

**RESOLUTION NO. R2022-24**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING THREE PUBLIC UTILITY EASEMENTS LOCATED AT 1504, 1402 AND 1304 BUCHANAN DRIVE AND AUTHORIZING THE MAYOR EXECUTE SAID INSTRUMENT ON BEHALF OF THE CITY.**

**Whereas**, Ken Hopkins granted to the City a 20' wide public utility easement as described in Exhibit "A"; and

**Whereas**, JMH Industries, LLC, granted to the City a 20' wide public utility easement as described in Exhibit "B"; and

**Whereas**, Jerry Holt Quartermaster VFW Post #6974 granted to the City a 20' wide public utility easement as described in Exhibit "C"; and

**Whereas**, City Council deems in the public interest to accept the grants of easements.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section one. Findings.** The recitals to this Resolution are found to be true and correct and are incorporated herein for all purposes.

**Section two. Approval.** The acceptance of the Public Utility Easement attached hereto as Exhibits "A"; "B"; and "C" are hereby approved.

**Section three. Authorization.** The Mayor is hereby authorized to execute Easement Instruments in substantially the same form as Exhibits "A"; "B"; and "C".

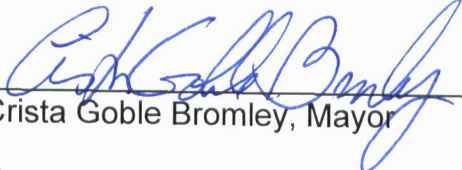
**Section four. Recordation.** The City Secretary is authorized and directed to have the executed Easement Instruments duly recorded in the public records of Burnet County.

**Section five. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**Section six. Effective date.** This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

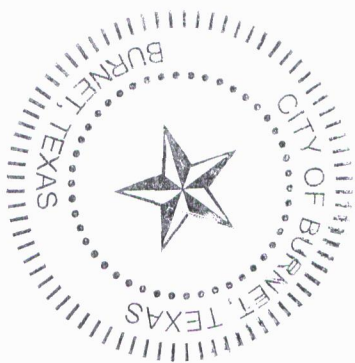
**PASSED AND APPROVED** this the 8<sup>th</sup> day of February, 2022.

CITY OF BURNET, TEXAS

  
Crista Goble Bromley, Mayor

ATTEST:

  
Kelly Dix, City Secretary





**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.**

**PUBLIC UTILITY EASEMENT**

THE STATE OF TEXAS            §  
   §        **KNOW ALL PEOPLE BY THESE PRESENTS**  
COUNTY OF BURNET           §

**DATE: 2-15-2021**

**GRANTOR: JERRY HOLT -QUARTERMASTER VFW POST #6974**

GRANTOR'S MAILING ADDRESS (including County):        **P.O. BOX 326 Burnet, Burnet County, Texas 78611**  
**1402 Buchanan Drive**

**GRANTEE: City of Burnet, Texas**

GRANTEE'S MAILING ADDRESS (including County): **1001 Buchanan Drive Suite #4, Burnet, Burnet County, Texas 78611**

**LIENHOLDER: None**

**CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.**

**PROPERTY:**

BEING A 20' WIDE 0.080 OF AN ACRE EASEMENT OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 2.70 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO JMH INDUSTRIES, LLC., RECORDED IN DOCUMENT NO. 201902125 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.080 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS IN EXHIBIT "A".

**GRANTOR**, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed,

constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the GRANTEE in, upon, under and across the **PROPERTY** more fully described in the metes and bounds and sketch attached hereto as **Exhibit "A"**.

**GRANTOR** and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility Easement.

**TO HAVE AND TO HOLD** the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

**GRANTOR:**

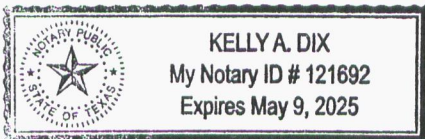
By: JERRY HOLT QUARTERMASTER VFW #6974

**THE STATE OF TEXAS**

§  
§  
§

**COUNTY OF BURNET**

This instrument was acknowledged before me the 15 day of February, 2021, by, Jerry Holt.



\_\_\_\_\_  
Notary Public-State of Texas

The remainder of this page is intentionally blank, and Grantee's acceptance is on the following page.

**ACCEPTED:** This Easement is accepted on behalf of the City of Burnet, Texas:

By: *Crista Goble Bromley*  
Crista Goble Bromley, Mayor

**THE STATE OF TEXAS**

§  
§  
§

**COUNTY OF BURNET**

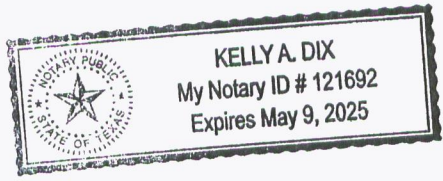
This instrument was acknowledged before me the 22 day of February, 2021, by, Crista Goble Bromley as Mayor for, and behalf on, the City of Burnet Texas.

