

**SLOPE AND LATERAL SUPPORT EASEMENT**

County Road 258

**THE STATE OF TEXAS**

§

§ **KNOW ALL BY THESE PRESENTS:**

**COUNTY OF WILLIAMSON**

§

That **MACNAK, LLC, a Texas limited liability company**, its successors and assigns (“Grantor”), for and in consideration of the sum of One and no/100th DOLLARS (\$1.00) and other good and valuable consideration paid by **WILLIAMSON COUNTY, TEXAS**, (“Grantee”), receipt of which is hereby acknowledged, does hereby Grant, Sell, and Convey unto Grantee a permanent slope and lateral support easement, in, on, under and across the following real property (“Property”), to wit:

All of that certain 0.395 acre (17,211 square feet) of land in the B. Manlove Survey, Abstract No. 417, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit “A” attached hereto and incorporated herein (**Parcel 2SE\_1**)

The perpetual easement, rights and privileges herein granted shall be used to construct, install, operate, maintain, inspect, reconstruct, enlarge, relocate, rebuild, repair, and remove materials for slope and lateral support of the adjacent roadway facility and related appurtenances and improvements which may be necessary to facilitate the proper support and operation of the adjacent property and roadway facilities (the “Benefitted Tract”), in, along, upon, under and across said premises described in Exhibit “A” together with the right and privilege at all times of the Grantee herein, its agents, employees and representatives of ingress and egress from to and from said premises from the adjacent right of way for the purpose of making any improvements, modifications or repairs which the Grantee deems necessary.

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.

The Easement, rights, and privileges granted herein are non-exclusive, however, Grantor covenants that it will not convey any future easement or conflicting rights within the area covered by this grant, without the express written consent of Grantee, which consent shall not be unreasonably withheld. Prior to granting its consent for other easements Grantee may require reasonable safeguards to protect the integrity of the adjacent road system improvements.

Grantor shall be specifically prohibited from removing any earth, fill, or other materials from the Property, whether existing or installed by Grantee, and Grantor shall not otherwise impact, alter, or take any action to affect or reduce the lateral support of the adjacent roadway facilities and related appurtenances and improvements, without Grantee’s prior written consent.

However, Grantor may add any additional earth, fill or other materials upon the Property as necessary to develop or otherwise improve the remaining property of Grantor in accordance with any applicable development rules or ordinances of Grantee or other applicable regulatory agency or jurisdiction.

Grantee shall be responsible for maintaining the easement area described herein and any improvements constructed by Grantee and located in, across or upon the easement area. Grantee, by acceptance of this easement acknowledges and agrees that Grantor hereby expressly reserves the right to relocate, modify and reduce the easement area described herein and alter any improvements or facilities located in, across or upon the easement area, at Grantor's sole cost and expense, provided that such relocation, reduction and/ or alteration shall not cause any use or development of the Benefited Tract to be out of compliance with any regulation of any governmental entity having jurisdiction over the Benefited Tract, and shall not cause the diversion, encroachment, impoundment or increase in the amount of surface water on or across the Benefited Tract in excess of the drainage conditions existing prior to such relocation, reduction or alteration. The Grantor may execute and file in the appropriate public records a replacement easement for any such reduction, alteration and/ or relocation of the easement area, provided such reduction, alteration or relocation of the easement area is in conformance with the terms of this paragraph and such replacement easement is conveyed to the Grantee, its successors or assigns by replacement easement recorded in the appropriate public records. Concurrent with or after the recording of such replacement easement, the Grantee, its successors or assigns shall execute any document presented by the Grantor reasonably necessary or convenient for the release or re-conveyance to Grantor of any easement area not included in the replacement easement.

To the extent allowed by law, 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.

The Easement, rights, privileges and obligations granted in this Easement shall be appurtenant to and shall run with Grantor's property, and shall be binding upon and inure to the benefit of the parties to this Easement, their successors, assigns, mortgagees, tenants, guests, employees, representatives, servants and invitees, subject to all matters of record or in existence affecting the Property.

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

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 6<sup>th</sup>  
day of July, 2022.

