

**** Electronically Filed Document ****

**Hays County Texas
Liz Q. Gonzalez
County Clerk**

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Parties:

**Direct- HAYS CONSOLIDATED INDEPENDENT
Indirect- CROSSWINDS MUNICIPAL UTILITY DIS**

**Receipt Number: 415788
Processed By: Rachel Hatmaker**

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and
time stamped hereon and was recorded on the volume and page of the named records
of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk

UTILITY EASEMENT

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

§

COUNTY OF HAYS

§

THAT, HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, hereinafter referred to as "Grantors", whether one or more, for and in consideration of the sum of ONE DOLLAR AND NO/100 (\$1.00) and other good and valuable consideration to Grantors in hand paid by the CROSSWINDS MUNICIPAL UTILITY DISTRICT, the receipt and sufficiency of which is hereby ACKNOWLEDGED AND CONFESSED, and for which no lien, expressed or implied, is retained, have this date GRANTED AND CONVEYED, and by these presents do GRANT AND CONVEY unto the CROSSWINDS MUNICIPAL UTILITY DISTRICT, situated in the County of Hays, a non-exclusive, permanent 30-foot wide easement for the construction, operation, inspection, maintenance, removal, replacement and repair of a waterline and wastewater force main with appurtenances over, upon, across and under those certain 24.454 acre and 0.174 acre tracts of land in Hays County, Texas, more particularly described in instrument recorded in Volume 2618, Pages 466 of the Official Public Records of Hays County, Texas, save and except that 3.252-acre tract conveyed to Hays County in Volume 5344, Page 281 of the Official Public Records of Hays County. Said UTILITY EASEMENT is more particularly described in attached Exhibits A & B.

It is expressly understood and agreed that this conveyance is made by Grantors and accepted by CROSSWINDS MUNICIPAL UTILITY DISTRICT subject to visible and apparent easements not appearing of record and all easements presently of record in the Official Public Records of Hays County, Texas that affect the property described in attached Exhibits A & B, but only to the extent that said items are still valid and in force and effect this time.

TO HAVE AND TO HOLD the 30-foot wide easement perpetually to the CROSSWINDS MUNICIPAL UTILITY DISTRICT, and its successors and assigns, together with the right and privilege at any and all times, to enter said premises, or any part thereof, for the purpose of constructing, reconstructing and maintaining said utility lines, and for making connections thereto; all upon the following conditions being performed by the CROSSWINDS MUNICIPAL UTILITY DISTRICT.

1. The CROSSWINDS MUNICIPAL UTILITY DISTRICT will at all times after doing any work in connection with the construction or repair of said utility line restore the surface of said premises to the general condition in which the same was found before such work was undertaken.

03-01247-35888

IN WITNESS WHEREOF the said Hays Consolidated Independent School District has caused the execution of this instrument on this 16 day of November, 2015.

GRANTOR:

**Hays Consolidated Independent School
District**

BY: Merideth Keller

Name: Merideth Keller

Title: President of the Board of Trustees of
Hays Consolidated Independent School
District

Acknowledgement

State of Texas

County of Hays

On this day personally appeared Merideth Keller, known to me to be the person whose signature appears on the foregoing instrument, and having been sworn upon her oath, stated that she was the President of the Board of Trustees of the Hays Consolidated Independent School District; that she was authorized to execute such instrument pursuant to resolution of the Board of Trustees adopted on November 16, 2015; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed herein.

To certify which, witness my hand and seal of office affixed this 17 day of November 2015.



