

CAUSE NO. 24CV-07635

CITY OF SAN MARCOS, TEXAS,	§	EMINENT DOMAIN PROCEEDING
<i>Condemnor,</i>	§	
	§	
v.	§	IN COUNTY COURT AT LAW
JAIME LYNN HARPER,	§	
<i>Condemnee.</i>	§	OF CALDWELL COUNTY

AWARD OF SPECIAL COMMISSIONERS

On January 28th, 2025, at 10:00 a.m., in the Caldwell County Justice Center, Multi-Purpose Room, 1703 S. Colorado St., Lockhart, Texas 78644, the parties convened the Special Commissioners' Hearing and the above-styled cause came on to be heard before the undersigned, three disinterested real property owners residing in Caldwell County, Texas, heretofore appointed as Special Commissioners by the Judge of this Court to assess just compensation in this condemnation proceeding, and came Condemnor, City of San Marcos, Texas ("Condemnor"), represented by counsel, having announced ready, and Condemnee, Jaime Lynn Harper,

☒ not appearing

☐ having appeared in person

☐ having appeared represented by counsel, announcing ready.

I.

On October 17, 2024, Condemnor filed Condemnor's Original Petition in Condemnation ("Petition") and, upon the facts and for the purposes stated therein, Condemnor seeks to condemn certain property interests in and to property situated in Caldwell County, Texas, as described in said Petition, which is attached hereto as Exhibit "A".

II.

The Judge of this Court appointed three disinterested real property owners residing in Caldwell County, Texas, as Special Commissioners to assess the damages caused by the condemnation of said property and property rights.

III.

The Special Commissioners are duly qualified as such, each having taken the oath, prescribed by law, to assess damages fairly, impartially, and according to the law.

IV.

That a Special Commissioners' hearing is scheduled in the above-captioned matter for January 28, 2025, at 10:00 a.m., in the meeting room of the Caldwell County Justice Center, Multi-Purpose Room, 1703 S. Colorado St., Lockhart, Texas 78644.

V.

That the Special Commissioners issued written notice of such date, time and location of the hearing, and Condemnee received notice of said hearing.

VI.

That the Special Commissioners convened on January 28, 2025, along with the parties and interested persons as noted herein, and said Special Commissioners are entering the award amount indicated below. Further, the award amount will be paid to Condemnee by reason of the condemnation of the property and, after hearing and considering such evidence, said Special Commissioners did find and determine and, accordingly, the award amount to be paid by Condemnor for this condemnation according to the rules of just compensation as set forth in TEX.

PROP. CODE ANN. § 21.042 in the total amount of:
Two Hundred fifty nine thousand and no/ Dollars
(\$ 259,000.00) to Condemnee, as Condemnee's interests may appear.

The costs of this proceeding are adjudged against Condemnor.

Rendered this 28th day of January 2025.



Cathey Curtis



Laura Cline



Dr. Barbara Sanchez

SPECIAL COMMISSIONERS

The costs which have accrued to date are as follows:

Fees due Special Commissioners as set by the Court.

No. of Hours: 5 \$ _____ to Cathey Curtis.
No. of Hours: 5 \$ _____ to Laura Cline.
No. of Hours: 5 \$ _____ to Dr. Barbara Sanchez.

The foregoing decision and Award was filed with me this ____ day of January 2025.

PRESIDING JUDGE

CLERK OF THE COURT: PURSUANT TO TEXAS PROPERTY CODE §21.049 – THE CLERK OF THE COURT MUST SEND COPIES OF THE NOTICE OF EMINENT DOMAIN AWARD VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR REGISTERED MAIL, TO THE PARTIES IN THE PROCEEDING, OR TO THEIR ATTORNEY(S) OF RECORD, AT THEIR ADDRESSES OF RECORD.

