

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 DRIVERS LICENSE NUMBER.

AMENDMENT TO ELECTRIC LINE EASEMENT

STATE OF TEXAS §
 §
COUNTY OF COMAL §

DATE: _____, 2018

GRANTOR: City of New Braunfels

GRANTOR'S MAILING ADDRESS: _____

GRANTEE: LCRA TRANSMISSION SERVICES CORPORATION,
a Texas non-profit corporation

GRANTEE'S MAILING ADDRESS: P. O. Box 220
Austin, Texas 78767

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

EXISTING EASEMENT: That certain easement dated August 17, 1925 and recorded in Vol. 51, Page 389 of the Deed Records of Comal County, Texas.

EASEMENT PROPERTY: A tract of land consisting of 1.78 acres, more or less, more particularly described as Tract 4 in the attached Exhibit A, which includes field note description and plat, incorporated herein for all purposes.

AERIAL EASEMENT PROPERTY: Being three tracts of land consisting of (i) 0.71 acre, (ii) 1.47 acres, and (iii) 0.50 acre, more or less, as more particularly described as Tract 1, Tract 2, and Tract 3 respectively in the attached Exhibit A, which includes field note description and plat, incorporated herein for all purposes.

GRANTOR'S PROPERTY: (i) a 99.07-acre tract of land, called Tract No. 2 "Landa Park" described by deed dated June 25, 1936, from Gage Investment Company to City of New Braunfels and recorded in Volume 66, Page 419 of the Deed Records of Comal County, Texas, and (ii) a portion of Block No. 4 and Tract No. 12 of Block No. 8 of Landa Park Highlands No. 2, being the

same land described by deed from B.N. Nuhn, trustee to the City of New Braunfels dated July 27, 1945 and recorded in Volume 82, Page 13, Deed Records of Comal County, Texas.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR and GRANTEE hereby agree that the EXISTING EASEMENT, as it applies to GRANTOR'S PROPERTY only, is hereby amended as follows:

1. The description of the easement property in the EXISTING EASEMENT is amended to include the EASEMENT PROPERTY and the AERIAL EASEMENT PROPERTY both as described in Exhibit A, and GRANTEE shall have all of the rights within the EASEMENT PROPERTY and the AERIAL EASEMENT PROPERTY as were granted in the EXISTING EASEMENT, subject to the limitations set out below.

2. In no event shall GRANTOR have the right to place poles, towers, guys or other ground-based support structures within the AERIAL EASEMENT PROPERTY.

All terms of the EXISTING EASEMENT not expressly amended herein, including without limitation all rights of ingress and egress, are hereby ratified and shall continue in effect for the benefit of GRANTEE.

GRANTOR warrants and shall forever defend the Easement to GRANTEE against anyone lawfully claiming or to claim the EASEMENT PROPERTY and the AERIAL EASEMENT PROPERTY or any part thereof.

GRANTOR:

City of New Braunfels

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF COMAL

§

This instrument was acknowledged before me on _____, 2018,
by _____, _____, on behalf of
the City of New Braunfels, GRANTOR.

Notary Public, State of Texas

GRANTEE:
LCRA Transmission Services Corporation
a Texas non-profit corporation

By: _____
Steven Brown
Authorized Agent

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2018,
by Steven Brown, Authorized Agent of LCRA Transmission Services Corporation, a Texas non-
profit corporation, on behalf of said corporation.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Lower Colorado River Authority
Attn: Charlotte Dotson – SC D140
P. O. Box 220
Austin, Texas 78767-0220

EXHIBIT " A "

DESCRIPTION FOR 4.46 ACRES OF LAND COMPRISED OF FOUR TRACTS: 0.71 ACRE TRACT (TRACT 1), 1.47 ACRE TRACT (TRACT 2), 0.50 ACRE TRACT (TRACT 3), AND 1.78 ACRE TRACT (TRACT 4), ALL SITUATED IN THE JUAN MARTIN VERAMENDI SURVEY, ABSTRACT No. 2, COMAL COUNTY, TEXAS, SAID 4.46 ACRES BEING A PORTION OF A 99.07 ACRE TRACT OF LAND, CALLED TRACT NO. 2 "LANDA PARK" DESCRIBED BY DEED DATED JUNE 25, 1936, FROM GAGE INVESTMENT COMPANY TO CITY OF NEW BRAUNFELS AND RECORDED IN VOLUME 66, PAGE 419, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS (D.R.C.C.), ALSO A PORTION OF BLOCK NO. 4 AND TRACT NO. 12 OF BLOCK NO. 8 OF LANDA PARK HIGHLANDS NO. 2 (BEING THE SAME LAND DESCRIBED BY DEED FROM B.N. NUHN, TRUSTEE TO THE CITY OF NEW BRAUNFELS DATED JULY 27, 1945 AND RECORDED IN VOLUME 82, PAGE 13, D.R.C.C.), THE PERIMETER OF SAID TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