**GRANTOR:**

MACNAK, LLC,  
a Texas limited liability company

By:   
Bruce E. Nakfoor, Member and  
Authorized Signatory

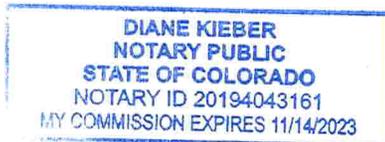
**ACKNOWLEDGMENT**

STATE OF COLORADO

COUNTY OF Pitkin §  
§

This instrument was acknowledged before me on this the 6<sup>th</sup> day of July,  
2022 by Bruce E. Nakfoor, in the capacity and for the purposes and consideration recited therein.

  
Notary Public, State of Colorado



**ACCEPTED:**

WILLIAMSON COUNTY, TEXAS

By: \_\_\_\_\_  
Bill Gravell, Jr., County Judge

**ACKNOWLEDGMENT**

STATE OF TEXAS                    §  
  §  
COUNTY OF WILLIAMSON       §

This instrument was acknowledged before me on this the \_\_ day of \_\_\_\_\_, 2022 by Bill Gravell, Jr., Williamson County Judge, in the capacity and for the purposes and consideration recited therein.

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

**PREPARED IN THE OFFICE OF:**

Sheets & Crossfield, PLLC  
309 East Main  
Round Rock, Texas 78664

**GRANTEE'S MAILING ADDRESS:**

Williamson County, Texas  
Attn: County Auditor  
710 Main Street, Suite 101  
Georgetown, Texas 78626

**AFTER RECORDING RETURN TO:**

EXHIBIT "A"

County: Williamson  
Parcel No.: SE-2\_1  
Highway: C.R. 258  
Limits: From: US 183  
To: Sunset Ridge

Page 1 of 6  
March 7, 2022

**PROPERTY DESCRIPTION FOR SLOPE EASEMENT 2\_1**

DESCRIPTION OF A 0.395 ACRE (17,211 SQ. FT.) EASEMENT LOCATED IN THE B. MANLOVE SURVEY, ABSTRACT NO. 417, WILLIAMSON COUNTY, TEXAS BEING A PORTION OF THE REMAINDER OF A CALLED 262.022 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO MACNAK, LLC, RECORDED OCTOBER 1, 2007 IN DOCUMENT NO. 2007083912, OFFICAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.395 ACRE (17,211 SQ. FT.) EASEMENT, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a spindle found 376.87 feet left of County Road 258 (C.R. 258) Engineer's Centerline Station (E.C.S.) 66+47.71 on the west line of a remainder of a called 7.35 acre tract of land, described in a deed to Sandra Anderson, recorded in Document No. 1999046139, O.P.R.W.C.TX., for the northeast corner of said remainder of a called 262.022 acre tract, same being the southeast corner of Lot 21, Block A, Rancho Santa Fe, Section 1 Final Plat, recorded in Document No. 2014101204, O.P.R.W.C.TX., described in a deed to Beverly M. Cline and Roger Cline, wife and husband, recorded in Document No. 2020132957, O.P.R.W.C.TX.;

**THENCE** S 08°02'31" E, with the common line of said remainder of a called 262.022 acre tract and said remainder of a called 7.35 acre tract, a distance of 325.40 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set (replacing a 1/2-inch iron rod found) 60.10 feet left of C.R. 258 E.C.S. 65+73.26 on the existing north right-of-way line of C.R. 258, a variable width right-of-way, as conveyed to Williamson County in Document No. 2015069264, O.P.R.W.C.TX., for the southwest corner of said remainder of a called 7.35 acre tract of land;

**THENCE** departing the existing north right-of-way line of said C.R. 258, with the proposed north right-of-way of said C.R. 258, over and across said remainder of a called 262.022 acre tract, the following five (5) courses and distances:

S 68°45'21" W, a distance of 77.09 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 60.13 feet left of C.R. 258 E.C.S. 64+96.17,

N 19°18'02" W, a distance of 55.69 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 115.79 feet left of C.R. 258 E.C.S. 64+98.09,

S 68°43'58" W, a distance of 43.47 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 115.79 feet left of C.R. 258 E.C.S. 64+54.61,

S 21°16'02" E, a distance of 40.79 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 75.00 feet left of C.R. 258 E.C.S. 64+54.61, and

S 68°43'58" W, a distance of 254.61 feet to a calculated point (Surface Coordinates: N=10,219,092.80, E=3,070,321.12) 75.00 feet left of C.R. 258 E.C.S. 62+00.00, for the southeast corner and **POINT OF BEGINNING** of the easement described herein;