IN REGARD TO THE ABOVE-NAMED MATTER, PLEASE SEND COPIES TO THE FOLLOWING:

A. A. Jack Ross, IV
Katherine Ramos-Reiley
Allison Surginer
ROSS MOLINA OLIVEROS, P.C.
4118 Pond Hill Road, Ste. 100
San Antonio, Texas 78231
Attorneys for Condemnor

Nicholas P. Laurent
BARRON ADLER CLOUGH & ODDO, PLLC
808 Nueces Street
Austin, Texas 78701
Attorney for Condemnee

EXHIBIT "A"CAUSE NO. 24CV-07635

CITY OF SAN MARCOS, TEXAS,	§	EMINENT DOMAIN PROCEEDING
	§	
<i>Condemnor,</i>	§	
	§	
v.	§	IN COUNTY COURT AT LAW
	§	
JAIME LYNN HARPER,	§	
	§	
<i>Condemnee.</i>	§	OF CALDWELL COUNTY

CONDEMNOR'S ORIGINAL PETITION IN CONDEMNATION

1. Condemnor, City of San Marcos, Texas, ("the City" or "Condemnor"), files this Original Petition in Condemnation to obtain, through its power of eminent domain, a permanent easement and related rights over, under, across and upon a certain part of the hereinafter-described real property situated in Caldwell County, Texas (the real property, out of which the easement is only a certain part, being the "Property"), and would respectfully show the Court the following:

I. DISCOVERY CONTROL PLAN

2. Discovery is intended to be conducted pursuant to Rule 190.4 (Level 3) of the Texas Rules of Civil Procedure upon completion of the administrative phase of this case.

II. JURISDICTION AND VENUE

3. This is a proceeding in eminent domain pursuant to Chapter 21 of the Texas Property Code. Pursuant to § 25.0173 of the Texas Government Code, this Court has jurisdiction for such matters in Caldwell County. Venue is proper pursuant to § 21.013 of the Texas Property Code because the Property is located wholly within Caldwell County, Texas.

III. PARTIES

4. The City of San Marcos, Texas, a municipal corporation of Hays County, Texas, pursuant to the authority contained in Section 251.070 of the Texas Local Government Code and

Section 2.02 of the Home Rule Charter, and their predecessors. Condemnor seeks to acquire interests in real property by its eminent-domain powers pursuant to Section 2.02 of the Home Rule Charter and Chapter 21 of the Texas Property Code. Condemnor's principal office and place of business is 630 E. Hopkins, San Marcos, Texas 78666.

5. The owner and other persons or entities having or claiming legal, equitable or security interests in, to or on the Property, hereinafter called Condemnee, whether one or more, are as follows:

- a. Condemnee, Jaime Lynn Harper, is an individual and may be served with hearing/process at 1902 Highway 21, San Marcos, Texas 78666-5126, or by and through her attorney, Nicholas P. Laurent of BARRON ADLER CLOUGH & ODDO, PLLC, at 808 Nueces Street, Austin, Texas 78701, or wherever Condemnee may be found.

6. Condemnor reserves the right to add the name or names of any additional parties who may subsequently appear to possess an interest in the Property.

IV. PUBLIC USE AND NECESSITY

7. The City Council of the City of San Marcos has determined that a public use and necessity exists for undertaking water, wastewater, recycled water, and related electric improvements alongside Highway 80 (the "Project") for the use and benefit of the constituents of the City of San Marcos. The City Council of the City of San Marcos has further determined that to advance and achieve such public use it is necessary for the City to acquire easements over, under, across and upon certain properties affected by the Project, including the Property.

V. PROPERTY RIGHTS SOUGHT

8. Using its power of eminent domain pursuant to Chapter 251 of the Texas Local Government Code and in accordance with Chapter 21 of the Texas Property Code and all other

applicable laws, Condemnor seeks to acquire by this condemnation proceeding the property rights and interests described below.

