

## INGRESS AND EGRESS ACCESS EASEMENT

THE STATE OF TEXAS  
COUNTY OF WILLIAMSON

§  
§     **KNOW ALL BY THESE PRESENTS:**  
§

THAT WILLIAMSON COUNTY PARK FOUNDATION, INC., a Texas non-profit corporation, hereinafter referred to as Grantor (whether one or more) ("Grantor"), for and in consideration of the payment of TEN and No/100 dollars (\$10.00) and other good and valuable consideration paid by the CITY OF TAYLOR PARK FOUNDATION, ("Grantee"), 400 Porter Street, Taylor, Williamson County, Texas 76574, the receipt of which is hereby acknowledged, does hereby GRANT, SELL, and CONVEY unto Grantee, the perpetual right of ingress and egress over and across the following described property of Grantor, to-wit:

See Exhibit "A" attached hereto and made apart hereof for all intents and purposes hereunto and in any wise pertaining, describing 1.387 acres of land, more or less, for an access easement (the "Easement"), said 1.387 acre tract being situated in the William J. Baker Survey, Abstract No. 65 in Williamson County, Texas, subject tract part of and out of a called "135.00 Acres", conveyed in a Deed from Roy Schroeder, et ux, to Williamson County Park Foundation, Inc., dated 5-25-01 and recorded in Document No. 2001039326, of the Official Public Records of Williamson County, Texas; and being more particularly described by metes and bounds as attached; and

This conveyance is made and accepted subject to any and all conditions and restrictions, if any, relating to the hereinabove described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Williamson County, Texas.

Except as otherwise noted, the Easement, rights and privileges herein granted shall be perpetual, provided however, that said Easement, rights, and privileges shall cease and revert to Grantor in the event the right of ingress and egress is abandoned, or shall cease to be used, for a period of five (5) consecutive years.

The Easement, rights, and privileges granted herein are not exclusive, and Grantor may convey other easements or conflicting

rights within the area covered by this grant, without the consent of Grantee. Grantor, however, shall take reasonable safeguards to protect the integrity of Grantee's rights of ingress and egress.

The Easement may be used in common by Grantor, its guests, agents, servants, employees, invitees, successors, and assigns.

Grantor further grants to Grantee:

- (a) the right of ingress to and egress contemplated herein shall be by means of a 50 foot wide paved roadway;
- (b) the foregoing right of ingress and egress includes the right of Grantee to disassemble, remove, take down, and clear away any fence, barricade, or other structure which obstructs, prevents, or hinders Grantee's ingress and egress across the easement;
- (c) the right of grading for, construction, maintaining and using said access easement and related facilities on and across the property as Grantee may deem necessary in the exercise of the right of ingress and egress;
- (d) Grantor or its assigns shall be responsible for maintaining said easement.

Grantee hereby covenants and agrees:

- (a) Grantee shall not fence the Easement, without the express written consent of Grantor;
- (b) Grantee shall indemnify Grantor against any loss and damage which shall be caused by the exercise of the rights of ingress and egress or by any wrongful or negligent act or omission of Grantee's agents or employees in the course of their employment.

TO HAVE AND TO HOLD the rights and interest described unto Grantee and its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, and legal representatives, to warrant and forever defend, all and singular, the above-described Easement and rights and interest unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.

Dated this the 23rd day of June, 2009.

WILLIAMSON COUNTY PARK FOUNDATION, INC.  
a Texas non-profit corporation

By: \_\_\_\_\_  
Charles Crossfield, President

ACKNOWLEDGEMENT

STATE OF TEXAS                   §  
                                      §  
COUNTY OF WILLIAMSON         §

This instrument was acknowledged before me on the \_\_\_\_\_  
day of \_\_\_\_\_, 2009, by Charles Crossfield, President of  
WILLIAMSON COUNTY PARK FOUNDATION, INC., a Texas non-profit  
corporation, on behalf of said corporation.

