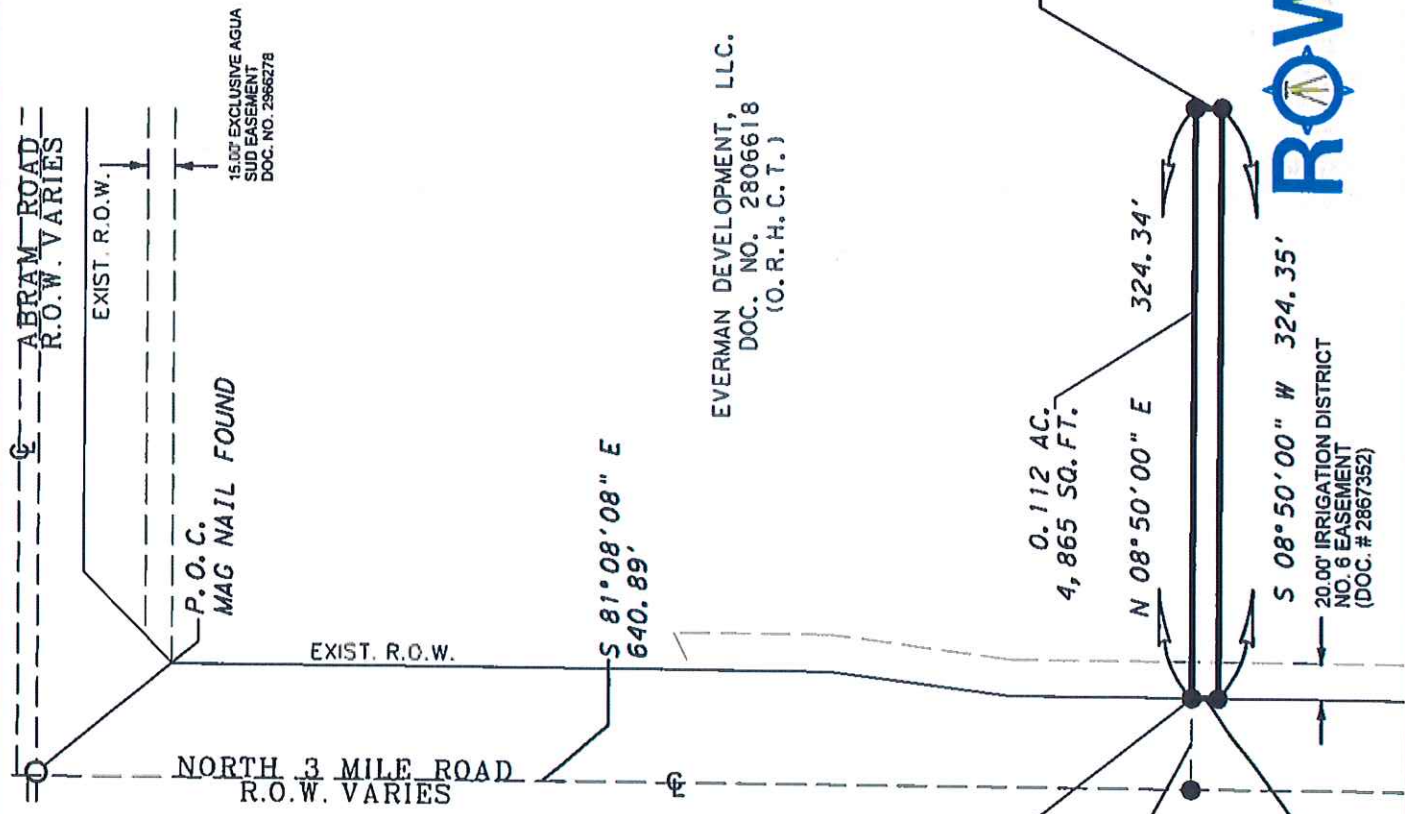
SCALE 1"=100'

LEGEND:

- LOT LINE
- PROPERTY LINE
- HIDALGO COUNTY DEED RECORDS
- H.C.O.R.
- HIDALGO COUNTY OFFICIAL RECORDS
- H.C.O.R.
- SET 1/2" FROM ROAD WITH PLASTIC CAP
- STAMPED "ONISS PROP COR"
- FOUND 1/2" FROM ROAD UNLESS OTHERWISE NOTED
- OVERHEAD ELECTRIC CABLE LINE
- PROPERTY LINE
- PROPERTY LINE
- RIGHT-OF-WAY
- OFFICIAL RECORDS HIDALGO COUNTY TEXAS
- Q.A.H.C.T.

- NOTES:
1. THIS IS NOT A BOUNDARY SURVEY.
 2. THIS SURVEY WAS DONE TO PROTECT THE BENEFIT OF A TITLE REPORT.
 3. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH ZONE (4204), NORTH AMERICAN DATUM '83.
 4. SUBJECT TO RULES, REGULATIONS, EASEMENTS OR CLAIMS OF EASEMENTS WHICH ARE NOT PART OF THE PUBLIC RECORD.

EVERMAN DEVELOPMENT, LLC.
DOC. NO. 2806618
(O. R. H. C. T.)



ROW SURVEYING SERVICES, LLC.
500 S. STEWART RD. SUITE 13
MISSION, TEXAS 78572
TEL.: (361) 424-3335
FAX.: (361) 583-7116
TSP-S REG. 19940 1/1/10