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500-61-0308

#87-50-6751
8716-123; Tomball
REAL PROPERTY RECORDS 7-

PRIVATE RIGHT-OF-WAY EASEMENT

STATE OF TEXAS)
COUNTY OF MONTGOMERY)

KNOW ALL MEN BY THESE PRESENTS:

That B. G. D'AMICO (being the same person as Billy Gray D'Amico) and wife, AGNES CECILIA D'AMICO, hereinafter referred to as "Grantors", in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged and confessed, have GRANTED AND CONVEYED, and by these presents do GRANT AND CONVEY unto WALTER W. COFFER, JR., whose mailing address is No. 8, Lake Conroe Drive, Conroe, Texas 77304, hereinafter referred to as "Grantee", a private right-of-way easement over and across the following property:

- a. A 20 foot wide roadway easement and a 60 foot wide roadway easement out of the E. Collard Survey, A-7, Montgomery County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and Exhibit "C" respectively attached to instrument recorded in Volume 899, Page 530, of the Deed Records of Montgomery County, Texas (Clerk's File No. 7514994); and
- b. A 60 foot wide roadway easement out of the E. Collard Survey, A-7, Montgomery County, Texas, as described by metes and bounds in Exhibit "B" attached to an instrument recorded in Volume 816, Page 415, of the Deed Records of Montgomery County, Texas (Clerk's File No. 318830) reference to which is hereby made for all purposes.

The easement granted herein shall be appurtenant to that certain real property consisting of 0.757 acres of land out of the E. Collard Survey, A-7, Montgomery County, Texas, hereinafter referred to as the "Property", and described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

This easement is granted subject to all liens, title exceptions of record, and all rights and title of others. It is distinctly understood and agreed that this conveyance is made and accepted without covenants or warranty of kind by Grantors, either expressed or implied.

This private right-of-way easement shall be a non-exclusive easement, and Grantors reserve the right to use such easement or grant rights to other parties to the use of such easement. Grantors further reserve the right to enjoy the use and the service of such easement for any and all purposes which do not interfere with or prevent the use by Grantee of the easement for ingress and egress to the Property.

The right, title or interest granted herein shall be perpetual and shall run with the title to the Property and shall be automatically transferred and conveyed to any subsequent fee simple title holder of the Property or any portion thereof, but the Grantee herein, his heirs and assigns, shall have no right to grant or assign to any other person not having an interest in the Property, any right to use of this private

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right-of-way easement. This easement is granted exclusively to grant ingress and egress to the Property or any portion thereof.

EXECUTED on this 15 day of December, 1987.

B. G. D'Amico
B. G. D'AMICO

Agnes Cecilia D'Amico
AGNES CECILIA D'AMICO

STATE OF TEXAS }

COUNTY OF MONTGOMERY }

This instrument was acknowledged before me on December 15, 1987, by B. G. D'Amico and Agnes Cecilia D'Amico.

Judith J. Gray
NOTARY PUBLIC in and for
THE STATE OF TEXAS
Printed Name: JUDITH J. GRAY
My Commission Expires: 10-17-88

Return to:

Title Agency of Texas

P.O. Box 538

Tomball, TX 77375

EXHIBIT "A"

BEING 0.757 acres of land in the E. Collard Survey, A - 7, Montgomery County, Texas, and being a part of that certain 5.935 acres recorded in Volume 238, Pages 6 thru 10, of the County Deed of Trust Records, said 0.757 acres being more particularly described as follows:

BEGINNING at the southeast corner of the above mentioned 5.935 acre tract and the southeast corner of a 0.510 acre tract, this being the southeast corner of the herein described tract;

THENCE N. $33^{\circ}29'30''$ W. along the northeast line of the 0.510 acre tract for a distance of 160.66 feet to an angle point in same;

THENCE N. $53^{\circ}23'$ W. along same line for a distance of 100.00 feet to point for the southwest corner of this tract;

THENCE N. $28^{\circ}35'10''$ E. for a distance of 57.04 feet to point for corner;

THENCE N. $41^{\circ}49'20''$ W. for a distance of 46.33 feet to point for the northwest corner of the herein described tract same being the southwest corner of the Eby 0.3995 acre tract as recorded in Volume 332, Page 475 of the County Deed of Trust Records;

THENCE S. $83^{\circ}44'50''$ E. along the south line of Eby tract for a distance of 233.91 feet to the northeast corner in the east line of the 5.935 acre tract;

THENCE S. $13^{\circ}21'10''$ W. along said east line for a distance of 259.79 feet to the point of BEGINNING and containing 0.757 acres of land which includes a roadway easement along the west line of the above described tract as shown on the survey map for same.

FILED FOR RECORD

1987 DEC 17 PM 2:10

Roy Harris

STATE OF TEXAS)
COUNTY OF MONTGOMERY)
I hereby certify that this instrument was filed
in File Number Sequence on the date and at the
time stamped hereon by me, and was duly RECORDED,
in the official Public Records of Real Property of
Montgomery County, Texas.

DEC 17 1987



Roy Harris

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS