

COPY

EXCHANGE AGREEMENT

COUNTY OF TEXAS §
 §
COUNTY OF POLK §

This contract, made by and between Polk County, Texas, acting by and through its duly elected and authorized Commissioners Court, hereinafter called COUNTY, and Greg Hendrix, an individual, residing in Polk County, Texas, hereinafter called HENDRIX, and the parties hereby agree as follows:

WHEREAS, the COUNTY owns a fee simple interest in 1.0 acre of land, hereinafter called the COUNTY PROPERTY, on Old Woodville Road within Precinct Four (4) of Polk County, Texas, out of the J. Massey Abstract No. 422 and more fully described in a Special Warranty Deed recorded in volume 927, page 761 of the deed records of Polk County, Texas, that is attached hereto as Exhibit "A" and incorporated by reference as if fully recited herein; and

WHEREAS, HENDRIX owns a fee simple interest in real property, hereinafter called HENDRIX PROPERTY, which consists of 2.0 acres of land on U.S. Highway 190 East in Precinct Four (4) of Polk County, Texas, out of the Jesse Massey Abstract No. 422, and being more particularly described in the prepared description, which is attached hereto as Exhibit "B", and incorporated by reference as if fully recited herein; and

WHEREAS, HENDRIX has requested an exchange of the HENDRIX PROPERTY, having a value of \$11,454.00, for the COUNTY PROPERTY, which has an assessed value of \$5,190.00. It is an express finding of the Commissioners Court of Polk County, Texas that the citizens of Polk County will benefit greatly from this exchange;

WHEREAS, the COUNTY is authorized to exchange real property pursuant to section 263.006 of the Texas Local Government Code, and the COUNTY has complied with all notice, publication and hearing requirements contained therein. This agreement was ratified by the Commissioners Court of Polk County, Texas, by a majority vote at a public meeting on May 24, 2016.

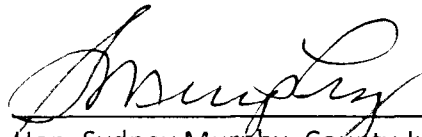
NOW, THEREFORE, in consideration of the above premises, the parties hereto agree as follows:

1. The COUNTY hereby grants and conveys the COUNTY PROPERTY to HENDRIX, and HENDRIX hereby grants and conveys the HENDRIX PROPERTY to the COUNTY. These properties are being exchanged for one another by the parties pursuant to section 263.003 of the Texas Local Government Code and other applicable law.
2. This contract contains a complete expression of the agreement between the parties, and there are no promises, representations or inducements except such as are herein provided.

3. No waiver by the parties hereto of any default or breach of any term, condition or covenant of this contract shall be deemed to be a waiver of any subsequent default or breach of the same or any other term, condition or covenant contained herein.
4. The terms, conditions and covenants contained in this contract shall apply to and inure to the benefit of the parties hereto and their respective successors in interest and legal representatives except as otherwise herein expressly provided.
5. In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
6. The effective date of this contract shall be the date that COUNTY executes the contract.

Greg Hendrix

Date



Hon. Sydney Murphy, County Judge

05/24/2016
Date

ATTEST:



Schelana Hock, County Clerk

(Seal)

DESCRIPTION OF
1.00 ACRE OF LAND
OUT OF
THE JESSE MASSEY SURVEY ABSTRACT NO. 422
POLK COUNTY, TEXAS

BEING 1.00 acre of land located in the JESSE MASSEY SURVEY, ABSTRACT NO. 422 in Polk County, Texas and being part of the 210.00 acre tract of land described as Tract 140 in the deed from Texas Long Leaf Lumber Company to Southland Paper Mills, Inc., dated January 31, 1953 and recorded in Volume 158 page 3 of the Deed Records of Polk County, Texas. Said 1.00 acre tract of land being more particularly described by metes and bounds as follows to-wit:

BEGINNING at the West corner of the herein described 1.00 acre tract of land in the Northeast edge of a public road (known locally as the Old Woodville Road), a 3/8" steel reinforcing rod set for corner witnessed by a 9" Red Oak North 53° 22' West 65.47 feet, a 16" Pine South 76° 29' West 9.98 feet, and a 6" Pine North 64° 06' West 73.94 feet, and from said West corner a 1" iron rod for the Northwest corner of a 2.00 acre tract of land described in the deed from Champion International Corporation to The Texas A&M University System, dated December 17, 1985 and recorded in Volume 533 page 82 of the Official Records of said county bears South 78° 27' 57" West 4980.85 feet;

