

WATER QUALITY POND EASEMENT

THE STATE OF TEXAS

§

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF WILLIAMSON

§

That WILLIAMSON COUNTY, a political subdivision, (Grantor) 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 GARDENS AT MAYFIELD, LLC, a Mississippi limited liability company, (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 and its successors and assigns a perpetual easement interest in, on, over, upon, above and across the below-described Property:

BEING 5.079 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16 IN WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF A 237.026 ACRE TRACT CONVEYED TO WILLIAMSON COUNTY PARK FOUNDATION, INC. RECORDED IN DOCUMENT NO. 2001040254 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, and being more particularly described in Exhibit "A", attached hereto and incorporated herein (hereinafter sometimes referred to as the "Property").

The perpetual easement, right-of-way, rights and privileges herein granted may be used for the following purposes:

For the construction of a permanent storm water drainage, detention and water quality pond and for opening, constructing, installing, operating, maintaining, repairing, inspecting, monitoring and replacing drainage, any detention and water quality pond(s) ("Ponds") constructed within the easement, along with any structures and grading which may be necessary to facilitate the proper drainage, detention and filtering of storm water, together with the right and privilege at all times to the Grantee, its agents, employees and representatives of ingress and egress, for the purpose of making improvements, modifications or repairs to any Ponds constructed in the easement.

The purpose and use of the perpetual easement, right-of-way, rights and privileges on and over the Property includes 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 agrees to indemnify Grantor against any loss and damage that is caused by the negligent 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 adjacent to the Property which is the result of actions outside the granted purposes of this easement.

Grantee shall be solely responsible for maintenance and repair of the Property. Grantor and Grantee agree this easement will be expanded at a later date to include drainage from Arterial H.

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 the Property, or any part thereof, for the purpose of constructing or maintaining said drainage line and ponds and for making connections therewith.


Grantor does hereby bind his heirs, executors, administrators and assigns to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto Grantee 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 conveyance is made subject to any easements, covenants, conditions, restrictions or other validly existing matters of record affecting this Property which are recorded in the Official Public Records of Williamson County, Texas.

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 Property covered by this grant that interfere with the purpose or function of any improvements placed thereon, or the maintenance of the surface of the Property for the conveyance, detention or treatment of storm water drainage without the express written consent of Grantee, which consent shall not be unreasonably withheld, conditioned or delayed.

(signatures on following page)

EXECUTED on this the 5th day of April, 2016.

GRANTOR:
WILLIAMSON COUNTY, TEXAS

By: 
Dan A. Gattis, County Judge

ACKNOWLEDGMENT

THE STATE OF TEXAS

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COUNTY OF WILTAMSON

22

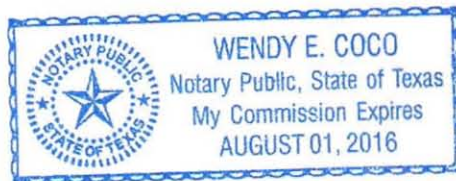
20

This instrument was acknowledged before me on this the 5th day of the month of April, 2016, by Dan A. Gattis, County Judge, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Signature Wm. G. Cow

WENDY COCO
Printed Name

Notary Public, State of Texas



GRANTEE:
GARDENS AT MAYFIELD, LLC

By: David S Blackburn, Esq.
David S Blackburn, Manager

EXECUTED on this the ____ day of _____, 2016.

GRANTOR:
WILLIAMSON COUNTY, TEXAS

By: _____
Dan A. Gattis, County Judge

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on this the ____ day of the month of _____, 2016, by Dan A. Gattis, County Judge, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Signature

Printed Name

Notary Public, State of Texas

GRANTEE:
GARDENS AT MAYFIELD, LLC

By: David S. Blackburn, Jr.
David S. Blackburn, Manager

ACKNOWLEDGMENT

THE STATE OF ~~TEXAS~~ Mississippi §
§
COUNTY OF Lafayette §

This instrument was acknowledged before me on this the 23 day of the month of March, 2016, by David B Blackburn as Manager of Gardens at Mayfield LLC, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Signature Margaret Baufert

Margaret Barefoot

Notary Public, State of ~~Texas~~ MS

After recording please return to:

Sheets & Crossfield, P.C.
309 E. Main Street
Round Rock, TX 78664





Landesign Services, Inc.

