

DRAINAGE EASEMENT

County Road 129

THE STATE OF TEXAS

,

,

KNOW ALL BY THESE PRESENTS:

COUNTY OF WILLIAMSON

,

That **CHAD COTTON**, not joined by my spouse as this property is my sole and separate property and forms no portion of my homestead either owned or occupied, and his successors and assigns, hereinafter referred to as Grantor (whether one or more), for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash in hand paid and other good and valuable consideration paid to Grantor by **WILLIAMSON COUNTY, TEXAS**, its agents and assigns, hereinafter referred to as Grantee, receipt of which consideration is hereby acknowledged, has **GRANTED, SOLD and CONVEYED**, and by these premises does hereby **GRANT, SELL and CONVEY** unto Grantee a perpetual easement interest in, on, over, upon, above and across the following property ("Property"):

All of that certain 0.108 acre (4,724 square foot) tract of land, more or less, being out of the Dicy Hopkins Survey, Abstract No. 300 Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein (**Parcel 8DE**).

The perpetual easement, rights and privileges herein granted shall be used for the purposes of opening, constructing and maintaining a permanent drainage way and/or channel, along with any structures, pipes and grading which may be necessary to facilitate the proper drainage of the adjacent property and roadway facilities, in, along, upon 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 to and from said premises for the purpose of making any improvements, modifications or repairs which Grantee deems necessary.

The perpetual easement, right-of-way, rights and privileges herein granted shall also encompass the right of Grantee to trim, cut, fell and remove therefrom all trees, underbrush, vegetation, and obstructions, structures or obstacles within the limits of the Property, but only such as necessary to carry out the purposes of the easement; reserving to the landowners and their heirs and assigns, however, all such rights and privileges as may be used without interfering with or abridging the rights and purposes of the Easement herein acquired by Grantee.

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. Grantee shall be responsible for the correction of, or compensation for, any damage to Grantor's property which is the result of actions outside the granted purposes of this easement.

TO HAVE AND TO HOLD the same, in perpetuity, in and to Grantee, and its successors and assigns, together with all and singular all usual and customary rights thereto in anywise belonging, and together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing or maintaining said drainage way and for making connections therewith.

And Grantor does hereby bind his heirs, executors, administrators and assigns to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto Williamson County, Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This grant is subject to any easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Williamson County, Texas, that affect the Property, but only to the extent that said items are still valid and in force and effect at this time. The perpetual easement, right-of-way, rights and privileges granted herein are non-exclusive, however Grantor covenants not to convey any other easement or conflicting rights within the premises covered by this grant that interfere with the purpose or function of any improvements or modifications placed thereon, or the maintenance of the surface of the Property for the conveyance of stormwater drainage, without the express written consent of Grantee, which consent shall not be unreasonably withheld.

EXECUTED on this the 6 day of January, 2023.

[signature page follows]

GRANTOR:



CHAD COTTON

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this the 6th day of January, 2023 by Chad Cotton, in the capacity and for the purposes and consideration recited herein.



Notary Public, State of Texas



ACCEPTED:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr, County Judge

ACKNOWLEDGMENT

STATE OF TEXAS

§
§
§

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on _____ by Bill Gravell, Jr., in the capacity and for the purposes and consideration recited herein.

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"

METES AND BOUNDS DESCRIPTION

FOR A 0.108 ACRE (4,724 SQ. FT.) TRACT OF LAND SITUATED IN THE DICY HOPKINS SURVEY, ABSTRACT NO. 300, WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 5.00 ACRE TRACT OF LAND CONVEYED TO CHAD COTTON, A MARRIED MAN, RECORDED IN DOCUMENT NO. 2020062193 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 0.108 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND BY DIAMOND SURVEYING DURING THE MONTH OF DECEMBER 2022 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found with cap marked "McGRAY & McGRAY" (Surface Coordinates: N=10152141.08, E=3189307.67) monumenting the southwest corner of said remnant portion of the 5.00 acre Cotton tract and the southeast corner of the called 0.3792 acre tract of land (Parcel 8) conveyed to Williamson County, Texas, recorded in Document No. 2022073910 of the Official Public Records of Williamson County, Texas, same being on the north boundary line of the remnant portion of the called 5.00 acre tract of land conveyed to Daine H. Smith and wife, Cynthia M. Smith, recorded in Document No. 9708851 of the Official Records of Williamson County, Texas, same being on an angle point in the east right-of-way line of County Road 129 (right-of-way width varies), from which an iron rod found with cap marked "McGRAY & McGRAY" monumenting the northwest corner of said remnant portion of the 5.00 acre Smith tract and the northeast corner of the called 0.4356 acre tract of land (Parcel 7) conveyed to Williamson County, Texas, recorded in Document No. 2022039221 of the Official Public Records of Williamson County, Texas, same being on the south boundary line of said 0.3792 acre Williamson County, Texas tract and same being on an angle point in said east right-of-way line of County Road 129, bears N 89°41'28" W for a distance of 26.19 feet;