1) **THENCE** S 68°43'58" W, continuing with the proposed north right-of-way of said C.R. 258, over and across said remainder of a called 262.022 acre tract, a distance of 601.03 feet to a calculated point 74.52 feet left of C.R. 258 E.C.S. 55+97.66, for the west corner of the easement described herein;

EXHIBIT "A"

County: Williamson  
Parcel No.: SE-2\_1  
Highway: C.R. 258  
Limits: From: US 183  
To: Sunset Ridge

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March 7, 2022

**THENCE**, departing the proposed north right-of-way of said C.R. 258, over and across said remainder of a called 262.022 acre tract, the following seven (7) courses and distances numbered 2-8:

- 2) N 57°51'49" E, a distance of 153.79 feet to a calculated point 104.00 feet left of C.R. 258 E.C.S. 57+50.00,
- 3) N 68°43'58" E, a distance of 50.00 feet to a calculated point 104.00 feet left of C.R. 258 E.C.S. 58+00.00,
- 4) N 65°17'57" E, a distance of 100.18 feet to a calculated point 110.00 feet left of C.R. 258 E.C.S. 59+00.00,
- 5) N 57°25'22" E, a distance of 50.99 feet to a calculated point 120.00 feet left of C.R. 258 E.C.S. 59+50.00,
- 6) N 68°43'58" E, a distance of 150.00 feet to a calculated point 120.00 feet left of C.R. 258 E.C.S. 61+00.00, for the northeast corner of the easement described herein,
- 7) S 76°13'17" E, a distance of 61.07 feet to a calculated point 84.93 feet left of C.R. 258 E.C.S. 61+50.00, and

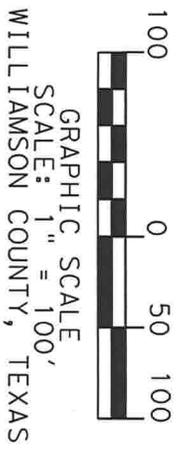
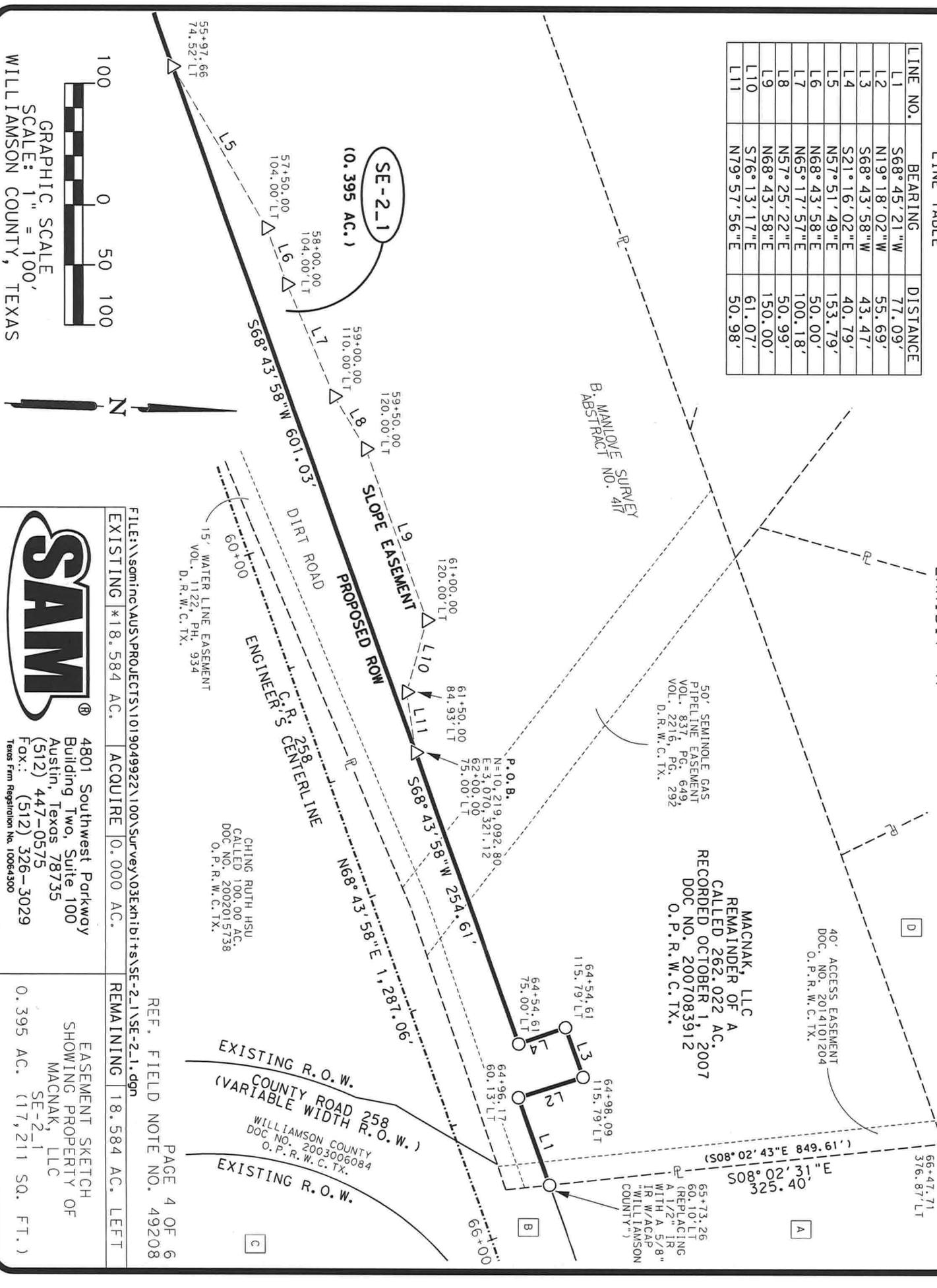
**THIS SPACE INTENTIONALLY LEFT BLANK**



LINE TABLE

| LINE NO. | BEARING     | DISTANCE |
|----------|-------------|----------|
| L1       | S68°45'21"W | 77.09'   |
| L2       | N19°18'02"W | 55.69'   |
| L3       | S68°43'58"W | 43.47'   |
| L4       | S21°16'02"E | 40.79'   |
| L5       | N57°51'49"E | 153.79'  |
| L6       | N68°43'58"E | 50.00'   |
| L7       | N65°17'57"E | 100.18'  |
| L8       | N57°25'22"E | 50.99'   |
| L9       | N68°43'58"E | 150.00'  |
| L10      | S76°13'17"E | 61.07'   |
| L11      | N79°57'56"E | 50.98'   |

EXHIBIT "A"



4801 Southwest Parkway  
Building Two, Suite 100  
Austin, Texas 78735  
(512) 447-0575  
Fax: (512) 326-3029  
Texas Firm Registration No. 10064300

FILE: \\seminc\us\PROJECTS\1019049922\100\Survey\03Exhibits\SE-2.1\SE-2.1.dgn  
EXISTING \*18.584 AC. ACQUIRE 0.000 AC. REMAINING 18.584 AC. LEFT

PAGE 4 OF 6  
REF. FIELD NOTE NO. 49208

EASEMENT SKETCH  
SHOWING PROPERTY OF  
MACNAK, LLC  
SE-2.1  
0.395 AC. (17,211 SQ. FT.)