A. *Water Line Easement*

9. Condemnor seeks to acquire by condemnation a permanent easement and right-of-way for the purposes of constructing, laying, installing, reconstructing, replacing, repairing, operating and maintaining one potable water line of twelve inches (12") in nominal diameter, and related valves, manholes, connections, controls, monitoring devices, and other associated equipment and appurtenances (collectively, the "Water Line Facilities"), across, through and over the Property (the "Water Line Easement"). The Water Line Easement and the Property out of which the same is sought are more particularly described and shown in **Exhibit A** attached hereto and incorporated herein for all purposes.

10. Condemnor seeks the rights and benefits necessary for the full enjoyment and use of the rights described herein, together with the right of ingress and egress over the Water Line Easement for constructing, reconstructing, realigning, inspecting, patrolling, maintaining, operating, repairing, adding, removing and/or replacing the Water Line Facilities; and the right to relocate said Water Line Facilities within the Water Line Easement.

B. *Wastewater Line Easement*

11. Condemnor seeks to acquire by condemnation a permanent easement and right-of-way for the purposes of constructing, laying, installing, reconstructing, replacing, repairing, operating and maintaining one wastewater line of eighteen inches (18") in nominal diameter, and related valves, manholes, connections, controls, monitoring devices, and other associated equipment and appurtenances (collectively, the "Wastewater Facilities"), across, through and over the Property (the "Wastewater Line Easement"). The Wastewater Line Easement and the

Property out of which the same is sought are more particularly described and shown in **Exhibit A** attached hereto and incorporated herein for all purposes.

12. Condemnor seeks the rights and benefits necessary for the full enjoyment and use of the rights described herein, together with the right of ingress and egress over the Wastewater Line Easement for constructing, reconstructing, realigning, inspecting, patrolling, maintaining, operating, repairing, adding, removing and/or replacing the Wastewater Facilities; and the right to relocate said Wastewater Facilities within the Wastewater Line Easement.

C. Recycled Water Line Easement

13. Condemnor seeks to acquire by condemnation a permanent easement and right-of-way for the purposes of constructing, laying, installing, reconstructing, replacing, repairing, operating and maintaining one recycled water line of sixteen inches (16") in nominal diameter, and related valves, manholes, connections, controls, monitoring devices, and other associated equipment and appurtenances (collectively, the "Recycled Water Facilities"), across, through and over the Property (the "Recycled Water Line Easement"). The Recycled Water Line Easement and the Property out of which the same is sought are more particularly described and shown in **Exhibit A** attached hereto and incorporated herein for all purposes.

14. Condemnor seeks the rights and benefits necessary for the full enjoyment and use of the rights described herein, together with the right of ingress and egress over the Recycled Water Line Easement for constructing, reconstructing, realigning, inspecting, patrolling, maintaining, operating, repairing, adding, removing and/or replacing the Recycled Water Facilities; and the right to relocate said Recycled Water Facilities within the Recycled Water Line Easement.

15. The Water Line Easement, Wastewater Line Easement, and Recycled Water Easement shall hereafter be collectively referred to as the "Permanent Easement."

D. Terms of the Easements

16. Condemnor shall have the right to remove from the Permanent Easement all trees and parts thereof or other obstructions which might interfere with the exercise of the rights granted hereunder.

17. Following construction, Condemnor agrees that it will remove from the Permanent Easement all surplus material and, subject to Condemnor's facilities in the Permanent Easement, will cause the Permanent Easement to be left as near as reasonably possible in the condition as it existed before the construction of said improvements.

18. No building or structure of any kind may be constructed within the Permanent Easement by Condemnee or Condemnee's legal representatives, successors and/or assigns.

VI. RIGHTS RETAINED BY CONDEMNEE

19. Condemnee shall have and reserve the right to use all or any part of the Permanent Easement for any purpose that does not damage, destroy, injure and/or interfere with Condemnor's use of the Permanent Easement for the purposes for which they are being sought herein.

