

RIGHT OF WAY EASEMENT: PERSIMON POINT PROPERTY OWNER'S ASSOC TO  
JOHN CARL GILLESPIE, JR. ET UX

700108

EASEMENT

THE STATE OF TEXAS )

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MASON )

That **PERSIMMON POINT PROPERTY OWNERS ASSOCIATION**, organized and existing under the laws of the State of Texas, acting by and through its President hereunto duly authorized, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, have **GRANTED, SOLD AND CONVEYED**, and by these presents do **GRANT, SELL AND CONVEY** unto **JOHN CARL GILLESPIE, JR. and wife, JULIE ANN GILLESPIE**, of the County of Mason and State of Texas, (herein known as "Grantee", whether one or more, the term also including Grantee's heirs, assigns, legal representatives and successors in title to the Dominant Tract described below) an easement for the free and uninterrupted use, liberty and privilege of passing in, under, over and across the following described property of the Grantor situated in Mason County, Texas, hereinafter referred to as the "Servient Tract" and more particularly described as follows:

Being 5.218 acres in Mason County, Texas, a 60 foot wide strip for access road easement purposes, consisting of approximately 2.223 acres out of the John W. Gamel Survey No. 58, Abstract No. 1373, approximately 2.643 acres out of the Brooks and Burleson Survey No. 57, Abstract No. 987, approximately 0.352 acres out of the Garcia, Montez and Duran Survey No. 60, Abstract No. 376, being out of and a part of that certain tract described as 829.883 acres, "Tract Two" in a Deed from Jerry Bearden and Wayne Hofmann (Independent Executors of Olga Zesch Estate) to Lee and Bobbie McMillan, et al, filed June 9, 1999 and recorded in Vol. 148, Pg. 198 of the Mason County Real Property Records, and being more particularly described by metes and bounds as follows, to-wit:

**BEGINNING** at a ½" steel stake found in the north line of Ranch Road No. 1871 for the most easterly end hereof, from which point a highway concrete monument found opposite of highway engineer's station no. P.C. 538+14.2 bears, N 79 06 24 W 25.04 feet;

**THENCE** with said north line of highway for the most southerly

line hereof,

N 79 06 24 W 25.04 feet, said concrete monument found for the beginning of a curve to the left, having a radius of 1949.85 feet and a central angle of 01 degrees, 40 minutes, 40 seconds;

**THENCE** along said curve with an arc of 57.10 feet and a chord of,

N 79 59 17 W 57.10 feet to a ½" steel stake found for a southeasterly corner hereof;

**THENCE** with the south line of said 60 foot strip and south line hereof,

N 32 47 33 W 188.08 feet, a ½" steel stake found,  
N 43 54 56 W 810.71 feet, a ½" steel stake found,  
N 43 02 36 W 367.35 feet, a ½" steel stake found,  
N 52 27 22 W 340.97 feet, a ½" steel stake found,  
N 56 36 38 W 955.16 feet, a ½" steel stake found,  
N 56 56 51 W 714.76 feet, a ½" steel stake found,  
N 58 55 42 W 371.40 feet to a ½" steel stake found for the most W.S.W. corner hereof;

**THENCE** with the west end hereof,

N 33 58 03 E 60.08 feet to a ½" steel stake found for the most southerly corner of a 47.521 acre tract and most westerly corner of a 58.59 acre tract for the most N.N.W. corner hereof;

**THENCE** with the north line hereof,

S 58 55 42 E 369.40 feet, a ½" steel stake found,  
S 56 56 51 E 715.98 feet, a ½" steel stake found,  
S 56 36 38 E 957.51 feet, a ½" steel stake found,  
S 52 27 22 E 348.09 feet, a ½" steel stake found,  
S 43 02 36 E 371.83 feet, a ½" steel stake found,  
S 43 54 56 E 816.10 feet, a ½" steel stake found, and  
S 32 47 33 E 250.02 feet to the place of beginning and containing 5.218 acres.

The easement, right-of-way and privileges herein granted shall be perpetual. Grantee, and Grantee's guests, invitees, lessees, agents and others permitted by Grantee shall have free and unobstructed ingress, egress and regress, by foot, on horseback, with automobiles, trucks and other vehicles, livestock and equipment, and shall be entitled to erect, lay and maintain electric and telephone lines and cables on, over and across said Servient Tract as to Grantee shall be deemed necessary or convenient at all times and seasons.

This is a nonexclusive easement. Grantor reserves the right to grant use of the Servient Tract to others and in all other respects continue to use the Servient Tract for Grantor's own purposes so long as such use does not unreasonably obstruct the easement or unreasonably interfere with the enjoyment thereof by Grantee.

This easement is given for the benefit of, and shall be an easement appurtenant to, the following described property owned by

Grantee and referred to herein as the "Dominant Tract", to-wit:

All that certain 42.271 acres, more or less, situated in Mason County, Texas, consisting of approximately 41.765 acres out of the Garcia, Montez and Duran Survey No. 60, Abstract No. 376, and approximately 0.506 acre out of the Brooks & Burleson Survey No. 57, Abstract No. 987, and being out of and a part of that certain tract described as 829.883 acres (Tract Two), in a deed from Jerry Bearden and Wayne Hofmann (Independent Executors of Olga Zesch Estate) to Lee and Bobbie McMillan et al, filed June 9, 1999 and recorded in Volume 148, Page 198 of the Real Property Records of Mason County, Texas. Said 42.771 acre tract is also known as Tract No. 2 of "Persimmon Point", a Subdivision in Mason County, Texas, as shown on plat recorded in Volume 1, Page 10, Plat Records of Mason County, Texas, and is more particularly described by metes and bounds as follows, to-wit:

**BEGINNING** at a ½" steel stake found in the north line of State Ranch Road No. 1871 for the S.W. corner hereof and being the most westerly corner of Tract No. 1 of "Persimmon Point";

**THENCE** with said north line of highway for a southwesterly line hereof,  
N 79 06 24 W 604.15 feet, a ½" steel stake set in the east line of a 60 foot wide road, being a westerly S.W. corner hereof;

**THENCE** with said east line of road and west line hereof,  
N 32 47 33 W 250.02 feet, a ½" steel stake set for an angle point in said road, and  
N 43 54 56 W 216.10 feet to a ½" steel stake set for the N.W. corner hereof and S.W. corner of Tract No. 3 of "Persimmon Point";

**THENCE** with the common line of Tracts 2 and 3 for the north line hereof,  
N 64 40 16 E 2569.75 feet to a ½" steel stake set on the west bank of the Llano River for the N.E. corner hereof and S.E. corner of Tract No. 3;

**THENCE** downstream with the meanders of said west bank of the Llano River for the east line hereof,  
S 05 52 48 E 282.60 feet, a ½" steel stake found,  
S 04 14 28 E 503.31 feet, a ½" steel stake found, and  
S 04 36 52 E 120.00 feet to a ½" steel stake found for the N.E. corner of Tract No. 1 and S.E. corner hereof;

**THENCE** with the common line of Tracts 1 and 2 and south line hereof,  
S 66 00 00 W 1663.82 feet to the **PLACE OF BEGINNING**.

Grantor hereby binds Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the above described easement and rights unto the Grantee and Grantees heirs, successors and assigns, against every person whomsoever lawfully

interfering or to interfere with the enjoyment of the same or any part thereof. This instrument shall be binding upon the heirs, executors, administrators, successors and assigns of each of the parties hereto.

Grantee's mailing address is P.O. Box 1869, Mason, Texas 76856.

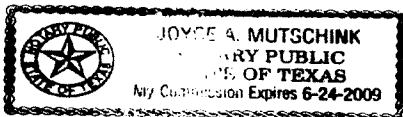
**EXECUTED** this 25 day of January, 2007

PERSIMMON POINT PROPERTY OWNERS ASSOCIATION

Jane Shoemaker  
Jane Shoemaker, President

THE STATE OF TEXAS )

This instrument was acknowledged before me on the 25 day of January, 2007, by Jane Shoemaker, President of Persimmon Point Property Owners Association.



Joyce A. Mutschink  
Notary Public, State of Texas

Filed for record the 6th day of February A.D., 2007 at 9:10 o'clock A.M. and duly recorded this the 6th day of February A.D., 2007 at 11:50 o'clock A.M.

Pam Beam  
Clerk County Court Mason County, Texas

By: Cindy Kothmann  
Cindy Kothmann, Deputy

EASEMENT

020562

THE STATE OF TEXAS )  
COUNTY OF MASON )

KNOW ALL MEN BY THESE PRESENTS:

That **2S6M, L.L.C.**, a limited liability company organized and existing under the laws of the State of Texas, acting by and through its managers hereunto duly authorized (hereinafter known as "Grantor", whether one or more, the term also referring to Grantor's successors in title to the Servient Tract described below), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which is hereby acknowledged, have **GRANTED, SOLD AND CONVEYED**, and by these presents do **GRANT, SELL AND CONVEY** unto **RAYMOND BRANDENBERGER and wife, PATSY BRANDENBERGER**, of the County of Mason and State of Texas, (herein known as "Grantee", whether one or more, the term also including Grantee's heirs, assigns, legal representatives and successors in title to the Dominant Tract described below) an easement for the free and uninterrupted use, liberty and privilege of passing in, under, over and across the following described property of the Grantor situated in Mason County, Texas, hereinafter referred to as the "Servient Tract" and more particularly described as follows:

All that certain 6.64 acres, more or less, situated in Mason County, Texas, being a 60-foot wide strip for access road easement purposes, consisting of approximately 1.31 acres out of the Mrs. E.J. McGowan Survey No. 77, Abstract No. 1831, approximately 2.33 acres out of the John W. Gamel Survey No. 58, Abstract No. 1373 and approximately 3 acres out of the Brooks and Burleson Survey No. 57, Abstract No. 987 and being out of and a part of that certain tract described as 829.883 acres, "Tract Two" in a Deed from Jerry Bearden and Wayne Hofmann (Independent Executors of Olga Zesch Estate) to Lee and Bobbie McMillan et al, filed June 9, 1999 and recorded in Vol. 148, Page 198 of the Mason County Real Property Records. Said 6.64 acre tract is more particularly described as follows:

**BEGINNING** at a  $\frac{1}{2}$ " steel stake set in the north line of Ranch Road No. 1871 for the most easterly end hereof, from which point a highway concrete monument found opposite of highway engineer's station no. P.C. 538+14.2 bears, N 79 06 24 W 25.04 feet;

**THENCE** with said north line of highway for the most southerly line hereof, N 79 06 24 W 25.04 feet, said concrete monument found for the beginning of a curve to the left, having a radius of 1949.85 feet and a central angle of 01 degrees, 40 minutes, 40 seconds;

**THENCE** along said curve with an arc of 57.10 feet and a chord of, N 79 59 17 W 57.10 feet to a  $\frac{1}{2}$ " steel stake set for a southeasterly corner hereof;

**THENCE** with the south line of said 60 foot strip and south line hereof,

N 32 47 33 W 188.08 feet, a  $\frac{1}{2}$ " steel stake set,  
N 43 54 56 W 810.71 feet, a  $\frac{1}{2}$ " steel stake set,  
N 43 02 36 W 367.35 feet, a  $\frac{1}{2}$ " steel stake set,  
N 52 27 22 W 340.97 feet, a  $\frac{1}{2}$ " steel stake set,  
N 56 36 38 W 955.16 feet, a  $\frac{1}{2}$ " steel stake set,  
N 56 56 51 W 714.76 feet, a  $\frac{1}{2}$ " steel stake set,  
N 58 55 42 W 371.40 feet, a  $\frac{1}{2}$ " steel stake set,  
N 53 08 13 W 151.99 feet, a  $\frac{1}{2}$ " steel stake set,  
N 41 15 51 W 123.56 feet, a  $\frac{1}{2}$ " steel stake set,  
N 55 32 30 W 751.47 feet to a  $\frac{1}{2}$ " steel stake set for a southwesterly corner hereof, being the S.E. corner of a 44.898 acre partition tract out of said 829.883 acre parent tract hereof;

**THENCE** with the west line hereof, N 28 44 10 E 60.30 feet to a  $\frac{1}{2}$ " steel stake set in the east line of said 44.898 acre tract for the N.W. corner hereof;

**THENCE** with the north line of said 60 foot strip and north line hereof,

S 55 32 30 E 765.00 feet, a  $\frac{1}{2}$ " steel stake set,  
S 41 15 51 E 124.83 feet, a  $\frac{1}{2}$ " steel stake set,  
S 53 08 13 E 142.72 feet, a  $\frac{1}{2}$ " steel stake set,  
S 58 55 42 E 369.40 feet, a  $\frac{1}{2}$ " steel stake set,  
S 56 56 51 E 715.98 feet, a  $\frac{1}{2}$ " steel stake set,  
S 56 36 38 E 957.51 feet, a  $\frac{1}{2}$ " steel stake set,  
S 52 27 22 E 348.09 feet, a  $\frac{1}{2}$ " steel stake set,  
S 43 02 36 E 371.83 feet, a  $\frac{1}{2}$ " steel stake set,  
S 43 54 56 E 816.10 feet, a  $\frac{1}{2}$ " steel stake set, and  
S 32 47 33 E 250.02 feet to the **PLACE OF BEGINNING**.

The easement, right-of-way and privileges herein granted shall be perpetual. Grantee, and Grantee's guests, invitees, lessees, agents and others permitted by Grantee shall have free and unobstructed ingress, egress and regress, by foot, on horseback, with automobiles, trucks and other vehicles, livestock and equipment, and shall be entitled to erect, lay and maintain electric and telephone lines and cables on, over and across said Servient Tract as to Grantee shall be deemed necessary or convenient at all times and seasons. The rights incident to this easement shall include the right to maintain a roadway with machinery so as to make the same an all-weather road similar to the

public roads maintained by the County of Mason.

This is a nonexclusive easement. Grantor reserves the right to grant use of the Servient Tract to others and in all other respects continue to use the Servient Tract for Grantor's own purposes so long as such use does not unreasonably obstruct the easement or unreasonably interfere with the enjoyment thereof by Grantee.

This easement is given for the benefit of, and shall be an easement appurtenant to, the following described property owned by Grantee and referred to herein as the "Dominant Tract", to-wit:

All that certain 53.392 acres, more or less, situated in Mason County, Texas, consisting of approximately 10.073 acres out of John W. Gamel Survey No. 58, Abstract No. 1373, and approximately 43.319 acres out of the Brooks and Burleson Survey No. 57, Abstract No. 987, and being out of and a part of that certain tract described as 829.883 acres, "Tract Two" in a Deed from Jerry Bearden and Wayne Hofmann (Independent Executors of Olga Zesch Estate) to Lee and Bobbie McMillan et al, filed June 9, 1999, and recorded in Volume 148, Page 198 of the Real Property Records of Mason County, Texas. Said 53.392 acre tract is also known as Tract No. 6 of "Persimmon Point", a proposed subdivision in Mason County, Texas, and is more particularly described by metes and bounds as follows to-wit:

**BEGINNING** at a  $\frac{1}{2}$ " steel stake set in the east line of a 60 foot wide access road, containing 6.64 acres, for the S.W. corner hereof and N.W. corner of Tract No. 5 of said "Persimmon Point", from which point the S.W. corner of said 829.883 acre parent tract bears, S 50 09 17 W 5054.44 feet;

**THENCE** with said east line of 60 foot wide road for the west line hereof,  
N 56 36 38 W 522.80 feet to a  $\frac{1}{2}$ " steel stake set for the N.W. corner hereof and S.W. corner of Tract No. 7;

**THENCE** with the common lines of Tracts 6 and 7 for the north line hereof,  
N 47 20 15 E 3698.05 feet to a  $\frac{1}{2}$ " steel stake set on the west bank of the Llano River for the N.E. corner of Tract No. 6 and S.E. corner of Tract No. 7 for the N.E. corner hereof;

**THENCE** downstream with the meanders of said west bank of the Llano River for the east line hereof,  
S 40 59 34 E 196.64 feet, a  $\frac{1}{2}$ " steel stake set,  
S 31 29 48 E 345.64 feet, a  $\frac{1}{2}$ " steel stake set, and  
S 31 56 53 E 257.71 feet to a  $\frac{1}{2}$ " steel stake set for the S.E. corner of Tract No. 6 and N.E. corner of Tract No. 5 for the S.E. corner hereof;

**THENCE** with the common line between Tracts 5 and 6 for the

south line hereof,  
S 52 00 00 W 3462.92 feet to the PLACE OF BEGINNING.

Grantor hereby binds Grantor and Grantor's heirs, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the above described easement and rights unto the Grantee and Grantees heirs, successors and assigns, against every person whomsoever lawfully interfering or to interfere with the enjoyment of the same or any part thereof. This instrument shall be binding upon the heirs, executors, administrators, successors and assigns of each of the parties hereto.

Grantee's mailing address is 13661 State Hwy. 29 West, Mason, Texas 76856.

EXECUTED this / 2 day of April, 2000.

2S6M, L.L.C.

2S6M, L.L.C.

By: Hal McMillan  
Hal McMillan, Manager

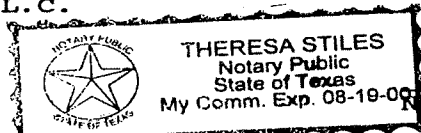
By: [Signature]  
Carolyn Werner, Manager

By: Jim Sheldon  
Jim Sheldon, Manager

By: Lee McMillan  
Lee McMillan, Manager

THE STATE OF TEXAS )

This instrument was acknowledged before me on the 14<sup>th</sup> day of April, 2000, by Hal McMillan and Lee McMillan, Managers of 2S6M, L.L.C.

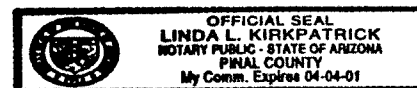


[Signature]  
Notary Public, State of Texas

THE STATE OF ARIZONA

This instrument was acknowledged before me on the 12<sup>th</sup> day of April, 2000, by Carolyn Werner and Jim Sheldon, Managers of 2S6M, L.L.C.

[Signature]  
Notary Public, State of Arizona



Filed for record the 17th day of April A.D., 2000 at 10:30 o'clock A.M. and duly recorded this the 18th day of April A.D., 2000 at 10:45 o'clock A.M.

Beatrice Langehennig  
Clerk County Court Mason County, Texas

By: Joy Kitchens  
Joy Kitchens, Deputy