

**ROADWAY EASEMENT EXTENSION  
BRUSHY CREEK**

STATE OF TEXAS     §  
                                  §  
COUNTY OF POLK.   §

Subject to the terms, provisions, reservations, and conditions hereinafter set forth, Charles Ray Cline, Sr ("Grantor"), whose address is 858 Peter Wilkins Road, Corrigan, TX 75939, for ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted and does by these presents hereby grant unto the County of Polk, State of Texas ("Grantee"), a political subdivision of the State of Texas, acting by and through its duly elected and empaneled Commissioners Court, whose address is 101 West Church Street, Livingston, Texas 77351, the following described extension of easement, servitude and right-of-way upon, under, and through the hereinafter described land situated in Polk County, Texas and as set forth in Exhibit "A" (the "Easement Extension"), which is attached hereto and made a part hereof for all purposes.

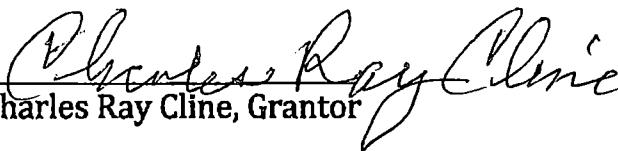
**Terms, Provisions, Reservations and Conditions**

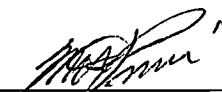
1. The primary purpose of the Easement Extension is to extend the lands utilized by Grantee for Peter Wilkins Road and to assist with locating, constructing, improving, grading, clearing, landscaping and other necessary work, including the operation of equipment, and the movement of a work force, over, upon and across the described easement extension, in connection with the construction and maintenance of a new bridge across Brushy Creek, and other acts necessary and proper to effectuate the same.
2. Grantor shall retain and does hereby retain and reserve all the oil, gas, and other minerals that Grantor may own in, on and under the Easement Extension or that may have been retained or reserved previously in the chain of title to the Easement Extension.
3. This Easement Extension is subject to all valid and existing liens, claims, encumbrances, rights, privileges, easements, right-of-way, agreements, leases, covenants and restrictions affecting the Easement and to any matters which would be revealed by a current on the ground survey and inspection of the land, including the subsurface or by searching the public record.

4. Grantor makes no (and hereby disclaims any) warranty or representation either expressed or implied as to title to the land.
5. This Easement Extension shall be governed and construed in accordance with the laws of the State of Texas without reference to its conflicts of law rules. Each party consents to the exclusive jurisdiction of the courts located within Polk County, Texas.
6. Any term or condition of this Easement Extension that is held invalid or unenforceable in any jurisdiction will be ineffective as to such jurisdiction, to the extent of such invalidity or unenforceability, without rendering invalid or unenforceable the remaining terms and conditions of this Easement Extension or affecting the validity of or enforceability of the terms and conditions of this Easement Extension in any other jurisdiction.
7. This document constitutes the entire agreement between the parties hereto regarding the subject matter (grant of interest in real property) and no representations or statements, oral or written, have been made which modify, add to or change the terms of this Easement Extension.
8. This Easement Extension may be executed in one or more counterparts and shall be binding upon each party executing the original or any counterpart thereof.
9. This Easement Extension is binding upon the heirs, executors, administrators, successors and assigns of both parties and cannot be changed or altered in any way except in writing, and legally signed by both parties concerned herewith.

**TO HAVE AND TO HOLD** unto the said Grantee as aforesaid, for the purposes and on the conditions set forth hereinabove, the premises described herein and attached in Exhibits A.

IN WITNESS WHEREOF, this instrument is executed on this the 8-9-21 day of August, 2021.

  
Charles Ray Cline, Grantor

  
County of Polk, Grantee  
Printed Name: Milton Purvis  
Title: Commissioner Pctr 3

STATE OF TEXAS

COUNTY OF POLK

Before me, Angie Openshaw, on this day personally appeared Charles Ray Cline Sr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9<sup>th</sup> day of August, 2021.