20. There shall be reserved to Condemnee and others, as applicable, all the oil, gas and other minerals in, on and under the Permanent Easement; however, Condemnee shall not be permitted to drill or operate equipment for the production of minerals on the Permanent Easement, but will be permitted to extract the oil, gas and other minerals from and under the Permanent Easement by directional drilling and other means if Condemnor's use of the Permanent Easement is not disturbed.

21. As stated in § 21.023 of the Texas Property Code, Condemnee or Condemnee's heirs, successors, or assigns may be entitled to (1) repurchase the Permanent Easement pursuant to Subchapter E of Chapter 21 of the Texas Property Code, or (2) request from Condemnor certain information relating to the use of the Permanent Easement and any actual progress made toward that use. Should Condemnee repurchase the Permanent Easement pursuant to Subchapter E of Chapter 21 of the Texas Property Code, the repurchase price will be the price paid to Condemnee by Condemnor at the time Condemnor acquired the Permanent Easement through eminent domain.

VII. NEGOTIATIONS

22. Condemnor, acting by and through its authorized agent, provided Condemnee with the Landowner's Bill of Rights Statement in accordance with § 21.0112 of the Texas Property Code and made a bona fide offer to acquire the rights sought herein from Condemnee voluntarily pursuant to § 21.0113 of the Texas Property Code. However, Condemnee did not accept Condemnor's offer, Condemnor and Condemnee are unable to agree on the damages, and negotiations have become futile.

23. Accordingly, all conditions precedent to instituting this condemnation proceeding have occurred or have been performed.

VIII. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Condemnor prays:

1. That three disinterested real property owners residing in Caldwell County be appointed as Special Commissioners to assess the damages, if any, to Condemnee's property as required by law;
2. That two disinterested real property owners residing in Caldwell County be appointed as Alternate Special Commissioners who, upon the unavailability of any Special Commissioner, whether due to being struck or otherwise, shall, in the order

in which such Alternate Special Commissioners are appointed, take the place and perform the duties of the unavailable Special Commissioner;

3. That the Court specify in the order appointing Special Commissioners that the reasonable period during which a party may strike one (1) of the Special Commissioners is ten (10) calendar days after appointment;
4. That the Special Commissioners so appointed set a date and time for a hearing;
5. That Condemnee be notified of the hearing in writing;
6. That at said hearing, the Special Commissioners assess the value of the property interests belonging to Condemnee that are sought to be condemned and assess damages, if any, to Condemnee's property by the acquisition and use of the rights sought herein;
7. That the Court enter judgment vesting in Condemnor, its successors and assigns, the rights sought herein;
8. That upon payment into the Registry of the Court of the amount awarded by the Special Commissioners, Condemnor have a Writ of Possession issued on its behalf and any other process necessary to enforce the judgment of condemnation, all as provided by law;
9. That Condemnor recover its costs of these proceedings; and
10. For such other and further relief, both general and special, at law and in equity, to which Condemnor may be justly entitled.

Respectfully submitted,

ROSS MOLINA OLIVEROS, P.C.

/s/ A.A. Jack Ross, IV

A.A. Jack Ross, IV, Attorney-in-Charge

State Bar No. 17283940

jross@rmolawfirm.com

Katherine Ramos Reiley

State Bar No. 24033103

kramos@rmolawfirm.com

Allison K. Surginer

State Bar No. 24132262

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4118 Pond Hill Road, Suite 100

San Antonio, Texas 78231

(210) 249-3200 – Telephone

(210) 249-3201 – Facsimile

**ATTORNEYS FOR CONDEMNOR
CITY OF SAN MARCOS**

CERTIFICATE OF MAILING

Condemnor will mail a copy of this Petition by regular and certified mail, return receipt requested to all Condemnees whose addresses are listed in Section III, above.

