

VG-267-2021-1441064

Brazos County
Karen McQueen
County Clerk

Instrument Number: 1441064
Volume : 17232 / pg 194
Real Property Recordings

Recorded On: July 30, 2021 12:14 PM

Number of Pages: 11

" Examined and Charged as Follows: "

Total Recording: \$62.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

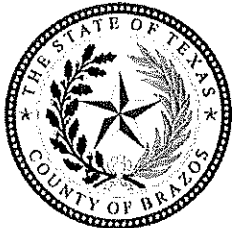
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1441064
Receipt Number: 20210730000067
Recorded Date/Time: July 30, 2021 12:14 PM
User: Mary G
Station: CCLERK10

Record and Return To:

CITY OF COLLEGE STATION
PO BOX 9973
COLLEGE STATION TX 77842



STATE OF TEXAS
COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX

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

PUBLIC UTILITY EASEMENT

DATE: July 20, 2021

GRANTOR: 318 BEARROCK, LLC, a Texas limited liability company

GRANTOR'S MAILING ADDRESS: 8872 HSC Parkway, Suite 401
(including County) Brazos County
Bryan, Texas 77807-1107

GRANTEE: CITY OF COLLEGE STATION, TEXAS

GRANTEE'S MAILING ADDRESS: P. O. Box 9960
(including County) Brazos County
College Station, Texas 77842

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration.

PROPERTY:

Tract One:

All that certain tract or parcel of land containing 3381 square feet of land, more or less, lying and being situated in College Station, Brazos County, Texas, being a portion of Lot 2R, Block 28, The Barracks II Subdivision, Phase 300, according to the plat recorded in Volume 13371, Page 193, of the Official Public Records of Brazos County, Texas; said 3381 square foot tract of land being more particularly described by metes and bounds and shown on survey diagram marked **EXHIBIT A** attached hereto and made a part hereof for all intents and purposes.

Tract Two:

All that certain tract or parcel of land containing 5425 square feet of land, more or less, lying and being situated in College Station, Brazos County, Texas, being a portion of Lot 2R, Block 28, The Barracks II Subdivision, Phase 300, according to the plat recorded in Volume 13371, Page 193, of the Official Public Records of Brazos County, Texas; said 5425 square foot tract of land being more particularly described by metes and bounds and shown on survey diagram marked **EXHIBIT B** attached hereto and made a part hereof for all intents and purposes.

This conveyance shall grant the rights herein specified only as to that portion of the above-described Property more particularly described on the attached **EXHIBIT A and EXHIBIT B** known as the "Easement Areas", and any additional area outside the Easement Areas necessary to install and attach equipment, guy wires, and anchors necessary and incident to the uses of the Easement Areas to erect, construct, install, and thereafter use, operate, inspect, repair, maintain, reconstruct, modify and remove the following:

Electric transmission and distribution lines;
Water lines and sanitary sewer lines, connecting lines,
access facilities, and related equipment;
Storm sewers and collection facilities;
Television, telephone, and communications lines;
Drainage ditches, drainage pipes and all other
drainage structures, surface and subsurface;

upon, over, and across the said Property as described and any ways, streets, roads, or alleys abutting same; and to cut, trim, and control the growth of trees and other vegetation on and in the Easement Areas or on adjoining property of GRANTOR, which might interfere with or threaten the operation and maintenance of any public utility equipment, accessories, or operations. It being understood and agreed that any and all equipment and facilities placed upon said Property shall remain the property of GRANTEE.

GRANTOR hereby expressly acknowledges that it is the owner of this property.

GRANTOR expressly subordinates all rights of surface use, incident to the mineral estate owned by GRANTOR, to the above-described uses of said surface by GRANTEE. GRANTOR will provide GRANTEE with the names and addresses of all lenders, if any, and agrees to lender's subordinations on behalf of GRANTEE, if any.

RESERVATIONS AND RESTRICTIONS: NONE.

TO HAVE AND TO HOLD, the rights and interests herein described unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, forever, and GRANTOR does hereby bind itself, its successors and assigns to warrant and forever defend, all and singular, these rights and interests unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.


318 BEARROCK, LLC, a Texas limited liability company

By: 318 BRYAN CAPITAL MANAGEMENT, LLC,
a Texas limited liability company, Its Manager

By: 
JEFFREY W. BROWN, Governing Person/Manager

By: 
JOHN E. JORDAN, Governing Person/Manager

By: BARRACKS MID-RISE MANAGEMENT LLC,
a Texas limited liability company, Its Manager

By: 
HEATH K. PHILLIPS, Manager

By: BOXWOOD REAL ESTATE MGMT 1 LLC,
a Texas limited liability company, Its Manager

By: 
SAMUEL LUKE MARVEL, Manager

THE STATE OF TEXAS
COUNTY OF BRAZOS

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 20th day of July, 2021, by JEFFREY W. BROWN, Governing Person/Manager of 318 BRYAN CAPITAL MANAGEMENT, LLC, a Texas limited liability company, Manager of 318 BEARROCK, LLC, a Texas limited liability company, on behalf of said 318 BEARROCK, LLC, a Texas limited liability company.



Sofia Lopez
NOTARY PUBLIC in and for the State of Texas

THE STATE OF TEXAS
COUNTY OF BRAZOS

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 20th day of July, 2021, by JOHN E. JORDAN, Governing Person/Manager of 318 BRYAN CAPITAL MANAGEMENT, LLC, a Texas limited liability company, Manager of 318 BEARROCK, LLC, a Texas limited liability company, on behalf of said 318 BEARROCK, LLC, a Texas limited liability company.



Sofia Lopez
NOTARY PUBLIC in and for the State of Texas

THE STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged before me on this 20th day of July, 2021, by HEATH K. PHILLIPS, Manager of BARRACKS MID-RISE MANAGEMENT LLC, a Texas limited liability company, Manager of 318 BEARROCK, LLC, a Texas limited liability company, on behalf of said 318 BEARROCK, LLC, a Texas limited liability company.



Shelby Kestler
NOTARY PUBLIC in and for the State of Texas

THE STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged before me on this 20th day of July, 2021, by SAMUEL LUKE MARVEL, Manager of BOXWOOD REAL ESTATE MGMT 1 LLC, a Texas limited liability company, Manager of 318 BEARROCK, LLC, a Texas limited liability company, on behalf of said 318 BEARROCK, LLC, a Texas limited liability company.




Shelby Kestler
NOTARY PUBLIC in and for the State of Texas

CONSENT AND SUBORDINATION BY LIENHOLDER

Lienholder, as the holder of liens(s) on the fee simple title to the Easement Property, consents to the above grant of an easement, including the terms and conditions of such grant, and Lienholder subordinates its lien(s) to the rights and interests of the easement, such that a foreclosure of the lien(s) will not extinguish the rights and interests of the easement.

SPIRIT OF TEXAS BANK, SSB

By: 
Printed Name: TRACY TATE
Title: REGIONAL PRESIDENT


THE STATE OF TEXAS

ACKNOWLEDGMENT

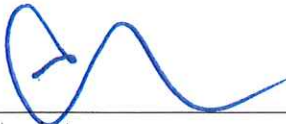
COUNTY OF BRAZOS

This instrument was acknowledged before me on this 20th day of July, 2021, by Tracy Tate, Regional President, of SPIRIT OF TEXAS BANK, SSB, on behalf of said SPIRIT OF TEXAS BANK, SSB.




NOTARY PUBLIC in and for the State of Texas

**APPROVED AS TO FORM
THIS DOCUMENT MAY NOT
BE CHANGED WITHOUT
RE-SUBMISSION FOR APPROVAL.**


City Attorney

PREPARED IN THE OFFICE OF:
City of College Station
Legal Department
P.O. Box 9960
College Station, TX 77842-9960

AFTER RECORDING, RETURN TO:
City of College Station
Legal Department
P.O. Box 9960
College Station, TX 77842-9960