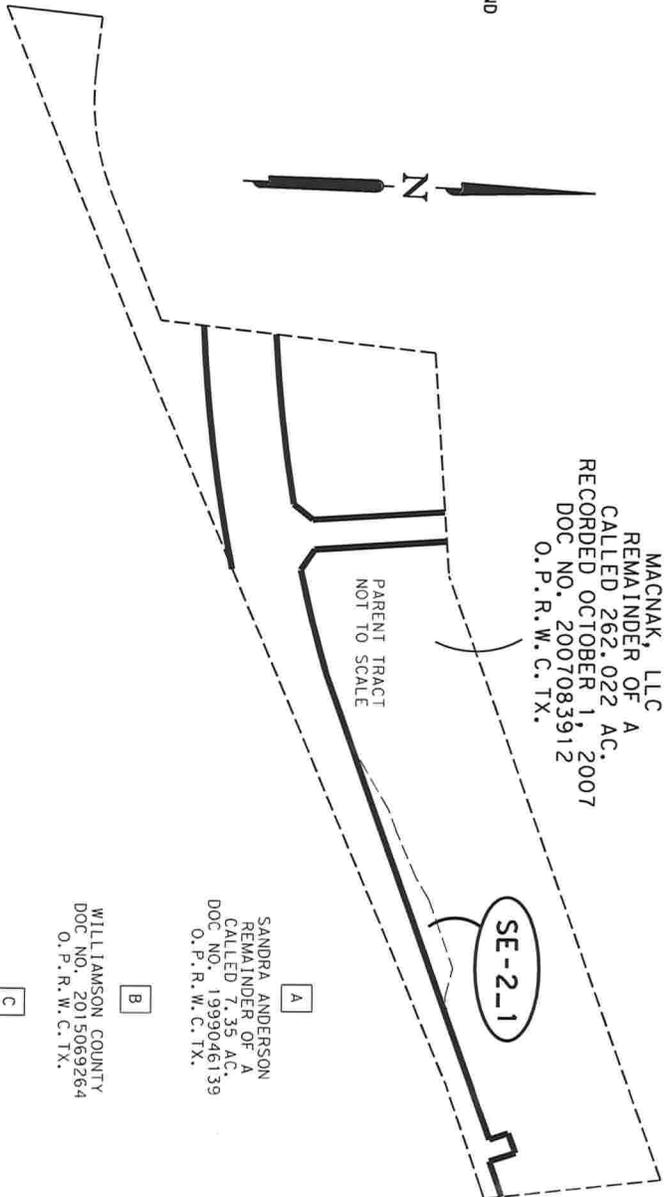


LEGEND

- 5/8" IRON ROD SET WITH ALUMINUM CAP STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ◻ FENCE POST (TYPE NOTED)
- TYPE I CONCRETE MONUMENT FOUND
- ⊙ TxDOT TYPE II BRONZE DISK IN CONCRETE FOUND
- ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED
- ▲ 80D NAIL FOUND
- ⊕ MAGNAIL FOUND
- ⊕ SPINDLE FOUND
- ⊕ RAILROAD TIE
- △ CALCULATED POINT
- ▽ PROPERTY LINE
- ( ) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- N.T.S. NOT TO SCALE
- D.R.W.C.TX. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- - - DEED LINE (COMMON OWNERSHIP)
- - - PROPOSED TEMPORARY EASEMENT LINE

NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAD88 TEXAS COORDINATE SYSTEM. GENERAL ZONE, ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. ALL COORDINATES SHOWN ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SAME FACTOR. PROJECT UNITS ARE IN U.S. SURVEY FEET.
2. THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, GF NO. 2048724-KFO, EFFECTIVE DATE JUNE 17, 2021, AND ISSUED DATE JUNE 30, 2021. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
3. U.S. 183 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM AMERICAN STRUCTURE, INC. SCHEMATIC RECEIVED BY SAM, LLC, IN AUGUST, 2020.
4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.



MACNAK, LLC  
REMAINDER OF A  
CALLED 262.022 AC.  
RECORDED OCTOBER 1, 2007  
DOC NO. 2007083912  
O.P.R.W.C.TX.

PARENT TRACT  
NOT TO SCALE

**A**  
SANDRA ANDERSON  
REMAINDER OF A  
CALLED 7.35 AC.  
DOC NO. 1999046139  
O.P.R.W.C.TX.

**B**  
WILLIAMSON COUNTY  
DOC NO. 2015059264  
O.P.R.W.C.TX.

**C**  
BECKY ELAINE GADY COLEMAN,  
CALLED 30.000 AC.  
DOC NO. 2018007336  
O.P.R.W.C.TX.

**D**  
BEVERLY M. CLINE AND ROGER CLINE,  
WIFE AND HUSBAND  
DOC NO. 2020132957  
O.P.R.W.C.TX.

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REF. FIELD NOTE NO. 49208

FILE: \\sam\inc\AUS\PROJECTS\1019049922\100\Survey\03\Exhibits\SE-2-1\SE-2-1.dgn  
EXISTING \*18.584 AC. ACQUIRE 0.000 AC. REMAINING 18.584 AC. LEFT



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EASEMENT SKETCH  
SHOWING PROPERTY OF  
MACNAK, LLC  
SE-2-1  
0.395 AC. (17,211 SQ. FT.)

SCOTT C. BRASHEAR  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6660, STATE OF TEXAS

DATE

2/1/22