/s/ A.A. Jack Ross, IV

A.A. Jack Ross, IV

EXHIBIT A

Project Name: Hwy 80 Merged Projects #661 & #555
Parcel: 00016.0003

Job No: 2300000074.000.2
February 21, 2023

Exhibit "A"

2.331 Acre **Water Line, Wastewater Line and** **Recycled Water Line Easement**

State of Texas
County of Caldwell

Fieldnotes, for a 2.331 Acre (101,540 Square Feet) Water Line, Wastewater Line and Recycled Water Line Easement, situated in the William Pettus Survey, Abstract Number 21, Caldwell County, Texas, over and across an 84.27 Acre tract, in a Probate Muniment of Title from Dudley Gene Harper to Jaime Lynn Harper, as recorded in Document Number 2019-005417 of the Official Public Records of Caldwell County, Texas, further described in a Deed from Arthur A. Harper, Jr., Ray Stewart Harper and Dudley Gene Harper to Dudley Gene Harper, as recorded in Volume 386, Page 186 of the said Official Public Records; said 2.331 Acres being more fully described by metes and bounds as follows;

Beginning, at a 10 Inch Cedar Fence Corner Post found, on the North Right-of-Way of State Highway 80, for the Southwest corner of a 57.976 Acre tract, described in a Deed from William M. Soyars to the City of San Marcos, a Texas Municipal Corporation, as recorded in Volume 175, Page 866 of the said Official Public Records, the Southeast corner of the said 84.27 Acre tract and this tract;

Thence, North 78°15'04" West, with the common line of the said North Right-of-Way and the South line of the said 84.27 Acre tract, 850.60 Feet, to a ½ Inch Iron Rod with Red Plastic Cap stamped "ESMT" set, for a corner of this tract and the Beginning of a curve to the Right with a Radius of 2814.79 Feet, a Delta of 14°28'50" an Arc Length of 711.39 Feet and a Chord which bears North 71°10'58" West, 709.50 Feet;

Thence, with the Arc of the said Curve to the Right and the said Common Line, 711.39 Feet to a ½ Inch Iron Rod with Yellow Plastic Cap stamped "Baseline Corp." set, for the South corner of a 99.95 Acre tract, described in a Deed from Arthur A. Harper, Jr., Ray Stewart Harper and Dudley Gene Harper to Arthur A. Harper, Jr., as recorded in Volume 386, Page 186 of the said Official Public Records, the West corner of the said 84.27 Acre tract and this tract;

Thence, North 17°20'17" East, departing the said Common line, with the common line of the said 99.95 Acre tract and the said 84.27 Acre tract, 65.78 Feet to a ½ Inch Iron Rod with Red Plastic Cap stamped "ESMT" set, for the North corner of this tract and the Beginning of a curve to the Left with a Radius of 2749.79 Feet, a Delta of 14°41'25" an Arc Length of 705.03 Feet and a Chord which bears South 71°04'48" East, 703.10 Feet;

Exhibit "A"
Parcel 00016.0003

Thence, departing the said Common line, with the Arc of the said Curve to the Left, 705.03 Feet to a ½ Inch Iron Rod with Red Plastic Cap stamped "ESMT" set, for a corner of this tract;

Thence, South 78°15'14" East, 857.15 Feet to a ½ Inch Iron Rod with Red Plastic Cap stamped "ESMT" set, on the West line of the said 57.976 Acre tract, the East line of the said 84.27 Acre tract, for the Northeast corner of this tract;

Thence, South 17°25'17" West, with the common line of the said 57.976 Acre tract and the said 84.27 Acre tract, 65.32 Feet to the **Point of Beginning**, containing 2.331 Acres (101,540 Square Feet) of Land, more or less.

Bearings are based on GPS, NAD83, State Plane Coordinates, Texas South Central Zone 4204.

Unless this fieldnote description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

Also reference accompanying Sketch of tract described herein.

