

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PARTIAL RELEASE OF EASEMENT

Date: _____

Easement Holder: City of San Marcos, Texas, 630 East Hopkins Street, San Marcos, Hays County, TX 78666

Property: Lot 2, Block A, San Marcos Toyota Subdivision, a plat of record in Volume 9 Pages 155-156 of the Plat Records of Hays County, Texas, also called Tract 1, as conveyed to BRCK LTD of record in Document No. 20009852, of the Official Public Records of Hays County, Texas

Easement(s): A 0.4490-acre tract of land, being that certain Access and Public Utility Easement from Mr. J. Michael Chargois to the City of San Marcos dated December 15, 2003, and recorded on August 10, 2004, as Instrument No. 04022974, Volume 2521, Page 19, Official Public Records of Hays County, Texas and being more particularly described by metes and bounds in Exhibit "A," attached hereto and made a part hereof for all purposes.

Partial Release and Modification of Easement: The Easement Holder hereby partially releases the Easement(s) only as to the Property and relinquishes any right, title or interest to or in the Easement(s) to the extent located within the Property. Except as modified herein, the Easement(s) remains in full force and effect as to all other areas and land located outside of the Property that are encumbered by the Easement(s).

EASEMENT HOLDER:

By: City of San Marcos

City Manager, Stephanie Reyes

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on _____, by Stephanie Reyes, City Manager of the City of San Marcos, Texas in such capacity, on behalf of the said municipal corporation.

Notary Public, State of Texas

Exhibit "A"

**DESCRIPTION OF
A 0.4490 - ACRE VARIABLE WIDTH
ACCESS AND PUBLIC UTILITY EASEMENT**

A **0.4490 - acre** tract of land, being a variable width Access and Public Utility Easement, over and across the William H Vanhorn Survey, Abstract No. 464, situated in the City of San Marcos, Hays County, Texas, over and across a Lot 2, Block A, San Marcos Toyota Subdivision, a plat of record in Volume 9 Pages 155-156 of the Plat Records of Hays County, Texas, also called Tract 1, as conveyed to BRCK LTD of record in Document No. 20009852, of the Deed Records of Hays County, Texas Deed Records of Hays County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of Lot 2, Block A, and the North line of the 56.288 acre tract of land as conveyed to JMC Realty LP of record in Volume 1662 Page 628, recorded May 1, 2000, Deed Records of Hays County, Texas, for the South corner of the herein described easement, from which a found $\frac{1}{2}$ iron rod for the Northwest corner of the 56.288 acre tract and the Southwest corner of Lot 2, Block A bears South 43 degrees 33 minutes 04 seconds West, a distance of 75.18 feet for a reference;

THENCE, over and across Lot 2, Block A, the following ten (10) courses and distances

1. **North 46 degrees 16 minutes 36 seconds West**, a distance of **155.49 feet**;
2. **North 43 degrees 35 minutes 04 seconds East**, a distance of **351.62 feet**;
3. **North 03 degrees 19 minutes 43 seconds East**, a distance of **29.73 feet**;
4. **North 36 degrees 55 minutes 37 seconds West**, a distance of **228.59 feet**
5. **North 43 degrees 33 minutes 00 seconds East**, a distance of **25.34 feet**;
6. **South 36 degrees 55 minutes 37 seconds East**, a distance of **273.43 feet**;
7. **South 43 degrees 35 minutes 04 seconds West**, a distance of **357.32 feet**;
8. **South 01 degrees 24 minutes 56 seconds East**, a distance of **14.18 feet**;

9. **South 46 degrees 16 minutes 36 seconds East**, a distance of **120.45 feet**, from which a found $\frac{1}{2}$ iron rod with a cap stamped HMT on the Southwest right-of-way line of Posey Road, (having a 40 foot wide right-of-way), for the common corner of the remaining portion of the 56.288 acre tract and a 2.571 acre tract, called Tract 2, conveyed to BRCK LTD of record in Document No. 20009852 Deed Records of Hays County, Texas, bears North 43 degrees 33 minutes 04 seconds East, a distance of 908.58 feet for a reference;
10. **South 43 degrees 33 minutes 04 seconds West**, a distance of **25.00 feet to the POINT OF BEGINNING**, containing 19,559 square feet or **0.4490 - acres**, said tract being described in accordance with an exhibit prepared by KFW Surveying. Basis of bearings is based on Texas State-Plane South Central Zone, 4204 (N.A.D.83).



SVC 03/22/2023

Job No.: 19-115
Prepared by: KFW Surveying
Date: March 22, 2023
File: S:\Draw 2019\19-115 Posey Road Detention Project\DOCS\FN 0.4490AC.docx

