



0 25 50 100 150
Feet

 ROW to be abandoned
 County Roads

**Brazoria County
Engineering**



Right of way
to be abandoned

Exhibit A

11/18/2025

12J2
ROUSE DONALD
RAY & LISA

11D1
ROUSE DONALD
RAY & LISA

ROW to be
abandoned

LUNDY RD CR 526

11
KOEHLER
JOHNNY E

11D
JYA TRANSPORT
INC

Johnny Koehler
12831 Kingsbridge Ln
Houston, TX 77077

October 3, 2025

Matt Hanks, County Engineer
451 N. Velasco, Suite 230
Angleton, TX 77515

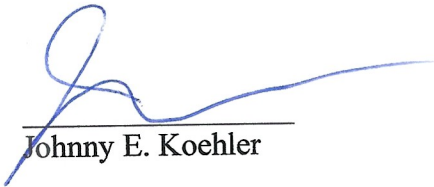
RE: Petition to abandon unused portion of Right-of-Way Easement described in Volume 882,
Page 117

Dear Mr. Hanks,

As the property owner of 191-acres, more or less, as described in the Court Appointed Receiver's Deed with Vendor's Lien recorded in the County Clerk's office as Document No. 2016058645, being further identified as Brazoria CAD Parcel No. 152626, I would like to formally request the abandonment of the following described easement. My property is burdened by a Right-of-Way Easement, said easement being recorded in the County Clerk's records at Volume 882, Page 117, as highlighted in yellow on the enclosed survey. Said easement is adjacent to County Road 526 but encompasses only a dirt road leading to a private structure as shown on the enclosed aerial image. As I cannot see any future value in a road at this location and an unmaintained easement could cause a security issue, I would like to petition the county to abandon this road easement.

I can be reached by phone at 281-686-8577 or e-mail at johnnykoehler@sbcglobal.net.

Thank you,



Johnny E. Koehler

Landowner, please attach a copy of the deeds, survey and highlight/outline/etc. the easement to be abandoned

1111

COURT APPOINTED RECEIVER'S DEED WITH VENDOR'S LIEN

WHEREAS, in the matter of Cynthia Lundy, Rose Lundy, Carol German, et al, Plaintiffs vs Clyde L. Lundy, et al, Defendants, in Cause No 36223, pending in the 412' Judicial District Court of Brazoria County, Texas, MARK DAVIS was appointed Receiver in said Cause by order signed on the 24th day of September, 2015, which order authorized MARK DAVIS as Receiver to effectuate the sale of all that certain property described as a 191.3934 acre tract out of a 300 acre tract (called 289.11 acres) known as Tract 11 of the Edward R. Bradley Survey, Abstract 44, Brazoria County, Texas, more particularly described on Exhibit "A" attached hereof; Said tract therein containing 191.3934 acres of land (the "Property"), and

WHEREAS, the Receiver, MARK DAVIS did on the 15th day of November, 2016, sell at a private sale said Property to JOHNNY E. KOEHLER (the "Buyer"), pursuant to the terms and provisions of that certain Farm and Ranch Contract of said date, between the Receiver and JOHNNY E. KOEHLER, reference to which is here made for all purposes; and

WHEREAS, the REPORT OF SALE OF REAL PROPERTY by Court Appointed Receiver was filed in said Cause on the 15th day of November, 2016, and such sale was on the 15 day of November, 2016, in all respects confirmed by the DECREE CONFIRMING SALE OF REAL PROPERTY BY COURT-APPOINTED RECEIVER, which Decree read and reads and was and is, as follows:

"On this day the Court heard and considered the Report of Sale of Real Property ("the Report"), and the Court finds that at least five (5) days have expired since the filing of the Report; that it is in compliance with this Court's previous Order of Sale of Real Property and with the law; and that the real property has been sold at private sale for a fair price and such sale was properly made and in conformity with the law. Such property is described on the page attached hereto, designated as Exhibit "A", and made a part of this Decree.

It is ORDERED and DECREED that the sale described in the Report is hereby APPROVED and CONFIRMED and conveyance of the property is authorized upon compliance by the Purchaser with the terms of sale, which sale is to be for cash.

SIGNED this 28 day of November, 2016.