PUBLIC UTILITY
EASEMENT 1



EXHIBIT A

Kerr Surveying, LLC

409 N. Texas Avenue

Bryan, Texas 77803

TBPELS Firm Registration No. 10018500

**FIELD NOTES DESCRIPTION
OF A
PUBLIC UTILITY EASEMENT
LOT 2R, BLOCK 28
THE BARRACKS II SUBDIVISION, PHASE 300
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF A PUBLIC UTILITY EASEMENT LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF LOT 2R, BLOCK 28, THE BARRACKS II SUBDIVISION, PHASE 300, ACCORDING TO THE PLAT RECORDED IN VOLUME 13371, PAGE 193 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON ROD WITH CAP STAMPED "KERR 4502" FOUND ON THE SOUTHWEST LINE OF SAID LOT 2R MARKING THE EAST CORNER OF PARKLAND TRACT 9, THE BARRACKS II SUBDIVISION, PHASE 300, ACCORDING TO THE PLAT RECORDED IN VOLUME 12555, PAGE 196 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (COORDINATES AND BEARING SYSTEM SHOWN HEREIN ARE NAD83 [TEXAS STATE PLANE CENTRAL ZONE GRID NORTH] BASED ON THE PUBLISHED COORDINATES OF CITY OF COLLEGE STATION G.P.S. CONTROL MONUMENT CS94-117 [Y:10191793.14, X:3559913.46] AND AS ESTABLISHED BY GPS OBSERVATION; DISTANCES SHOWN HEREIN ARE GRID DISTANCES; TO DETERMINE SURFACE DISTANCES MULTIPLY BY A COMBINED SCALE FACTOR OF 1.00008633027936 [CALCULATED USING GEOID 12B]);

THENCE: N 47° 45' 43" W ALONG THE COMMON LINE OF SAID LOT 2R AND SAID PARKLAND TRACT 9 FOR A DISTANCE OF 37.44 FEET TO THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED EASEMENT, FOR REFERENCE CS94-117 BEARS: S 13° 01' 47" E FOR A DISTANCE OF 3795.86 FEET;

THENCE: N 47° 45' 43" W CONTINUING ALONG THE COMMON LINE OF SAID LOT 26 AND SAID PARKLAND TRACT 9 FOR A DISTANCE OF 276.71 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "KERR 4502" FOUND MARKING THE WEST CORNER OF SAID LOT 2R;

THENCE: N 42° 07' 11" E CONTINUING ALONG THE COMMON LINE OF SAID LOT 2R AND SAID PARKLAND TRACT 9 FOR A DISTANCE OF 10.00 FEET;

THENCE: THROUGH SAID LOT 2R FOR THE FOLLOWING CALLS:

S 47° 45' 43" E FOR A DISTANCE OF 266.73 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 39.97 FEET;

N 47° 45' 43" W FOR A DISTANCE OF 11.43 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 10.00 FEET;

S 47° 45' 43" E FOR A DISTANCE OF 21.43 FEET;

S 42° 14' 17" W FOR A DISTANCE OF 59.97 FEET TO THE POINT OF BEGINNING CONTAINING 3381 SQUARE FEET OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4502
DATE: 8/14/2020

KERR SURVEYING, LLC | 409 N. TEXAS AVENUE, BRYAN, TEXAS 77803
979-268-3195 | BRAD@KERRSURVEYING.NET | TBPELS FIRM# 10018500

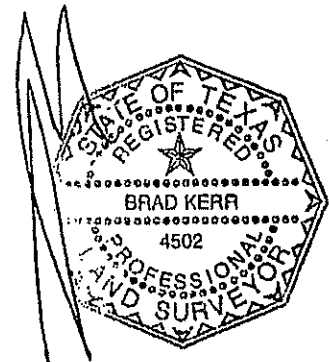
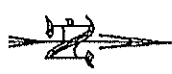


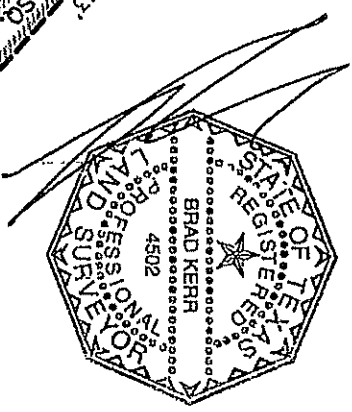
EXHIBIT A

LINE	BEARING	DISTANCE
L1	N 42°07'11" E	10.00'
L2	N 42°14'17" E	39.97'
L3	N 47°45'43" W	11.43'
L4	N 42°14'17" E	10.00'
L5	S 47°45'43" E	21.43'
L6	S 42°14'17" W	59.97'



SCALE: 1" = 40'

LOT 2R, BLOCK 28
PLAT 13371/193 O.P.R.B.C.T.



