## 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 \_\_\_\_\_\_\_\_, day of \_\_\_\_\_\_\_\_\_\_, 2022.

# **GRANTOR:**

MACNAK, LLC, a Texas limited liability company

Bruce E. Nakfoor, Member and Authorized Signatory

# **ACKNOWLEDGMENT**

CIT			0	COL	00	100
	/A	H	1 1 1	( '( )I	110	ADO

COUNTY OF Pitkin \$

This instrument was acknowledged before me on this the day of U, day of 2022 by Bruce E. Nakfoor, in the capacity and for the purposes and consideration recited therein.

Notary Public, State of Colorado

DIANE KIEBER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194043161
MY COMMISSION EXPIRES 11/14/2023

#### ACCEPTED:

WILLIAMSON COUNTY, TEXAS

By: Bill Gravell, Jr., County Judge

# ACKNOWLEDGMENT

STATE OF TEXAS

§ §

COUNTY OF WILLIAMSON

» эл<u>н</u>

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.: Highway: SE-2\_1

Limits:

C.R. 258

nits:

From: US 183 To: Sunset Ridge

# 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 (0.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;

Page 1 of 6

March 7, 2022

#### EXHIBIT "A"

County:

Williamson

Parcel No.:

SE-2\_1

Highway:

C.R. 258

Limits:

From: US 183

To: Sunset Ridge

**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

FN 49208

Page 2 of 6

March 7, 2022

#### EXHIBIT "A"

County:

Williamson

Parcel No .: Highway:

SE-2 1

C.R. 258

Limits:

From: US 183

To: Sunset Ridge

8) N 79°57'56" E, a distance of 50.98 feet to the POINT OF BEGINNING, and containing 0.395 acres (17,211 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

## Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012. Units: U.S. Survey Feet.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS §

That I, Scott C. Brashear, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC

4801 Southwest Pkwy Building Two, Suite 100 Austin, Texas 78735 TX. Firm No. 10064300

Scott C. Brashear

Date

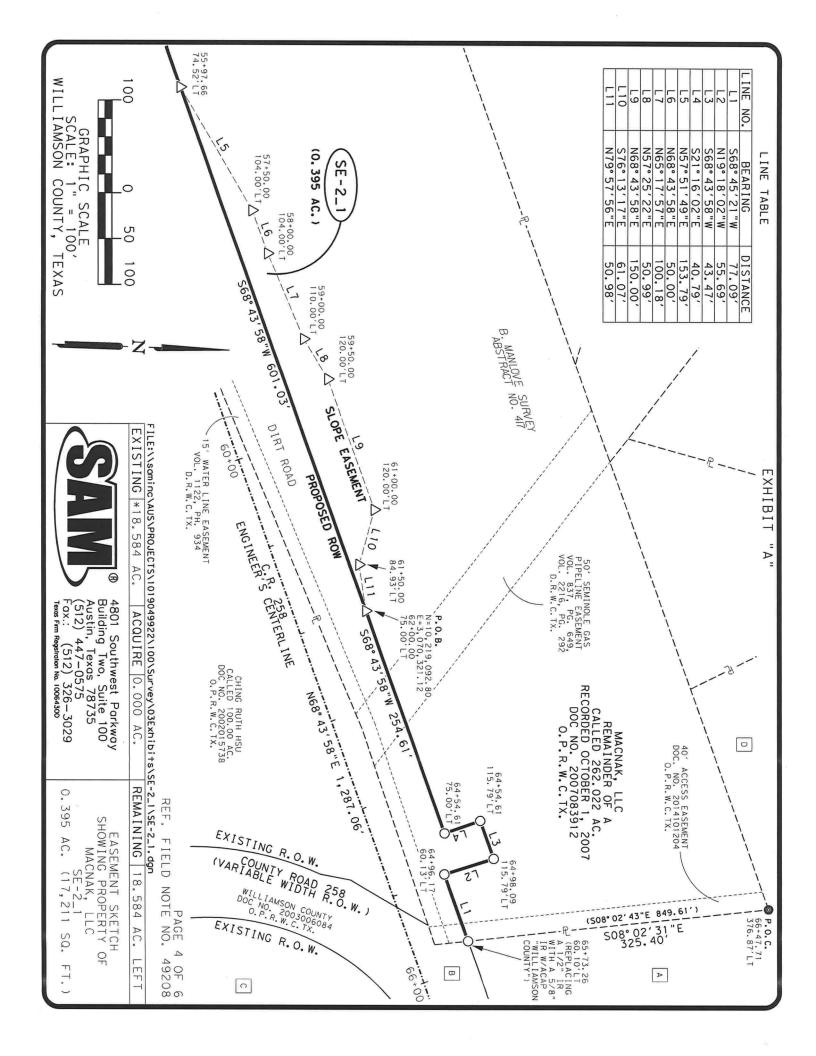
3/7/22

Page 3 of 6

March 7, 2022

Registered Professional Land Surveyor

No. 6660 - State of Texas



# SCHEDULE ₩.

THIS SURVEY HEREON WAS PREPARED IN CONJUCTION WITH THAT COMMITMENT FOR TITLE INSURANCE OF NO. 2048724-KFO, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE JUNE 17, 2021, AND ISSUED DATE JUNE 30, 2021.

- 1. RESTRICTIVE COVENANTS: ITEM NO. 1, SCHEDULE B, IS HEREBY DELETED.
- 10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.):
  A, RIGHTS OF PARTIES IN POSSESSION. (OWNER POLICY)
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- C. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

D. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES DEDICATED OR UNDEDICATED PUBLIC OR PRIVATE ROADWAY. 유

E. RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER MAY AND ALL UNRECORDED LEASES OR RENTAL AGREEMENTS. (NOTE: THIS ITEM CAN BE DELETED UPON RECEIPT OF AN AFFIDAVIT EXECUTED BY THE SELLER EVIDENCING THERE ARE NOT ANY OUTSTANDING LEASES OR RENTAL AGREEMENTS. IF THE AFFIDAVIT REVEALS UNRECORDED OUTSTANDING LEASES OR RENTAL AGREEMENTS THE EXCEPTION MAY BE MODIFIED TO MAKE SPECIFIC EXCEPTION TO THOSE MATTERS.)

F. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATION OF COAL, LIGNITE, OIL, GAS AND OTHER MINERAL, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.

G. TELECOMMUNICATION LINE EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE BY INSTRUMENTRECORDED IN VOLUME 554, PAGE 186, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (AS SHOWN ON PLAT)

H. THIS ITEM HAS BEEN INTENTIONALLY DELETED. , VOLUME 728, PAGE 578 AND VOLUME 733, PAGE 530, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.; DOES NOT AFFECT PROPERTY PER SURVEY, 6/30) CHRIS

I. THIS ITEM HAS BEEN INTENTIONALLY DELETED, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, PROPERTY PER SURVEY, CHRIS 6/30) TEXAS.; DOES NOT AFFECT

J. WATER PIPELINE EASEMENT GRANTED CORPORATION BY INSTRUMENT RECORDED PUBLIC RECORDS, WILLIAMSON COUNTY, TO CHISHOLM TRAIL WATER SUPPLY IN VOLUME 1122, PAGE 934, OFFICIAL TEXAS, (AS SHOWN ON PLAT)

K. THIS ITEM HAS BEEN INTENTIONALLY DELETED, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, PROPERTY PER SURVEY, CHRIS 6/30) TEXAS.; DOES NOT AFFECT

THIS ITEM HAS BEEN INTENTIONALLY DELETED.