/s/

JUDGE PRESIDING

and whereas, the Buyer has complied with such terms of sale:

NOW, THEREFORE, in consideration of the premises and of \$10.00 cash and other good and valuable consideration to me in hand paid by the said JOHNNY E KOEHLER hereinafter

FILED BY AT CH 16064352
ALAMO TITLE COMPANY

sometimes called "Grantee", I, MARK DAVIS a/k/a MARK R DAVIS, Receiver, under Cause No 36223, in the 412th Judicial District Court of Brazoria County, Texas, have GRANTED, SOLD and CONVEYED, and by these presents do hereby GRANT, SELL and CONVEY unto the said JOHNNY E. KOEHLER, all right, title and interest in and to all that certain tract or parcel of land situated in the County of Brazoria and State of Texas, more particularly described as follows, to-wit:

A 191.3934 acre tract out of 300 acre tract (called 289.11 acres) known as Tract 11 of the Edward R. Bradley Survey, Abstract 44, Brazoria County, Texas; said 300 acre tract being that same tract described in a Deed dated September 8, 2000, recorded in Volume 52, Page 89 of the Deed Records of Brazoria County, Texas, said 58.27 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the above described premises, together with, all and singular, the rights and appurtenances thereto in any wise belonging unto the said Grantee, his heirs, personal representatives, successors and assigns forever. And, to the extent allowed by law, Grantor does hereby bind himself in his capacity of Receiver only, to warrant and forever defend, all and singular the said premises unto the said Grantee, his heirs, personal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

Taxes for the year 2015 and prior years have been paid. Taxes for the calendar year 2016 have been pro-rated, and the payment of same, together with all subsequent years, is assumed by Grantee.

This conveyance is made and accepted by and subject to any and all restrictions, conditions, covenants, easements, reservations, if any, affecting the premises conveyed herein, now of record in the County Clerk's Office of Brazoria County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, affecting the use of the premises conveyed herein.

FURTHER, there is reserved to Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

The further consideration hereinabove mentioned is the execution and delivery by the Grantee of one installment vendor's lien note of even date herewith in the principal sum of \$760,000.00 (Seven Hundred Sixty Thousand and No/100 Dollars) payable to the order of CAPITAL FARM CREDIT, FLCA and being further secured by the Real Estate Deed of Trust of even date herein to BEN R. NOVOSAD, Trustee.

DISCLAIMER OF WARRANTIES:

BY THE ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT ALL PROPERTY CONVEYED UNDER THIS DEED, WHETHER REAL OR PERSONAL, IS CONVEYED BY GRANTOR AND UNCONDITIONALLY ACCEPTED BY GRANTEE "AS IS", "WHERE IS", "WITH ALL FAULTS" AND IN THE CONDITION IN WHICH THE SAME EXISTS AS OF THE DATE HEREIN, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY NEGATES AND DISCLAIMS ANY AND ALL WARRANTIES (OTHER THAN THIS WARRANTY OF TITLE EXPRESSED ABOVE), REPRESENTATIONS, PROMISES, COVENANTS, AGREEMENTS, AND/OR GUARANTEES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESSED OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, STATUTORY OR OTHERWISE (COLLECTIVELY REFERRED TO HEREIN AS "REPRESENTATIONS OR WARRANTIES") AS TO THE PROPERTY IN ANY RESPECT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- (a) The value, nature, quality or condition of the Property, expressly including, but not limited to, any and all water, soil or geology associated with or relating to it;
- (b) Actual or potential income which may be generated by or with respect to the Property;
- (c) The suitability of the Property for any and all activities and/or uses for which the Buyer may use or intend to use the Property;
- (d) Compliance of or by the Property or its past, present or future use with any laws, rules, ordinances or regulations of any applicable governmental authority or entity;
- (e) The habitability, merchantability, marketability, profitability, or fitness of the Property for any purpose whatsoever;
- (f) The manner of quality of construction or materials, if any, incorporated into or upon the Property;
- (g) The manner, quality, state of repair, or lack of repair of the Property or any improvements on the Property;
- (h) Compliance or non-compliance of the Property or any conditions existing on the Property with any environmental protection, pollution, land use laws, rules, regulations, orders or requirements, specifically including, but not limited to, the disposal or existence in or on the Property of any hazardous substance as defined by any applicable governmental laws, rules, and regulations; and

(i) Any other matter or matters with respect to the Property.

ANY AND ALL IMPLIED WARRANTIES FOR LIABILITY, MERCHANTABILITY OR USE FOR ANY SPECIFIC PURPOSE ARE ALSO HEREBY DISCLAIMED.

EXECUTED this the 28 day of November, 20 16.

Mark Davis

MARK DAVIS a/k/a MARK R. DAVIS as
Court Appointed Receiver under Cause No.
36223 in the 412th Judicial District Court of
Brazoria County, Texas

THE STATE OF TEXAS)(

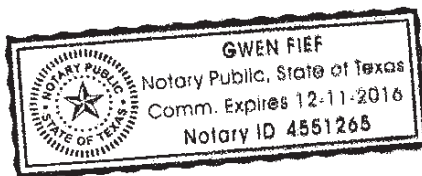
COUNTY OF BRAZORIA)(

This instrument was acknowledged before me on the 28 day of November, 2016 by MARK DAVIS, a/k/a MARK R. DAVIS, Court Appointed Receiver under Cause No. 36223 in the 412th Judicial District Court of Brazoria County, Texas, in the capacity therein stated.