GENERAL NOTES

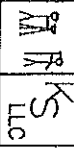
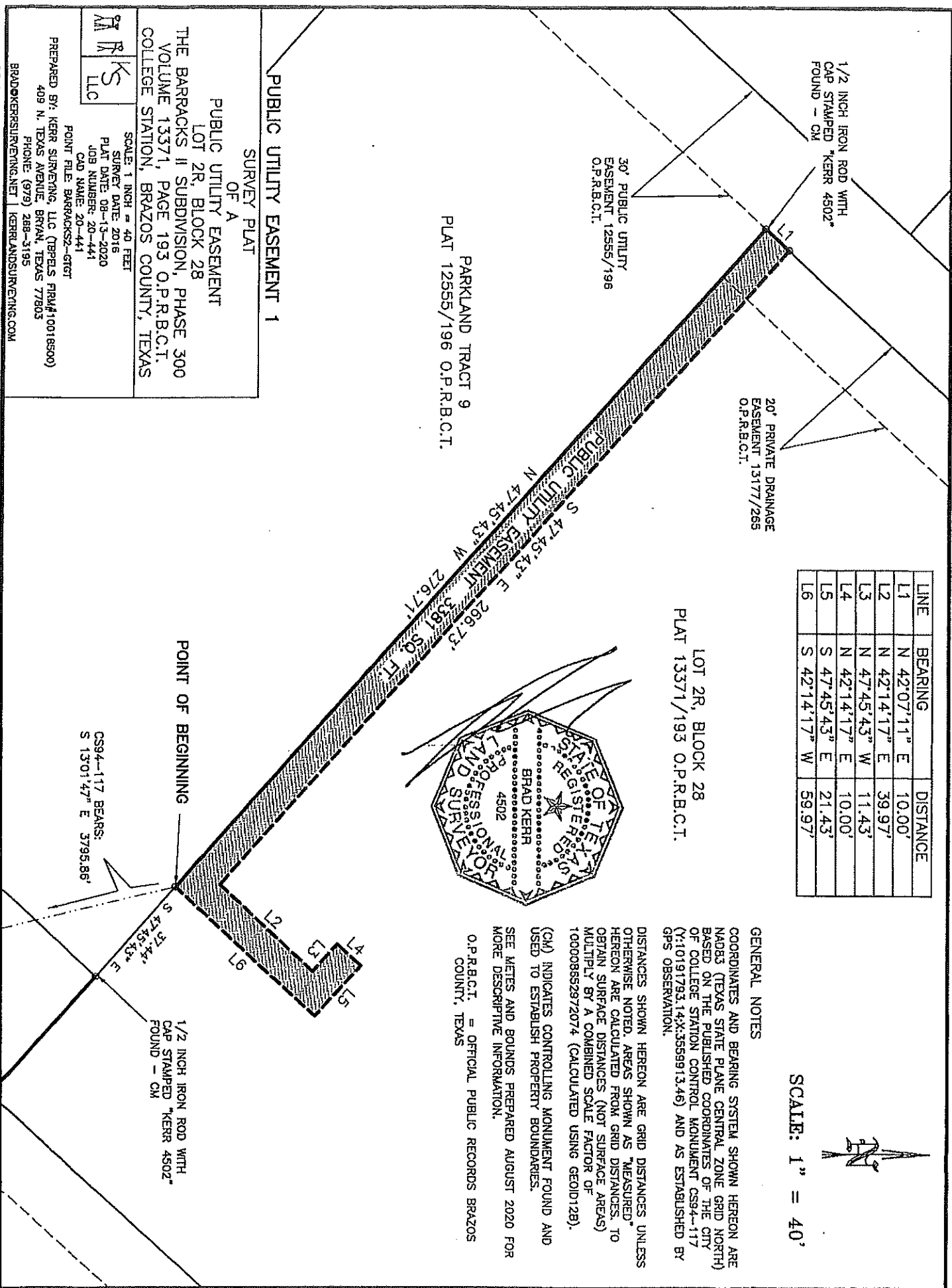
COORDINATES AND BEARING SYSTEM SHOWN HEREON ARE NAD83 (TEXAS STATE PLANE CENTRAL ZONE GRID NORTH) BASED ON THE PUBLISHED COORDINATES OF THE CITY OF COLLEGE STATION CONTROL MONUMENT CS94-117 (Y:10191793.14X:3559913.46) AND AS ESTABLISHED BY GPS OBSERVATION.

DISTANCES SHOWN HEREON ARE GRID DISTANCES UNLESS OTHERWISE NOTED. AREAS SHOWN AS "MEASURED" HEREON ARE CALCULATED FROM GRID DISTANCES. TO OBTAIN SURFACE DISTANCES (NOT SURFACE AREAS) MULTIPLY BY A COMBINED SCALE FACTOR OF 1.0000852972074 (CALCULATED USING GEOID12B).

(CM) INDICATES CONTROLLING MONUMENT FOUND AND USED TO ESTABLISH PROPERTY BOUNDARIES.

SEE METES AND BOUNDS PREPARED AUGUST 2020 FOR MORE DESCRIPTIVE INFORMATION.

O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZOS COUNTY, TEXAS



SCALE: 1 INCH = 40 FEET
 SURVEY DATE: 2016
 PLAT DATE: 08-13-2020
 JOB NUMBER: 20-441
 CAD NAME: 20-441
 POINT FILE: BARRACKS2-GRGT

PREPARED BY: KERR SURVEYING, LLC (TPEBELS FIRM#10016900)
 409 N. TEXAS AVENUE, BRYAN, TEXAS 77803
 PHONE: (979) 288-3195
 BRAZOSRECORDSURLSURVEYING.NET | KERRLANDSURVEYING.COM
 DRAWN BY: NLEBW CHECKED BY: BNK

EXHIBIT B

PUBLIC UTILITY
EASEMENT 2



Kerr Surveying, LLC
409 N. Texas Avenue
Bryan, Texas 77803
TBPELS Firm Registration No. 10018500

**FIELD NOTES DESCRIPTION
OF A
PUBLIC UTILITY EASEMENT
LOT 2R, BLOCK 28
THE BARRACKS II SUBDIVISION, PHASE 300
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF A PUBLIC UTILITY EASEMENT LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF LOT 2R, BLOCK 28, THE BARRACKS II SUBDIVISION, PHASE 300, ACCORDING TO THE PLAT RECORDED IN VOLUME 13371, PAGE 193 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON ROD WITH CAP STAMPED "KERR 4502" FOUND ON THE SOUTHWEST LINE OF GENERAL PARKWAY (67' R.O.W.) MARKING THE EAST CORNER OF SAID LOT 2R AND A NORTHEAST CORNER OF LOT 1R-B, BLOCK 28 (PLAT 13371/193), FOR REFERENCE A 1/4 INCH IRON ROD WITH CAP STAMPED "KERR 4502" FOUND MARKING THE SOUTH CORNER OF SAID LOT 2R BEARS: S 42° 14' 17" W FOR A DISTANCE OF 411.65 FEET (COORDINATES AND BEARING SYSTEM SHOWN HEREIN ARE NAD83 [TEXAS STATE PLANE CENTRAL ZONE GRID NORTH] BASED ON THE PUBLISHED COORDINATES OF CITY OF COLLEGE STATION G.P.S. CONTROL MONUMENT CS94-117 [Y:10191793.14, X:3559913.46] AND AS ESTABLISHED BY GPS OBSERVATION; DISTANCES SHOWN HEREIN ARE GRID DISTANCES; TO DETERMINE SURFACE DISTANCES MULTIPLY BY A COMBINED SCALE FACTOR OF 1.00008633027936 [CALCULATED USING GEOID 12B]);

THENCE: S 42° 14' 17" W ALONG THE COMMON LINE OF SAID LOT 2R AND SAID LOT 1R-B FOR A DISTANCE OF 10.00 FEET TO THE SOUTHWEST LINE OF AN EXISTING 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT

THENCE: N 47° 45' 43" W THROUGH SAID LOT 2R AND ALONG THE SOUTHWEST LINE OF SAID EXISTING EASEMENT FOR A DISTANCE OF 105.74 FEET TO THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED EASEMENT;

THENCE: CONTINUING THROUGH SAID LOT 2R FOR THE FOLLOWING CALLS:

S 42° 14' 17" W FOR A DISTANCE OF 311.00 FEET, FOR REFERENCE CS94-117 BEARS: S 12° 04' 47" E FOR A DISTANCE OF 3863.09 FEET;

N 47° 45' 43" W FOR A DISTANCE OF 15.00 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 10.88 FEET;

N 47° 45' 43" W FOR A DISTANCE OF 30.99 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 15.00 FEET;

S 47° 45' 43" E FOR A DISTANCE OF 30.99 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 34.94 FEET;

N 47° 50' 22" W FOR A DISTANCE OF 29.46 FEET;

N 42° 09' 38" E FOR A DISTANCE OF 10.00 FEET;

