

CONTRACT. Bexar-Medina-Atascosa Counties Water Improvement District No. 1 and Diversion Lake Club.

State of Texas,

County of Medina.

Whereas, Diversion Lake Club has inclosed within its fences, certain tracts of land at the Main and Diversion Dams belonging to Bexar-Medina-Atascosa Counties Water Improvement District No. 1, in Medina County, said tracts being described as follows, to-wit:

First Tract: Beginning at the N. W. corner of the property of the Diversion Lake Club, on the west side of the Medina River, at an Iron Bolt set in South line of Survey No. 113 and North line of Survey No. 106, Medina County, Texas, N. 28° 59' E. 237.9 feet from Iron Bolt marked 1-2; Thence with the division line between the property of the Water District, and the Diversion Lake Club, S. 70° 24' E. 2359.6 feet, to a stake set on the West line of the County Road on the East side of the Medina River; Thence N. 16° 42' W. 120.0 feet, and N. 17° 54' E. 158.7 feet, to a point on South side of Main Dam, produced; Thence along line of base of Main Dam in a westerly direction 1725 feet, more or less, to its west end and west 700 feet, more or less, with South line of Survey 113, and North line of Survey 106, a place of beginning, containing 11.5 acres of land, more or less, and being out of Surveys Nos. 106 and 418, in Medina County, Texas.

Second Tract: Beginning at an Iron Pipe set in the North line of Sec. No. 364, and South line of Sec. No. 67, Medina County, Texas, distant 1119.4 feet east from the common west corner of above surveys or sections, in the center of the Medina River; said beginning point is likewise 516 feet west of the northeast corner of 47 acres and Southeast corner of 227.9 acres, conveyed by Alois Baby to Medina Irrigation Company; Thence S. 77° 00' W. crossing Medina River; and at 1334.9 feet crossing center line of Main Canal 230 feet south of headgates, continuing a total distance for this course, 1942.6' to an iron pipe, for corner; Thence N. 13° 00' W. at 332.0 feet, pass Southwest corner of concrete water tank, 114 feet to the right, at 500 feet, same course, to an iron pipe for corner; Thence N. 77° 00' E. 1850.1 feet, crossing Medina River and Diversion Reservoir, to an Iron Pipe for corner; Thence S. 23° 29' E. 508.5 feet, to place of beginning; containing 21.8 acres; 8.9 acres of which lie in Survey No. 67; 3.2 acres in Survey No. 364; 9.7 in Survey No. 106, all in Medina County, Texas, being out of 152.7 acres conveyed by Baby and Schott to Medina Irrigation Company.

Excepting, however, herefrom the public road of 0.8 acres, running through the west portion of this tract and the parcel of land containing three (3) acres, more or less, lying west of said road;

Now, therefore, the said Diversion Lake Club hereby acknowledges that it inclosed said tracts of land within its fences and that it has maintained and is maintaining said fences around said land by express permission of said Water District, and in subordination to the said Water District's title to and ownership of same, and

Bexar-Medina-Atascosa Counties Water Improvement District No. 1 hereby grants unto Diversion Lake Club, its successors and assigns, permission to use (to the exclusion of all persons except as herein provided) the above described tracts of land, and the waters thereon and inclosed thereby for the purpose of fishing, hunting, camping, boating and swimming, and other recreational purposes, and the said Diversion Lake Club, its successors and assigns is also hereby empowered and authorized to exclude and oust from all of said lands and waters and all of the waters of Diversion Lake lying between the dams on the two tracts of land hereinabove described, all persons other than the officers, directors and employees of the said Water District. The said Water District, its directors, officers and employees, however, shall have the right, at any time, to enter upon said lands and waters for any and all purposes connected with the maintenance and operation of the irrigation system of said Water District, and for such other purposes as they may deem proper; and provided further, that nothing herein contained shall in any way

modify or affect the reservations or conditions contained in the deed by which said Diversion Lake Club acquired title to its properties.

In consideration of the grant of the foregoing permission and authority, Diversion Lake Club hereby grants and conveys unto Bexar-Medina-Atascosa Counties Water Improvement District No. 1 the house now occupied by the caretaker for said District located on lands belonging to said Diversion Lake Club in Survey No. 106, in Medina County, with the right to use and maintain the same in its present location, together with the right of ingress and egress thereto and therefrom for the caretaker occupying the same; provided, however, that Diversion Lake Club may at any time require that said house be removed from its land to land belonging to the Water Improvement District upon the payment to said District of the sum of One Hundred and no/100 (\$100.00) Dollars, and upon said house being so removed from the land of Diversion Lake Club, all right to the use of said land and the right of ingress and egress over the same shall terminate.

The rights hereby granted to Diversion Lake Club to make use of the above described lands and waters belonging to the said Water District for the purposes hereinbefore set forth, and to keep said tracts of land enclosed within its fences shall be in force for a period of five years from the date hereof and shall continue in force thereafter until revoked and cancelled by the District after giving six months notice of intention to cancel and revoke; it being understood that this agreement may be terminated or revoked at any time after said five years by said Water District, provided the said Water District shall give to the said Diversion Lake Club six months written notice of the intention of said District to so terminate or revoke said rights.

Witness the execution hereof on this the 25th day of May, 1935.

(Seal)
Attest: Roy A. Perrault,
Secretary.

BEXAR-MEDINA-ATASCOOSA COUNTIES WATER IMPROVEMENT DISTRICT
NO. 1,
By W. E. Sorrell,
President of the Board of Directors.

(Seal)
Attest: E. R. Tibbets,
Secretary.

DIVERSION LAKE CLUB,
By Wm. B. Lupe, President.

State of Texas,)
County of Bexar.) Before me, the undersigned authority, on this day personally appeared
W. E. Sorrell, President of the Board of Directors of Bexar-Medina-Atascosa Counties Water Improvement District No. 1, 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, and in the capacity therein stated.

Given under my hand and seal of office, this 25th day of May, 1935.

(Seal)
G. M. Harrison,
Notary Public, Medina County, Texas.

State of Texas,)
County of Bexar.) Before me, the undersigned authority, on this day personally appeared
Wm. B. Lupe, President of Diversion Lake Club, 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, and in the capacity therein stated.

Given under my hand and seal of office, this 25th day of May, 1935.

(Seal)
Frances K. Beckelmann,
Notary Public, Bexar County, Texas.

Filed for Record the 8th day of November, A. D. 1935, at 8:30 o'clock A. M.

Recorded the 9th day of November, A. D. 1935, at 3:30 o'clock P. M.

S. A. Jungman
Clerk County Court, Medina County, Texas.