Gwen Fief

NOTARY PUBLIC*State of Texas

Commission expires:



Loan No.: 483950
 Borrower: Johnny B. Koehler
 Assn.: Capital Farm Credit, FLCA
 Branch: Beliville

EXHIBIT "A"

LEGAL DESCRIPTION**191.3934 ACRES**

A 191.3934 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF AND A PART OF A 300 ACRE TRACT (CALLED 288.11 ACRES) KNOWN AS TRACT 11 OF THE EDWARD R. BRADLEY SURVEY, ABSTRACT 44, BRAZORIA COUNTY, TEXAS; SAID 300 ACRE TRACT BEING THAT SAME TRACT DESCRIBED IN A DEED DATED SEPTEMBER 8, 2000, RECORDED IN VOLUME 52, PAGE 89 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS; SAID 190.257 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW; (BEARINGS BASED ON THE CENTER LINE OF A 60 FEET WIDE ROAD EASEMENT BEING KNOWN AS COUNTY ROAD 528 BEING NORTH 31 DEGREES 00 MINUTES 07 SECONDS WEST);

BEGINNING AT A SET MAG NAIL LOCATED IN COUNTY ROAD 528, BEING 30 FEET PARRALLEL TO AND AT RIGHT ANGLES TO THE EAST LINE OF A 60 FOOT ROAD EASEMENT BEING RECORDED UNDER VOLUME 680 PAGE 2 OF THE DEED RECORDS OF BRAZORIA COUNTY, SAME BEING THE NORTHWEST CORNER OF A CALLED 10.827 ACRE TRACT RECORDED IN DEED RECORDED IN CLERKS FILE NO. 2009023745 OF THE OFFICIAL REAL PROPERTY RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 35 DEGREES 38 MINUTES 18 SECONDS WEST, WITH THE CENTER LINE OF SAID 60 FEET ROAD EASEMENT, A DISTANCE OF 145.04 FEET TO A MAG NAIL SET AT AN ANGLE POINT IN THE WEST LINE OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 31 DEGREES 00 MINUTES 07 SECONDS WEST, CONTINUING ALONG THE CENTER OF SAID 60 FEET ROAD EASEMENT BEING KNOWN AS COUNTY ROAD 528, A DISTANCE OF 840.84 FEET TO A RAILROAD SPIKE FOUND AT A POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT;

THENCE IN A NORTHERLY DIRECTION, CONTINUING ALONG THE CENTER OF SAID ROAD EASEMENT OF SAID COUNTY ROAD 528 AND SAID CURVE TO THE RIGHT HAVING A RADIUS OF 797.59 FEET, A CENTRAL ANGLE OF 22 DEGREES 10 MINUTES 28 SECONDS, A CHORD BEARING AND DISTANCE OF NORTH 19 DEGREES 54 MINUTES 53 SECONDS WEST, 308.76 FEET AND AN ARC LENGTH OF 308.88 FEET TO A POUND RAILROAD SPIKE AT THE END OF SAID CURVE;

THENCE NORTH 08 DEGREES 45 MINUTES 45 SECONDS WEST, CONTINUING ALONG THE CENTER OF SAID ROAD EASEMENT OF SAID COUNTY ROAD 528, A DISTANCE OF 205.59 FEET TO A RAILROAD SPIKE FOUND AT A POINT OF CURVATURE FOR A CURVE TO THE LEFT;

THENCE IN A NORTHWESTERLY DIRECTION, CONTINUING ALONG THE CENTER OF SAID ROAD EASEMENT OF SAID COUNTY ROAD 528 AND SAID CURVE TO THE LEFT HAVING A RADIUS OF 288.48 FEET, A CENTRAL ANGLE OF 84 DEGREES 45 MINUTES 39 SECONDS, A CHORD BEARING AND DISTANCE OF NORTH 50 DEGREES 33 MINUTES 03 SECONDS WEST, 388.21 FEET AND AN ARC LENGTH OF 423.81 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING LOCATED IN THE SOUTH LINE OF A CALLED 110.00 ACRE TRACT DESCRIBED IN DEED RECORDED IN CLERKS FILE NO. 94035562 OF THE OFFICIAL REAL PROPERTY RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE NORTH 87 DEGREES 08 MINUTES 22 SECONDS EAST, ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTH LINE OF THE SAID 110.00 ACRE TRACT AND A CALLED 5.00 ACRE TRACT BEING THE RESIDUE OF A CALLED 275.62 ACRE TRACT DESCRIBED IN DEED RECORDED IN CLERKS FILE NO. 95-022318 OF THE OFFICIAL REAL PROPERTY RECORDS OF BRAZORIA COUNTY, TEXAS, A DISTANCE OF 3828.35 FEET TO A 5/8