THENCE, N 00°19'51" W with the west boundary line of said remnant portion of the 5.00 acre Cotton tract, the east boundary line of said 0.3792 acre Williamson County, Texas tract and said east right-of-way line of County Road 129, for a distance of 334.61 feet to a 5/8" iron rod set with aluminum cap marked "WILLIAMSON COUNTY" (Surface Coordinates: N=10152475.69, E= 3189305.74) for the southwest corner and **POINT OF BEGINNING** hereof and being 38.98 feet right of County Road 129 Engineer's Baseline Station 34+14.17;

THENCE, N 00°19'51" W continuing with the west boundary line of said remnant portion of the 5.00 acre Cotton tract, the east boundary line of said 0.3792 acre Williamson County, Texas tract, and said east right-of-way line of County Road 129 for a distance of **75.00 feet** to an iron rod found with cap marked "McGRAY & McGRAY" monumenting the northwest corner of said remnant portion of the 5.00 acre Cotton tract, the northeast corner of said 0.3792 acre Williamson County, Texas tract, the southwest corner of the remnant portion of the called 8.376 acre tract of land (Exhibit A1), conveyed to Mirna S. Vargas, recorded in Document No. 2021055224 of the Official Public Records of Williamson County, Texas, and the southeast corner of the called 0.0476 acre tract of land (Parcel 11) conveyed to Williamson County, Texas, recorded in Document No.

2022018948 of the Official Public Records of Williamson County, Texas, for the northwest corner hereof and being 28.00 feet right of County Road 129 Engineer's Baseline Station 34+88.36, from which an iron rod found with cap marked "B&G SURVEYING" monumenting the northwest corner of said 0.3792 acre Williamson County, Texas tract and the southwest corner of said 0.0476 acre Williamson County, Texas tract, bears N 89°21'13" W for a distance of 8.97 feet;


THENCE, S 89°21'13" E with the north boundary line of said remnant portion of the 5.00 acre Cotton tract and the south boundary line of said remnant portion of the 8.376 acre Vargas tract for a distance of **90.00 feet** to a 5/8" iron rod set with aluminum cap marked "WILLIAMSON COUNTY" for the northeast corner hereof and being 117.24 feet right of County Road 129 Engineer's Baseline Station 35+00.02, from which a 2" metal post found on the northeast corner of said remnant portion of the 5.00 acre Cotton tract and the southeast corner of said remnant portion of the 8.376 acre Vargas tract, same being on the west boundary line of the remnant portion of the called 39.797 acre tract of land (Tract A), conveyed to Marilyn Elaine Adams Morgan, Trustee of the Marilyn Elaine Adams Morgan Revocable Trust, recorded in Document No. 2012058561 of the Official Public Records of Williamson County, Texas, bears S 89°21'13" E for a distance of 431.45 feet;

THENCE, through the interior of said remnant portion of the 5.00 acre Cotton tract, the following two (2) courses and distances:

1. S 00°19'51" E for a distance of **30.00 feet** to an iron rod set with aluminum cap marked "WILLIAMSON COUNTY" for the southeast corner hereof and being 121.64 feet right of County Road 129 Engineer's Baseline Station 34+70.34;
2. S 63°53'16" W for a distance of **99.93 feet** to the **POINT OF BEGINNING** hereof and containing 0.108 acre of land more or less.

Bearing Basis: NAD-83, Texas Central Zone (4203) State Plane System. Distances shown hereon are surface distances based on a combined surface adjustment factor or 1.00011 per McGray and McGray Right-of-way Parcel Surveys.

