

DRAINAGE MAINTENANCE EASEMENT

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.

THE STATE OF TEXAS

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KNOW ALL BY THESE PRESENTS:

COUNTY OF BRAZORIA

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THAT SHARI BOYKIN individually and as the sole heir of Herbert E. Boykin, hereinafter called "GRANTOR", for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by **BRAZORIA COUNTY**, a political subdivision of the State of Texas, hereinafter called "GRANTEE", whose address is 111 E. Locust, Angleton, Texas 77515, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY, subject to the reservation hereinafter made, unto GRANTEE a non-exclusive perpetual easement, the free and uninterrupted use, liberty and privilege of the passage in, along, upon and across the following property, in Brazoria County, Texas described herein. The purposes of the easement are to maintain, rebuild, replace, inspect, operate, and repair drainage fixtures and improvements along the north property line of Grantor's Property and along the southern boundary of the Gulf Terrace Estates Subdivision as recorded in Volume 7, Page 39 of the Brazoria County Plat Records as the GRANTEE deems necessary.

The maintenance easement is located in Brazoria County, Texas and the boundaries of said easement are set forth as follows:

A 20-foot wide maintenance easement located along the northern boundary of a 10.65 acre tract of land situated in the J.E. Groce 5-1/2 Leagues Grant, Abstract 66, Brazoria County, Texas being the same 10.65 acre tract conveyed to Herbert E. Boykin and Shari Boykin recorded in the Official Records of Brazoria County, Clerk File No. 2013-021483. Said 20 foot wide maintenance easement is also at the southern boundary line of Gulf Terrace Estates Subdivision as identified on the Plat recorded in Volume 7, Page 39 of the Brazoria County Plat Records; Said 20-foot wide maintenance easement being more particularly identified on the attached Exhibit "A".

GRANTEE is also hereby granted the right to go upon the surface and subsurface of each tract that said easement crosses, as necessary for the purposes of this easement, but GRANTEE hereby agrees to restore the surface of said tracts as nearly as practicable to the condition they were in immediately before GRANTEE went upon said tracts.

GRANTEE shall have the right to clear and keep cleared all trees, undergrowth, and other obstructions located within the Maintenance Easement that may interfere with the use of the Maintenance Easement by the GRANTEE. GRANTOR agrees not to build, construct, or create, or permit others to build, construct or create in the Maintenance Easement any encroachments, including but not limited to buildings, structures, or vegetation (including but not limited to trees,


shrubs, and other landscaping) that may interfere with the normal use of the Maintenance Easement. The GRANTOR and GRANTOR'S heirs, successors, and assigns shall not unreasonably obstruct the Maintenance Easement and shall be responsible for removing any and all items that may obstruct the Maintenance Easement. The GRANTEE has the right to eliminate any encroachments into or obstructions of the Maintenance Easement upon giving GRANTORS ten (10) days written notice as provided herein, unless an event occurs that in the sole discretion of the GRANTEE presents a danger to life, health, safety, welfare, or property, in which case the GRANTEE may act without prior notice to the GRANTOR.

This grant and conveyance is made for the express purpose to maintain, rebuild, replace, inspect, operate, and repair drainage fixtures and improvements or for drainage purposes, as the GRANTEE deems necessary, and may enter upon the Maintenance Easement to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. GRANTEE's rights shall include, without limitation, the right to clear and remove trees, undergrowth, shrubbery, and other improvements from within the Maintenance Easement and the right to bring and operate such equipment on the Maintenance Easement as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which the Easement is granted. GRANTEE shall not be obligated to replace or restore any trees, growth, shrubbery, or other improvements or obstructions removed from within the Maintenance Easement in connection with the repair, maintenance, relocation, replacement, removal, upgrade, change in the size of, operation, placement, inspection, protection, or alteration of the fixtures and improvements for drainage purposes.

TO HAVE AND TO HOLD perpetually, the above-described Maintenance Easement together with all and singular the rights and appurtenances thereto in in anywise belonging, including all necessary rights of ingress, egress, and regress, unto the said GRANTEE, its successors and assigns forever. GRANTOR does hereby bind herself, her heirs, executors, and administrators, to warrant and forever defend, all and singular, the said Maintenance 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 on March 7, 2023.