S 47° 50' 22" E FOR A DISTANCE OF 29.48 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 240.19 FEET TO THE SOUTHWEST LINE OF SAID EXISTING EASEMENT;

S 47° 45' 43" E ALONG THE SOUTHWEST LINE OF SAID EXISTING EASEMENT FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING CONTAINING 5425 SQUARE FEET OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4502
DATE: 8/14/2020

KERR SURVEYING, LLC | 409 N. TEXAS AVENUE, BRYAN, TEXAS 77803
979-268-3195 | BRAD@KERRSURVEYING.NET | TBPELS FIRM# 10018500

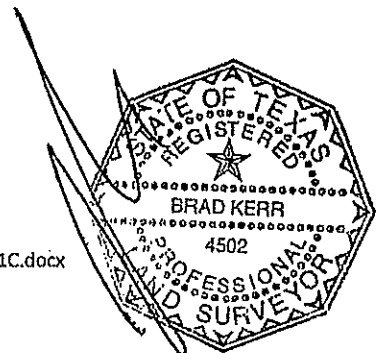
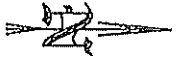


EXHIBIT B



SCALE: 1" = 40'

GENERAL NOTES

COORDINATES AND BEARING SYSTEM SHOWN HEREON ARE NAD83 (TEXAS STATE PLANE CENTRAL ZONE GRID NORTH) BASED ON THE PUBLISHED COORDINATES OF THE CITY OF COLLEGE STATION CONTROL MONUMENT CS94-117 (Y:10191793.14X:3559913.46) AND AS ESTABLISHED BY GPS OBSERVATION.

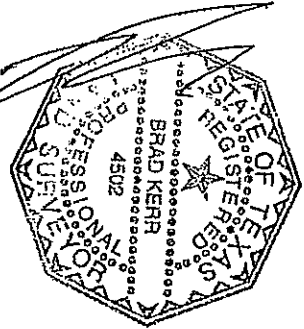
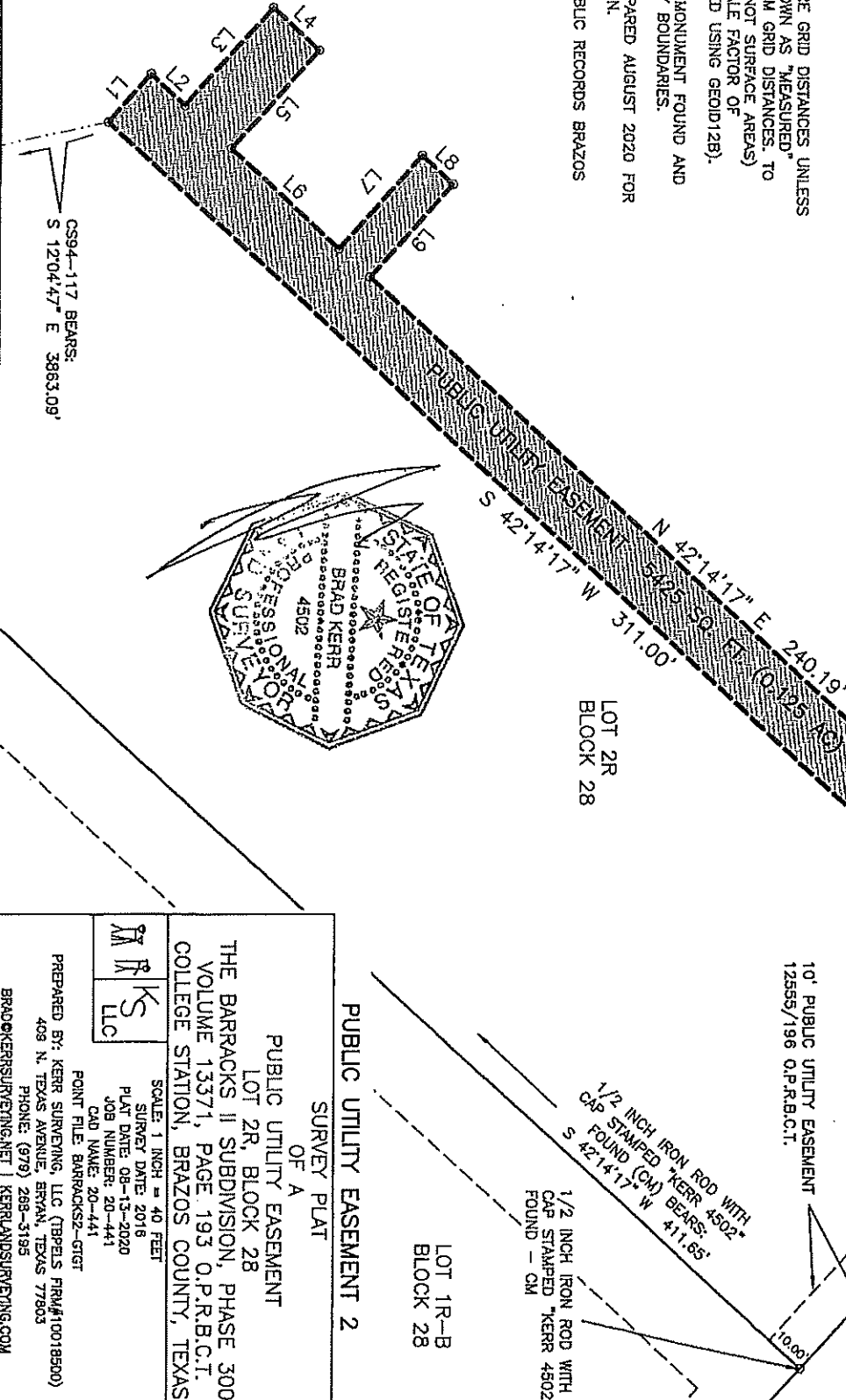
DISTANCES SHOWN HEREON ARE GRID DISTANCES UNLESS OTHERWISE NOTED. AREAS SHOWN AS "MEASURED" TO HEREON ARE CALCULATED FROM GRID DISTANCES. TO OBTAIN SURFACE DISTANCES (NOT SURFACE AREAS) MULTIPLY BY A COMBINED SCALE FACTOR OF 1.00008652922074 (CALCULATED USING GEOID12B).