A drawing has been prepared to accompany this metes and bounds description.

 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NUMBER 10006900



December 28, 2022

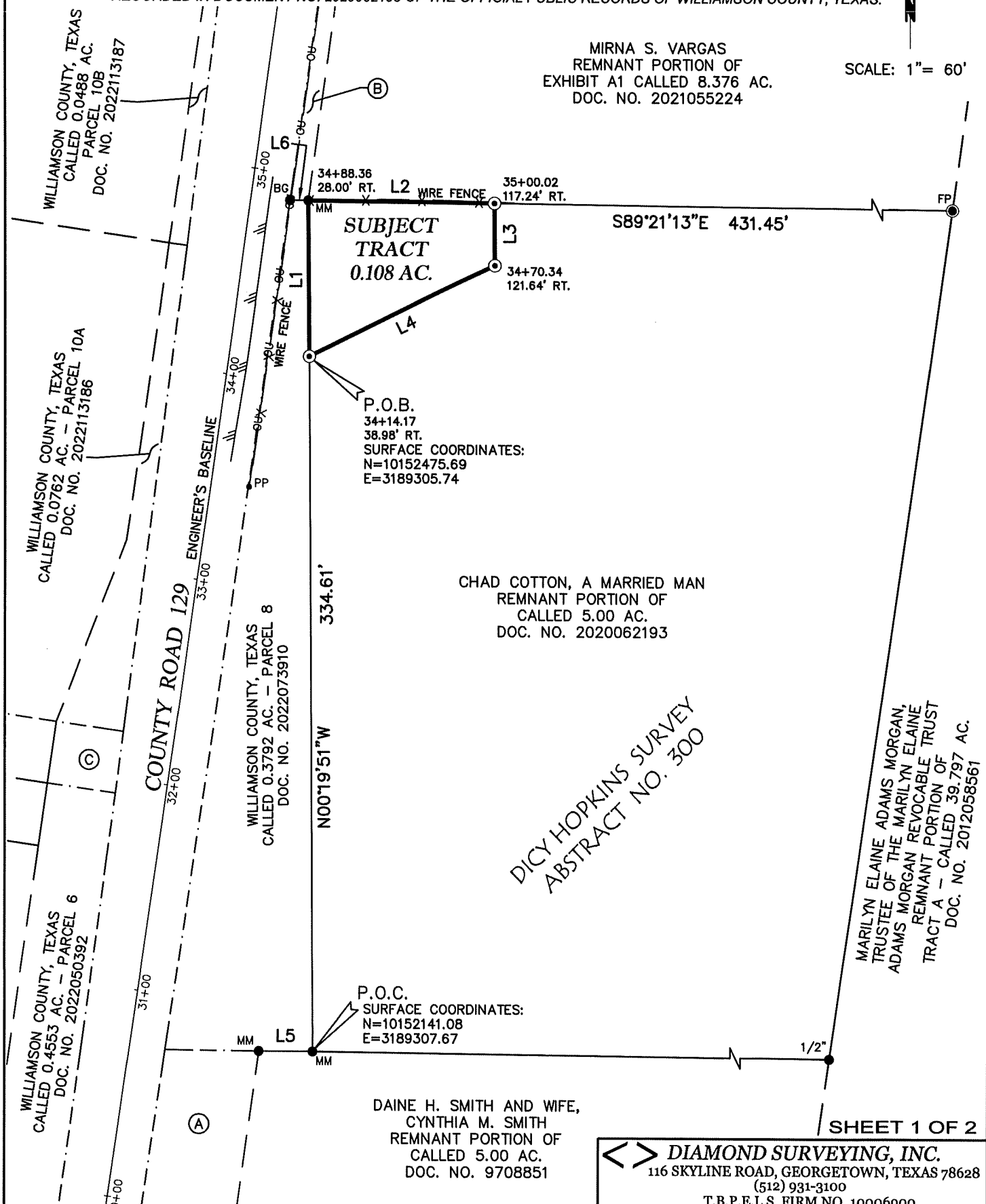
SHANE SHAFER, R.P.L.S. NO. 5281 DATE



DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.108 ACRE (4,724 SQ. FT.) TRACT OF LAND SITUATED IN THE DICY HOPKINS SURVEY, ABSTRACT NO. 300, WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 5.00 ACRE TRACT OF LAND CONVEYED TO CHAD COTTON, A MARRIED MAN, RECORDED IN DOCUMENT NO. 2020062193 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

MIRNA S. VARGAS
 REMNANT PORTION OF
 EXHIBIT A1 CALLED 8.376 AC.
 DOC. NO. 2021055224

SCALE: 1" = 60'



SUBJECT TRACT
 0.108 AC.

