

THE STATE OF TEXAS § COUNTY ROAD 277, WILLIAMSON COUNTY
§
COUNTY OF WILLIAMSON § KNOW ALL MEN BY THESE PRESENTS:

RIGHT-OF-WAY EASEMENT

WHEREAS, WILLIAMSON COUNTY is the owner of a portion of a county road established by prescription in, along, over, upon and across certain property more particularly described herein by metes and bound description attached hereto as **Exhibit A**, such road segment commonly known as a portion of County Road 277; and

WHEREAS, such road segment is documented in the 1924, 1936 and 1940 Federal Highways/Texas Highway Department Road Maps of Williamson County, Texas as well as the 1924 Road Map of Williamson County maintained in the records of the Williamson County Road and Bridge Department which, among other evidence known to Grantor, reflect that the road was maintained by Williamson County for more than 10 years; and

WHEREAS, a search of public records and Minutes of the Commissioners Courts meetings from 1924 to the present has occurred, and there is no evidence that the governing body of Williamson County has ever taken any action to close, abandon or vacate the road as permitted under Chapter 251.051 of the Texas Transportation Code.

WHEREAS, the failure of the original landowner and subsequent owners to record an official instrument in deed records recognizing this prescriptive easement in favor of Williamson County has created title uncertainty for public utility lines laying over, under and along the roadway and for adjacent landowners who have used the road for ingress and egress for decades;

WHEREAS, DAVID NEMIR, TERRI LEE NEMIR PANICO AND PAMELA ANN NEMIR are the present owners of the land from which the above-described portion of County Road 277 was created, and they wish to settle title uncertainty by formally conveying a right-of-way easement across the surface of the property described in **Exhibit A** hereto; and

NOW, THEREFORE,

DAVID CHARLES NEMIR, PAMELA ANN NEMIR, and TERRI LEE NEMIR PANICO, Grantors, all dealing in their separate property, whose address is C/O David Nemir, 1221 E. Baltimore Dr., El Paso, Texas 79902, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, have bargained, sold, granted and conveyed and by these presents do hereby bargain, sell, grant and convey unto **WILLIAMSON COUNTY, TEXAS,** Grantee, an easement for public roadway purposes, including laying out, opening, constructing, operating, maintaining and reconstructing both roadway facilities and public utility lines in, under, along, upon and across the tract or parcel of land more particularly described in **Exhibit A**, which exhibit is attached hereto and incorporated herein for any and all purposes.

This conveyance is solely for the purpose of clarifying title and establishing a public record of the existence of the prescriptive easement originally establish in favor of Williamson County circa 1924, currently known as a portion of County Road 277, and formalizing and acknowledging the burden the prescriptive easement imposes on the surface use of the identified portion of the Nemir property. No rights are transferred and no burdens are accepted beyond those historically established for the prescriptive easement. Grantors hereby retain title to all subsurface land including but not limited to the oil, gas and sulphur and other mineral interests and all water which may lie in and under said land.

IN WITNESS WHEREOF, this instrument is executed on this the 29th day of January, 2020.

TERRI LEE NEMIR PANICO
TERRI LEE NEMIR PANICO

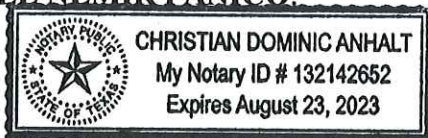
PAMELA ANN NEMIR
PAMELA ANN NEMIR

DAVID CHARLES NEMIR
DAVID CHARLES NEMIR

ACKNOWLEDGEMENTS

STATE OF TEXAS §
 COUNTY OF TRAVIS §

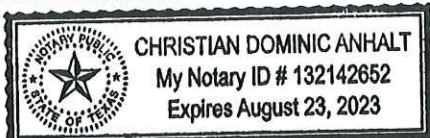
This instrument was acknowledged before me on the 29th day of January, 2019²⁰ by **TERRI LEE NEMIR PANICO**.



[Signature]
 Notary Public's Signature

STATE OF TEXAS §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 29th day of January, 2019²⁰ by **PAMELA ANN NEMIR**.



[Signature]
 Notary Public's Signature

STATE OF TEXAS §
 COUNTY OF EL PASO §

This instrument was acknowledged before me on the 30th day of January, 2019²⁰ by **DAVID CHARLES NEMIR**.



[Signature]
 Notary Public's Signature

ACCEPTANCE OF RIGHT-OF-WAY EASEMENT
BY ACTION OF
WILLIAMSON COUNTY COMMISSIONERS COURT

On the ___ day of _____, 2020, Commissioners Court met at a regularly scheduled meeting.

Pursuant to the authority granted in Texas Transportation Code, Section 251.019, and after a motion duly made and seconded, Commissioners Court voted to accept the Right-of-Way Easement granted to Williamson County by David Charles Nemir, Pamela Ann Nemir and Terri Lee Nemir Panico of a 0.97 acre tract of land out of the Richard West Survey Abstract No. 643 in Williamson County, Texas, being a strip of land locally known as County Road No. 277, as more particularly described by metes in bounds in the Right-of-Way Easement.

