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THE STATE OF TEXAS           §  
  §       EASEMENT  
COUNTY OF HIDALGO       §

Grantor:       Llano Grande Westgate, Ltd., a Texas limited partnership

Grantor's Mailing Address: 1114-A S. Westgate, Weslaco, TX 78596

Grantee:       County of Hidalgo

Grantee's Mailing Address: County of Hidalgo  
  Attention: County Judge  
  100 E. Cano, 2<sup>nd</sup> Floor  
  Edinburg, Texas 78539

With copy to:                   Hidalgo County Precinct 1  
  Attention Precinct 1 Commissioner  
  1902 Joe Stephens Ave., Ste. 1  
  Weslaco, Texas 78596

That LLANO GRANDE WESTGATE, LTD., a Texas limited partnership, herein referred to as GRANTOR for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the COUNTY OF HIDALGO, TEXAS, herein referred to as GRANTEE the receipt of which is hereby acknowledged and confessed, has Granted, Bargained and Conveyed and by these presents does Grant, Bargain and Convey unto the said COUNTY OF HIDALGO, TEXAS, its successors or assigns, the following described easement in gross and right of way for the free and uninterrupted use, liberty and privilege of use of, along, upon and across that certain tract of land situated in Hidalgo County, Texas, as described on **Exhibit A** (*consisting the of easement Metes and Bounds and Survey Plat reflecting easement boundaries*) attached hereto and incorporated herein, (the "Property") for the purpose of constructing, reconstructing, excavating, digging, installing, reinstalling, maintaining and operating a HIKE & BIKE TRAIL, together with free ingress and egress at all times to and from the Property described above for the purpose of doing and performing, or having performed, any and all acts and functions and acts necessary and incident to the constructing, reconstructing, excavating, digging, installing, reinstalling, maintaining and operating of a HIKE & BIKE TRAIL and structures in, along, over and across the Property.

GRANTEE shall have the right of ingress, and egress, entry and access in, to, through, on, over, under across and along the easement Property and where same intersect and 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 Property, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the COUNTY OF HIDALGO and its successors and assigns forever; and GRANTOR does hereby bind itself, its heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the Property unto the COUNTY OF HIDALGO and its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor but not otherwise.

This easement being conditioned, however, that:

1. title in and to all oil, gas and other minerals in and under said land shall be and remain vested in GRANTOR, however, GRANTOR waives the right of ingress and egress to or from the surface of said land for the purpose of exploring, drilling, developing or mining of the same;
2. GRANTEE shall install and maintain a six foot chain link fence along the length of the easement separating the easement from the balance of GRANTOR's property (*see attached Survey Plat reflecting fence line*) and GRANTEE shall not remove any of the current trees located within the easement without GRANTOR's prior written consent; and
3. GRANTEE shall maintain the HIKE & BIKE TRAIL and the remainder of the Easement in good condition;
4. GRANTEE shall designate GRANTOR as an additional insured on its general liability insurance policy and provide proof thereof to GRANTOR on an annual basis;
5. the easement shall automatically become null and void and all rights in the easement Property shall revert back to GRANTOR free of any claim by GRANTEE if the GRANTEE ceases to utilize the easement Property as a HIKE & BIKE TRAIL or otherwise fails to comply with the terms hereof after receiving written notice of any such alleged failure from GRANTOR and failing to remedy such alleged failure within six (6) months after receipt of such notice.

Indemnity. To the maximum extent provided by law, GRANTEE shall hold harmless, defend, and indemnify GRANTOR, its successors and assigns, officers, partners, and agents, against any suits, liabilities, claims, demands, or damages, including but not limited to personal injuries and attorneys' fees, arising from GRANTEE'S exercise of easement rights granted by this instrument, including any person claiming any right to use the easement through GRANTEE.