Joanne Klaerner
Notary Public's Signature

Utility Easement
Hays CISD to Crosswinds MUD

0.582 ACRES
FN 15-015PT1 HCISD
23 OCT 2015

EXHIBIT A

CMA ENGINEERING, INC.
SURVEY FIRM NO. 10193988
1665/1666-001

0.582 ACRES

FIELD NOTE DESCRIPTION OF 0.582 ACRES OF LAND, MORE OR LESS, OUT OF THE ELISHA PRUETT SURVEY, NO. 23, ABSTRACT NO. 376, HAYS COUNTY, TEXAS, BEING A PORTION OF THE NORTHWEST REMAINDER OF THAT CERTAIN 24.454 ACRE TRACT CONVEYED TO HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BY GENERAL WARRANTY DEED RECORDED IN VOLUME 2618, PAGE 466, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 0.582 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped 1/2 inch iron rod [Chaparral] found for the northwest corner of that certain 3.262 acre tract conveyed to Hays County by Deed recorded in Volume 5344, Page 281, Official Public Records of Hays County, Texas, same being in the west line of the northwest remainder of said 24.454 acre tract and east line of the remainder of that certain 19.181 acre tract conveyed to City of Kyle by Special Warranty Deed recorded in Volume 3436 Page 415, Official Public Records of Hays County, Texas, for the **POINT OF BEGINNING** and southwest corner of the herein described tract;

THENCE, with the west line of the northwest remainder of said 24.454 acre tract, and east line of the remainder of said 19.181 acre tract, **N 02°27'58" W**, a distance of **30.00 feet**;

THENCE over and across the northwest remainder of said 24.454 acre tract, the following five (5) courses:

- 1) **N 87°38'49" E**, a distance of **370.94 feet**,
- 2) **N 79°09'05" E**, a distance of **168.82 feet**,
- 3) **N 87°38'34" E**, a distance of **206.38 feet**,
- 4) **N 72°28'54" E**, a distance of **78.92 feet**, and
- 5) **S 47°31'06" E**, a distance of **40.37 feet** to a point in the curving south line of the remainder of said 24.454 acre tract and curving north line of said 3.262 acre tract, for the easternmost corner of the herein described tract, from which a capped 1/2 inch iron rod [Chaparral] found at the north end of said curve bears **N 31°45'39" E**, a distance of **668.13 feet**;

THENCE, along said curve to the right, having a radius of 610.00 feet, an arc length of 32.85 feet, a chord bearing of **S 66°30'34" W**, and a chord distance of **32.85 feet**, to a point from which a capped 1/2 inch iron rod [Chaparral] found at the south end of said curve bears **S 71°29'07" W**, a distance of **73.06 feet**;

THENCE, leaving the north line of said 3.262 acre tract, over and across the northwest remainder of said 24.454 acre tract, the following three (3) courses:

- 1) **N 47°31'06" W**, a distance of **9.68 feet**,
- 2) **S 72°28'54" W**, a distance of **65.59 feet**, and
- 3) **S 87°38'34" W**, a distance of **208.14 feet**;

0.582 ACRES
FN 15-015PT1 HCISD
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CMA ENGINEERING, INC.
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THENCE, S 79°09'05" W, at 67.73 feet passing a capped 1/2 inch iron rod [Chaparral] found for an angle point in the south line of the northwest remainder of said 24.454 acre tract and north line of said 3.262 acre tract, continuing a total distance of 168.83 feet to a capped 1/2 inch iron rod [Chaparral] found for an angle point in the south line of the northwest remainder of said 24.454 acre tract and north line of said 3.262 acre tract;

THENCE, continuing with the south line of the northwest remainder of said 24.454 acre tract and north line of said 3.262 acre tract, S 87°38'49" W, a distance of 373.11 feet, to the POINT OF BEGINNING, containing 0.582 acres, more or less.

I, Kevin Mueller, do hereby certify that this description and associated sketch was prepared from a survey performed under my supervision during June of 2015, and is true and correct to the best of my knowledge.