M. MINERAL AND/OR ROYALTY INTEREST:

RECORDED: VOLUME 359, PAGE 290, DEED RECORDS, WILLIAMSON COUNTY,

TITLE TO SAID INTEREST HAS NOT BEEN RESEARCHED SUBSEQUENT TO THE

OF THE ABOVE REFERENCED INSTRUMENT AND THE COMPANY MAKES NO

REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S). DATE

N. MINERAL AND/OR ROYALTY INTEREST:

RECORDED: VOLUME 387, PACE 72, DEED RECORDS, WILLIAMSON COUNTY, TO THE TITLE TO SAID INTEREST HAS NOT BEEN RESEARCHED SUBSEQUENT TO THE DATE OF THE ABOVE REFERENCED INSTRUMENT AND THE COMPANY MAKES NO REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S).

O. MINERAL AND/OR ROYALTY INTEREST:

RECORDED: VOLUME 475, PACE 110, DEED RECORDS, WILLIAMSON COUNTY,

TITLE TO SAID INTEREST HAS NOT BEEN RESEARCHED SUBSEQUENT TO THE
OF THE ABOVE REFERENCED INSTRUMENT AND THE COMPANY MAKES NO
REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S). DATE

P. PETITION FOR CREATION OF WATCH HILL MUNICIPAL UTILITY DISTRICT AS SET FORTH IN DOCUMENT NO. 2007052738, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

FILE:\\saminc\AUS\PROJECTS\1019049922\100\Survey\03Exhibits\SE-2\_1\SE-2\_1.dgn FIELD NOTE NO. 5 5 OF 6 49208

584 AC.

LEFT

EXISTING | \*18, 584 AC. 4801 Southwest Parkway Building Two, Suite 100 Austin, Texas 78735 (512) 447-0575 Fax: (512) 326-3029 ACQUIRE |0.000 AC. REMAINING  $\infty$ 

Texas Firm Registration No. 10064300

395 EASEMENT SKETCH SHOWING PROPERTY ( MACNAK, LLC 211 SQ. 유





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

SE-2\_

PARENT TRACT NOT TO SCALE

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

MACNAK

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

CALCULATED POINT RAILROAD TIE

PROPERTY LINE

POINT OF COMMENCING POINT OF RECORD INFORMATION BEGINNING

P. O. B.

POINT OF REFERENCE

N. T. S. P. O. R. P. O. C.

NOT TO SCALE
DEED RECORDS OF
WILLIAMSON COUNTY,

TEXAS

WILLIAMSON COUNTY, TEXAS WILLIAMSON COUNTY, TEXAS

O. P. R. W. C. TX. O. R. W. C. TX. D. R. W. C. TX.

DEED LINE (COMMON OWNERSHIP) DISTANCE NOT TO SCALE

PROPOSED TEMPORARY EASEMENT LINE

. ALL BEARINGS SHOWN ARE BASED ON NADB3/2011/NAVD88 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A 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. AUGUST, 2020. ï

4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

\* AREA CALCULATED BY SAM, LLC.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

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

SURVEYOR

W 2/1/



BEVERLY M. CLINE AND ROGER CLINE, WIFE AND HUSBAND DOC NO. 2020132957 O.P.R.W.C.TX. 0

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

WILLIAMSON COUNTY DOC NO. 2015069264 O. P.R. W. C. TX.

œ

LOT 21, BLOCK A
RANCHO SANTA FE
SECTION 1 FINAL PLAT
DOC NO. 2014101204
O.P.R.W.C.TX.

FIELD NOTE NO. 6 OF 6 49208

FILE:\\saminc\AUS\PROJECTS\1019049922\100\Survey\03Exhibi+s\SE-2\_1\SE-2\_1,dgn ACQUIRE | 0. 000 AC. REMAINING | 18.584 AC. LEF

EXISTING | \*18.584 AC.

EASEMENT SKETCH SHOWING PROPERTY

4801 Southwest Parkway Building Two, Suite 100 Austin, Texas 78735 (512) 447-0575

ax.: (512) 326-3029 (512) 626-3029

0 395 MACNAK, SQ.