1220 McNeil Road
Suite 200
Round Rock, Texas 78681
Firm Registration No. 10001800
512-238-7901 office
512-238-7902 fax

EXHIBIT " A "

METES AND BOUNDS DESCRIPTION

BEING 5.079 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16 IN WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF A 237.026 ACRE TRACT CONVEYED TO WILLIAMSON COUNTY PARK FOUNDATION, INC. RECORDED IN DOCUMENT NO. 2001040254 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a fence post for the southwest corner of a called 38.51 acre tract described in Document No. 2004032263 of the O.P.R.W.C.T., in the north line of Lot 24A, Block A, Vista Oaks Section 5B, Phase 2 a subdivision of record in Document No. 200058131 of the O.P.R.W.C.T. and in the most southern southwest corner of said 237.026 acre tract;

THENCE North 20°21'33" West with the west line of said 237.026 acre tract and the east line of said 38.51 acre tract a distance of 224.99 feet to a nail found for the southeast corner of a called 3.936 acre tract described as Arterial – H in Document No. 2006013003 of the O.P.R.W.C.T.;


THENCE along a curve to the left, crossing through said 237.026 acre tract, having a radius of 1450.00 feet, a delta angle of 00°37'16", a length of 15.72 feet and a chord which bears North 36°41'53" East a distance of 15.72 feet to a calculated point for the POINT OF BEGINNING:

THENCE continuing to cross through said 237.026 acre tract the following fifteen (15) courses:

1. Along a curve to the left, having a radius of 1450.00 feet, a delta angle of 12°58'14", a length of 328.25 feet and a chord which bears North 29°54'08" East a distance of 327.55 feet to a calculated point;
2. North 88°12'05" East a distance of 186.85 feet to a calculated point;
3. South 51°35'06" East a distance of 37.32 feet to a calculated point;
4. North 56°42'14" East a distance of 101.94 feet to a calculated point;

5. North 82°52'23" East a distance of 63.59 feet to a calculated point;
6. South 78°42'03" East a distance of 67.83 feet to a calculated point;
7. South 32°19'16" East a distance of 121.46 feet to a calculated point;
8. South 22°37'54" East a distance of 33.93 feet to a calculated point;
9. South 04°55'26" West a distance of 52.82 feet to a calculated point;
10. South 17°54'33" West a distance of 57.88 feet to a calculated point;
11. South 67°15'27" West a distance of 146.41 feet to a calculated point;
12. South 24°41'58" West a distance of 77.96 feet to a calculated point;
13. South 69°18'02" West a distance of 432.19 feet to a calculated point;
14. North 20°21'33" West a distance of 210.85 feet to a calculated point;
15. North 32°53'59" West a distance of 8.33 feet to the POINT OF BEGINNING.

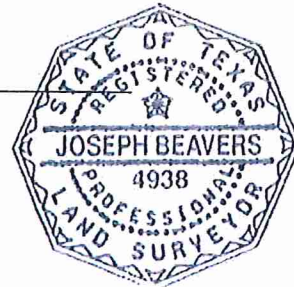
This parcel contains 5.079 acres of land, out of the John D. Anderson Survey, Abstract No. 16, in Williamson County, Texas. All bearings are based Texas Central Zone 4203 State Plane Grid, derived from VRS Coordinates provided by the Texas Cooperative Network Reference Stations and where scaled from point number 1 utilizing a scale factor of 1.0001266062


Joseph Beavers

18 FEB 14

Date

Registered Professional Land Surveyor
State of Texas No. 4938



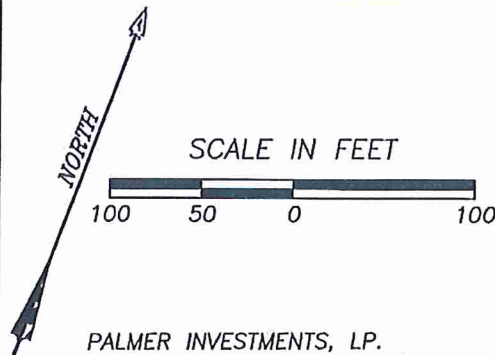
Job Number: 375-15-1

Attachments: Survey Drawing L:\38 ac. Sam Bass\DWGS\3550103 Esmt 3.dwg

NUMBER	Delta Angle	Radius	Length	Chord Bearing	Chord Length
C1	00°37'16"	1450.00	15.72	N36°41'53"E	15.72
C2	12°58'14"	1450.00	328.25	N29°54'08"E	327.55

NUMBER	DIRECTION	DISTANCE
L1	N32°53'59"W	8.33'

WILLIAMSON COUNTY PARK
FOUNDATION, INC
237.026 ACRES
DOCUMENT NO. 2001040254
O.P.R.W.C.T.



PALMER INVESTMENTS, LP.
(REMAINDER OF 38.51 ACRES)
DOCUMENT NO. 2004032263
O.P.R.W.C.T.

ARTERIAL-H
3.936 ACRES (100' ROW)
WILLIAMSON COUNTY
DOCUMENT NO. 2006013003

PALMER INVESTMENTS, LP.
(REMAINDER OF 38.51 ACRES)
DOCUMENT NO. 2004032263
O.P.R.W.C.T.

POINT OF
COMMENCEMENT

POINT OF
BEGINNING

5.079 ACRES

JOHN D. ANDERSON SURVEY
ABSTRACT NO. 16

S69°18'02"W 432.19'

VISTA OAKS OWNERS
ASSOCIATION
(5.2 ACRES)
DOC. NO. 200085671
O.P.R.T.C.T.

