

PUBLIC UTILITY EASEMENT

Key

DATE: ~~February~~ ^{MARCH} 4, 2002

GRANTOR: PAT T. CLANCY

GRANTOR'S MAILING ADDRESS (including county):
Rt. 2, Box 14P
Spicewood, Texas
Travis County

GRANTEE: LAKECLIFF ON LAKE TRAVIS, L.P.

GRANTEE'S MAILING ADDRESS (including county):
111 Cloudland Ct.
Spicewood, Texas 78669
Burnet County

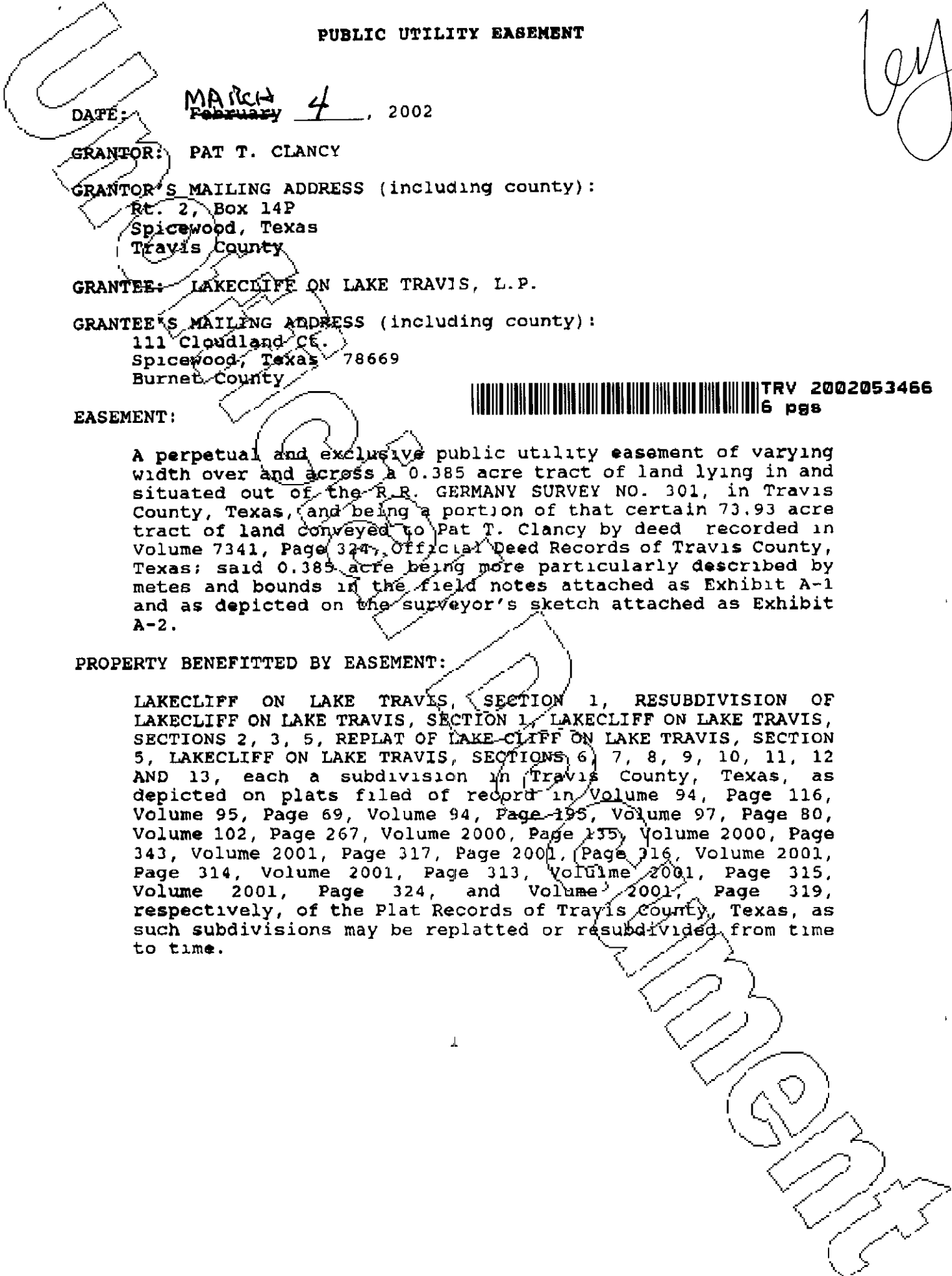
TRV 2002053466
6 pgs

EASEMENT:

A perpetual and exclusive public utility easement of varying width over and across a 0.385 acre tract of land lying in and situated out of the R.R. GERMANY SURVEY NO. 301, in Travis County, Texas, and being a portion of that certain 73.93 acre tract of land conveyed to Pat T. Clancy by deed recorded in Volume 7341, Page 324, Official Deed Records of Travis County, Texas; said 0.385 acre being more particularly described by metes and bounds in the field notes attached as Exhibit A-1 and as depicted on the surveyor's sketch attached as Exhibit A-2.