*Kelly A. Dix*

Notary Public-State of Texas

**After recording return to:**

City of Burnet, Texas  
P.O. Box 1369  
Burnet, Texas 78611



The remainder of this page is intentionally blank, and Exhibit A is on the following page.

**BEING A 20' WIDE 0.080 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 2.70 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO JMH INDUSTRIES, LLC., RECORDED IN DOCUMENT NO. 201602125 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.080 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a set 1/2" iron pin set with "EASEMENT" cap, along the westerly line of a called 2.142 acre tract of land as described in document to Richard Riggs, recorded on Document No. 201505780 of the Official Public Records of Burnet County, Texas, at the southwesterly corner of a 20' wide wastewater line easement as described in document to the city of Burnet, Texas as recorded on Volume 694, Page 696 of the Official Public Records of Burnet County, Texas, along the easterly line of a called 0.147 of an acre water and wastewater utility easement as described in document to the City of Burnet, Texas, recorded on Document No. 200905878 of the Official Public Records of Burnet County, Texas, along the easterly line of said 2.70 acre tract, and being the southeasterly corner hereof, from whence a found cotton spindle in the southeasterly corner of said 2.70 acre tract bears, South 11°43'04" East, a distance of 299.15';

**THENCE** South 86°34'42" West, over and across said 2.70 acre tract, and the southerly line hereof, a distance of 176.08' to a 1/2" iron pin set with "EASEMENT" cap, along the easterly line of the remnant tract of a called 2.142 acre tract as described in document to the Veterans of Foreign War, Highland Lakes Post 6974, recorded in Volume 518, Page 812 of the Real Property Records of Burnet County, Texas, being the southwesterly corner hereof, from whence a found 1/2" iron pin at the southwesterly corner of said 2.70 acre tract bears, South 00°32'56" West, a distance of 263.46' to a 1/2" iron pin found;

**THENCE** North 00°32'56" East, along the easterly line of said V.F.W. tract, the westerly line of said 2.70 acre tract and hereof, a distance of 20.05' to a 1/2" iron pin set with "EASEMENT" cap, being the northwesterly corner hereof;

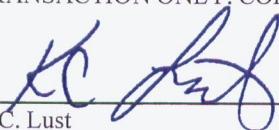
**THENCE** North 86°34'42" East, over and across said 2.70 acre tract, and the northerly line hereof, a distance of 171.77' to a 1/2" iron pin set with "EASEMENT" cap, along the easterly line of said 0.147 acre utility easement, the westerly line of said 2.142 acre tract, near the northwesterly corner of said 20' wide wastewater line easement, and being the northeasterly corner hereof;

**THENCE** South 11°43'04" East, along the westerly line of said wastewater line easement, the westerly line of said 2.142 acre tract, the easterly line of said 0.147 of an acre tract, the easterly line of said 2.70 acre tract, and hereof, a distance of 20.21' to the **POINT OF BEGINNING**, containing 0.080 of an acre, more or less, being subject to a 10' wide temporary construction easement lying northerly and southerly of the herein described easement.

**NOTE:**

*A Plat of Survey of even date was prepared and is intended to accompany the herein described 0.080 of an acre easement. Bearings are based on North American Datum of 1983, Texas Central Zone, distances listed are in grid, to obtain surface distances use a scale factor of 1.00012852472691, using the USA Geoid 18.*

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2021, CUPLIN & ASSOCIATES, INC. ©.