SKETCH TO ACCOMPANY FIELD NOTES

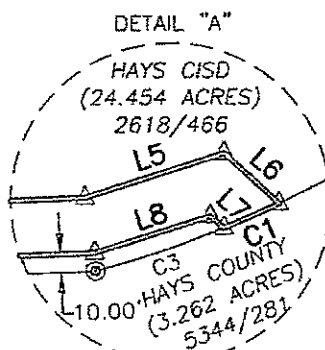
DATE OF SURVEY: JUN 2015

 23 OCT 15
KEVIN MUELLER, RPLS No. 5911
CMA ENGINEERING, INC.
235 LEDGE STONE DRIVE
AUSTIN, TX 78737
PHONE (512) 432-1000

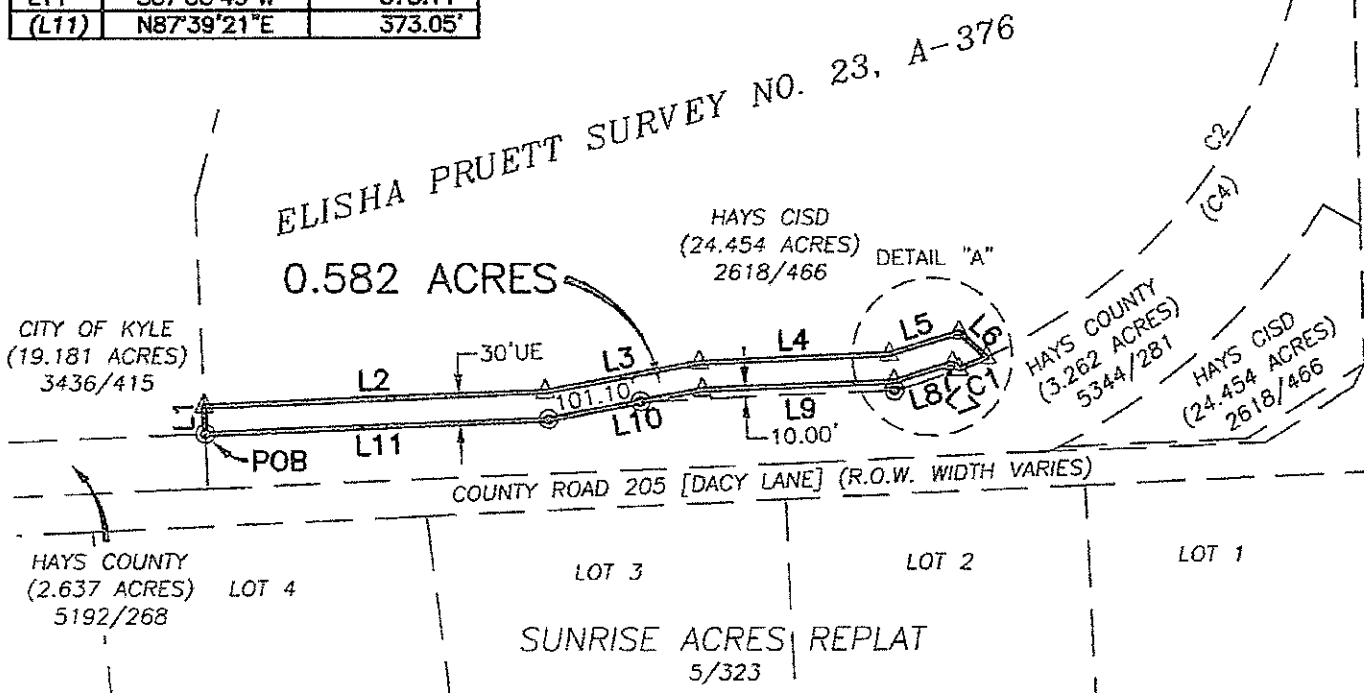
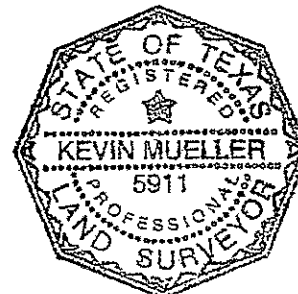


CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	610.00'	32.85'	S66°30'34"W	32.85'
C2	610.00'	707.06'	N31°45'39"E	668.13'
C3	610.00'	73.10'	S71°29'07"W	73.06'
(C4)	610.00'	812.83'	N36°44'59"E	754.02'

LINE	BEARING	DISTANCE
L1	N02°27'58"W	30.00'
(L1)	N02°28'09"W	---
L2	N87°38'49"E	370.94'
L3	N79°09'05"E	168.82'
L4	N87°38'34"E	206.38'
L5	N72°28'54"E	78.92'
L6	S47°31'06"E	40.37'
L7	N47°31'06"W	9.68'
L8	S72°28'54"W	65.59'
L9	S87°38'34"W	208.14'
L10	S79°09'05"W	168.83'
(L10)	N79°07'30"E	---
L11	S87°38'49"W	373.11'
(L11)	N87°39'21"E	373.05'



K. Mueller 23 OCT 15



LEGEND

- ⊙ 1/2" IRON ROD FOUND W/CAP "CHAPARRAL"
- △ CALCULATED POINT
- UE UTILITY EASEMENT
- POB POINT OF BEGINNING
- () RECORD INFORMATION

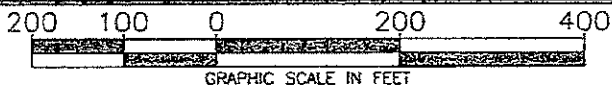
THIS SURVEY IS BEING RELEASED WITHOUT BENEFIT OF TITLE COMMITMENT AND DOES NOT NECESSARILY INDICATE ALL INCUMBRANCES ON THIS PROPERTY.

ORIENTATION - STATE PLANE (TXSC 4204); CSF=0.99990219
ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES

CMA ENGINEERING, INC.

235 LEDGE STONE DRIVE
AUSTIN, TEXAS 78737
(512) 432-1000 Fax: (512) 432-1015
Licensed Surveying Firm No. 10193988

SKETCH TO ACCOMPANY FIELD NOTES OF
0.582 ACRES
UTILITY EASEMENT
HAYS COUNTY, TEXAS



JOB: 1665/1666-001
FN: 15-015PT1 HCISD

EXHIBIT: A
PAGE: 3 OF 3

0.281 ACRES
FN 15-015PT2 HCISD
23 OCT 2015

EXHIBIT B

CMA ENGINEERING, INC.
SURVEY FIRM NO. 10193988
1665/1666-001

0.281 ACRES

FIELD NOTE DESCRIPTION OF 0.281 ACRES OF LAND, MORE OR LESS, OUT OF THE ELISHA PRUETT SURVEY, NO. 23, ABSTRACT NO. 376, HAYS COUNTY, TEXAS, BEING A PORTION OF THE SOUTHEAST REMAINDER OF THAT CERTAIN 24.454 ACRE TRACT AND ALL OF THE REMAINDER OF THAT CERTAIN 0.174 ACRE TRACT, BOTH CONVEYED TO HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BY GENERAL WARRANTY DEED RECORDED IN VOLUME 2618, PAGE 466, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 0.281 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped 1/2 inch iron rod [Chaparral] found in the north right-of-way line of County Road 205 [Dacy Lane] (right-of-way varies), for the southwest corner of the remainder of said 0.174 acre tract, same being a point of curvature in the south line of that certain 3.262 acre tract conveyed to Hays County by Deed recorded in Volume 5344, Page 281, Official Public Records of Hays County, Texas, for the **POINT OF BEGINNING** and westernmost corner of the herein described tract;

THENCE, with the curving southeast line of said 3.262 acre tract and curving north line of said remainders, along a non-tangent curve to the left, having a radius of 732.00 feet, an arc length of 67.12 feet, a chord bearing of **N 60°55'19" E**, and a chord distance of **67.09 feet**, to a point, from which a capped 1/2 inch iron rod [Chaparral] found at the end of said curve bears **N 45°04'34" E**, a distance of 334.78 feet;

THENCE, leaving the south line of said 3.262 acre tract, over and across the southeast remainder of said 24.454 acre tract, the following two (2) courses:

- 1) **N 87°28'54" E**, a distance of **162.83 feet**, and
- 2) **N 46°07'39" E**, a distance of **162.72 feet**, to a point in the east line of the southeast remainder of said 24.454 acre tract and west right-of-way line of said County Road, from which a capped 1/2 inch iron rod [Chaparral] found bears **N 01°31'14" W**, a distance of 94.36 feet;

THENCE, with the east line of the southeast remainder of said 24.454 acre tract and west right-of-way line of said County Road, **S 01°31'14" E**, a distance of **57.16 feet**, to a capped 1/2 inch iron rod [Kent McMillan] found, for the northeast corner of the remainder of said 0.174 acre tract;

0.281 ACRES
 FN 15-015PT2 HCISD
 23 OCT 2015

EXHIBIT B

CMA ENGINEERING, INC.
 SURVEY FIRM NO. 10193988
 1665/1666-001


THENCE, with the south line of the remainder of said 0.174 acre tract and north right-of-way line of said County Road the following three (3) courses:

- 1) S 26°00'24" W, a distance of 27.58 feet, to a capped 1/2 inch iron rod [Kent McMillan] found,
- 2) S 57°28'10" W, a distance of 112.22 feet, to a capped 1/2 inch iron rod [Kent McMillan] found, and
- 3) S 87°28'54" W, a distance of 233.64 feet, to the POINT OF BEGINNING, containing 0.281 acres, more or less.

I, Kevin Mueller, do hereby certify that this description and associated sketch was prepared from a survey performed under my supervision during June of 2015, and is true and correct to the best of my knowledge.