BEGINNING at a 5/8" iron rod with aluminum cap stamped "LCRA" set (Grid Coordinates: N 9,867,030.56 U.S. ft., E 2,993,283.04 U.S. ft.) on the northerly boundary line of said Block 4, same being the southerly boundary line of Lot 7, Block 5, Landa Park Highlands No. 2, recorded in Volume 71, Page 107 of the Plat Records of Comal County, Texas, for the northwest corner hereof, from which a 1/2 inch iron rod found bears N 73°07'09" W, a distance of 246.32 feet;

THENCE S 73°07'09" E with the northerly boundary line of said Block 4 and the southerly boundary line of said Lot 7, Block 5, a distance of 27.99 feet to a point for the northeast corner hereof;

THENCE through the interior of said Block 4 and said Tract 12 the following two (2) courses and distances:

- 1) S 09°51'14" E, a distance of 19.39 feet to a point,
- 2) S 19°10'23" E, a distance of 1171.38 feet to a 5/8" iron rod with aluminum cap stamped "LCRA" set on the easterly right-of-way line of Fredericksburg Road, same being the southerly boundary line of said Tract 12, for the southeast corner hereof;

THENCE S 71°47'47" W with the common line of said Tract 12 and said Fredericksburg Road right-of-way line, a distance of 26.30 feet to a 5/8" iron rod with aluminum cap stamped "LCRA" set for the southwest corner hereof;

THENCE through the interior of said Block 4 and said Tract 12 the following two (2) courses and distances:

- 1) N 19°06'33" W, a distance of 1172.98 feet to a point,
- 2) N 09°51'14" W, a distance of 34.00 feet to the **POINT OF BEGINNING** hereof, and containing 0.71 of an acre of land, more or less, within the metes and bounds described herein.

TRACT 2

BEGINNING at a 5/8" iron rod with aluminum cap stamped "LCRA" set (Grid Coordinates: N 9,864,566.49 U.S. ft., E 2,994,262.73 U.S. ft.) on the southerly boundary line of said 99.07 Acre Tract, same being the northerly boundary line of Block 1, Lot 5, described in deed from Lower Colorado River Authority to City of New Braunfels, dated May 24, 2006 and recorded in Document No. 200606021373 of the Official Public Records of Comal County, Texas, for the southeast corner hereof, from which a 1/2 inch iron rod found bears N 67°50'01" E, a distance of 883.74 feet;

THENCE S 67°50'01" W, with the southerly boundary line of said 99.07 Acre Tract and the northerly boundary line of said Block 1, Lot 5 a distance of 25.26 feet to a point for the southwest corner hereof;

THENCE through the interior of said Block 4, said Tract 12 and said 99.07 Acre Tract the following two (2) courses and distances:

- 1) N 30°24'37" W, a distance of 225.95 feet to a point,
- 2) N 19°06'33" W, a distance of 2392.57 feet to a point on the northerly boundary line of said Block 4, same being the southerly boundary line of said Lot 7, Block 5;

THENCE S 73°07'09" E, with the northerly boundary line of said Block 4 and the southerly boundary line of said Lot 7, Block 5, a distance of 3.73 feet to a point for the east corner of said Lot 7, Block 5, same being the westerly boundary line of Lot 6, Block 5 of said Landa Park Highlands No. 2;

THENCE S 28°24'02" E, with the westerly boundary line of said Lot 6, Block 5 and the northerly boundary line of said Block 4, a distance of 136.11 feet to a 5/8" iron rod with aluminum cap stamped "LCRA" set for the northeast corner hereof, from which a 1/2 inch iron rod found bears S 28°24'02" E, a distance of 312.96 feet;

THENCE through the interior of said Block 4, said Tract 12 and said 99.07 Acre Tract the following two (2) courses and distances:

- 1) S 19°06'33" E, a distance of 2253.57 feet to a point,
- 2) S 30°24'37" E, a distance of 227.10 feet to the **POINT OF BEGINNING** hereof, and containing 1.47 acres of land, more or less, within the metes and bounds described herein.