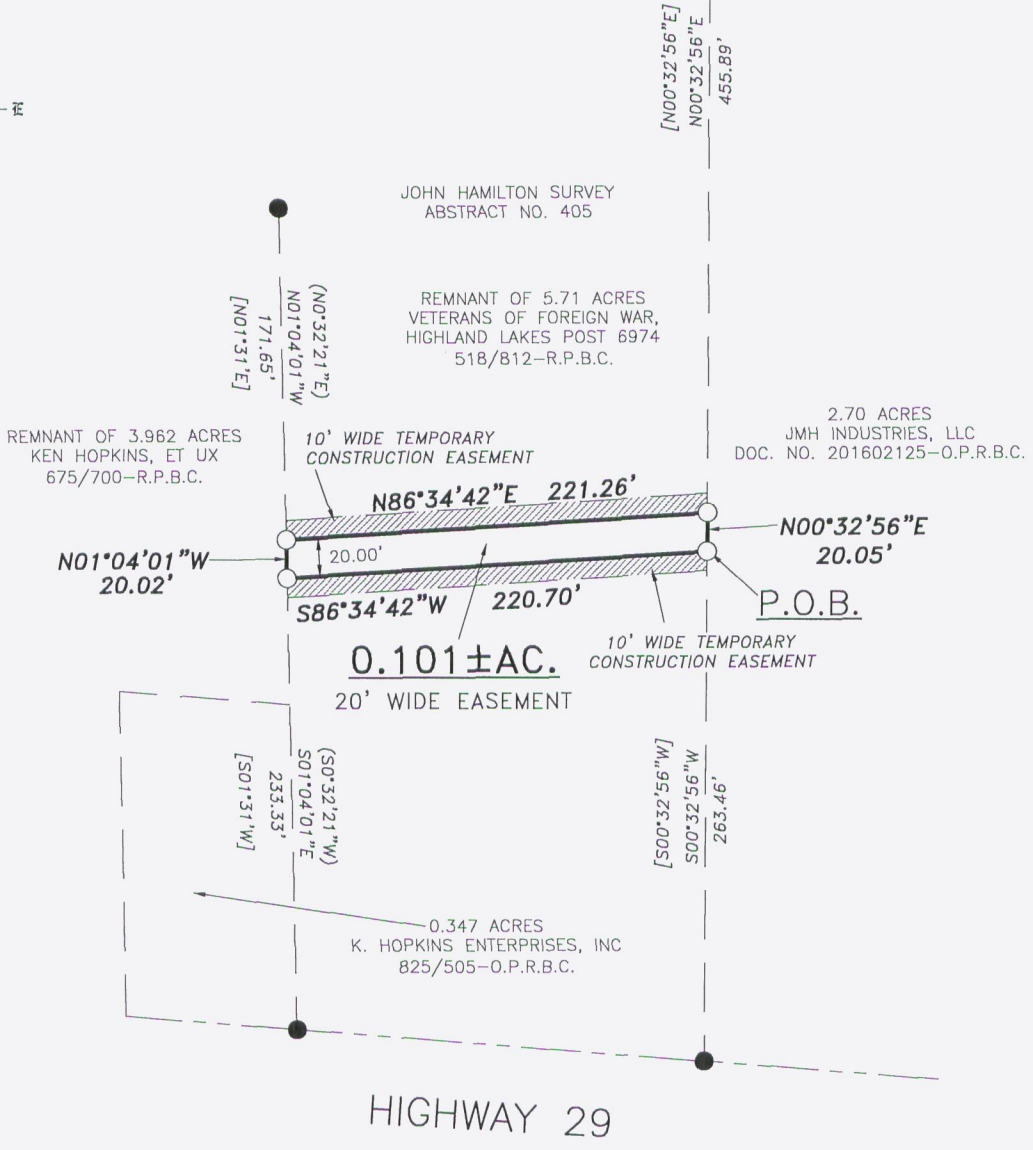
  
K.C. Lust

**Dated: 08/13/2021**

Registered Professional Land Surveyor No. 5273



.../... WITH EASEMENT CAP VOLUME/PAGE  
P.R.B.C. PLAT RECORDS BURNET CO.  
D.R.B.C. DEED RECORDS BURNET CO.  
R.P.R.B.C. REAL PROPERTY RECORDS BURNET COUNTY  
O.P.R.B.C. OFFICIAL PUBLIC RECORDS BURNET COUNTY  
[ ] RECORD INFO/ADJOINER  
( ) RECORD INFO/SUBJECT



**NOTES:**  
1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

## EASEMENT EXHIBIT

LOCAL ADDRESS: 1402 W BUCHANAN DR. (HWY. 29) CITY OF BURNET, TEXAS.

LEGAL DESCRIPTION: BEING A 20' WIDE 0.101 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF THE REMNANT TRACT OF A CALLED 5.71 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO VETERANS OF FOREIGN WARS, HIGHLAND LAKES POST 6974, RECORDED IN VOLUME 518, PAGE 812 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, SAID 0.101 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS SURVEY OF EVEN DATE. BEING SUBJECT TO A 10' WIDE TEMPORARY CONSTRUCTION EASEMENT LYING NORTHERLY OF AND SOUTHERLY OF THE HEREIN DESCRIBED EASEMENT.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF BURNET AND VETERANS OF FOREIGN WARS, HIGHLAND LAKES POST 6974, THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY.





**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.**

**PUBLIC UTILITY EASEMENT**

**THE STATE OF TEXAS           §  
  §       **KNOW ALL PEOPLE BY THESE PRESENTS**  
COUNTY OF BURNET         §**

**DATE: 2-15-2021**

**GRANTOR: JMH INDUSTRIES, LLC**

**GRANTOR'S MAILING ADDRESS (including County): 1304 Buchanan Dr. Burnet, Burnet County, Texas 78611**

**GRANTEE: City of Burnet, Texas**

**GRANTEE'S MAILING ADDRESS (including County): 1001 Buchanan Drive Suite #4, Burnet, Burnet County, Texas 78611**

**LIENHOLDER: None**

**CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.**

**PROPERTY:**

**BEING A 20' WIDE 0.080 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 2.70 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO JMH INDUSTRIES, LLC., RECORDED IN DOCUMENT NO. 201602125 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.080 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS IN EXHIBIT "A".**

**GRANTOR, for the CONSIDERATION paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed,**



constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the GRANTEE in, upon, under and across the **PROPERTY** more fully described in the metes and bounds and sketch attached hereto as **Exhibit "A"**.