BILL GRAVELL JR.
Williamson County Judge

**HOLT CARSON, INC.
PROFESSIONAL LAND SURVEYORS**

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
www.hciaustin.com

“EXHIBIT A”

FIELD NOTE DESCRIPTION OF 0.97 ACRE OF LAND OUT OF THE RICHARD WEST SURVEY ABSTRACT No. 643 IN WILLIAMSON COUNTY, TEXAS, BEING A STRIP OF LAND LOCALLY KNOWN AS COUNTY ROAD No. 277 AND AS INDICATED ON THE WILLIAMSON COUNTY ROAD MAP, DATED 1924, AS A SECOND CLASS ROAD, AND BEING A PORTION OF THAT CERTAIN (220.84 ACRES) OF LAND IN DEED TO W.C. BOWMAN AS RECORDED IN VOLUME 189 PAGE 393 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALSO BEING A PORTION OF THAT CERTAIN (9.84 ACRE) TRACT OF LAND AS CONVEYED TO J.W. BROWN, ET UX BY DEED RECORDED IN VOLUME 127 PAGE 268 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rod set with an aluminum cap imprinted with "Holt Carson, Inc." on the South side of the paving of Williamson County Road No. 277 for the southerly Southwest corner of that certain (220.84 acre) tract of land as conveyed to W.C. Bowman by deed recorded in Volume 189 Page 393 of the Deed Records of Williamson County, Texas, and being in an Easterly line of that certain (275 acre) tract of land formerly owned by Thornton T. Poole according to deed of record in Volume 7 Page 395 of the Deed Records of Williamson County, Texas, and for an angle corner of that certain (385 acre) tract of land formerly owned by John V. Cunea and wife, Dorothy E. Cunea according to deed of record in Volume 477 Page 544 of the Deed Records of Williamson County, Texas, and also being the Southwest corner of that certain (9.84 acre) tract of land formerly owned by J.W. Brown, et ux, according to deed of record in Volume 127 Page 268 of the Deed Records of Williamson County, Texas, and being the Southwest corner and **PLACE OF BEGINNING** of the herein described tract of land, and from which a set stone found for an angle corner of said Poole (275 acre) tract and for an angle corner of said Cunea (385 acre) tract and for the Northeast corner of that certain (25 acre) tract of land formerly owned by John T. Bryson according to deed of record in Volume 7 Page 558 of the Deed Records of Williamson County, Texas, bears S 21 deg. 19' 42" E 11.10 ft., and also from which a badly scarred 28" Post Oak tree (original witness tree) bears S 33 deg. 32' W 24.7 ft.;

end of Page 1

THENCE with the common line of said Bowman (220.84 acre) tract and said Poole (275 acre) tract, N 21 deg. 19' 42" W 31.00 ft. to a ½" iron rod found at a fence corner post on the North side of Williamson County Road No. 277 for the Southeast corner of that certain (9.03 acre) tract of land as conveyed to Samuel Sikes and wife, Ann Louise Sikes by deed recorded in Volume 773 Page 876 of the Deed Records of Williamson County, Texas, and which was called to a corner of that certain (231.33 acre) tract of land as described in Special Warranty Deed to David Charles Nemir as recorded in Document No. 2009059817 of the Official Public Records of Williamson County, Texas, and being the Northwest corner of this tract of land;

THENCE entering the interior of said Bowman (220.84 acre) tract and the interior of said Brown (9.84 acre) tract with the fenced North line of Williamson County Road No. 277, the following two (2) courses;

- 1) N 48 deg. 42' 53" E 558.16 ft. to a capped iron rod found;
- 2) N 56 deg. 54' 19" E 787.54 ft. to a point for the Northeast corner of this tract of land, and from which a badly bent ½" iron rod found bears N 56 deg. 54' 19" E 530.16 ft.;

THENCE continuing across the interior of said Bowman (220.84 acre) tract and the interior of said Brown (9.84 acre) tract with the East line of this tract, S 33 deg. 00' E 32.00 ft. to a point in the South line of said Bowman (220.84 acre) tract and in the South line of said Brown (9.84 acre) tract and in the North line of said Cunea (385 acre) tract and in the South line of an unused portion of Williamson County Road No. 277, and being the Southeast corner of this tract of land, and from which a 5/8" iron rod set with an aluminum cap imprinted with “Holt Carson, Inc.” in the West line of the Austin and Northwestern Railroad for the Southeast corner of said Bowman (220.84 acre) tract and for the Southeast corner of said Brown (9.84 acre) tract bears N 56 deg. 52' 00" E 566.00 ft.;

THENCE with the South line of said Bowman (220.84 acre) tract and with the South line of said Brown (9.84 acre) tract and with the North line of said Cunea (385 acre) tract and with the South line of Williamson County Road No. 277, the following two (2) courses;

- 1) S 56 deg. 52' 00" W at 784.50 ft. passing a 22" Live Oak tree with old wire marks, and continuing with the same bearing for a total distance of 793.63 ft. to a 5/8" iron rod set with an aluminum cap imprinted with “Holt Carson, Inc.”;

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0.97 ACRE – “EXHIBIT A”

2) S 48 deg. 56' 30" W 558.04 ft. to the **PLACE OF BEGINNING**, containing 0.97 acre of land.

SURVEYED during the month of September, 2019.



Holt Carson
Registered Professional Land Surveyor No. 5166

see accompanying map: B 1044104