PROPERTY BENEFITTED BY EASEMENT:

LAKECLIFF ON LAKE TRAVIS, SECTION 1, RESUBDIVISION OF LAKECLIFF ON LAKE TRAVIS, SECTION 1, LAKECLIFF ON LAKE TRAVIS, SECTIONS 2, 3, 5, REPLAT OF LAKE CLIFF ON LAKE TRAVIS, SECTION 5, LAKECLIFF ON LAKE TRAVIS, SECTIONS 6, 7, 8, 9, 10, 11, 12 AND 13, each a subdivision in Travis County, Texas, as depicted on plats filed of record in Volume 94, Page 116, Volume 95, Page 69, Volume 94, Page 195, Volume 97, Page 80, Volume 102, Page 267, Volume 2000, Page 135, Volume 2000, Page 343, Volume 2001, Page 317, Page 2001, Page 316, Volume 2001, Page 314, Volume 2001, Page 313, Volume 2001, Page 315, Volume 2001, Page 324, and Volume 2001, Page 319, respectively, of the Plat Records of Travis County, Texas, as such subdivisions may be replatted or resubdivided from time to time.



CONSIDERATION:

TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

Grantor hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Grantee an exclusive, perpetual easement for the purpose of installation, maintenance, repair and replacement of public utilities over and across the Easement for the benefit of and appurtenant to the Property Benefitted by the Easement. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Easement to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof. This grant of easement is binding upon and inures to the benefit of the parties and their respective heirs, executors, administrators, successors and assigns.

Grantee agrees to INDEMNIFY, SAVE AND HOLD HARMLESS Grantor, Grantor's heirs, executors, administrators, successors, assigns, and mortgagees, and the mortgagees of any of Grantor's successors and assigns, from any and all expenses, costs, liabilities, and damages, if any, arising out of Grantee's use of the easement.

GRANTOR:

[Signature of Pat T. Clancy]

PAT T. CLANCY

GRANTEE:

LAKECLIFF ON LAKE TRAVIS, L.P.

BY: RJD, INC., General Partner

BY: *[Signature of Robert J. Day]*
ROBERT J. DAY, PRESIDENT

STATE OF TEXAS)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this 4th day of ~~February~~ March, 2002, by PAT T. CLANCY.

[Signature of Notary Public]
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS)

COUNTY OF TRAVIS)

This instrument was acknowledged before me on the 20th day of ~~February~~, 2002, by ROBERT J. DAY, President of RJD, INC., a Texas corporation, on behalf of the corporation, and the corporation acknowledged the instrument as General Partner of LAKECLIFF ON LAKE TRAVIS, L.P., a Texas limited partnership, on behalf of the partnership.



Michelle M. Sankey
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
CLINT PARSLEY
604 W. 12TH STREET
AUSTIN, TEXAS 78701

PREPARED IN THE LAW OFFICE OF:
CLINT PARSLEY
604 W. 12TH STREET
AUSTIN, TEXAS 78701

Courtesy
STEWART TITLE AUSTIN, INC
1313 Ranch Road 620 South
Suite 101
Austin Texas 78734

DUPLICATE DOCUMENT

EXHIBIT A-1

JAMES E. GARON

REGISTERED PROFESSIONAL LAND SURVEYOR

Email: jgarons@swbell.net

PMB 312
7010 Highway 71 West, Suite 340
Austin, Texas 78736
512-289-5877
512-289-4716 fax

January 21, 2002

LEGAL DESCRIPTION: BEING A 0.385 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF THE R.R. GERMANY SURVEY NO. 301, IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 73.93 ACRE TRACT OF LAND CONVEYED TO PAT T. CLANCY BY DEED RECORDED IN VOLUME 7341, PAGE 324, OFFICIAL DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.385 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JANUARY, 2002

BEGINNING at a fence post found on the northwest line of the Haynie Flat Road Right of Way (R O W.) as described in Vol. 2884, Pg. 416 of said records for an ell corner of said 73.93 acre tract, and the easternmost corner of a 16.136 acre tract of land conveyed to Robert McRory in Vol. 9039, Pg. 987 of said records;

THENCE with the common line of said 73.93 acre tract and said 16.136 acre tract, North 68°25'28" West a distance of 635.26 feet to a fence post found on the southeast line of a 48.50 acre tract conveyed to Joe and Ruth McDaniel in Vol. 13364, Pg. 1934 of said deed records, for an ell corner of said 73.93 acre tract and the northernmost corner of said 16.136 acre tract,

THENCE with the southeast line of said 48.50 acre tract, North 37°53'30" East a distance of 30.00 feet to a calculated point for corner.