**GRANTOR** and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility Easement.

**TO HAVE AND TO HOLD** the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

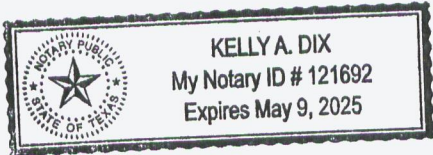
**GRANTOR:**



By: JMH INDUSTRIES, LLC – JOSHUA A. HUDGINS, MANAGING MEMBER

THE STATE OF TEXAS                   §  
   §  
COUNTY OF BURNET                   §

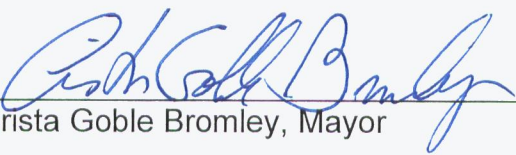
This instrument was acknowledged before me the 15 day of February, 2021, by, Joshua A. Hudgins.



Kelly Dix  
Notary Public-State of Texas

The remainder of this page is intentionally blank, and Grantee's acceptance is on the following page.

**ACCEPTED:** This Easement is accepted on behalf of the City of Burnet, Texas:

By:   
Crista Goble Bromley, Mayor

**THE STATE OF TEXAS**

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§  
§

**COUNTY OF BURNET**

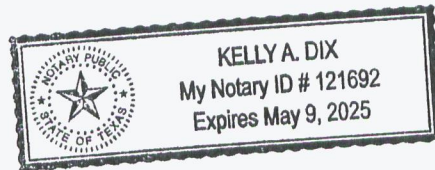
This instrument was acknowledged before me the 22 day of February, 2021, by, Crista Goble Bromley as Mayor for, and behalf on, the City of Burnet Texas.



Notary Public-State of Texas

**After recording return to:**

City of Burnet, Texas  
P.O. Box 1369  
Burnet, Texas 78611



The remainder of this page is intentionally blank, and Exhibit A is on the following page.

FIELD NOTE DESCRIPTION FOR A 0.10 ACRE (4,386 SF) TRACT OF LAND, BURNET COUNTY, TEXAS:

BEING A 0.10 ACRE (4,386 SF) TRACT OF LAND, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, IN BURNET COUNTY, TEXAS, LYING WITHIN A 3.95 ACRE TRACT OF LAND, CONVEYED BY WARRANTY DEED TO K. HOPKINS ENTERPRISES, INC. RECORDED IN VOLUME 825, PAGE 505 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2" iron rod found, lying in the north right-of-way line of W. State Highway 29, marking the southwest corner of a 5.71 acre tract of land conveyed to Veterans of Foreign Wars, Highland Lakes, Post 6974, conveyed by Special Warranty Deed recorded in Volume 518, Page 812 of the Official Public Records of Burnet County, Texas, common with the southeast corner said 3.95 acre tract, common with a 0.347 acre tract of land conveyed to K. Hopkins Enterprises, Inc., recorded in Volume 825, Page 505 of the Official Public Records of Burnet County, Texas;

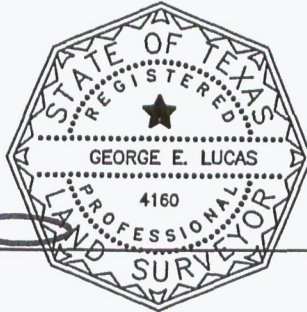
THENCE, North 01°04'16" West, a distance of 234.90 feet, to a calculated point, marking the POINT OF BEGINNING of this tract, for the southeast corner of this tract;

THENCE, South 86°34'42" West, a distance of 217.28 feet, though and across said 3.95 acre tract, along the south line of this tract, to a calculated point, lying in the east line of a 0.51 acre tract of land, conveyed to JVRW Investments, LLC conveyed by Warranty Deed with Vendor's Lien recorded in Document No. 201600972 of the Official Public Records of Burnet County, Texas, common with the west line of said 3.95 acre tract; for the southwest corner of this tract;

THENCE, North 12°28'20" West, along the west line of this tract, common with the west line of said 3.95 acre tract, common with the east line of said JVRW Investments, LLC, a distance of 20.25 feet, to a calculated point, marking the northwest corner of this tract;

THENCE, North 86°34'42" East, a distance of 221.29 feet, though and across said 3.95 acre tract, along the north line of this tract, to a calculated point, lying in the west line of said 5.71 acre tract, common with the east line of said 3.95 acre tract; for the northeast corner of this tract;