GRANTOR:


SHARI BOYKIN
Individually and as sole heir of Herbert E. Boykin

ACKNOWLEDGEMENT

STATE OF TEXAS

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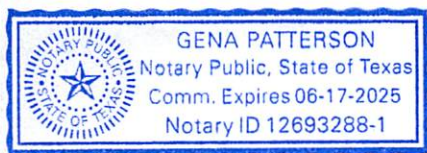
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COUNTY OF BRAZORIA

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BEFORE ME, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Shari Boykin, individually and as the sole heir of Herbert E. Boykin Grantor, known to me to be the person whose name is subscribed to the foregoing instrument.

Given under my hand and seal of office, this the 7 day of March, 2023. /4



Gena Patterson
Notary Public, State of Texas

(NOTARY SEAL/STAMP)



20 foot Maintenance Easement
0.68 Acres
J.E. Groce 5-1/2 Leagues Grant, Abstract 66
Brazoria County, Texas

Being a 0.68 acre tract situated in the J.E. Groce 5-1/2 Leagues Grant, Abstract 66, Brazoria County, Texas and being part of the same called 10.65 acre tract conveyed to Herbert E. and Shari Boykin recorded in County Clerk's File No. 2013-021483 of the Official Records of Brazoria County, Texas and also being part a called 5 acre tract previously recorded and conveyed to Marshall Morris and Ozell M. Payne recorded in Volume 1058, Page 438 of the Deed Records of Brazoria County, Texas and being more fully described by metes and bounds as follows: (Bearings based on South line of called 10.65 acre tract – being North 89° 30' 00" West. – [See Survey].)

BEGINNING at a fence corner post, found to be occupying the corner, in the South line of Lot 8, Block 8 of Gulf Terrace Estates, Section II recorded in Volume 7, Page 39 of the Plat Records of Brazoria County, Texas for the Northwest corner of a called 1.00 acre tract conveyed to Buford and Edith C. Cooper recorded in Volume 1310, Page 880 of the Deed Records of Brazoria County, Texas, the most northerly Northeast corner of called 10.65 acre tract and being the Northeast corner and **TRUE PLACE OF BEGINNING** of the herein described tract, said iron rod bears North 89° 54' 58" West – 205.09 feet from a 1/2" iron rod found in the West right-of-way of County Road 288, (AKA Old Angleton Road), for the Northeast corner of called 1.00 acre tract;

THENCE South 00° 03' 11" East – 20.00 feet along the West line of called 1.00 acre tract and an East line of called 10.65 acre tract to a point for the Southeast corner of the herein described tract;

THENCE North 89° 54' 58" West – 1485.75 feet, (20 feet and parallel to the North line of called 10.65 acre tract), to a point in the East line of a tract called Lot 3, Block 2 of said unrecorded subdivision conveyed to Joycelynn Grigson recorded in Volume 1440, Page 574 of the Deed Records of Brazoria County, Texas and the West line of called 10.65 acre tract for the Southwest corner of the herein described tract;

THENCE North 00° 23' 16" East – 20.00 feet along the East line of Lot 3, Block 2 of said unrecorded subdivision and the West line of called 10.65 acre tract to a fence corner post, found to be occupying the corner, for the Southwest corner of Gulf Terrace Estates, Section II recorded in Volume 7, Page 39 of the Plat Records of Brazoria County, Texas, the Northwest corner of called 10.65 acre tract and being the Northwest corner of the herein described tract, said fence corner post bears South 00° 05' 02" West – 91.54 feet from a 1/2" iron rod found in the South right-of-way line of County Road 698 (aka Hampton Road) for the Northeast corner of Lot 3, Block 2 of said unrecorded subdivision and the Northwest corner of Lot 3, Block 6, Gulf Terrace Estates, Section II, less and except the North 60.0 feet conveyed to Melvin L. and Sharon Mckey recorded in County Clerk's File No. 2001-020548 of the Official Records of Brazoria County, Texas;

THENCE South 89° 54' 58" East, along the South line of Gulf Terrace Estates, Section II and the North line of called 10.65 acre tract, at 200.00 feet pass a 1/2" iron rod found on-line and continuing for a total distance of 1485.73 feet to the **PLACE OF BEGINNING** and containing 0.68 acres of land, more or less. *This description is based on an actual survey made on the ground and is accompanied by a plat prepared under the direct supervision of George K. Lane, RPLS No. 6086 on March 29th, 2013.*


George K. Lane, R.P.L.S.
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