[SEAL]



Angie Openshaw  
Notary Public in and for the State of Texas  
Printed Name: Angie Openshaw  
My commission expires: 7/26/23

June 29, 2021

Parcel No. 1

Page 1 of 3 Pages

Exhibit   A  

County: POLK  
Highway: Wilkins Rd @ Brushy Creek  
Project Limits: Parcel No. 1, Charles Ray Cline Sr.

PROPERTY DESCRIPTION FOR PARCEL NO. 1

Being a 0.089-acre (3854.61 square feet) parcel of land out of the Macedonia Carmona Survey, Abstract No.18, Polk County, Texas, also being out of a called 12.9-acre tract conveyed to Charles Ray Cline Sr. recorded in Volume 349, Page 68 of the Deed Records of Polk County, Texas (D.R.P.C.T.), said 0.089-acre parcel of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a 60 D Nail found in the center line of Wilkins Road in the east line of said 12.9-acre tract common to the southwest corner of a 31.000-acre tract of land conveyed to Winston H. Smith and Deborah L. Smith recorded in Volume 2039, Page 944 of the D.R.P.C.T., thence as follows:

North 02°28'16" West along the common line of said 12.9-acre tract and said 31.000-acre tract a distance of 20.18 feet to a point on the north line of the existing occupied roadway line of Wilkins Road, (40 feet wide) based on occupation, (no recording documents discovered) and the **POINT OF BEGINNING** and southeast corner of the herein described parcel having surface coordinates of X=3980561.05 feet and Y= 10369294.43 feet, from which a 1/2 inch iron rod with plastic cap stamped RPLS #4800 bears South 02°35'31" East a distance of 0.77 feet. All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (2011 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00012.

**THENCE;** South 85°43'05" West, along said existing occupied roadway line a distance of 233.94 feet to a set 5/8-inch iron rod with plastic cap stamped "RODS Surveying, Inc." marking the southwest corner of the herein described parcel.

**THENCE;** North 75°40'13" East, over and across said 12.9-acre parcel of land a distance of 142.11 feet to a set 5/8-inch iron rod with plastic cap stamped "RODS Surveying, Inc.".

**THENCE;** North 86°18'08" East, a distance of 55.00 feet to a set 5/8-inch iron rod with plastic cap stamped "RODS Surveying, Inc.".

**THENCE;** South 81°11'58" East, a distance of 40.50 feet to a set 5/8-inch iron rod with plastic cap stamped "RODS Surveying, Inc." set in the common line of said 12.9-acre tract of land and said 31.000-acre tract of land.


Exhibit   A  

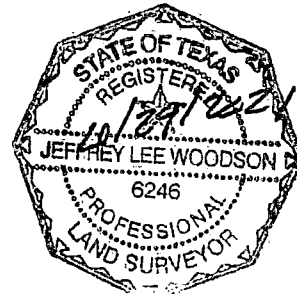
**THENCE**; South 02°35'31" East, a distance of 15.07 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.089 acre (3854.61 square feet) of land.

A parcel plat of even date accompanies this property description.

Access will be permitted to the remainder property abutting the highway facility.

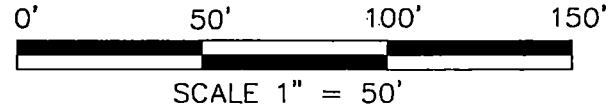
I do hereby certify that these metes and bounds description and accompanying parcel plat conform to the current General Rules of Procedures and Practices as promulgated by the Texas Board of Professional Land Surveyors.

  
Jeffrey Lee Woodson, R.P.L.S. #6246  
RODS SURVEYING, INC.  
TBPLS Firm No. 10030700  
DATE



**NOTES:**

1. ALL COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (2011 ADJ.). WITH ALL DISTANCES AND COORDINATES ADJUSTED TO SURFACE BY PROJECT SURFACE FACTOR OF 1.000120.

