Project: 03274.012 FOX FALLS
Parcel: P22-369

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.

PERMANENT EASEMENT – SEWER

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BEXAR §

THAT, **THE NAPA OAKS OWNERS' ASSOCIATION, INC., a Texas nonprofit corporation also known as Napa Oaks Owners' Association, Inc., a Texas nonprofit corporation**, hereinafter referred to as "Grantor", whether one or more, for and in consideration in the amount of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, to Grantor in hand paid by the **SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES**, Bexar County, Texas, has given, granted, sold, conveyed, and dedicated, and by these presents, does give, grant, sell, convey, and dedicate unto the **CITY OF SAN ANTONIO**, a Texas Municipal Corporation for the use, benefit and control of the said **SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES**, herein referred to as "Grantee", as such and their successors in office appointed by the City Council of the said City of San Antonio as provided in Ordinance No. 75686, adopted at a regular meeting of said council, April 30, 1992, and subject to the terms and provisions of said ordinance, an easement to construct, reconstruct, realign, inspect, patrol, maintain, operate, repair, add, remove and replace sewer lines and facilities, and appurtenances thereto, in, on, over and through the lands located in Bexar County, Texas as follows:

> **Being a 0.2352 of an acre (10,244 square foot more or less) of land being a portion of Lot 901, Block 77 of Napa Oaks, Unit-1 Subdivision recorded in Volume 9609, Page 87 of the Deed and Plat Records of Bexar County, Texas and conveyed to Napa Oaks Owners' Association, Inc. in correction Special Warranty Deed recorded in Volume 14412, Page 710 of the Official Public Records of Bexar County, Texas, and being more particularly described and depicted in Exhibits "A" and "B" attached hereto and made a part hereof (the "Easement Area");**

For the purpose of using said Easement Area for any and all things necessary for the construction, reconstruction, realignment, inspection, patrol, maintenance, operation, repair, addition, removal and/or replacement of the lines, facilities and appurtenances to be placed within the above described permanent Easement Area. The Grantee expressly agrees that it will remove from said land all surplus material and will, except for the presence of any at-grade and above ground facilities and appurtenances constructed by Grantee, cause said land to be left as nearly as possible in the condition as it existed prior to the construction of said improvements.

Together with the right of ingress and egress over said Easement Area and over Grantor's adjoining lands for the purpose of constructing, reconstructing, realigning inspecting, patrolling, maintaining, operating, repairing, adding and removing said lines, facilities and appurtenances; the right to relocate said lines, facilities and appurtenances within said Easement Area; the right to

remove from said lands all trees and parts thereof, or other obstructions, which may interfere with the exercise of the rights granted hereunder; and the right of exercise of all other rights hereby granted; and Grantor expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that (i) no building or structure of any kind will be placed on said Easement Area and that removal of any building or structure placed on said Easement Area shall be at Grantor expense and (ii) Grantor will not change, or cause to be changed, the grade of the Easement Area, by fill or excavation, by more than two (2) feet without the prior written consent of Grantee, and that the removal and/or correction of such grade change made without Grantee's consent shall be at Grantor expense.

TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until the use of said easement shall be abandoned.

And Grantor does hereby bind itself, its legal representatives, successors and/or assigns to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED effective this 7th day of February, 2023.

THE NAPA OAKS OWNERS' ASSOCIATION, INC., a Texas nonprofit corporation

By: _____
Ryan Chastain, President

STATE OF TEXAS §
COUNTY OF Bexar §

This instrument was acknowledged before me on this 7th day of February 2023, by Ryan Chastain, the President of The Napa Oaks Owners' Association, a Texas nonprofit corporation, on behalf of said nonprofit corporation.

(SEAL)

NOTARY PUBLIC
Yvonne Lopez
Exp. 07/15/2025
ID No. 7089429
STATE OF TEXAS

_____
Notary Public in and for the state of Texas
My Commission Expires: 7-15-25

PROJECT NAME: 03274.012 FOX FALLS
SAWS PARCEL NUMBER: P22-369

Exhibit "A"

FIELD NOTES
FOR 0.2352 OF AN ACRE (10,244 SQ. FT.)
(10' WIDE PERMANENT SANITARY SEWER EASEMENT)

0.2352 OF AN ACRE OF LAND BEING A PORTION OF LOT 901, BLOCK 77 OF NAPA OAKS, UNIT-1 SUBDIVISION RECORDED IN VOLUME 9609, PAGE 87 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND CONVEYED TO NAPA OAKS OWNERS' ASSOCIATION, INC. IN CORRECTION SPECIAL WARRANTY DEED RECORDED IN VOLUME 14412, PAGE 710 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.2352 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND 1/2" IRON ROD WITH "MBC ENGINEERS" CAP AT THE SOUTH CORNER OF SAID LOT 901, THE NORTHWEST CORNER OF LOT 1, BLOCK 92 OF VANTAGE AT FAIR OAKS SUBDIVISION RECORDED IN VOLUME 9621, PAGE 16 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND THE EAST LINE OF A CALLED 10.08 ACRE TRACT OF LAND RECORDED IN DOCUMENT 20210024667 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, OVER AND ACROSS SAID LOT 901, THE FOLLOWING BEARINGS AND DISTANCES, TO A POINT;

N 15°39'07" E, A DISTANCE OF 28.07 FEET TO THE **POINT OF BEGINNING;**
N 29°47'26" W, A DISTANCE OF 139.42 FEET;
N 16°14'57" W, A DISTANCE OF 204.55 FEET;
N 21°37'01" W, A DISTANCE OF 193.55 FEET;
N 19°09'24" W, A DISTANCE OF 201.19 FEET;
N 23°35'19" W, A DISTANCE OF 284.32 FEET, THE NORTH LINE OF SAID LOT 901 AND THE SOUTH RIGHT-OF-WAY LINE OF NAPA LANDING AS SHOWN IN SAID NAPA OAKS, UNIT-1 SUBDIVISION;

THENCE, N 46°20'54" E, ALONG AND WITH THE NORTH LINE OF SAID LOT 901 AND THE SOUTH RIGHT-OF-WAY LINE OF NAPA LANDING, A DISTANCE OF 10.65 FEET TO A POINT;

THENCE, DEPARTING THE NORTH LINE OF SAID LOT 901 AND THE SOUTH RIGHT-OF-WAY LINE OF NAPA LANDING, OVER AND ACROSS SAID LOT 901, THE FOLLOWING BEARINGS AND DISTANCES, TO A POINT:

S 23°35'19" E, A DISTANCE OF 288.36 FEET;
S 19°09'24" E, A DISTANCE OF 201.37 FEET;
S 21°37'01" E, A DISTANCE OF 193.81 FEET;
S 16°14'57" E, A DISTANCE OF 203.83 FEET;
S 29°47'26" E, A DISTANCE OF 138.39 FEET;
S 61°05'40" W, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.2352 OF AN ACRE OF LAND, MORE OR LESS.
BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011). ALL DISTANCES SHOWN HERON ARE GROUND DISTANCES USING A SCALE FACTOR OF 1.00017

01/26/2023

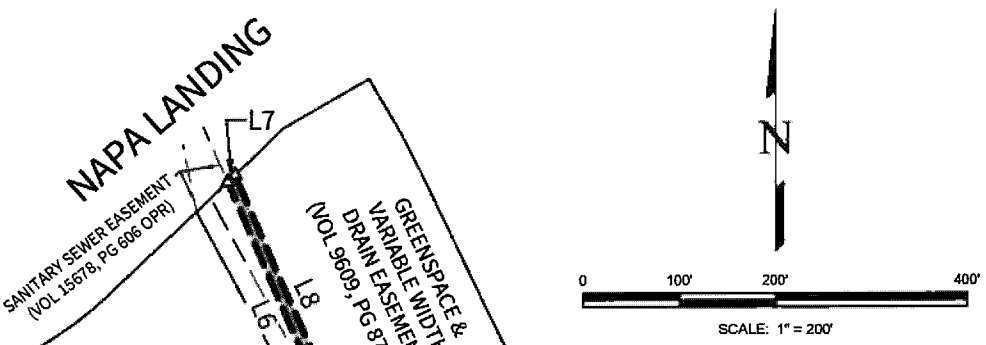
YURI V. BALMACEDA WHEELOCK
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6815
CUDE ENGINEERS
4122 POND HILL ROAD, SUITE 101
SAN ANTONIO, TEXAS 78231
TBPELS FIRM NO. 10048500
TBPE FIRM NO. 455
JOB NO. 03274.012

STATE OF TEXAS REGISTERED YURI V. BALMACEDA WHEELOCK 6815 PROFESSIONAL LAND SURVEYOR

Exhibit "B"

PROJECT NAME: 03274.012 FOX FALLS
SAWS PARCEL NUMBERS: P22-369





LEGEND

DPR	= DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
OPR	= OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCEMENT
●1	= FOUND 1/2" IRON ROD WITH "MBC ENGINEERS" CAP
●2	= FOUND 1/2" IRON ROD
△	= CALCULATED POINT

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N15°39'07"E	28.07'
L2	N29°47'26"W	139.42'
L3	N16°14'57"W	204.55'
L4	N21°37'01"W	193.55'
L5	N19°09'24"W	201.19'
L6	N23°35'19"W	284.32'
L7	N46°20'54"E	10.65'
L8	S23°35'19"E	288.36'
L9	S19°09'24"E	201.37'
L10	S21°37'01"E	193.81'
L11	S16°14'57"E	203.83'
L12	S29°47'26"E	138.39'
L13	S61°05'40"W	10.00'

NOTES:

1. BASIS OF BEARINGS: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011).

CUDE ENGINEERS
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
T:210.681.2951 • F:210.523.7112
WWW.CUDEENGINEERS.COM
TBPELS FIRM #10048500
TBPE FIRM #455

EXHIBIT OF

0.2352 OF AN ACRE
10' WIDE PERMANENT SANITARY SEWER EASEMENT
BEXAR COUNTY, TEXAS

PROJECT NO.: 03274.012 DATE: 01-26-2023 BY: CG PM: YVB PAGE: 1 OF 1

P:\03274\012\0-Survey\Drawings\03274.012 ESSS 0.2352 AC - NAPA OAKS_R2.dwg 2023/01/26 8:47am cgarza

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File Information

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LUCY ADAME-CLARK, BEXAR COUNTY CLERK

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 2/10/2023 11:54 AM

Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk