

\*\*\*\* Electronically Filed Document \*\*\*\*

Hays County Texas  
Liz Q. Gonzalez  
County Clerk

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Parties:

Direct- SALMON JOSEPH P  
Indirect- DEVELOPMENT SOLUTIONS CW LLC

Receipt Number: 424690  
Processed By: Barbara Rodriguez

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\*\*\*\*\* 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.

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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

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**UTILITY EASEMENT**

**THE STATE OF TEXAS**

§

§

**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF HAYS**

§

THAT, Joseph P. Salmon, of the County of Hays, State of Texas, hereinafter together with all successors and assigns referred to as "Grantors", whether one or more, for and in consideration of the sum of TEN and 00/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantors in hand paid by Development Solutions CW, LLC, a Delaware limited liability company ("Grantee"), the receipt and sufficiency of which are 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 Grantee, situated in the County of Hays, a non-exclusive, permanent 30-foot wide utility easement and temporary 20-foot wide construction 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 a portion of that certain 12.957 acre tract of land in Hays County, Texas, more particularly described in instrument recorded in Volume 2016, Page 222 of the Official Public Records of Hays County, Texas, including the right to relocate within the limits of said easement, and the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or their appurtenances.

Said UTILITY EASEMENT and TEMPORARY CONSTRUCTION EASEMENT are more particularly described in attached Exhibit A.

It is expressly understood and agreed that this conveyance is made by Grantors and accepted by Grantee 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 Exhibit A, but only to the extent that said items are still valid and in force and effect this time. Grantors represent and warrant to Grantee that Grantors (i) have the power and authority to grant the easements contained herein, and (ii) have good and indefeasible title in and to the property described in Exhibit A, subject only to the exceptions permitted herein.

TO HAVE AND TO HOLD the 30-foot wide utility easement perpetually and the temporary 20-foot wide construction easement to the Grantee, 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 Grantee:

1. Grantee 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

03-01247-35893

in which the same was found before such work was undertaken, reasonable wear and tear excepted.

2. THE TEMPORARY 20-foot overlapping construction easement shall terminate upon completion and acceptance by the Grantee.

Grantee shall have the right to assign its rights, title and interest in and to the easements granted herein without Grantor's consent, which right shall run with the land.

Grantors shall not grant any easement rights that will unreasonably interfere with the rights granted hereunder.

IN WITNESS WHEREOF the said Joseph P. Salmon has caused the execution of this instrument on this 25 day of March, 2016.

GRANTORS:

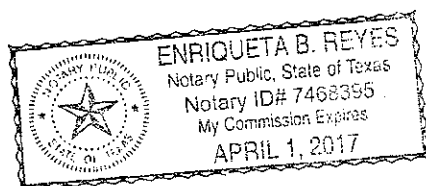
Joseph P. Salmon  
Joseph P. Salmon

**Acknowledgment**

State of Texas

County of Harris

This instrument was acknowledged before me on March 25, 2016 by Joseph P. Salmon.



Enriqueta B. Reyes  
Notary Public's Signature

After Recording, Return to:

Lockwood, Andrews & Newnam, Inc.

8911 N. Capital of Texas Hwy, Bldg 2, Ste 2300

Austin, TX 78759

Utility Easement

Salmon to Development Solutions CW, LLC

0.371 ACRES  
FN 15-018 SALMON  
9 NOV 2015

EXHIBIT A

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

**0.371 ACRES**

**FIELD NOTE DESCRIPTION OF 0.371 ACRES OF LAND, MORE OR LESS, OUT OF THE JESSE B. EAVES SURVEY NO. 5, ABSTRACT NO. 166, HAYS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 12.957 ACRE TRACT CONVEYED TO JOSEPH P. SALMON BY GENERAL WARRANTY DEED RECORDED IN VOLUME 2016, PAGE 222, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 0.371 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2 inch iron pipe found for the southwest corner of said 12.957 acre tract and north corner of that certain 7.44 acre tract conveyed to Leobardo Sanchez and Maria Sanchez by Warranty Deed recorded in Volume 732, Page 163, Real Property Records of Hays County, Texas, same being in the southeast line of that certain 30.458 acre tract conveyed to John Kimbro and Jean Penick Spillar by General Warranty Deed recorded in Volume 3317, Page 19, Official Public Records of Hays County, Texas, for the **POINT OF BEGINNING** and west corner of the herein described tract;

**THENCE** with the northwest line of said 12.957 acre tract, and the southeast line of said 30.458 acre tract, **N 35°27'25" E**, a distance of **30.14** feet for the north corner of the herein described tract, from which a 5/8 inch iron pipe found for an angle point in the northwest line of said 12.957 acre tract bears **N 35°27'25" E**, a distance of **241.64** feet;

**THENCE** over and across said 12.957 acre tract, **S 49°04'03" E**, a distance of **540.06** feet to the southeast line of said 12.957 acre tract and northwest line of that certain 8.662 acre tract conveyed to Jeffrey L. Steele by Distribution Deed recorded in Volume 3286, Page 80, Official Public Records of Hays County, Texas, for the east corner of the herein described tract;

**THENCE** with the southeast line of said 12.957 acre tract and northwest line of said 8.662 acre tract, **S 41°33'34" W**, a distance of **30.00** feet to a point calculated for the south corner of said 12.957 acre tract, west corner of said 8.662 acre tract, north corner of that certain 5.885 acre tract conveyed to George Chidiac and Yesenia Chidiac by Warranty Deed recorded in Volume 4430, Page 838, Official Public Records of Hays County, Texas, east corner of said 7.44 acre tract, and south corner of the herein described tract, from which a 1/2 inch iron rod found for the south corner of said 8.662 acre tract bears **N 46°07'26" W**, a distance of **504.18** feet;

**THENCE** with the southwest line of said 12.957 acre tract and northeast line of said 7.44 acre tract, **N 49°04'03" W**, a distance of **536.86** feet to the **POINT OF BEGINNING**, containing **0.371** acres, more or less.