BLOCK A
VISTA OAKS SECTION 5B, PHASE 2
DOC. NO. 200058131
O.P.R.T.C.T.

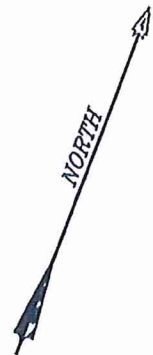
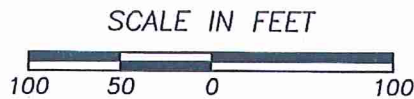
LAUREL BAY LOOP
(50' ROW)

JOB NUMBER: 375-15-1	DATE: 02/17/2016
PROJECT NAME: 38 AC SAM BASS	
DRAWING NAME: 3550103 ESMT-3.DWG	
DRAWING FILE PATH: L:\38 ac. Sam Bass\DWGS	
FIELDNOTE FILE PATH: L:\38 ac. Sam Bass\FNOTES	
RPLS: JB	TECH: HAS
PARTYCHIEF:	CHK BY: JB
SHEET 3 of 4	SCALE: 1" = 40'



LANDESIGN
SERVICES, INC.

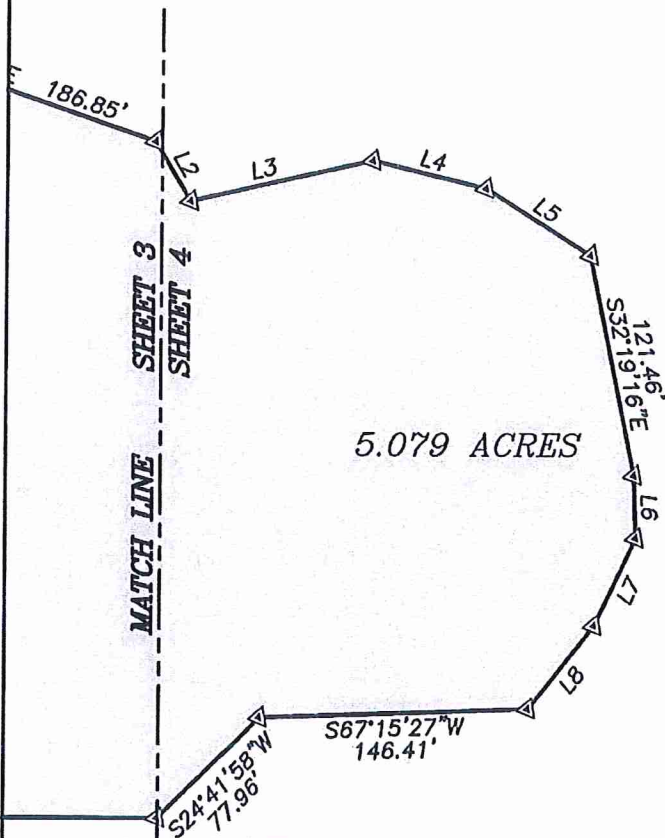
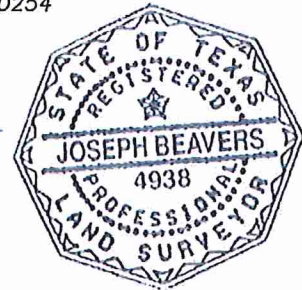
512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800



JOHN D. ANDERSON SURVEY
ABSTRACT NO. 16

WILLIAMSON COUNTY PARK
FOUNDATION, INC
237.026 ACRES
DOCUMENT NO. 2001040254
O.P.R.W.C.T.

[Signature]
18 FEB 16



NUMBER	DIRECTION	DISTANCE
L2	S51°35'06"E	37.32'
L3	N56°42'14"E	101.94'
L4	N82°52'23"E	63.59'
L5	S78°42'03"E	67.83'
L6	S22°37'54"E	33.93'
L7	S04°55'26"W	52.82'
L8	S17°54'33"W	57.88'

VISTA OAKS OWNERS
ASSOCIATION
(5.2 ACRES)
DOC. NO. 200085671
O.P.R.T.C.T.

11
BLOCK H
VISTA OAKS 1A & 1B
FINAL PLAT REVISED
CAB. J, SLIDE 189
P.R.T.C.T.

LEGEND

- 1/2" IRON REBAR FOUND (unless noted otherwise)
- ▲ NAIL FOUND
- FENCE CORNER POST
- △ CALCULATED POINT

O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
P.R.W.C.T. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS

JOB NUMBER: 375-15-1	DATE: 02/17/2016
PROJECT NAME: 38 AC SAM BASS	
DRAWING NAME: 3550103 ESMT-3.DWG	
DRAWING FILE PATH: L:\38 ac. Sam Bass\DWGS	
FIELDNOTE FILE PATH: L:\38 ac. Sam Bass\FNOTES	
RPLS: JB	TECH: HAS
PARTYCHIEF:	CHK BY: JB
SHEET 4 of 4	FIELDBOOKS:
	SCALE: 1" = 40'



LANDESIGN
SERVICES, INC.

512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800