THENCE, South 01°04'16" East, along the east line of this tract, a distance of 20.02 feet, to the POINT OF BEGINNING containing 0.10 acres (4,386 SF) of land, more or less, being subject to a 10' wide temporary construction easement lying northerly and southerly of the herein described easement



George E. Lucas

Registered Professional Land Surveyor No. 4160

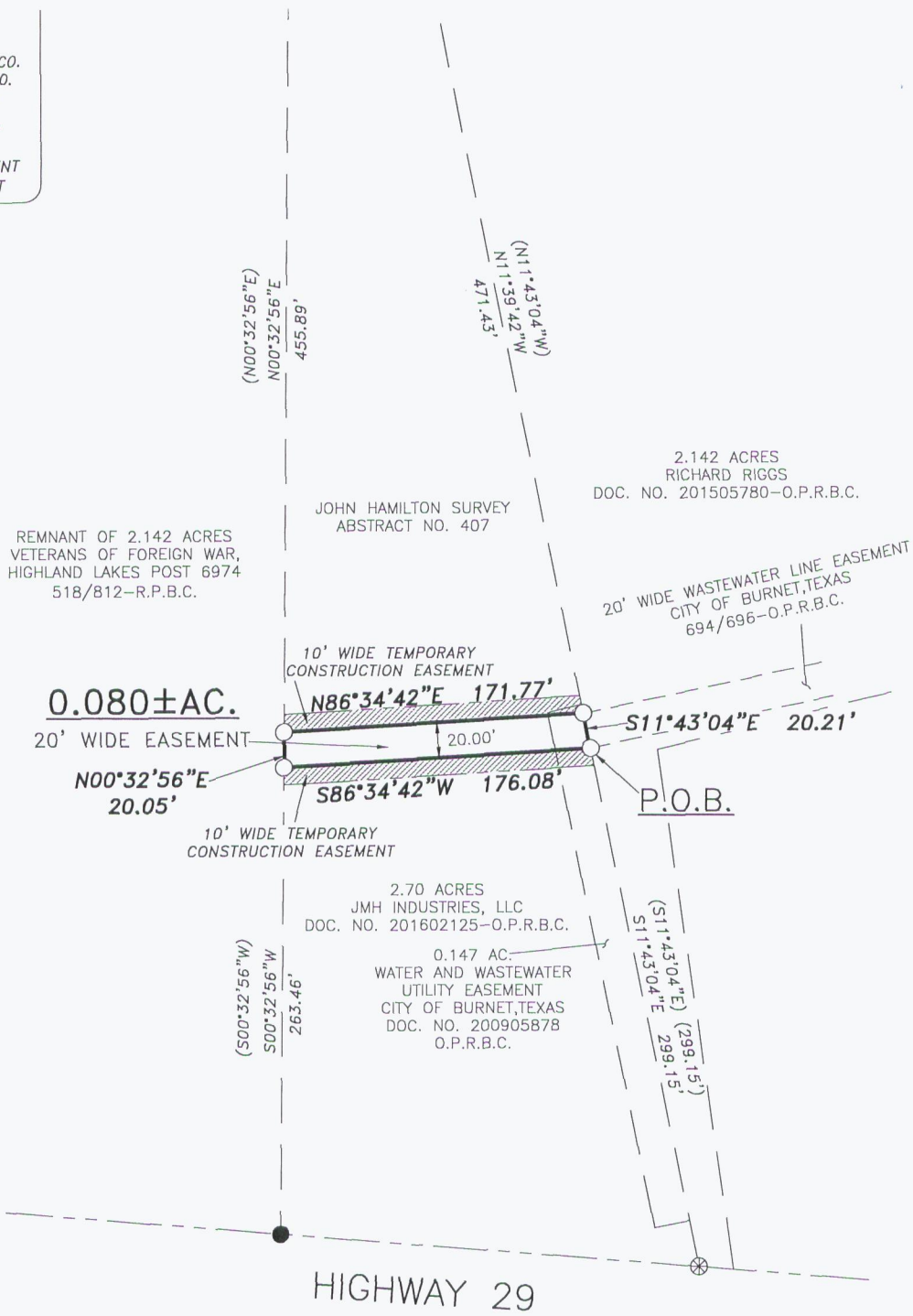
Celco Surveying, Firm Registration No. 10193975

2205 Stonecrest Path

New Braunfels, Texas 78130

Date: January 20, 2022

.../... WITH EASEMENT CAP  
 VOLUME/PAGE  
 P.R.B.C. PLAT RECORDS BURNET CO.  
 D.R.B.C. DEED RECORDS BURNET CO.  
 R.P.R.B.C. REAL PROPERTY RECORDS  
 BURNET COUNTY  
 O.P.R.B.C. OFFICIAL PUBLIC RECORDS  
 BURNET COUNTY  
 C.M. CONTROLLING MONUMENT  
 ( ) RECORD INFO/SUBJECT



**NOTES:**

1) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.