SKETCH TO ACCOMPANY FIELD NOTES

DATE OF SURVEY: JUN 2015

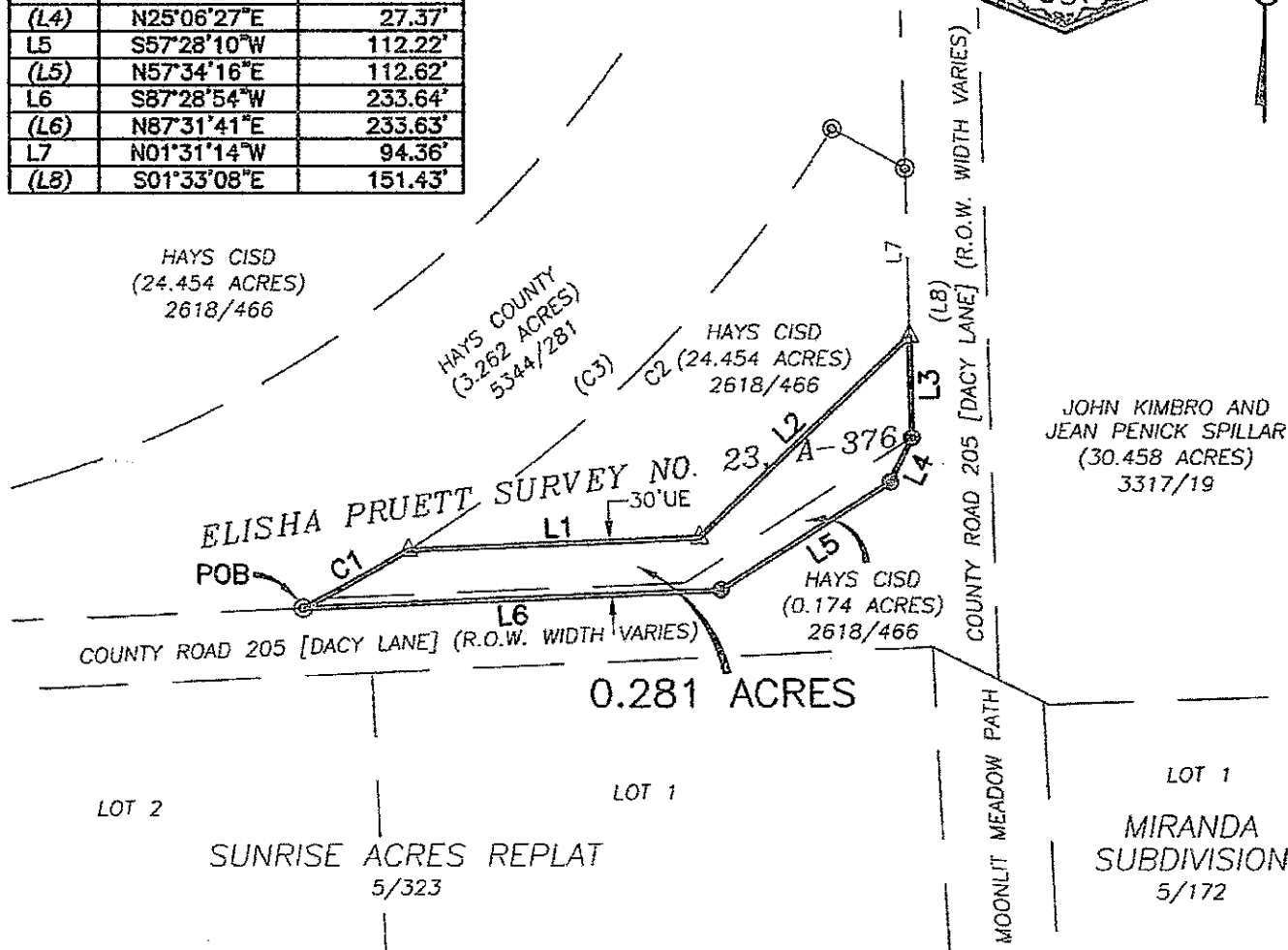
 23 Oct 15
 KEVIN MUELLER, RPLS No. 5911
 CMA ENGINEERING, INC.
 235 LEDGE STONE DRIVE
 AUSTIN, TX 78737
 PHONE (512) 432-1000



23 OCT 15

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	732.00'	67.12'	N60°55'19"E	67.09'
C2	732.00'	337.76'	N45°04'34"E	334.78'
(C3)	732.00'	404.66'	S47°43'12"W	399.52'

LINE	BEARING	DISTANCE
L1	N87°28'54"E	162.83'
L2	N46°07'39"E	162.72'
L3	S01°31'14"E	57.16'
L4	S26°00'24"W	27.58'
(L4)	N25°06'27"E	27.37'
L5	S57°28'10"W	112.22'
(L5)	N57°34'16"E	112.62'
L6	S87°28'54"W	233.64'
(L6)	N87°31'41"E	233.63'
L7	N01°31'14"W	94.36'
(L8)	S01°33'08"E	151.43'



LEGEND

- ⊙ 1/2" IRON ROD FOUND W/CAP "KENT MCMILLAN"
- ⊙ 1/2" IRON ROD FOUND W/CAP "CHAPARRAL"
- △ CALCULATED POINT
- UE UTILITY EASEMENT
- POB POINT OF BEGINNING
- () RECORD INFORMATION

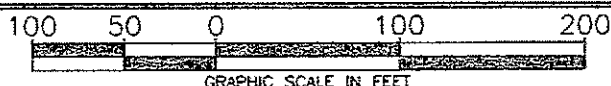
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SKETCH TO ACCOMPANY FIELD NOTES OF
0.281 ACRES
UTILITY EASEMENT
HAYS COUNTY, TEXAS



JOB: 1665/1666-001	EXHIBIT: B
FN: 15-015PT2 HCISD	PAGE: 3 OF 3