BASELINE CORPORATION

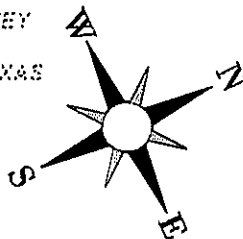


[Signature]
Keith W. Wooley, R.P.L.S.
License No. 5463

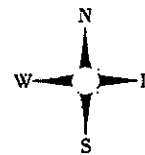
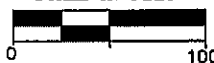
Exhibit "A"

Parcel: 00016.0003

WILLIAM PETTUS SURVEY
ABSTRACT NO. 21
CALDWELL COUNTY, TEXAS



SCALE: 1"=100'
SCALE IN FEET



ARTHUR A. HARPER, JR.,
RAY STEWART HARPER
AND DUDLEY GENE HARPER
TRACT ONE: 84.27 ACRES
VOL. 386, PG. 196
D.R.C.C.T.

LOCATION MAP
Caldwell County, Tx.

SYMBOL LEGEND:

- 1/2 Inch Iron Rod Found
- 1/2 Inch Iron Rod Set with Red Plastic Cap "ESMT"
- ⊙ 1/2 Inch Iron Rod Set with Yellow Plastic Cap "BURY & PARTNERS"
- ⊕ Post
- Property Line/ROW
- - - Proposed Easement
- (N02°03'21"E 1168.37) Record Bearing/Distance

2.331 ACRE
(101,540 SQ FT)
WATER LINE AND
WASTEWATER LINE AND
RECYLED WATER LINE
EASEMENT

JAIME LYNN HARPER
DOC. NO.
370-2019-005417
O.P.R.C.T

DESCRIBED IN
TRACT ONE: 84.27 ACRES
(VOL. 386, PG. 186)
D.R.C.C.T

LINE TABLE		
LINE	BEARING	LENGTH
L1	N78°15'04"W	850.60
(DEED)	N77°36'W	850.42
L2	N17°20'17"E	65.78
L3	S78°15'14"E	857.15
L4	S17°25'17"W	65.32

MAXWELL WATER SUPPLY CORP.
RIGHT OF WAY EASEMENT
20' WIDTH OF
CENTERLINE OF WATERLINE
VOL. 208, PG. 827
O.P.R.C.C.T.

MAXWELL WATER SUPPLY CORP.
20' WIDTH OF
CENTERLINE OF WATERLINE
VOL. 261, PG. 213
O.P.R.C.C.T.

CITY OF SAN MARCOS,
a TEXAS MUNICIPAL CORPORATION
57.976 ACRES
VOL. 175, PG. 866
O.P.R.C.C.T.

POINT OF
BEGINNING

10" CEDAR
POST

BASELINE

DCCM

Baseline Corporation | TxSurv F-10030200
190 S Seguin Ave, New Braunfels, TX 78130
830.606.3913 | BaselineSurveyors.net

DRAWN BY: M.H.

DATE: FEBRUARY 2023

CHECKED BY: K.W.W.

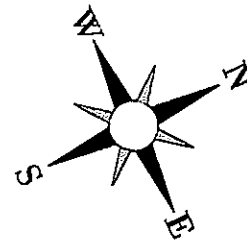
JOB NO.: 2206.07.NB

SHEET 3 OF 5

Exhibit "A"
Sketch to Accompany

2.331 Acre (101,540 Square Feet) Water Line, Wastewater Line and Recycled Water Line Easement, situated in the William Pettus Survey, Abstract Number 21, Caldwell County, Texas, over and across an 84.27 Acre tract, in a Probate Muniment of Title from Dudley Gene Harper to Jaime Lynn Harper, as recorded in Document Number 2019-005417 of the Official Public Records of Caldwell County, Texas, further described in a Deed from Arthur A. Harper, Jr., Ray Stewart Harper and Dudley Gene Harper to Dudley Gene Harper, as recorded in Volume 386, Page 186 of the said Official Public Records.