**EASEMENT EXHIBIT**

LOCAL ADDRESS: 1400 W BUCHANAN DR. (HWY. 29) CITY OF BURNET, TEXAS.

LEGAL DESCRIPTION: BEING A 20' WIDE 0.080 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 2.70 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO JMH INDUSTRIES, LLC., RECORDED IN DOCUMENT NO. 201602125 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.080 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS SURVEY OF EVEN DATE. BEING SUBJECT TO A 10' WIDE TEMPORARY CONSTRUCTION EASEMENT LYING NORTHERLY OF AND SOUTHERLY OF THE HEREIN DESCRIBED EASEMENT.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF BURNET AND JMH INDUSTRIES, LLC, THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2021. CUPLIN &





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**PUBLIC UTILITY EASEMENT**

**THE STATE OF TEXAS           §  
  §       KNOW ALL PEOPLE BY THESE PRESENTS  
COUNTY OF BURNET         §**

**DATE: 2-15-2021**

**GRANTOR: KEN HOPKINS**

**GRANTOR'S MAILING ADDRESS (including County): 1504 Buchanan Dr. Burnet, Burnet County, Texas 78611**

**GRANTEE: City of Burnet, Texas**

**GRANTEE'S MAILING ADDRESS (including County): 1001 Buchanan Drive Suite #4, Burnet, Burnet County, Texas 78611**

**LIENHOLDER: None**

**CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.**

**PROPERTY:**

**BEING A 20' WIDE 0.080 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF A CALLED 2.70 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO JMH INDUSTRIES, LLC., RECORDED IN DOCUMENT NO. 201602125 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.080 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS IN EXHIBIT "A".**

**GRANTOR, for the CONSIDERATION paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE, its successors and assigns, an exclusive, perpetual easement for all purposes necessary for installing, operating and maintaining any and all desired utility services within said easement, including but not limited to placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed,**

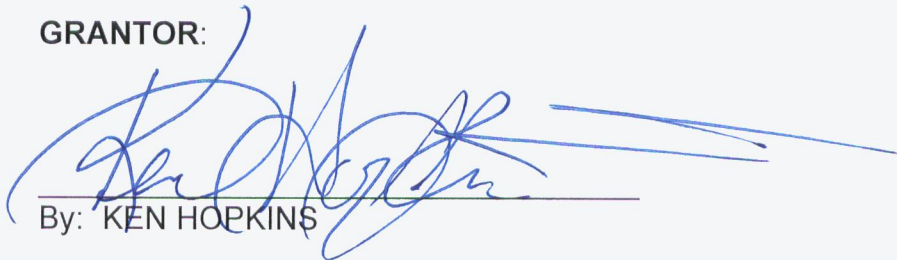
constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary for the supplying of electric, water and/or sanitary sewer service and all other utility services deemed necessary by the GRANTEE in, upon, under and across the **PROPERTY** more fully described in the metes and bounds and sketch attached hereto as **Exhibit "A"**.

**GRANTOR** and **GRANTOR's** heirs, successors, and assigns shall retain the right to use all or part of the **PROPERTY** as long as such use does not interfere with **GRANTEE's** use of the **PROPERTY** for the purposes provided for herein. **GRANTEE** shall have the right to eliminate any encroachments into the **PROPERTY** that interfere with **GRANTEE's** use of the **PROPERTY** as a Public Utility Easement.

**TO HAVE AND TO HOLD** the above-described easement, together with all and singular the rights and appurtenances thereto in anyway belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

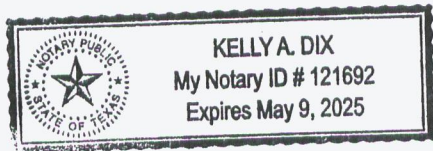
When the context requires, singular nouns and pronouns include the plural.


**GRANTOR:**

  
By: KEN HOPKINS

THE STATE OF TEXAS                   §  
   §  
COUNTY OF BURNET                   §

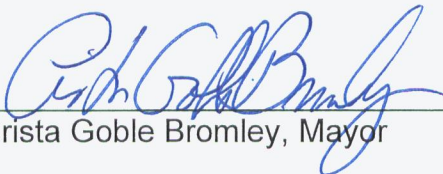
This instrument was acknowledged before me the 15 day of February, 2021, by, Ken Hopkins.



  
Notary Public-State of Texas

The remainder of this page is intentionally blank, and Grantee's acceptance is on the following page.

**ACCEPTED:** This Easement is accepted on behalf of the City of Burnet, Texas:

By:   
Crista Goble Bromley, Mayor

**THE STATE OF TEXAS**

§

**COUNTY OF BURNET**

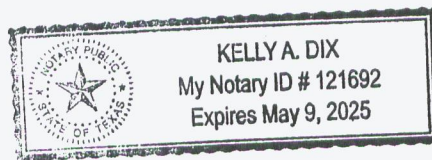
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This instrument was acknowledged before me the 22 day of February, 2021, by, Crista Goble Bromley as Mayor for, and behalf on, the City of Burnet Texas.



Notary Public-State of Texas



**After recording return to:**

City of Burnet, Texas  
P.O. Box 1369  
Burnet, Texas 78611

The remainder of this page is intentionally blank, and Exhibit A is on the following page.

**BEING A 20' WIDE 0.101 OF AN ACRE EASEMENT, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, OUT OF THE REMNANT TRACT OF A CALLED 5.71 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO VETERANS OF FOREIGN WARS, HIGHLAND LAKES POST 6974, RECORDED IN VOLUME 518, PAGE 812 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, SAID 0.101 OF AN ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a set 1/2" iron pin set with "EASEMENT" cap, along the westerly line of a called 2.70 acre tract of land as described in document to JMH Industries, LLC, recorded on Document No. 201602125 of the Official Public Records of Burnet County, Texas, the easterly line of said VFW remnant tract, and being the southeasterly corner hereof, from whence a found 1/2" iron pin at the southeasterly corner of said VFW remnant tract bears, South 00°32'56" West, a distance of 263.46';

**THENCE** South 86°34'42" West, over and across said VFW remnant tract, and the southerly line hereof, distance of 220.70' to a 1/2" iron pin set with "EASEMENT" cap, along the easterly line of the remnant tract of a called 3.962 acre tract as described in document to Ken Hopkins, et ux, recorded in Volume 675, page 700 of the Real Property Records of Burnet County, Texas, being the southwesterly corner hereof, from whence a found 1/2" iron pin at the southwesterly corner of said VFW remnant tract bears South 01°04'01" East, a distance of 233.33';

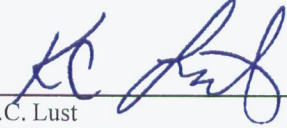
**THENCE** North 01°04'01" West, along the easterly line of said Hopkins remnant tract, the westerly line of said VFW remnant tract, and hereof, a distance of 20.02' to a 1/2" iron pin set with "EASEMENT" cap, being the northwesterly corner hereof;

**THENCE** North 86°34'42" East, over and across said VFW remnant tract, and the northerly line hereof, a distance of 221.26' to a 1/2" iron pin set with "EASEMENT" cap, along the westerly line of said 2.70 acre tract, and being the northeasterly corner hereof;

**THENCE** South 00°32'56" West, along the westerly line of said 2.70 acre tract, the easterly line of said VFW remnant tract, and hereof, a distance of 20.05' to the **POINT OF BEGINNING**, containing 0.101 acres, more or less, being subject to a 10' wide temporary construction easement lying northerly and southerly of the herein described easement.

**NOTE:**  
*A Plat of Survey of even date was prepared and is intended to accompany the herein described 0.101 of an acre easement. Bearings are based on North American Datum of 1983, Texas Central Zone, distances listed are in grid, to obtain surface distances use a scale factor of 1.00012852472691, using the USA Geoid 18.*

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2021, CUPLIN & ASSOCIATES, INC. ©.

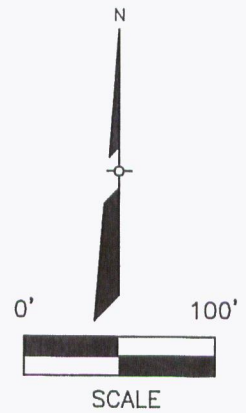
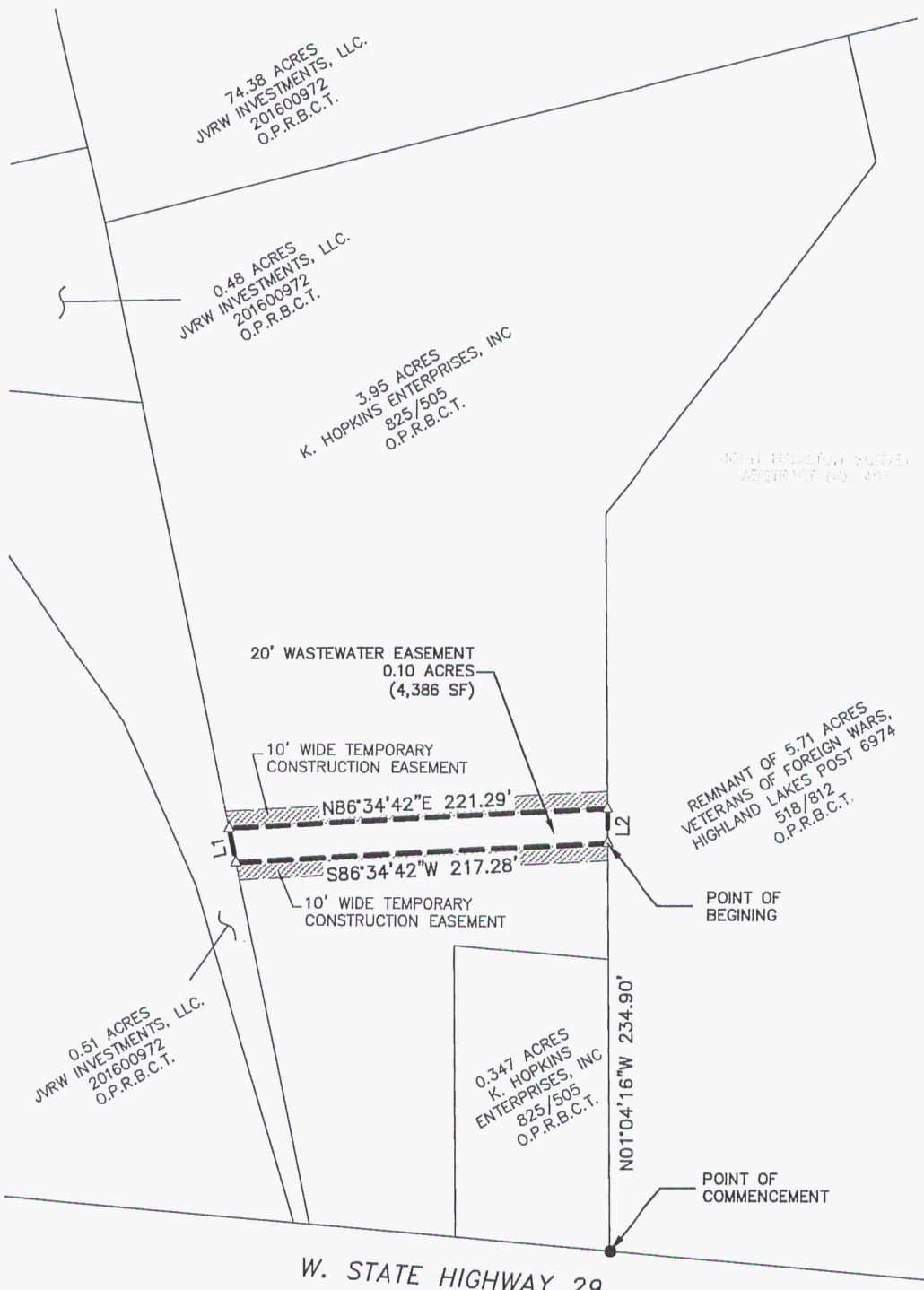
  
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K.C. Lust  
Registered Professional Land Surveyor No. 5273

Dated: 08/16/2021





# SKETCH TO ACCOMPANY FIELD NOTES



- LEGEND**
- IRON ROD FOUND
  - IRON ROD SET
  - △ CALCULATED POINT
  - BOUNDARY LINE
  - - - EXISTING R.O.W. LINE
  - · - · - EXISTING LOT LINE
  - · - · - EXISTING CENTER LINE OF DITCH
  - - - PROPOSED EASEMENT
  - · - · - EXISTING BARBED WIRE FENCE
  - ⊕ FIRE HYDRANT
  - ⊙ POWER POLE
  - OHE — OVERHEAD ELECTRIC
  - ⊗ WATER VALVE
  - ⊗ WASTEWATER CLEANOUT
  - O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS

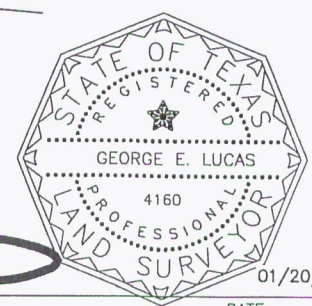
BOUNDARY LINE TABLE		
LINE #	LENGTH	BEARING
L1	20.25'	N12°28'20"W
L2	20.02'	S1°04'16"E

**LEGAL DESCRIPTION**

BEING A 0.10 ACRE (4,386 SF) TRACT OF LAND, OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, IN BURNET COUNTY, TEXAS, LYING WITHIN A 3.95 ACRE TRACT OF LAND, CONVEYED BY WARRANTY DEED TO K. HOPKINS ENTERPRISES, INC. RECORDED IN VOLUME 825, PAGE 505 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

*[Handwritten Signature]*

GEORGE E. LUCAS  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4160  
 CELCO SURVEYING, FIRM REGISTRATION NO. 10193975  
 2205 STONECREST PATH  
 NEW BRAUNFELS, TEXAS 78130  
 OFFICE (512) 635-4857



01/20/22  
 DATE