TRACT 3

BEGINNING at a 5/8" iron rod with aluminum cap stamped "LCRA" set (Grid Coordinates: N 9,864,535.99 U.S. ft., E 2,994,187.86 U.S. ft.) on the southerly boundary line of said 99.07 Acre Tract, same being the northerly boundary line of said Block 1, Lot 5 for the southwest corner hereof;

THENCE N 30°24'37" W through the interior of said 99.07 Acre Tract, a distance of 184.01 feet to a point on the westerly boundary line of said 99.07 Acre Tract, same being the easterly right-of-way line of Fredericksburg Road for a corner hereof;

THENCE with the common line of said 99.07 Acre Tract and the said Fredericksburg Road right-of-way the following four (4) courses and distances:

- 1) N 18°49'13" W, a distance of 286.46 feet to a point,
- 2) N 18°50'13" W, a distance of 739.00 feet to a point,
- 3) N 14°38'13" W, a distance of 76.47 feet to a point,
- 4) N 16°26'13" W, a distance of 164.16 feet to a 5/8" iron rod with aluminum cap stamped "LCRA" set on the southerly boundary line of said Tract 12, for the north corner hereof;

THENCE through the interior of said 99.07 Acre Tract the following two (2) courses and distances:

- 1) S 19°02'54" E, a distance of 1224.55 feet to a point,
- 2) S 30°24'37" E, a distance of 224.58 feet to a point on the southerly boundary line of said 99.07 Acre Tract, same being the northerly boundary line of said Block 1, Lot 5 for the southeast corner hereof;

THENCE S 67°50'01" W with the common line of said 99.07 Acre Tract and said Block 1, Lot 5, a distance of 25.26 feet to the **POINT OF BEGINNING** hereof, and containing 0.50 of an acre of land, more or less, within the metes and bounds described herein.

TRACT 4

BEGINNING at a point (Grid Coordinates: N 9,867,012.79 U.S. ft., E 2,993,341.61 U.S. ft.) on the northerly boundary line of said Block 4, same being the southerly boundary line of said Lot 7, Block 5, Landa Park Highlands No. 2, and for the northeast corner hereof, from which a 5/8" iron rod with aluminum cap stamped "LCRA" set bears N 73°07'09" W at a distance of 61.21 feet;

THENCE through the interior of said Block 4, said Tract 12, and said 99.07 Acre Tract the following two (2) courses and distances:


- 1) S 19°06'33" E, a distance of 2392.57 feet to a point, and
- 2) S 30°24'37" E, a distance of 225.95 feet to a point on the southerly boundary line of said 99.07 Acre Tract, same being the northerly boundary line of said Block 1, Lot 5 for the southeast corner hereof;

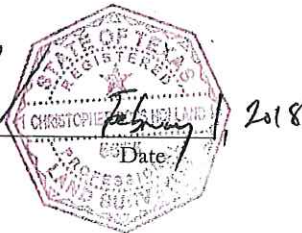
THENCE S 67°50'01" W, with the southerly boundary line of said 99.07 Acre Tract and the northerly boundary line of said Block 1, Lot 5 a distance of 30.31 feet to a point for the southwest corner hereof;

THENCE through the interior of said 99.07 Acre Tract, said Tract 12, and said Block 4 the following four (4) courses and distances:

- 1) N 30°24'37" W, a distance of 224.58 feet to a point,
- 2) N 19°02'54" W, a distance of 1224.55 feet to a 5/8" iron rod with aluminum cap stamped "LCRA" set on the easterly right-of-way line of Fredericksburg Road, same being the southerly boundary line of said Tract 12, and also for a corner hereof,
- 3) N 19°10'23" W, a distance of 1171.38 feet to a point, and
- 5) N 09°51'14" W, a distance of 19.39 feet to a point on the northerly boundary line of said Block 4 and the southerly boundary line of said Lot 7, Block 5 for the northwest corner hereof;