S89°21'13"E 431.45'

N00°19'51"W 334.61'

CHAD COTTON, A MARRIED MAN
 REMNANT PORTION OF
 CALLED 5.00 AC.
 DOC. NO. 2020062193

DICY HOPKINS SURVEY
 ABSTRACT NO. 300

MARILYN ELAINE ADAMS MORGAN,
 TRUSTEE OF THE MARILYN ELAINE
 ADAMS MORGAN REVOCABLE TRUST
 REMNANT PORTION OF
 TRACT A - CALLED 39.797 AC.
 DOC. NO. 2012058561

P.O.C.
 SURFACE COORDINATES:
 N=10152141.08
 E=3189307.67

DAINE H. SMITH AND WIFE,
 CYNTHIA M. SMITH
 REMNANT PORTION OF
 CALLED 5.00 AC.
 DOC. NO. 9708851

SHEET 1 OF 2

<> DIAMOND SURVEYING, INC.
 116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
 (512) 931-3100
 T.B.P.E.L.S. FIRM NO. 10006900

DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.108 ACRE (4,724 SQ. FT.) TRACT OF LAND SITUATED IN THE DICY HOPKINS SURVEY, ABSTRACT NO. 300, WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 5.00 ACRE TRACT OF LAND CONVEYED TO CHAD COTTON, A MARRIED MAN, RECORDED IN DOCUMENT NO. 2020062193 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°19'51"W	75.00'
L2	S89°21'13"E	90.00'
L3	S00°19'51"E	30.00'
L4	S63°53'16"W	99.93'
L5	N89°41'28"W	26.19'
L6	N89°21'13"W	8.97'

RIGHT-OF-WAY DEED INFORMATION
SEE SHEET 1

- (A) WILLIAMSON COUNTY, TEXAS
CALLED 0.4356 AC. - PARCEL 7
DOC. NO. 2022039221
- (B) WILLIAMSON COUNTY, TEXAS
CALLED 0.0476 AC. - PARCEL 11
DOC. NO. 2022018948
- (C) WILLIAMSON COUNTY, TEXAS
CALLED 0.0225 AC. - PARCEL 9
DOC. NO. 2022138282

LEGEND

- IRON ROD FOUND
- MM IRON ROD FOUND WITH CAP MARKED "MCGRAY & MCGRAY"
- BG IRON ROD FOUND WITH CAP MARKED "B&G SURVEYING"
- ⊙ IRON ROD SET WITH ALUMINUM CAP MARKED "WILLIAMSON COUNTY"
- FP 2" METAL FENCE POST FOUND
- PP POWER POLE
- OU — OU — OVERHEAD UTILITY LINE
- X — X — WIRE FENCE
- // — // — EDGE OF PAVEMENT
- - - - - RIGHT-OF-WAY PARCEL DEED LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

NOTES:

- 1) BEARING BASIS: NAD-83, TEXAS CENTRAL ZONE (4203) STATE PLANE SYSTEM. DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00011 PER MCGRAY AND MCGRAY RIGHT-OF-WAY PARCEL SURVEYS.
- 2) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.
- 3) THE TRACT SHOWN HEREON LIES WITH IN ZONE 'X' (NO SCREEN) AREAS OF MINIMAL FLOOD HAZARD, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48491C0700F, WITH AN EFFECTIVE DATE OF DECEMBER 20, 2019.
- 4) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR POLICY. THERE MAY BE EASEMENTS AND/OR RESTRICTIONS NOT SHOWN HEREON WHICH MAY AFFECT THE SUBJECT TRACT.



Shane Shafer
SHANE SHAFER, R.P.L.S. NO. 5281
December 28, 2022
DATE

SHEET 2 OF 2

<> DIAMOND SURVEYING, INC.
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