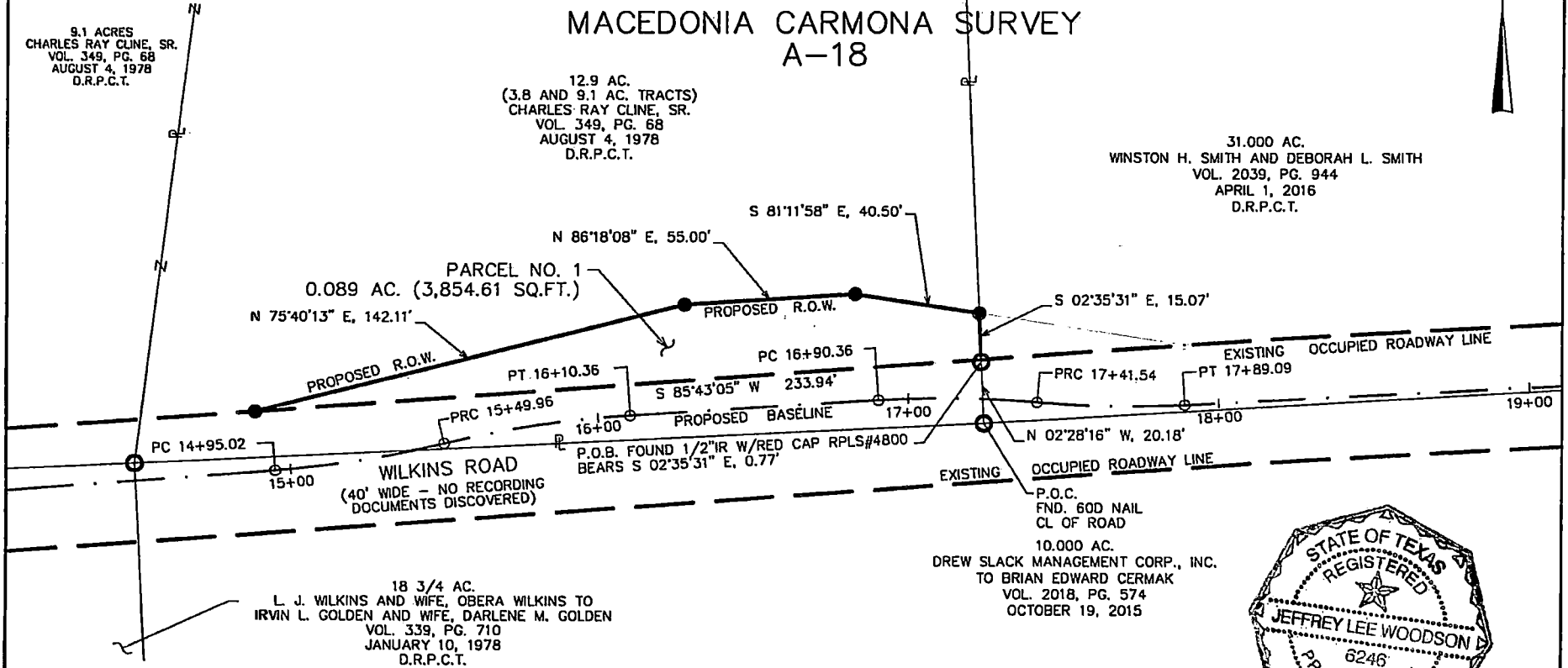


**MACEDONIA CARMONA SURVEY  
A-18**

9.1 ACRES  
CHARLES RAY CLINE, SR.  
VOL. 349, PG. 68  
AUGUST 4, 1978  
D.R.P.C.T.

12.9 AC.  
(3.8 AND 9.1 AC. TRACTS)  
CHARLES RAY CLINE, SR.  
VOL. 349, PG. 68  
AUGUST 4, 1978  
D.R.P.C.T.

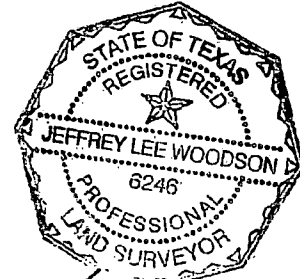
31.000 AC.  
WINSTON H. SMITH AND DEBORAH L. SMITH  
VOL. 2039, PG. 944  
APRIL 1, 2016  
D.R.P.C.T.