(CM) INDICATES CONTROLLING MONUMENT FOUND AND USED TO ESTABLISH PROPERTY BOUNDARIES.

SEE METERS AND BOUNDS PREPARED AUGUST 2020 FOR MORE DESCRIPTIVE INFORMATION.

O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZOS COUNTY, TEXAS

LINE	BEARING	DISTANCE
L1	N 47°45'43" W	15.00'
L2	N 42°14'17" E	10.88'
L3	N 47°45'43" W	30.99'
L4	N 42°14'17" E	15.00'
L5	S 47°45'43" E	30.99'
L6	N 42°14'17" E	34.94'
L7	N 47°50'22" W	29.46'
L8	N 42°09'38" E	10.00'
L9	S 47°50'22" E	29.48'
L10	S 47°45'43" E	15.00'



GENERAL PARKWAY
67' R.O.W.

MARKS LLC

POINT FILE: BARRACKS2-GTGT
 SURVEY DATE: 2016
 PLAT DATE: 08-13-2020
 JOB NUMBER: 20-441
 CAD NAME: 20-441

PREPARED BY: KERR SURVEYING, LLC (TBB#10019500)
 408 N. TEXAS AVENUE, BERKLEY, TEXAS 77803
 PHONE: (979) 289-5195
 BRAZOSKERRSURVEYING.NET | KERRLANDSURVEYING.COM

DRAWN BY: NLEW CHECKED BY: BNK

PUBLIC UTILITY EASEMENT 2
SURVEY PLAT
OF A

PUBLIC UTILITY EASEMENT
LOT 2R, BLOCK 28
THE BARRACKS II SUBDIVISION, PHASE 300
VOLUME 13371, PAGE 193 O.P.R.B.C.T.
COLLEGE STATION, BRAZOS COUNTY, TEXAS

1/2 INCH IRON ROD WITH
CAP STAMPED "KERR 4502"
FOUND - CM

10.00'

10' PUBLIC UTILITY EASEMENT
12555/196 O.P.R.B.C.T.

1/2 INCH IRON ROD WITH
CAP STAMPED "KERR 4502"
FOUND - CM

105.74'

N 47°45'43" W 105.74'

N 47°45'43" W 252.80'

N 42°14'17" E 411.65'

S 42°14'17" W 311.00'

N 42°14'17" E 240.19'

5475.50 FT (1675 AC)

CS94-117 BEARS:
S 12°04'47" E 3863.09'