THENCE South 67°58'56" East a distance of 634.17 feet to a calculated point for corner on the northwest line of said Haynie Flat Road R O W, and the southeast line of said 73.93 acre tract,

THENCE with said line South 38°30'17" West a distance of 25.00 feet to the POINT OF BEGINNING and containing 0.385 acre of land, more or less, and as shown on map of survey prepared herewith

Note: All iron rods set are capped with plastic cap stamped "JE GARON - RPLS4303"

Surveyed by


James E. Garon
Registered Professional Land Surveyor
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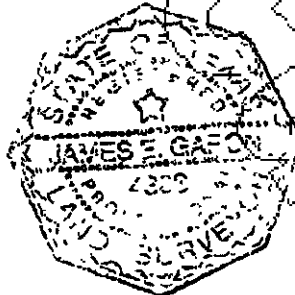
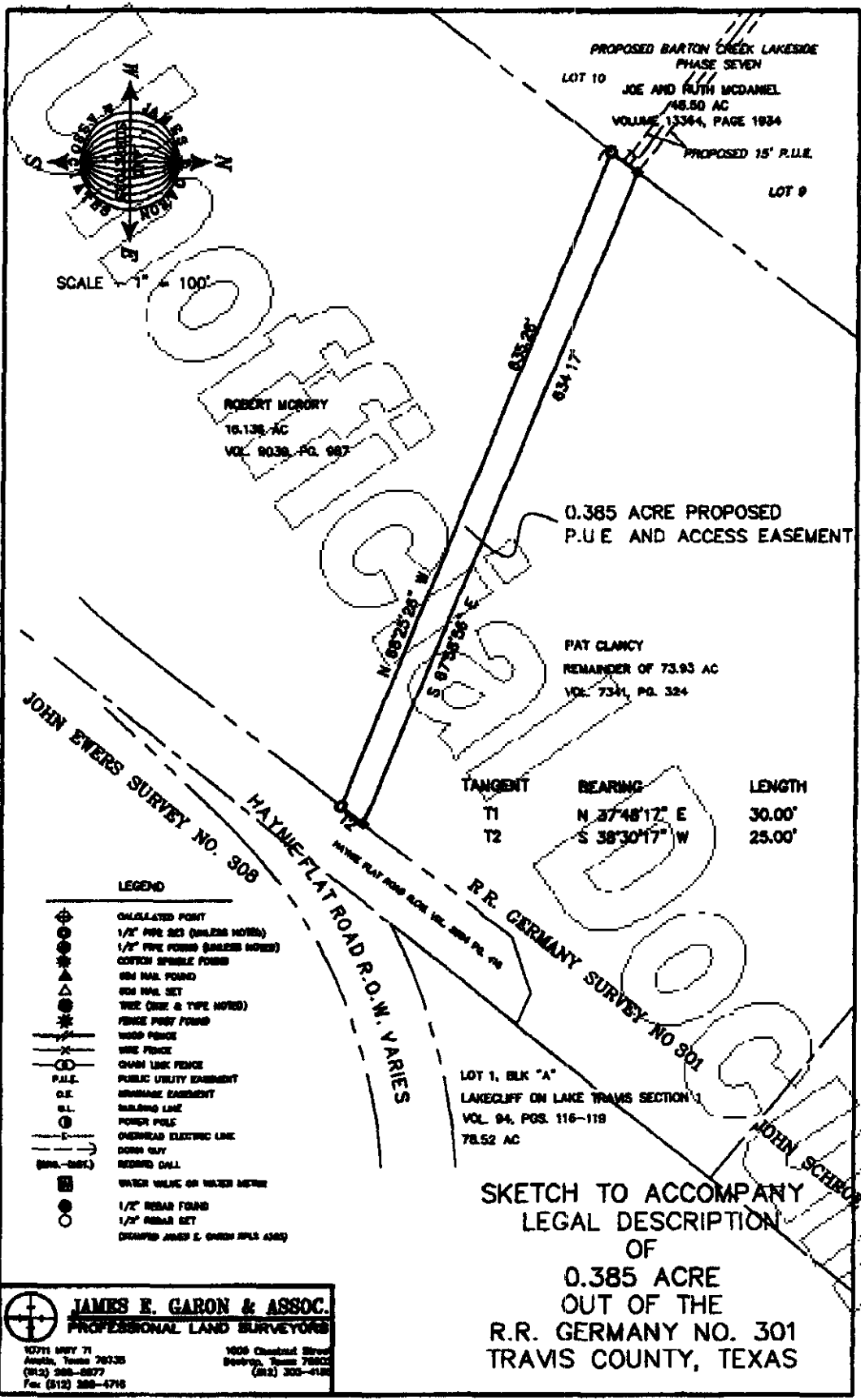


EXHIBIT A-2



JAMES E. GARON & ASSOC.
 PROFESSIONAL LAND SURVEYORS

50771 HWY 71
 Austin, Texas 78735
 (512) 288-8877
 Fax: (512) 288-4716

1006 Chestnut Street
 Dallas, Texas 75202
 (214) 303-4120

Unofficial Document

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction because of illegibility carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

03-21-2002 02:54 PM 2002053466
PAREDEST \$19.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS