



Restatement of Easement and Access Rights  
And  
Removal of Cloud on Title

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

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Lake Hills Community Association, Inc. ("Owner"), owner of the real estate described as follows:

Lot 4, CEBAR RANCH LAKEVIEW ACRES, a subdivision in Travis County, Texas as shown on map or plat of record in Volume 5, Page 43, Real property Records of Travis County, Texas.

also known as:

The Westernmost 303 feet of Lot 4, CeBar Ranch, Lakeview Acres, a subdivision in Travis County, Texas, according to the map or plat thereof of record in Plat Book 5, Page 43, of the Plat Records of Travis County, Texas, together with all improvements thereof situated (the "Property")

and files this instrument for the purpose of restating, acknowledging and clarifying easement and access rights regarding the Property and to remove any cloud on its ownership and title to the Property.

Those easement rights granted in the instruments recorded in Volume 1992, Page 49; Volume 2015, Page 248; and Volume 2104, Page 305, Deed Records of Travis County, Texas, are reaffirmed as valid, existing and enforceable rights held by those parties, their successors and assigns, who were originally granted said rights. Owner recognizes said rights and acknowledges its duty to respect said rights as well as its duty to manage the Property by the establishment of reasonable and necessary rules regarding the enjoyment of the Property in such a way as to not interfere with the peaceful enjoyment of adjoining property owners in the ownership of their property. Said reasonable and necessary rules will be adopted and enforced by Owner and will address such matters as safety, noise control, operating hours for access to the Property, parking, and any similar matters that Owner may from time to time adopt, amend or modify according to Owner's Bylaws.

The history of the Property includes the involvement of Trustees, who were created for the purpose of insuring that the easement rights described above were respected and to prevent the improper sale or transfer of the Property under circumstances where the easement rights would be denied.

The Trustees first came into existence under the Quitclaim Deed dated June 23, 1969, recorded in Volume 3700, Page 1544, Deed Records of Travis County, Texas, in which four Trustees were identified. The Quitclaim Deed was the subject of litigation resulting in the 1973 decision rendered in Austin Lake Estates Recreation Club, Inc., et al v. Robert S. Gilliam et al, 493 SW2nd 343.

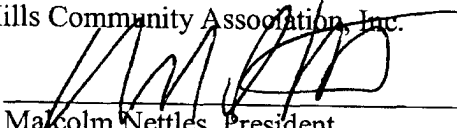
As of the date of this instrument all original Trustees except Charles C. Petterson have died or their whereabouts are unknown. Petterson executed a Deed Without Warranty regarding the Property dated September 17, 2003 to Dennis R. Haire, recorded as Document No. 2003266964, Official Public Records Travis County, Texas. Haire executed a Deed Without Warranty regarding the Property on March 13, 2006 to Dennis R. Haire, Trustee, R. Gordon Bond, Trustee, and Timothy R. Nolan, Trustee, recorded as Document No. 2006047304, Official Public Records, Travis County, Texas. The 2003 and 2006 deeds, although well intentioned, have created a cloud on Owner's ownership of the Property. By a Deed Without Warranty, a copy of which is attached as Exhibit A, and in recognition of Owner's Restatement of Easement and Access Rights contained herein, Trustees relinquish, resign, waive, surrender and forever disclaim any and all claims or rights to serving as Trustees, and agree that this instrument extinguishes the need for Trustees in the future.

Trustees also acknowledge and accept Owner's ownership of the Property to the exclusion of any ownership claim by Trustees or any other parties, based upon the deed to Owner dated June 26, 1985, recorded in Volume 9258, Page 788, Deed Records of Travis County, Texas, because of Owner's exclusive occupancy and control over the Property since at least 1985, and based upon Owner having paid taxes continuously since at least 1985, thereby perfecting title, if necessary, against any and all claimants.

OWNER:

Lake Hills Community Association, Inc.

By:

  
Malcolm Nettles, President

Date:

2-3-07

TRUSTEES:

Dennis R. Haire, Trustee  
Dennis R. Haire, Trustee

Date: 3 Feb 07

R. Gordon Bond, Trustee  
R. Gordon Bond, Trustee

Date: 2/3/07

Timothy R. Nolan, Trustee  
Timothy R. Nolan, Trustee

Date: 2-3-07

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 3 day of February, 2007  
by Malcolm Nettles as President of and on behalf of Lakes Hills Community Association, Inc.

Jane Elizabeth Beers  
Notary Public and for  
The State of Texas

