

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



WATER UTILITY EASEMENT

THE STATE OF TEXAS
COUNTY OF BRAZORIA

§
§ **KNOW ALL MEN BY THESE PRESENTS:**
§

That, **RICHARD WILSON RUNYAN ESTATE**, of the County of Brazoria, Texas, (hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and for other good and valuable consideration to Grantors paid by the City of Pearland, a political subdivision of the State of Texas, the receipt and sufficiency of which is hereby acknowledged, and by these presents do Grant, Bargain, Sell, and Convey unto the **CITY OF PEARLAND**, (hereinafter referred to as Grantee), its successors and assigns, a water easement in along, upon and across property which is situated in the County of Brazoria, Texas, described in the Metes and Bounds description labeled Exhibit "A" and more particularly shown in Exhibit "B", which are attached hereto and incorporated herein for any and all purposes.

The water easement conveyed herein is for purposes including but not limited to construction, reconstruction, maintenance, repair or removal of water utilities on said premises described in Exhibits together with the privilege of all times of the Grantee herein, its agents, employees and representatives of ingress and egress to and from said premises for the purpose of making any improvements, modifications or repairs which the City deems necessary.

It is hereby understood, and by the acceptance of this instrument it is recognized, that Grantor retains title to all of the oil, gas, sulfur and other mineral interests in and under said easement, but expressly waive any and all rights of ingress and egress to the surface thereof for the purpose of exploration, developing, mining, or drilling for the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside of the above described easement, and upon the

Parcel: 35
Project: CR 100, FM 1128 and Harkey Road Infrastructure Improvement Project
Project No.: TR 2107

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon, or photocopy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

condition that none of such operations shall be conducted so near the surface of said easement so as to interfere with the intended use thereof or in any way interfere with, jeopardize or endanger the facilities of Grantee or create a hazard to the public users thereof; it being intended, however, that nothing herein shall affect the rights of the City to take and use without additional compensation any water, stone, earth, gravel, caliche, iron ore, gravel or any other road building materials upon, in and under said land for the construction and maintenance of said easement.

Subject to any laws to the contrary, Grantors shall have the right to fully use and enjoy said easement for any purpose which shall not interfere with the rights herein granted to Grantee.

TO HAVE AND HOLD perpetually, the above described water easement for said purposes, together with all the rights and appurtenances thereto in anywise belonging to Grantee, its officers, agents, employees, successors, and assigns, forever, upon the condition that Grantee will at all times, after doing any work in connection with the construction, reconstruction, repair or removal of said water easement, endeavor to restore said premises to the condition consistent with the use of the easement that is typical for the property, considering the work undertaken by the Grantee, and that in the use of said rights and privileges herein granted to Grantee will not create a nuisance or do any act that will be detrimental to said premises.

Executed this 17 day of NOVEMBER, 2020.

RICHARD WILSON RUNYAN ESTATE

By: *Johnny Runyan*

Name: JOHNNY RUNYAN

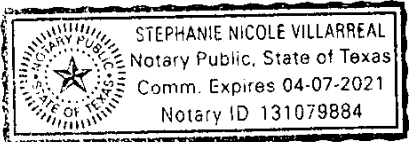
Title: EXECUTOR

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF KERR §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Johnny Runyan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17 DAY OF November, A.D., 2020.



Stephanie Villarreal
NOTARY PUBLIC, STATE OF TEXAS

ACCEPTED BY:

The City of Pearland, a political
Subdivision of the State of Texas

By: _____

Name: Anthony Vu

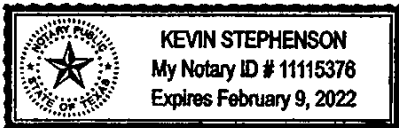
Title: Acquisition Manager

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned Notary Public, on this day personally appeared **Anthony Vu**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20TH DAY OF November, A.D., 2020.