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

# EXHIBIT "A"

STATE OF TEXAS  
COUNTY OF WILLIAMSON

JUNE 23, 2009

## 1.387 ACRES

These notes describe that certain tract of land situated in the **WILLIAM J. BAKER SURVEY, ABSTRACT NO. 65**, located in Williamson County, Texas; subject tract part of and out of a called "135.00 Acres", conveyed in a Deed from Roy Schroeder, et ux, to Williamson County Park Foundation, Inc., dated 5-25-01 and recorded in Document No. 2001039326, of the Official Public Records of Williamson County, Texas, (OPRWC); being surveyed on the ground under the direct supervision of Bruce Lane Bryan, Registered Professional Land Surveyor No. 4249, on June 23, 2009, subject tract being more fully described as follows:

**COMMENCING** at found  $\frac{1}{2}$ " iron rod in the North right-of-way of FM 397 for the Southwest corner of a called "1.135 Acres" as surveyed by this firm on April 28, 2004, same being the Southwest corner of a called "5.610 Acre" Public Access, Utility and Drainage Easement dated May 13, 2008 as recorded in Document No. 2008037043 OPRWC; **THENCE North 17°27'22" West**, for a distance of **657.70 feet** to a found  $\frac{1}{2}$ " iron rod for the lower Northwest corner of said "5.610 Acres" same being the Northwest corner of said "1.135 Acres" for the Southwest corner of subject and **POINT OF BEGINNING**;

**THENCE North 17°27'22" West**, for a distance of **25.10 feet** to a set  $\frac{1}{2}$ " iron rod (capped) for the lower Northwest corner of subject; from which for reference a set  $\frac{1}{2}$ " iron rod (capped) for the Northwest corner of a "5.146 Acres" as surveyed on this date, bears South 72°42'57" West, 339.24 feet;

**THENCE North 72°42'57" East**, for a distance of **448.73 feet** to a set  $\frac{1}{2}$ " iron rod (capped) for an interior corner of subject;

**THENCE North 17°33'59" West**, for a distance of **1178.25 feet** to a set  $\frac{1}{2}$ " iron rod (capped) in the South line of a called "Taylor Rodeo Association 26.133 Acre" tract surveyed by this firm on 2-19-2004, for the upper Northwest corner of subject; from which for reference a found  $\frac{1}{2}$ " iron rod for an exterior corner of said "26.133 Acres" bears South 70°43'30" West, 518.17 feet;

**THENCE North 70°43'30" East**, with the common line of said "26.133 Acres" and subject for a distance of **40.84 feet** to a found  $\frac{1}{2}$ " iron rod (capped) for the Northeast corner of subject; same being the upper Northwest corner of the above mentioned "5.610 Acres"; from which for reference a found  $\frac{1}{2}$ " iron rod (capped) in the West line of a called "74.863 Acres" as conveyed in a deed from Roy Schroeder, et ux to Williamson County Park Foundation Inc, dated 5-25-2001 as recorded in Document No. 2001039326 Williamson County Deed Records (WCDR) for the Southeast corner of said "26.133 Acres" bears North 70°43'30" East, 91.69 feet;

**THENCE South 17°33'59" East**, with the common line of the above mentioned "5.610 Acres" and subject for a distance of **1204.77 feet** to a found  $\frac{1}{2}$ " iron rod (capped) for the an interior corner said "5.610 Acres" same being the Southeast corner of subject;

**THENCE South 72°42'57" West**, continuing with the common line of said "5.610 Acres" and subject for a distance of **489.60 feet** to the **PLACE OF BEGINNING**, containing according to the dimensions herein stated an area of **1.387 Acres**.

Surveyor's Note: Attention is invited to accompanying plat for location of improvements, visible utilities, encroachments and roadways. Bearings and Coordinates shown hereon based on Texas State Plane Coordinate System Central Zone NAD 83/93 Adjustment (Grid Values); Elevations based on NGVD88 datum.

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Bruce Lane Bryan      Registered Professional Land Surveyor No. 4249