**EXHIBIT "A" PAGE 3 OF 3**

A PLAT OF SURVEY OF  
PARCEL 1  
FOR WILKINS ROAD AT BRUSHY CREEK  
PARCEL 1 0.089 ACRE (3,854.61 SQ.FT.)  
OUT OF  
CHARLES RAY CLINE SR.  
12.9 ACRES (3.8 AND 9.1 ACRE TRACTS)  
TRACT OF LAND IN  
MACEDONIA CARMONA SURVEY, A-18  
POLK COUNTY, TEXAS

- = SET 5/8" IR WITH PLASTIC CAP STAMPED "RODS SURVEYING, INC.
- = FOUND MONUMENT AS INDICATED.
- D.R.P.C.T. (DEED RECORDS POLK COUNTY, TEXAS)
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- P — PROPERTY LINE
- N — SAME LAND OWNER



*Jeffrey Lee Woodson*  
JEFFREY LEE WOODSON, RPLS NO. 6246  
RODS SURVEYING, INC.  
TBPLS FIRM REGISTRATION NO. 10030700

**RODS SURVEYING, INC.**  
6810 LEE ROAD SPRING, TEXAS 77379  
TEL (281) 257-4020 FAX (281) 257-4021  
TBPLS SURVEYING FIRM REG. No. 10030700

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BRUSHY CREEK**

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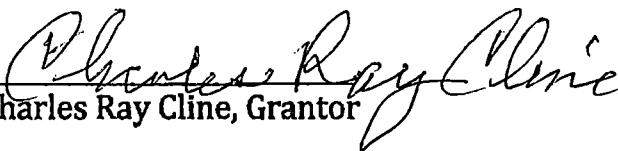
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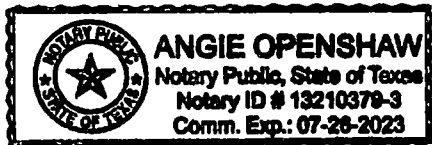
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Before me, Angie Openshaw, on this day personally appeared Charles Ray Cline Sr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9<sup>th</sup> day of August, 2021.

[SEAL]



Angie Openshaw  
Notary Public in and for the State of Texas  
Printed Name: Angie Openshaw  
My commission expires: 7/26/23

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Parcel No. 1

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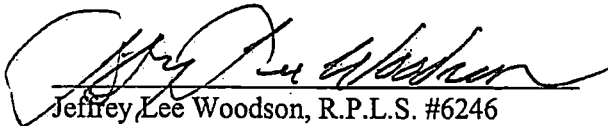
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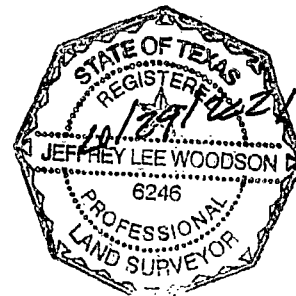
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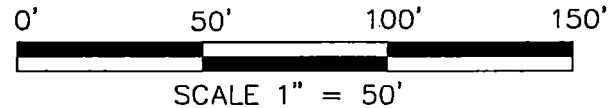


Jeffrey Lee Woodson, R.P.L.S. #6246  
RODS SURVEYING, INC.  
TBPLS Firm No. 10030700  
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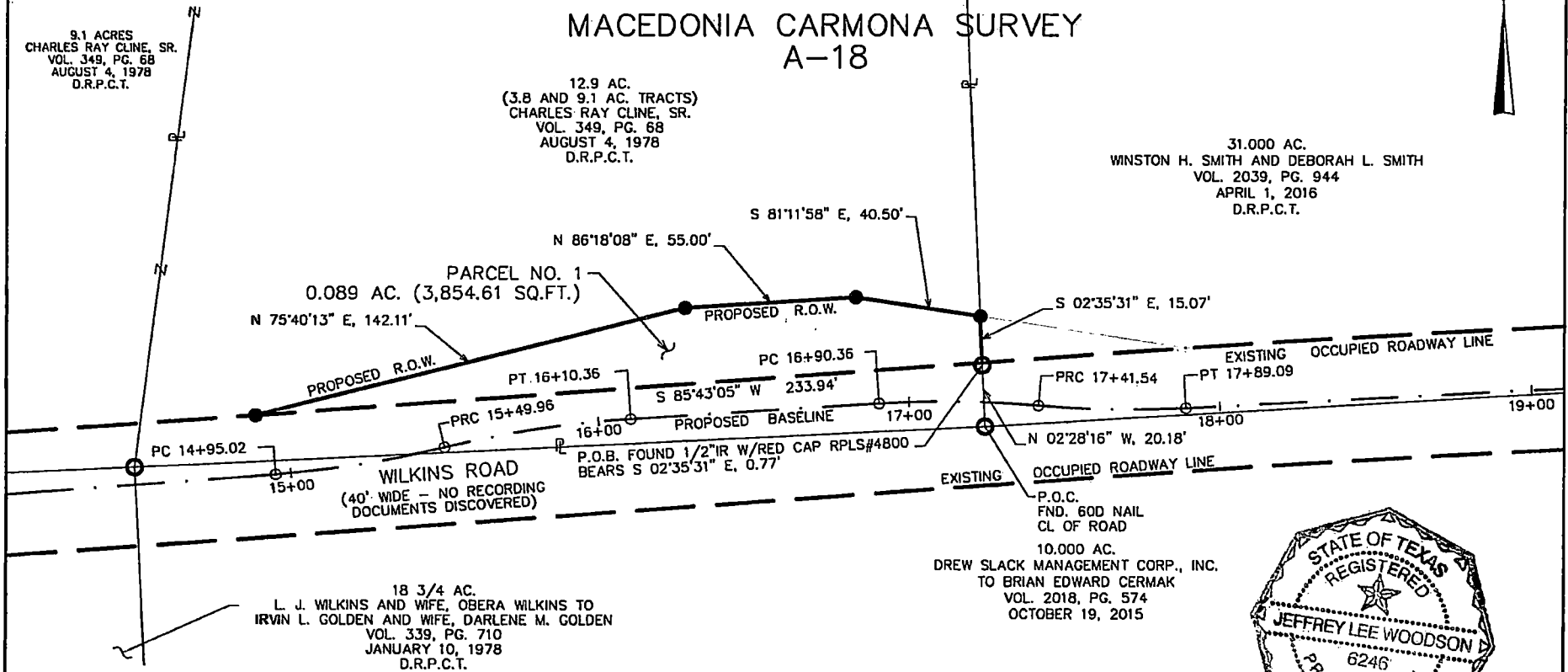


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A-18**

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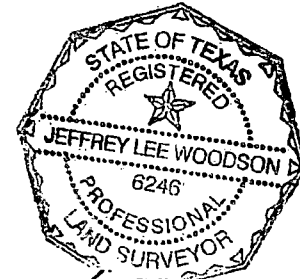
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31.000 AC.  
WINSTON H. SMITH AND DEBORAH L. SMITH  
VOL. 2039, PG. 944  
APRIL 1, 2016  
D.R.P.C.T.



18 3/4 AC.  
L. J. WILKINS AND WIFE, OBERA WILKINS TO  
IRVIN L. GOLDEN AND WIFE, DARLENE M. GOLDEN  
VOL. 339, PG. 710  
JANUARY 10, 1978  
D.R.P.C.T.

10.000 AC.  
DREW SLACK MANAGEMENT CORP., INC.  
TO BRIAN EDWARD CERMAK  
VOL. 2018, PG. 574  
OCTOBER 19, 2015



**EXHIBIT "A" PAGE 3 OF 3**

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**RODS SURVEYING, INC.**

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○ = FOUND MONUMENT AS INDICATED.

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