NOTARY PUBLIC, STATE OF TEXAS

After Recording, Please Return To:

Kevin Stephenson
Right-of-Way Solutions, Inc.
19901 Southwest Freeway
Sugar Land, TX 77479

Exhibit _____, Page 1 of 4

County: Brazoria
 Project: Massey Ranch
 M.S.G. No.: 181222
 Job Number: 3084-ROW

**FIELD NOTES FOR 0.2273 ACRE
 TRACT No. 35
 20' WATER LINE EASEMENT**

Being a tract of land containing 0.2273 acre (9,900 square feet), located within the H.T.&B.R.R. Co. Survey, Abstract-549, Brazoria County, Texas and being a portion of Lot 5 of the Allison Richey Gulf Coast Home Company Subdivision, Section 24 recorded in Volume 2, Page 89 of the Brazoria County Plat Records (B.C.P.R.). Said 0.2273 acre tract being a portion of a called 10.00 acre tract recorded in the name of Richard Wilson Runyan in B.C.C.F. No. 96-040374. Said 0.2273 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System of 1983 (NAD83), South Central Zone):

COMMENCING at a 3/4-inch iron pipe found on the east right of way line of Masters Road (FM 1128) (width varies as per Volume 2, Page 89, B.C.P.R.) at the northwest corner of a called 2.07 acre tract, being a portion of Lot 9 of the Allison Richey Gulf Coast Home Company Subdivision, Section 24 recorded in Volume 2, Page 89 and recorded in the name of BSH Development, LLC in B.C.C.F. No. 2007027409 and the southwest corner of Lot 8 and the residue of a called 10.00 acre tract recorded in the name of Tracy Lee Bonar and Rhonda Renee Dunlap in B.C.C.F. No. 2014029532, south of Benedick Drive (Private Road);

Thence, along said east right of way line of FM 1128, North 02 degrees 38 minutes 48 seconds West, a distance of 1485.00 feet to a 5/8 - inch iron rod found for the **POINT OF BEGINNING** of the herein described tract in the north line of the residue of a called 10.00 acre tract recorded in the name of Hahn Nguyen and Trinh Tran in B.C.C.F. No. 2015042391;

Thence, along said east right of way line of FM 1128, North 02 degrees 38 minutes 48 seconds West, a distance of 495.00 feet to a 1/2 - inch iron rod found for the northwest corner of the herein described tract in the south line of a called 3.939 acre tract recorded in the name of Jayan Kuruvilla and Jini P. Kuruvilla in B.C.C.F. No. 2006016681;


Thence, North 87 degrees 20 minutes 01 seconds East, a distance of 20.00 feet with the line common to the herein described tract and said 3.939 acre tract to an angle point;

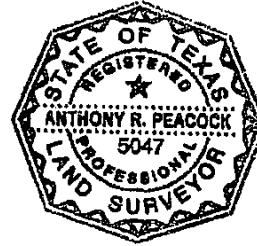
Thence, South 02 degrees 38 minutes 48 seconds East, a distance of 495.00 feet to an angle point in the south line of the herein described tract and the north line of said 10.00 acre tract;

Exhibit _____, Page 2 of 4

Thence, South 87 degrees 20 minutes 01 seconds West, a distance of 20.00 feet along said common line to the **POINT OF BEGINNING** and containing 0.2273 acre of land.

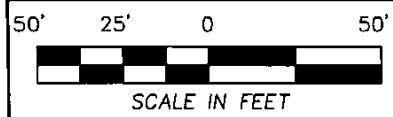
A Parcel Plat of the described tract has been prepared by Miller Survey Group and accompanies this description.


Anthony R. Peacock, R.P.L.S.
Texas Registration No. 5047



Miller Survey Group
www.millersurvey.com
Texas Firm Reg. 10047100
Ph: (713) 413-1900
June 12, 2018
M&B No. 181222

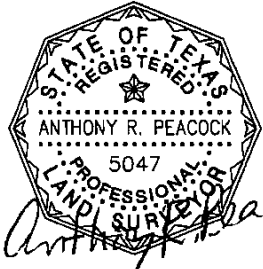
EXHIBIT _____, PAGE 3 OF 4 PAGES



Line Table		
Line	Length	Direction
L1	1485.00	N02°38'48"W
L2	495.00	N02°38'48"W
L3	20.00	N87°20'01"E
L4	495.00	S02°38'48"E
L5	20.00	S87°20'01"W