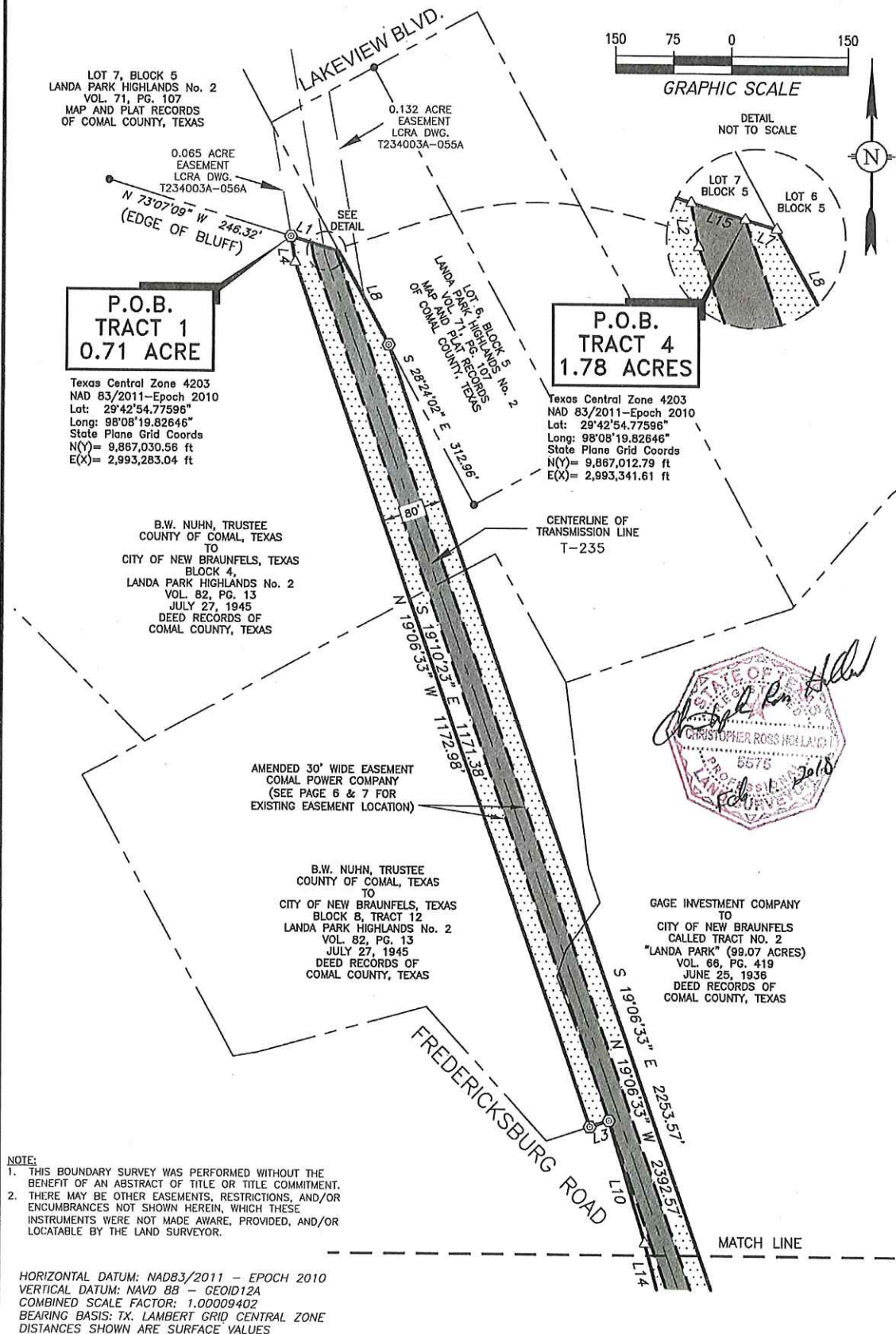
THENCE S 73°07'09" E with the northerly boundary line of said Block 4 and the southerly boundary line of said Lot 7, Block 5, a distance of 33.22 feet to the **POINT OF BEGINNING** hereof, and containing 1.78 acres of land, more or less, within the metes and bounds described herein.