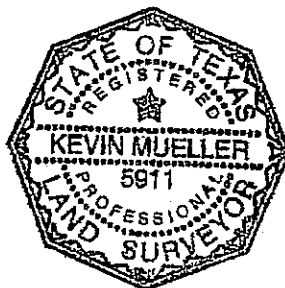
I, Kevin Mueller, do hereby certify that this description and associated sketch was prepared from a survey performed under my supervision during June of 2015, and is true and correct to the best of my knowledge.

SKETCH TO ACCOMPANY FIELD NOTES

*K. Mueller*

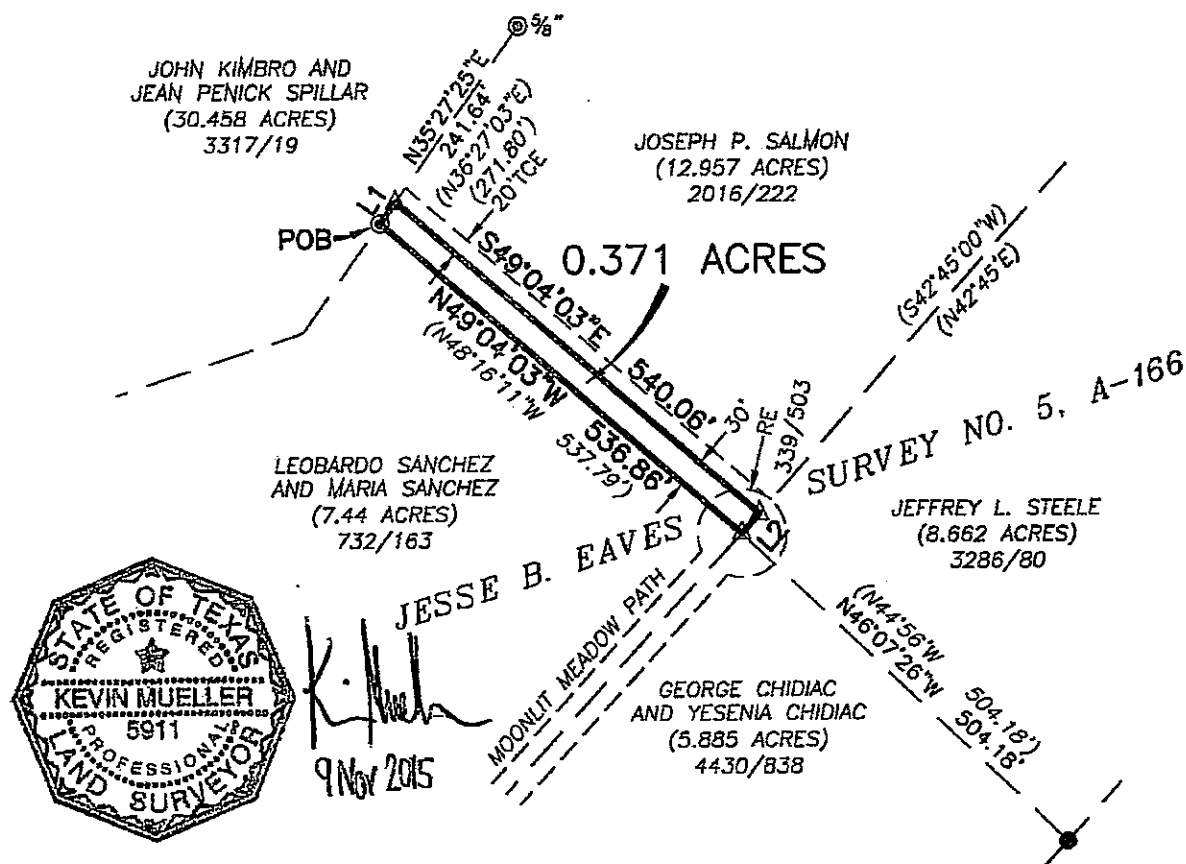
9 Nov 2015

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



DATE OF SURVEY: JUN 2015

LINE	BEARING	DISTANCE
L1	N35°27'25"E	30.14'
L2	S41°33'34"W	30.00'



**LEGEND**

- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- △ CALCULATED POINT
- RE ROAD EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- POB POINT OF BEGINNING
- ( ) RECORD INFORMATION

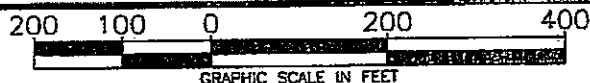
THIS SURVEY IS BEING RELEASED WITHOUT BENEFIT OF TITLE COMMITMENT AND DOES NOT NECESSARILY INDICATE ALL INCUMBRANCES ON THIS PROPERTY.

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  
0.371 ACRE  
UTILITY EASEMENT  
HAYS COUNTY, TEXAS



JOB: 1665/1666-001

EXHIBIT: A

FN: 15-018

PAGE: 2 OF 2