Loan No.: 483950
 Borrower: Johnny E. Koehler
 Assn.: Capital Farm Credit, FLCA
 Branch: Bellville

EXHIBIT "A"

INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" SET FOR AN ANGLE POINT IN THE NORTH LINE OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 87 DEGREES 07 MINUTES 49 SECONDS EAST, CONTINUING ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTH LINE OF A CALLED 275.62 ACRE TRACT DESCRIBED IN DEED RECORDED IN CLERKS FILE NO. 95-022318 OF THE OFFICIAL REAL PROPERTY RECORDS OF BRAZORIA COUNTY, TEXAS, A DISTANCE OF 2180.42 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" SET IN THE SOUTHWEST LINE OF A STATE OF TEXAS RIGHT-OF-WAY CORRIDOR KNOWN AS F.M.521 (FORMERLY KNOWN AS I & GNN RAILROAD) (ALSO KNOWN AS MP RAILROAD PER CLERKS FILE NO. 98-013748 OF THE OFFICIAL REAL PROPERTY RECORDS OF BRAZORIA COUNTY, TEXAS) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHWESTERLY LINE OF THE STATE OF TEXAS RIGHT-OF-WAY CORRIDOR, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 5565.62 FEET, A CENTRAL ANGLE OF 11 DEGREES 30 MINUTES 59 SECONDS, A CHORD BEARING AND DISTANCE OF SOUTH 24 DEGREES 48 MINUTES 44 SECONDS EAST, 1,114.79 FEET AND AN ARC LENGTH OF 1,118.66 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" SET AT THE END OF SAID CURVE;

THENCE SOUTH 18 DEGREES 01 MINUTES 15 SECONDS EAST, CONTINUING ALONG THE SOUTHWESTERLY LINE OF THE STATE OF TEXAS RIGHT-OF-WAY CORRIDOR, A DISTANCE OF 371.50 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 88 DEGREES 36 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 6,749.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 191.3934 ACRES OF LAND, MORE OR LESS.

FILED and RECORDED

Instrument Number: 2016058645

Filing and Recording Date: 11/30/2016 02:26:22 PM Pages: 7 Recording Fee: \$46.00

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-regina

DEED

VOL 882 PAGE 117

8399 RIGHT-OF-WAY EASEMENT DEED

THE STATE OF TEXAS
COUNTY OF BRAZORIA

THAT PET & LIZZIE LUNDY ESTATE

of BRAZORIA COUNTY, TEXAS, in consideration of the sum of \$_____ and other good and valuable considerations in hand paid by Brazoria County, acting through the Commissioners' Court of said County, receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey, subject to the reservation hereinafter made, unto Brazoria County, the free and uninterrupted use, liberty and privilege of the passage in, along, upon and across the following lands in Brazoria County, Texas, owned by us to-wit:

A strip of land 470.3' long and 60' wide out of a 289 acre tract in the E Bradley Survey, Abstract 44, Brazoria County, Texas. Said strip of land lies 30' on each side of the centerline of a proposed county road and contains 2.88 acres, more or less, of which 2.03 acres lies within the existing right-of-way by deed dated April 12, 1954, Vol. 589, Page 445 of the Deed Records.

Said centerline of said proposed road is more particularly described as follows:

BEGINNING in the south line of the E Bradley Survey, Abstract 44 at a point which bears east 215° from the southwest corner of the Lundy 289 acre tract.

THENCE N. 45° 25' W 124'.

THENCE N. 28° 14' W 968'.

THENCE N. 5° 33' W 378.3'.

THENCE S. 86° 08' E 211.8'.

THENCE 53° 50' E 406.0'.

The grantor do herein except nothing from this easement and reserve nothing for themselves or their heirs and assigns, forever, all oil, gas, and other minerals, in and under the land covered by this easement, but said grantor do for themselves or their heirs and assigns, waive nothing all right of ingress and egress to and from the surface of the land covered by this easement for the purposes of drilling, mining, exploring or developing such minerals.

For the purpose of opening, constructing and maintaining a permanent road or State Highway in, along, upon and across said premises, with the right and privilege at all times of the grantees herein, his or its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises for the purposes of making additions to, improvements on, and repairs to the said road or highway, or any part thereof.

TO HAVE AND TO HOLD unto the said Brazoria County as aforesaid for the purposes aforesaid the premises above described.

WITNESS _____ hand _____ this 27 day of May, A.D. 1964

Barbara Lundy
Hattie Lundy