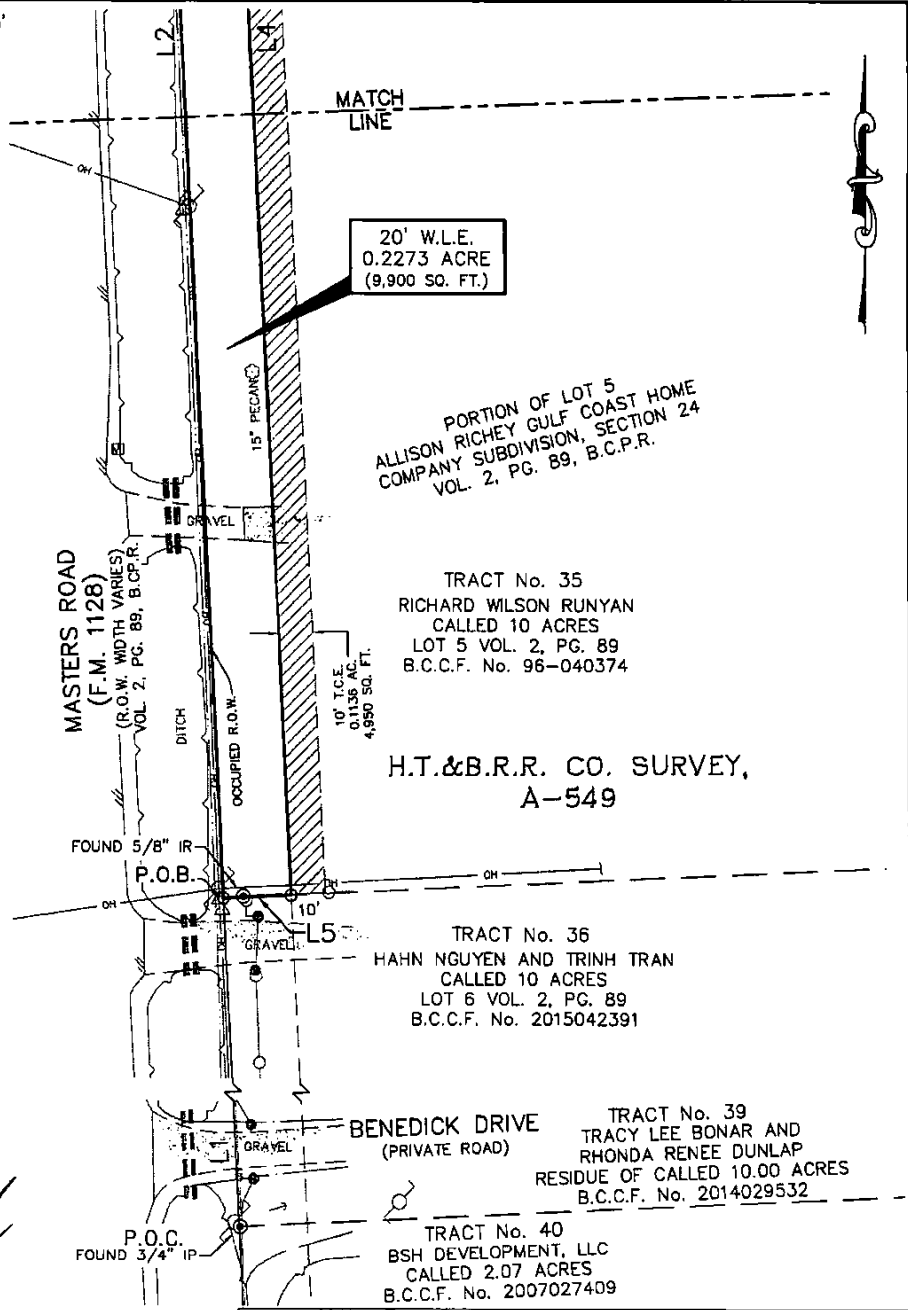
LEGEND

- ⊙ = FOUND 5/8-INCH IRON ROD (UNLESS OTHERWISE NOTED)
- = SET 5/8-INCH IRON ROD W/MSG CAP (UNLESS OTHERWISE NOTED)
- = ANGLE POINT
- B.C.P.R. = BRAZORIA COUNTY PLAT RECORDS
- B.C.D.R. = BRAZORIA COUNTY DEED RECORDS
- B.C.C.F. = BRAZORIA COUNTY CLERK'S FILE
- No. = NUMBER
- CIR = CAPPED IRON ROD
- IR = IRON ROD
- IP = IRON PIPE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R.O.W. = RIGHT-OF-WAY
- AC. = ACRE
- SQ. FT. = SQUARE FEET
- PC. = PAGE
- VOL. = VOLUME
- C.R. = COUNTY ROAD
- MISC. = MISCELLANEOUS
- APPROX. = APPROXIMATE
- MSG = MILLER SURVEY GROUP
- W.L.E. = WATER LINE EASEMENT
- T.C.E. = TEMPORARY CONSTRUCTION EASEMENT



NOTES:

1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A SURVEY SUPPORT LETTER PROVIDED BY ABSTRACT SERVICES OF HOUSTON, SEARCHED DATE OF JULY 16, 2020, WITH REGARD TO ANY RECORDED EASEMENTS, RIGHTS-OF-WAYS OR SETBACKS AFFECTING THE SURVEYED PROPERTY.
2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE.
3. ALL UNDERGROUND UTILITIES PLOTTED HEREON ARE FROM FIELD TIES TO EXISTING SURFACE FEATURES, VISIBLE EVIDENCE AND TEXAS ONE-CALL FIELD LOCATIONS. ALL UNDERGROUND UTILITY LOCATIONS PLOTTED HEREON ARE APPROXIMATE LOCATIONS AND MUST BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION.
4. A METES AND BOUNDS DESCRIPTION OF THE SUBJECT TRACT HAS BEEN PREPARED BY MILLER SURVEY GROUP AND ACCOMPANIES THIS PARCEL PLAT.



REVISED: 08/13/2020 - SURVEY SUPPORT LETTER UPDATED

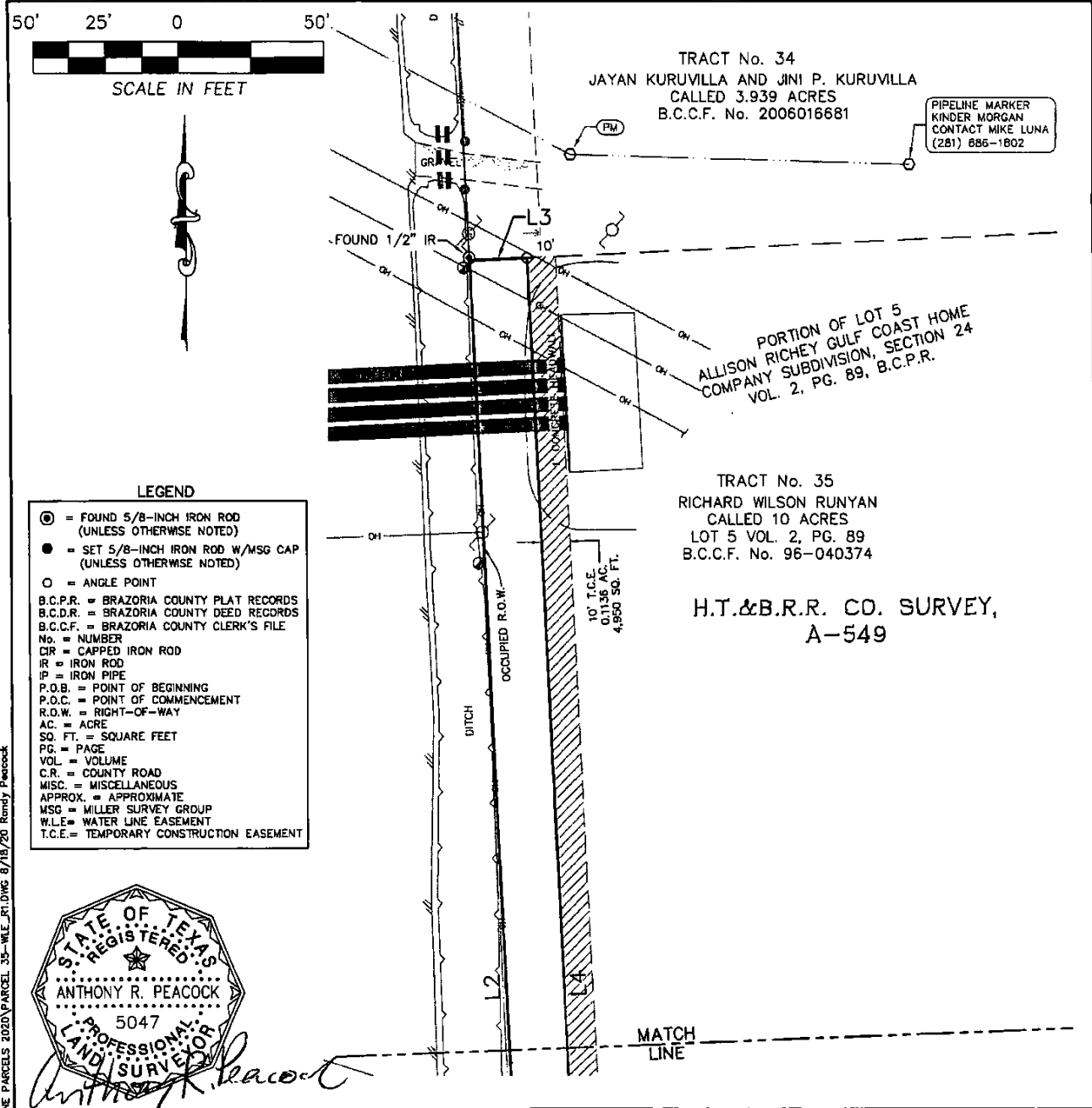
20' W.L.E. - TRACT No. 35
RICHARD WILSON RUNYAN
 BEING A 0.2273 ACRE TRACT LOCATED IN THE
 H.T.&B.R.R. CO. SURVEY, A-549
 BRAZORIA COUNTY, TEXAS

MILLER SURVEY+GROUP
 www.millersurvey.com
 1760 WEST SAM HOUSTON PARKWAY NORTH * HOUSTON, TEXAS 77043
 PHONE 713-413-1900 * FAX 713-413-1944
 TEXAS FIRM REGISTRATION No. 10047100

JOB No. 3084-R0W	SCALE: 1"=50'	DATE: 06/12/2018	FIELD BOOK: 17050/HM
DWG. No. PARCEL 35-WLE_R1.DWG	DRAWN: DKA	CHECK: ARP	M&B No. 181222

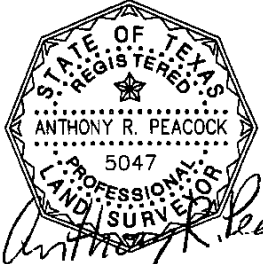
H:\A_JOB_FOLDERS\3084-MASSEY_RANCH_PEARLAND\DWG\WATERLINE_PARCELS_2020\PARCEL_35-WLE_R1.DWG 8/18/20 Randy Procech

EXHIBIT _____, PAGE 4 OF 4 PAGES



LEGEND

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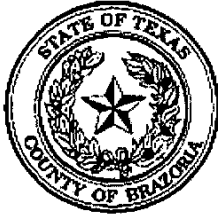
H:\A JOB FOLDER\3084-MASSEY BRANCH FEARLAND(DWG)\WATERLINE PARCELS 2020\PARCEL 35-WLE_R1.DWG 8/18/20 Randy Peacock

FILED and RECORDED

Instrument Number: 2020070722

Filing and Recording Date: 11/30/2020 04:21:51 PM Pages: 9 Recording Fee: \$54.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-crissy