[SIGNATURE PAGE TO FOLLOW]

ACKNOWLEDGEMENTS

IN WITNESS WHEREOF, this instrument is executed on this the 8<sup>th</sup> day of October, 2024

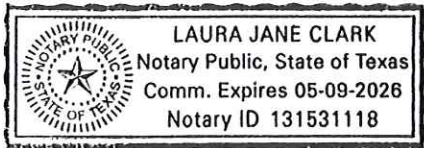
**LLANO GRANDE WESTGATE, LTD., a Texas limited partnership**

By: **LLANO GRANDE WESTGATE GP, L.L.C., General Partner**

By: [Signature]  
**ROBERT McALLEN, President**

STATE OF TEXAS §  
COUNTY OF HIDALGO §

THIS INSTRUMENT was acknowledged before me on the 8<sup>th</sup> day of October, 2024, by **ROBERT McALLEN, President** of **LLANO GRANDE WESTGATE GP, L.L.C.**, a Texas limited liability company in its capacity as the sole general partner of **LLANO GRANDE WESTGATE, LTD.**, a Texas limited partnership, as the act and deed thereof.



[Signature]  
Notary Public State of Texas

APPROVED AND ACCEPTED BY:  
**COUNTY OF HIDALGO**

By: \_\_\_\_\_  
**RICHARD F. CORTEZ, County Judge**

STATE OF TEXAS §  
COUNTY OF HIDALGO §

THIS INSTRUMENT was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by **RICHARD F. CORTEZ**, in his capacity as County Judge of the COUNTY OF HIDALGO.

\_\_\_\_\_  
Notary Public State of Texas



**S2 ENGINEERING, PLLC**  
CIVIL ENGINEERING & LAND SURVEYING  
TBPE F-22858 TBLs 10194796

## METES AND BOUNDS

OF

A 1.15 ACRE TRACT OF LAND OUT OF A FARM TRACT 660, AND OUT OF LOT 1, BLOCK 177, OF THE WEST TRACT SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2, PAGES 34,35,36, AND 37, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ALSO BEING A PART OF 25.74 ACRE TRACT KNOWN AS TRACT 1 AND 6.78 ACRE TRACT KNOWN AS TRACT 2 CONVEYED TO LLANO GRANDE WESTGATE LTD, A TEXAS LIMITED PARTNERSHIP RECORDED IN DOCUMENT NUMBER 1476692 HIDALGO COUNTY OFFICIAL RECORDS, TEXAS, SAID 1.15 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING**, AT A ½" IRON ROD FOUND ON THE WEST RIGHT OF WAY LINE OF SOUTH WESTGATE DRIVE (80.0' R.O.W.) SAME BEING THE NORTHEAST CORNER OF A 5.85 ACRE TRACT SAVE AND EXCEPT FROM LLANO GRANDE WESTGATE LTD, A TEXAS LIMITED PARTNERSHIP RECORDED IN DOCUMENT NUMBER 1476692, **THENCE**, NORTH 01° 12' 22" WEST, ALONG THE SAID 80-FOOT RIGHT-OF-WAY LINE OF SOUTH WESTGATE DRIVE, A DISTANCE OF 312.85 FEET TO A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER AND **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 58° 33' 17" WEST, A DISTANCE OF 129.91 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A WESTERLY SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 35° 51' 03" WEST, A DISTANCE OF 109.70 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 30° 29' 53" WEST, A DISTANCE OF 200.81 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 35° 52' 13" WEST, A DISTANCE OF 406.61 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR AN INSIDE CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 67° 41' 59" WEST, A DISTANCE OF 99.45 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 86° 48' 30" WEST, A DISTANCE OF 250.19 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, SOUTH 84° 20' 55" WEST, A DISTANCE OF 146.26 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR THE NORTHERNMOST SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

**THENCE**, NORTH 04° 53' 58" EAST, A DISTANCE OF 16.58 FEET TO A ½" IRON ROD FOUND ON THE SOUTH RIGHT OF WAY LINE OF 6.08 ACRE TRACT CANAL RECORDED IN VOLUME 314 PAGE 62 HIDALGO COUNTY DEED RECORDS FOR THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;