Christopher Ross Holland
Registered Professional Land Surveyor No. 5575, State of Texas
Lower Colorado River Authority
3700 Lake Austin, Blvd., Austin, Texas 78703
(512) 473-3200 www.lcra.org
TBPLS Firm# 10152700



BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/2011 – Epoch 2010
Combined Scale Factor: 1.00009402 - All distances are surface values

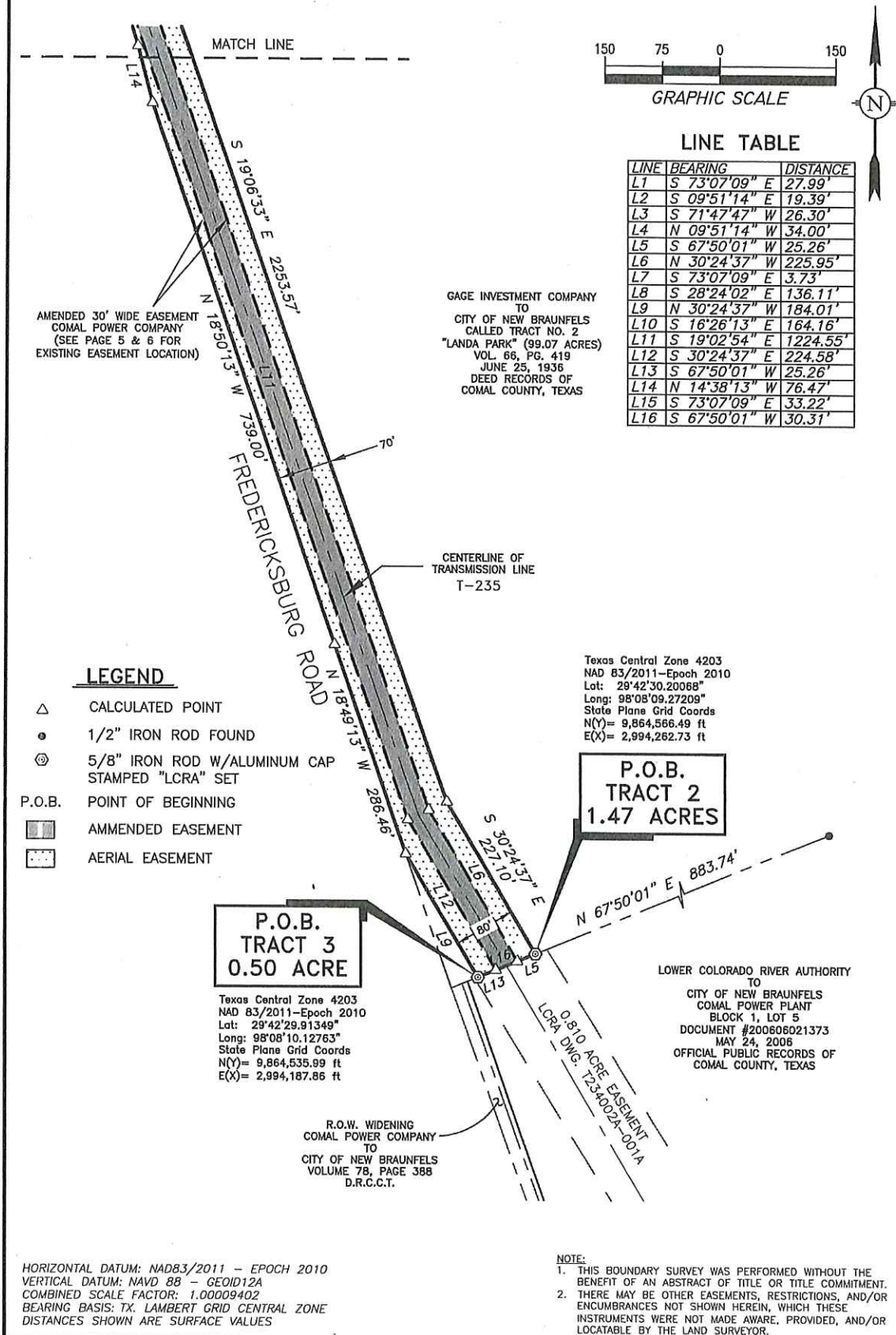
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WORD FILE: T235002B-0004B.doc
REVISION: --
SCALE: 1"=150'
DATE: 1/30/2018
WO NO.: 4150774
FIELD BOOK:
DRAWN BY: BRC