Exhibit "A"
Parcel: 00016.0003



SCALE: 1"=100'
SCALE IN FEET
0 100

ARTHUR A. HARPER, JR.
99.95 ACRES
VOL. 386, PG. 196
D.R.C.C.T.
(N18°02'W 2356.71')
N17°20'17"E 2358.33'

WILLIAM PETTUS SURVEY
ABSTRACT NO. 21
CALDWELL COUNTY, TEXAS

JAIME LYNN HARPER
DOC. NO.
370-2019-005417
O.P.R.C.T

DESCRIBED IN
TRACT ONE: 84.27 ACRES
(VOL. 386, PG. 186)
D.R.C.C.T

CURVE TABLE						
CURVE	CHORD B	CHORD	RADIUS	DELTA	LENGTH	TANGENT
C1	N71°10'58"W	709.50	2814.79	14°28'50"	711.39	357.60
(DEED)	N70° 22'W	709.62	2814.79	14°28'59"	711.51	357.66
C2	S71°04'48"E	703.10	2749.79	14°41'25"	705.03	354.46

LINE TABLE		
LINE	BEARING	LENGTH
L1	N78°15'04"W	850.60
(DEED)	N77°36'W	850.42
L2	N17°20'17"E	65.78
L3	S78°15'14"E	857.15
L4	S17°25'17"W	65.32

SYMBOL LEGEND:

- 1/2 Inch Iron Rod Found
- 1/2 Inch Iron Rod Set with Red Plastic Cap "ESMT"
- ⊙ 1/2 Inch Iron Rod Set with Yellow Plastic Cap "BURY & PARTNERS"
- ⊙ Post
- Property Line/ROW
- - - Proposed Easement
- (N02°03'21"E 1168.37) Record Bearing/Distance

2.331 ACRE

(101,540 SQ FT)

WATER LINE AND
WASTEWATER LINE AND
RECYLED WATER LINE
EASEMENT

METAL
BUILDING
DOC. NO.
2022-002378

MAXWELL WATER
SUPPLY CORP.
15' WIDTH
RIGHT OF WAY
EASEMENT
VOL. 421, PG. 774
D.R.C.C.T.

MAXWELL WATER
SUPPLY CORP.
20' WIDTH OF
CENTERLINE OF WATERLINE
VOL. 261, PG. 213
O.P.R.C.C.T.

STATE HIGHWAY 80
(R.O.W. VARIES)

65.00'

MATCH-LINE SEE SHEET 1

NOTES

- GRID BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83 (NA2011), TEXAS SOUTH CENTRAL ZONE 4204. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. COORDINATES WERE ADJUSTED FROM STATE PLANE GRID TO SURFACE USING A SCALED ADJUSTMENT FACTOR OF 1.00012. (RECIPROCAL OF 1.00012=0.9998800144).
- THIS MAP WAS PREPARED FROM FIELD DATA OBTAINED ON JUNE, JULY, AUGUST, SEPTEMBER 2022 AND JANUARY 2023.
- SOME FEATURES SHOWN ON THIS SURVEY MAY BE OUT OF SCALE FOR CLARITY.
- THIS MAP WAS PREPARED WITH THE BENEFIT OF A CURRENT TITLE COMMITMENT BY CHICAGO TITLE INSURANCE COMPANY, GF NO. 2318494-SMA, EFFECTIVE DATE: JUNE 12, 2023, 8:00 am, ISSUED DATA: JUNE 20, 2023, 8:00 am.
- A LEGAL DESCRIPTION WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY EXHIBIT PREPARED IN OUR OFFICE ON FEBRUARY 21, 2023. PROJECT NUMBER 2206.07.NB.
- THIS EXHIBIT IS PREPARED FOR THE ACQUISITION OF THE SUBJECT EASEMENT AND IS NOT INTENDED FOR ANY OTHER PURPOSE OR TRANSACTION.
- SITE ADDRESS: 2023 SAN MARCOS HWY, SAN MARCOS, TEXAS 78666, CALDWELL COUNTY, TEXAS.