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 TBPE F-22858 TBLs 10194796

THENCE, NORTH 80° 42' 42" EAST, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID CANAL, A DISTANCE OF 145.55 FEET TO A ½" IRON ROD FOUND FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 83° 20' 06" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID CANAL, A DISTANCE OF 252.36 FEET TO A ½" IRON ROD FOUND FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 88° 44' 02" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 116.81 FEET TO A ½" IRON ROD FOUND FOR THE OUTSIDE CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 35° 52' 13" EAST, ALONG SAID CANAL SOUTH RIGHT OF WAY LINE, A DISTANCE OF 435.21 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 30° 29' 53" EAST, ALONG SAID CANAL SOUTH RIGHT OF WAY LINE, A DISTANCE OF 200.80 FEET TO A ½" IRON ROD FOUND FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 36° 11' 44" EAST, CONTINUING ALONG SAID CANAL SOUTH RIGHT OF WAY LINE, A DISTANCE OF 60.44 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796 FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 35° 46' 26" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF A CANAL, A DISTANCE OF 166.79 FEET TO A ½" IRON ROD FOUND ON THE WEST RIGHT OF WAY LINE OF SOUTH WESTGATE DRIVE (80.0' R.O.W.) TO THE POINT OF BEGINNING CONTAINING 1.15 ACRES OF LAND MORE OR LESS.

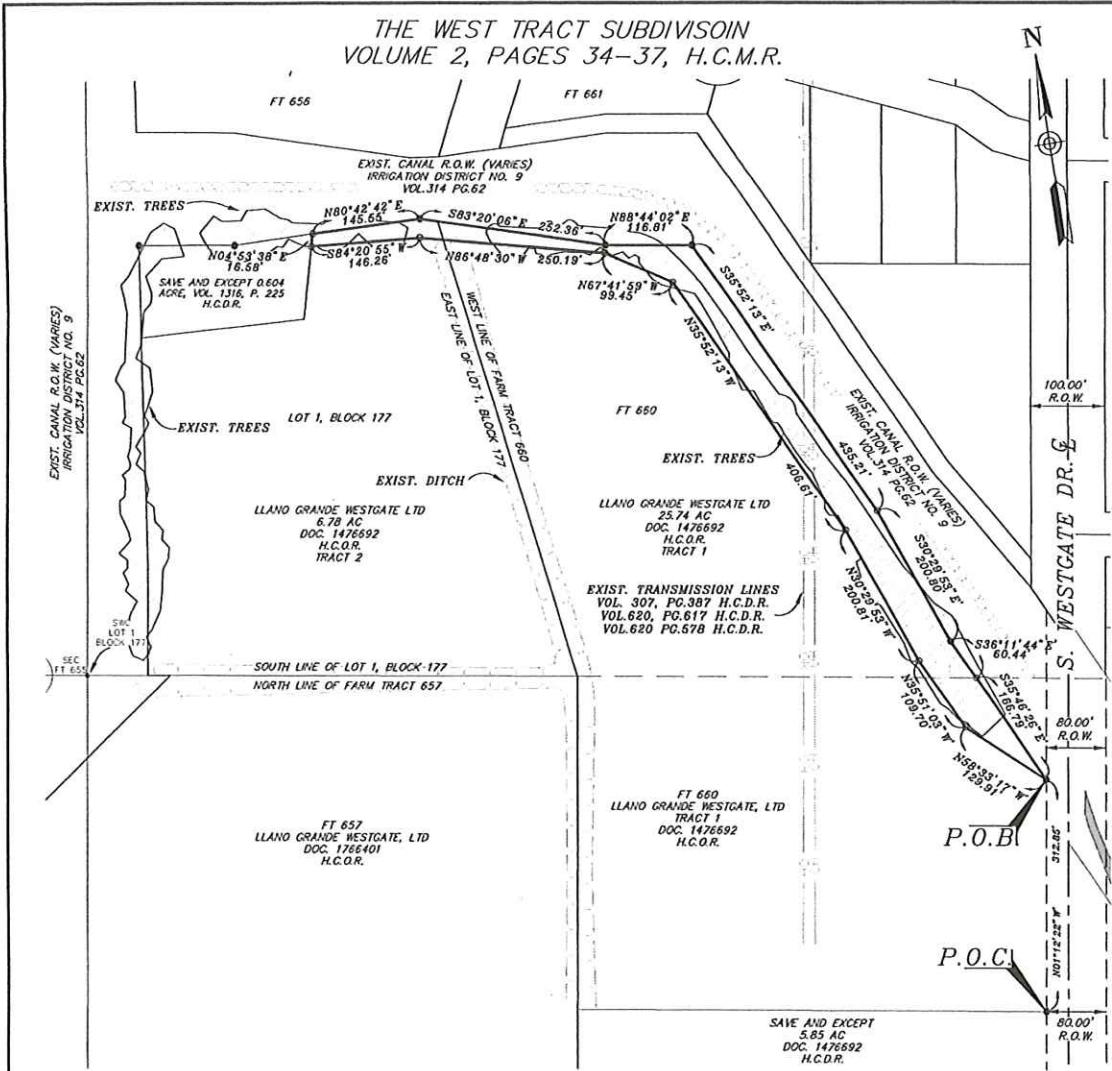
Restituto A. Ascano, III  
 R.P.L.S. # 6225



05-10-24

Date:

THE WEST TRACT SUBDIVISION  
VOLUME 2, PAGES 34-37, H.C.M.R.



**NOTE:**

- BY GRAPHIC PLOTTING ONLY, THIS PROPERTY WAS SCALED TO BE IN ZONE "B" (BETWEEN LIMITS OF 100 YR. FLOOD AND 500 YR. FLOOD) IN THE INSURANCE RATE MAP COMMUNITY PANEL NO. 4803340425 C, REVISED 11-16-82.
  - BASIS OF BEARINGS ON THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD83 FIPS 4205) TEXAS SOUTH ZONE, U.S. FEET.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
  - EASEMENTS AND RESERVATIONS AS MAY APPEAR UPON THE RECORDED MAP AND DEDICATION OF SAID SUBDIVISION.
  - EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 9.

I, RESTITUTO A. ASCANO, III REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6225, HEREBY CERTIFY THAT THE SURVEY DESCRIBED HEREIN WAS MADE ON THE GROUND ON THE 29TH DAY OF MARCH, 2023, THAT THE ONLY VISIBLE IMPROVEMENTS ON THE GROUND ARE AS SHOWN; THAT THERE ARE NO VISIBLE INTRUSIONS OR PROTRUSIONS, VISIBLE OVERLAPPIINGS, APPARENT CONFLICTS OR VISIBLE EASEMENTS, EXCEPT AS SHOWN. THIS SURVEY SUBSTANTIALLY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE AS APPROVED BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

*[Signature]*  
RESTITUTO A. ASCANO III, R.P.L.S. # 6225  
05-10-24



**LEGEND**

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED S2 10194796
- R.O.W. RIGHT-OF-WAY

0 60 120 Feet  
SCALE 1" = 200'

**MAP OF SURVEY OF**  
A 1.15 ACRE TRACT OF LAND OUT OF FARM TRACT 660, AND OUT OF LOT 1, BLOCK 177, OF THE WEST TRACT SUBDIVISION OF LANDS OUT OF THE LLANO GRANDE GRANT, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2, PAGES 34,35,36, AND 37, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ALSO BEING A PART OF 25.74 ACRE TRACT KNOWN AS TRACT 1 AND 6.78 ACRE TRACT KNOWN AS TRACT 2 CONVEYED TO LLANO GRANDE WESTGATE LTD, A TEXAS LIMITED PARTNERSHIP RECORDED IN DOCUMENT NUMBER 1476692 HIDALGO COUNTY OFFICIAL RECORDS, TEXAS

SURVEYED FOR: HIDALGO COUNTY