PLAT ACCOMPANYING DESCRIPTION OF
4.46 ACRES OF LAND COMPRISED OF
TWO TRACTS LOCATED IN THE
JUAN MARTIN VERAMENDI SURVEY,
ABSTRACT No. 2
COMAL COUNTY, TEXAS

LCRA
ENERGY • WATER • COMMUNITY SERVICES
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703
(512) 473-3200 www.lcra.org
TBPLS FIRM# 10152700

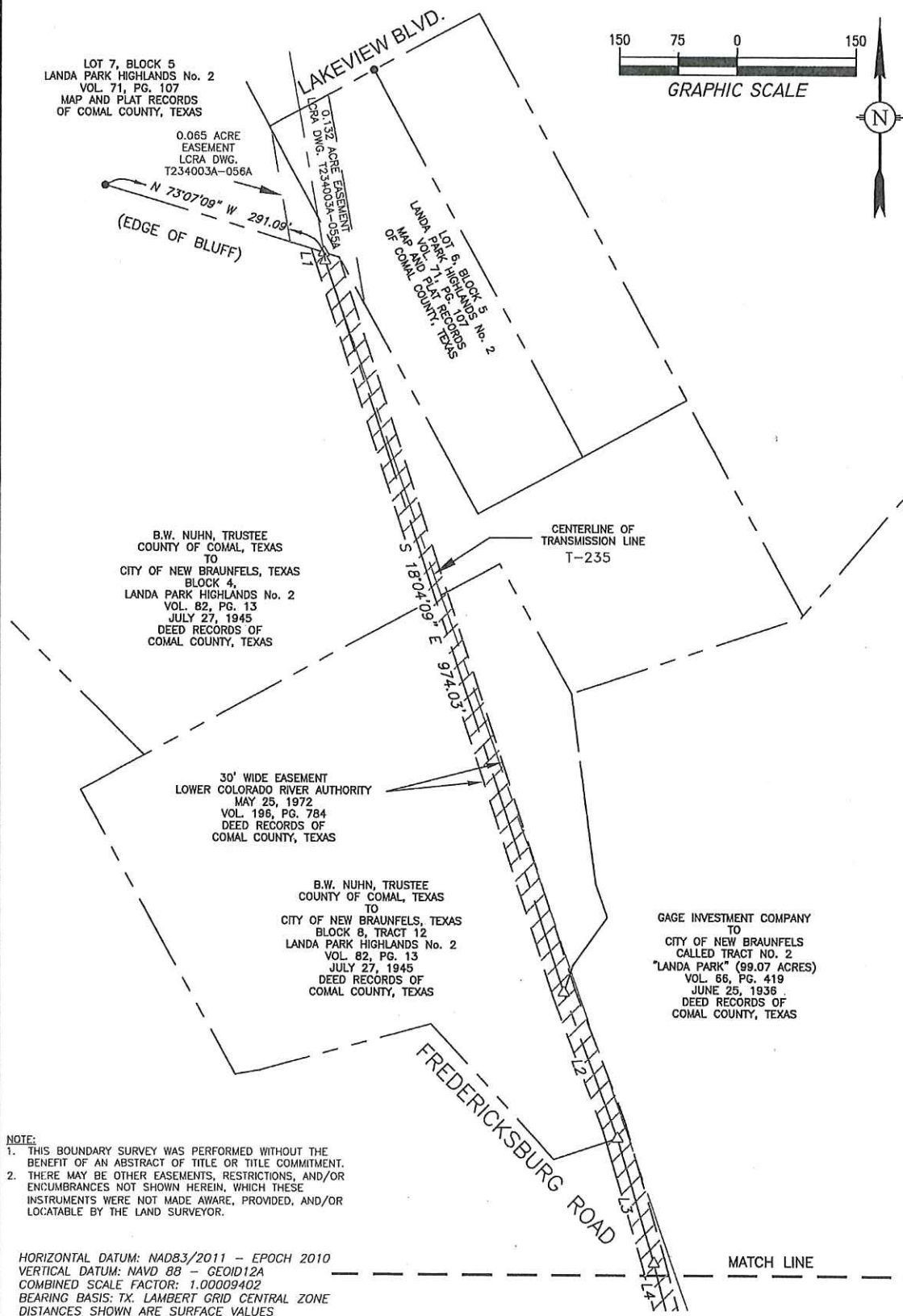


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EXISTING LOCATION OF 30' WIDE EASEMENT