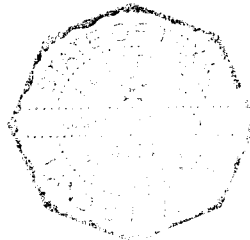
THENCE North 13° 09' 27" East with the Northwest boundary line of the said 1.00 acre tract, at 150.00 feet the North corner of the said 1.00 acre tract, a 3/8" steel reinforcing rod set for corner witnessed by a 9" Red Oak South 39° 01' West 137.52 feet, a 6" Pine South 42° 38' West 142.48 feet, and a 5" Pine South 44° 34' West 142.36 feet;

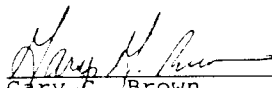
THENCE South 76° 50' 33" East with the Northeast boundary line of the said 1.00 acre tract, at 290.00 feet the East corner of the said 1.00 acre tract, a 3/8" steel reinforcing rod set for corner witnessed by a 9" Pine North 62° 54' East 33.43 feet, an 8" Pine North 78° 47' East 22.70 feet, and an 8" Pine South 21° 47' East 27.32 feet;

THENCE South 13° 09' 27" West with the Southeast boundary line of the said 1.00 acre tract, at 150.00 feet the South corner of the said 1.00 acre tract in the Northeast edge of the said public road, a 3/8" steel reinforcing rod set for corner witnessed by a 7" Sweet Gum South 29° 56' West 56.30 feet, a 7" Pine South 02° 57' East 50.28 feet, and a 4" Sweet Gum South 13° 09' West 50.63 feet;

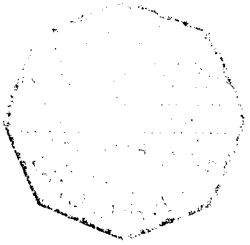
THENCE North 76° 50' 33" West with the Southwest boundary line of the said 1.00 acre tract and with the Northeast edge of the said public road, at 290.00 feet the point and place of **BEGINNING**, containing 1.00 acre of land, more or less.

Note: Distances to witness trees are to the center unless otherwise stated.





Gary G. Brown
Registered Professional
Land Surveyor No. 4654
Date: MARCH 30 1984



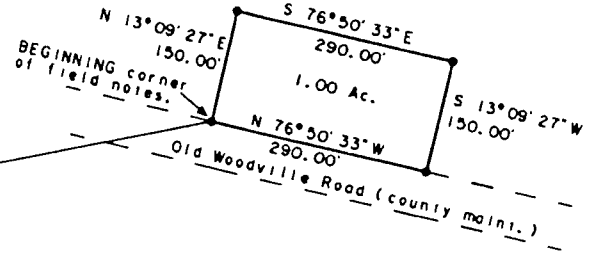
Gary G. Brown

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Registered Professional
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Date: MARCH 30 1994

JESSE MASSEY SURVEY A-422

Champion International Corp.
Vol. 158 page 3



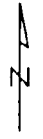
S 78°27'57" W 4980.84'
(Not to scale)

U. S. Highway 190

1" Iron rod
found for
NW Cor. 2.00 Ac.

2.00 Acres
Champion International Corp.
to
The Texas ABM University System
Vol. 533 page 82 Dec. 17, 1985

3/8" steel reinforcing rod
unless otherwise stated.



Scale: 1" = 200'

J.CARR & J. CONNELL SURVEY A-198

PLAT OF
1.00 ACRE OF LAND
OUT OF THE
JESSE MASSEY SURVEY A-422
POLK COUNTY, TEXAS

Note: Bearings are true based on solar observation
taken at South corner of 1.00 acre tract.

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EXHIBIT "B"

(pending receipt of boundary description – to be attached and filed with Order in the Property Records of Polk County, Texas)

A parcel of real property owned by Greg Hendrix, dba GAH-5, LLC, located at US Highway 190 East, Livingston, Texas 77351, J Massey Abstract 422 TR PT of 29 & PT 30 and measuring approximately 2 acres of a 475.8785 acre tract.