Exhibit "A"
Sketch to Accompany

2.331 Acre (101,540 Square Feet) Water Line, Wastewater Line and Recycled Water Line Easement, situated in the William Pettus Survey, Abstract Number 21, Caldwell County, Texas, over and across an 84.27 Acre tract, in a Probate Muniment of Title from Dudley Gene Harper to Jaime Lynn Harper, as recorded in Document Number 2019-005417 of the Official Public Records of Caldwell County, Texas, further described in a Deed from Arthur A. Harper, Jr., Ray Stewart Harper and Dudley Gene Harper to Dudley Gene Harper, as recorded in Volume 386, Page 186 of the said Official Public Records.

BASELINE

DCCM

Baseline Corporation | TxSurv F-10030200
190 S Seguin Ave, New Braunfels, TX 78130
830.606.3913 | BaselineSurveyors.net

DRAWN BY: M.H.

DATE: FEBRUARY 2023

CHECKED BY: K.W.W.

JOB NO.: 2206.07.NB

SHEET 4 OF 5

Exhibit "A"
Parcel: 00016.0003

NOTES:

THIS MAP WAS PREPARED WITH THE BENEFIT OF A CURRENT TITLE COMMITMENT BY CHICAGO TITLE INSURANCE COMPANY, GF NO. 2319494-SMA, EFFECTIVE DATE: JUNE 12, 2023, 8:00 am, ISSUED DATE: JUNE 20, 2023, 8:00 am.

- 10a. Easement:
Recorded: Volume 107, Page 467, Deed Records, Caldwell County, Texas. To: Texas Public Utilities Company
Purpose: Utility DOES NOT AFFECT ALIGNMENT
- 10b. Easement:
Recorded: Volume 108, Page 383, Deed Records, Caldwell County, Texas. To: Texas Public Utilities Company
Purpose: Utility DOES NOT AFFECT ALIGNMENT
- 10c. Easement:
Recorded: Volume 109, Page 364, Deed Records, Caldwell County, Texas. To: Texas Public Utilities Company
Purpose: Utility DOES NOT AFFECT ALIGNMENT
- 10d. Lack of a right of access to and from the land. Covered Risk Number 4 is hereby deleted. (Owner Policy)
- 10e. All leases, grants, exceptions or reservation of coal, lignite, oil, gas and other mineral, together with all rights, privileges, and immunities relating thereto appearing in the public records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- 10f. Rights of Parties in Possession. (Owner Policy)
- 10g. Any visible and apparent easement, either public or private, located on or across the land, the existence of which is not disclosed by the Public Records as herein defined.
- 10h. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
- 10i. Rights of tenants, as tenants only, under any and all unrecorded leases or rental agreements. (NOTE: This item can be deleted upon receipt of an Affidavit executed by the seller evidencing there are not any outstanding leases or rental agreements. If the Affidavit reveals unrecorded outstanding leases or rental agreements the exception may be modified to make specific exception to those matters.)

Exhibit "A"
Sketch to Accompany

2.331 Acre (101,540 Square Feet) Water Line, Wastewater Line and Recycled Water Line Easement, situated in the William Pettus Survey, Abstract Number 21, Caldwell County, Texas, over and across an 84.27 Acre tract, in a Probate Muniment of Title from Dudley Gene Harper to Jaime Lynn Harper, as recorded in Document Number 2019-005417 of the Official Public Records of Caldwell County, Texas, further described in a Deed from Arthur A. Harper, Jr., Ray Stewart Harper and Dudley Gene Harper to Dudley Gene Harper, as recorded in Volume 386, Page 186 of the said Official Public Records.

BASELINE

DCCM

Baseline Corporation | TxSurv F-10030200
190 S Seguin Ave, New Braunfels, TX 78130
830.606.3913 | BaselineSurveyors.net

DRAWN BY: M.H.

DATE: FEBRUARY 2023

CHECKED BY: K.W.W.

JOB NO.: 2206.07.NB

SHEET 5 OF 5