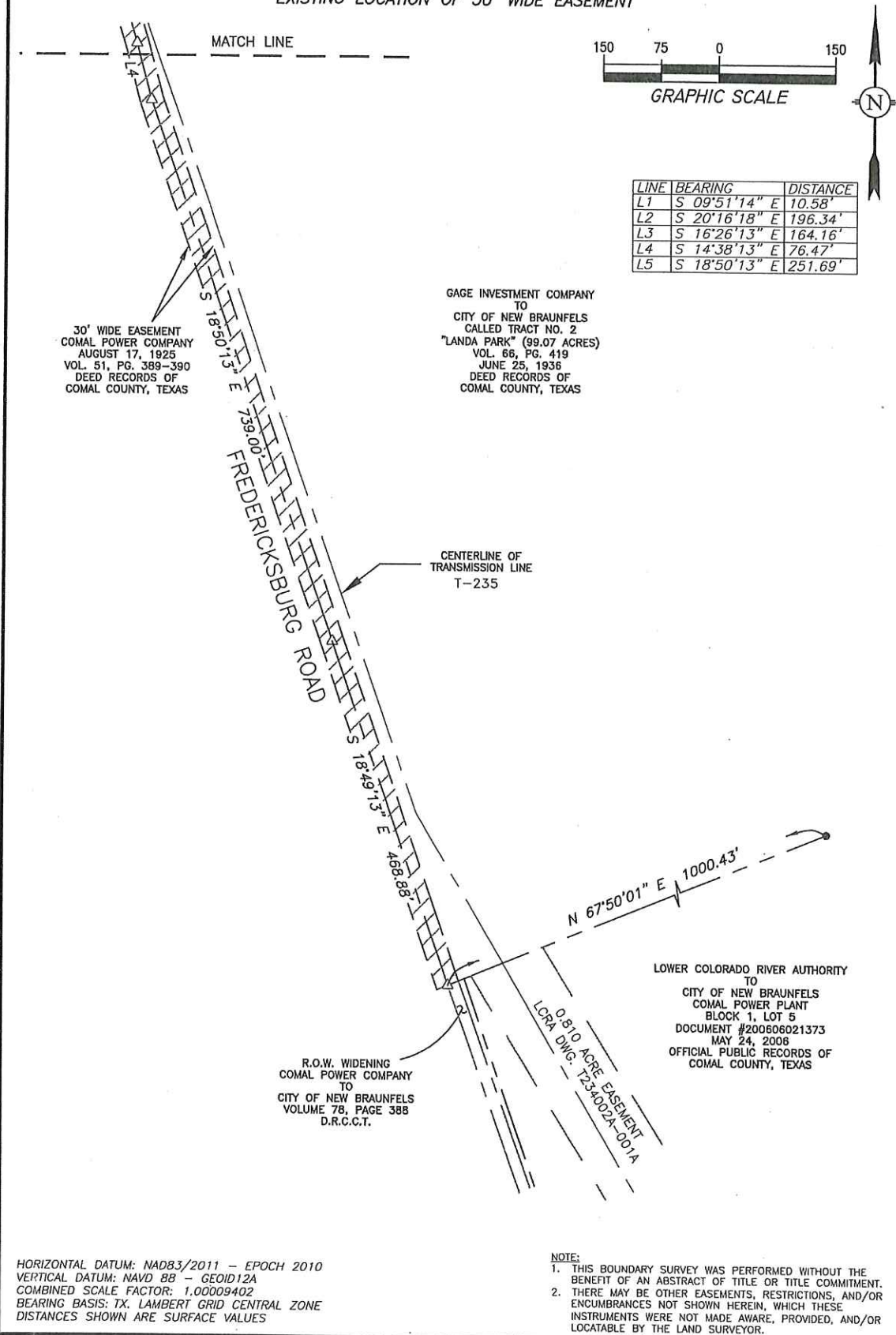


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PLAT ACCOMPANYING DESCRIPTION OF
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EXISTING LOCATION OF 30' WIDE EASEMENT



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PLAT ACCOMPANYING DESCRIPTION OF
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