



409.684.3515  
P.O. Box 1398  
1840 Hwy 87  
Crystal Beach, TX 77650

## UTILITY EASEMENT

The State of Texas §  
§  
County of Galveston §

County of Galveston, (Property owner(s)) of Galveston County, Texas, (the "Grantor" whether one person or more), for and in consideration of ONE AND NO/100 (\$1.00) dollar cash and other valuable consideration in hand paid by the **Bolivar Peninsula Special Utility District** (the "District"), 1840 Highway 87, Crystal Beach, Texas 77650, the receipt and sufficiency of which is hereby acknowledged and confessed, have GRANTED, SOLD and CONVEYED to the District, a perpetual, right-of-way and easement (the "Easement") with the right to construct, install, lay, operate, maintain and repair water and/or sewer service facilities and improvements on, under, over and across the real property described as TRACTS 111, 112 AND 113 OF THE ELIJAH FRANKS SURVEY, ABST 64, Galveston County, Texas, according to the map thereof as recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_ or Instrument number CV-0076026 of the Court Records of Galveston County, Texas (the "Property").

Grantor agrees that upon construction of water and/or sanitary sewer service system facilities or improvements, the easement shall be twenty (20') feet, ten (10') feet on each side of the center line of any utility system improvements including water and/or sewer service lines located within the Easement. District shall place utility system improvements so as to create the least possible interference with Grantor's existing improvements. The consideration hereinabove recited shall constitute payment in full for any damage to the Property of Grantor, Grantor's successors and assigns, by reason of construction and maintenance of the utility system improvements or related facilities.

District shall have the exclusive right to locate utility system improvements on, under and across the Property. District shall have egress and ingress across the Property and shall be permitted to remove or trim any tree, bush or shrub infringing into or over the Easement hereby conveyed.

This Easement together with all of its provisions shall constitute a covenant running with the land for the benefit of the District, its successors and assigns. The Grantor(s) covenant that they are the owners of the Property.

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the District, its successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the easement to the District, its successors and assigns, against every person whomsoever lawfully claiming or to claim the said or any part thereof.

This Easement does not convey any interest of Grantor in any of the oil, gas or other minerals, in, on, under or to or that may be produced from the Property, and the District, its successors and assigns, shall never participate in any of the proceeds of any oil, gas or mineral lease or the royalty there from by reason of this Easement.

SIGNED this 15<sup>TH</sup> day of SEPTEMBER, 2025.

### GRANTOR(S)

Address of Grantor: 722 Moody

Galveston, Texas 77550

Telephone: ( 409 ) 770-5399

  
Signature

Mark Henry, County Judge  
Print Name

Signature

Print Name

STATE OF TEXAS Print Name

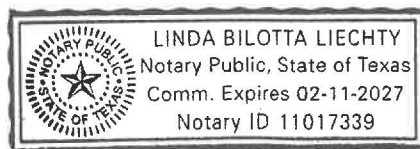
COUNTY OF GALVESTON

This instrument was acknowledged before me on the 15th day of September, 2025.

By 

LINDA BILOTTA LIECHTY  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**  
Bolivar Peninsula Special Utility District  
P. O. Box 1398  
Crystal Beach, Texas 77650



**EXHIBIT A**  
**METES AND BOUNDS DESCRIPTION**  
**20' Water Line Easement**  
**10,376 Square Feet (0.238 of one acre)**  
**ELIJAH FRANKS SURVEY**  
**ABSTRACT NUMBER 64**  
**GALVESTON COUNTY, TEXAS**  
July 2025

**ALL** that certain 10,376 Square Feet (0.238 of one acre) of land situated in the Elijah Franks Survey, Abstract Number 64, Galveston County Texas, and being out of and a part of the northerly portion of that certain tract or parcel of land set aside to Edgar Hargraves in Judgment and Decree rendered by the District Court of Galveston County, Texas on the last day of May 1899 in Cause No. 19015 and recorded in District Court Minute Book 28, Page 166, and further being out of and a portion of Tracts 111, 112, and 113 out of a called 22.5 acre tract, all as referenced in that certain District Court Eminent Domain Proceeding styled County of Galveston, Texas vs. Gulf Coast Rod, Reel, and Gun Club, Inc., Case Number CV-0076026 of the Civil and Family Case Records of Galveston County, Texas (hereinafter referred to as the "condemned Galveston County tract"), and being more particularly described by metes and bounds as follows: (All bearings based upon the Texas Coordinate System of 1983, South Central Zone 4204, and are tied to NGS Mark "TXGM REF MON 2" (PID DR8251) (N: 13,703,575.90, E: 3,642,955.72) All coordinates shown hereon are reported in grid. All area quantities are reported in surface;

**BEGINNING** at a 1/2 inch iron rod with plastic cap stamped "SEACOAST 5423" found in the northerly right-of-way (R.O.W.) line of State Highway No. 87 (SH 87, 120 feet wide) for the south corner of that certain call 1.402 acre tract of land described in a Warranty Deed with Vendor's Lien to Tyson Fogle LLC at Clerk's File Number 2023011599 of the Official Public Records of Galveston County Texas (O.P.R.G.C.T.) and the east corner of the northerly portion of the condemned Galveston County tract and the herein described tract (N:13,760,109.81; E:3,399,593.70), and from which a 1/2" iron rod with plastic cap stamped "Coastal Surveying" found for reference bears North 25 Degrees 44 Minutes East, a distance of 1.0 foot;

**THENCE**, clockwise the following Four (4) courses:

- 1) South 65 Degrees 07 Minutes 45 Seconds West, a distance of 519.00 feet to the intersection of the easterly line of the remainder of Bauer Street, an abandoned traveled way (sometimes called 29 feet wide, actual distance considerably narrower) with the northerly R.O.W. line of said SH 87, for the south corner of the herein described tract (N:13,759,891.53; E:3,399,122.83);
- 2) North 24 Degrees 53 Minutes 34 Seconds West, with the easterly line of the remainder of said Bauer Street and the westerly line of the said condemned Galveston County tract and the herein described tract, a distance of 20.00 feet to the west corner of the herein described tract (N:13,759,909.67; E:3,399,114.41);
- 3) North 65 Degrees 07 Minutes 45 Seconds East, through and across said condemned Galveston County tract and with the northerly line of the herein described tract, a distance of 518.59 feet to a point in the westerly line of said 1.402 acre tract for the north corner of the herein described tract (N:13,760,127.78; E:3,399,584.91);

20' Water Line Easement  
Elijah Franks Survey  
Abstract Number 64  
Galveston County, Texas

- 4) South 26 Degrees 03 Minutes 43 Seconds East, with the westerly line of said 1.402 acre tract and the easterly line of the herein described tract, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 10,376 square feet (0.238 of one acre) of land.

A separate Plat of Exhibit of even date accompanies this metes and bounds description.



Michael Hoover, RPLS  
Texas Registration No. 5423



**General Notes:**

1) All bearings shown hereon are based upon the Texas Coordinate System of 1983, South Central Zone 4204, and are tied to NGS Mark "TXGM REF MON 2" (PID DR8251) (N: 13,703,575.90; E: 3,312,955.72). All coordinates shown hereon are reported in grid. All area quantities are reported in surface.

2) A separate metes and bounds description of even date accompanies this Exhibit.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 26°03'43" E	20.00'
L2	N 24°53'34" W	20.00'

5.712 AC (249,072 SqFt)  
County-Galveston  
District Court Eminent Domain Proceeding  
Cause No. CV-0076026  
Tract 113/7.6107 AC of called 22.5 AC tract  
Tract 112/6.7358 AC of called 22.5 AC tract  
Tract 111/2.8975 AC of called 22.5 AC tract  
Elijah Franks Survey, A-64

1.402 AC  
(61,081 SqFt)  
Tyson Fogle LLC  
GCCFN 2023011599  
OPRGCTx

POINT OF BEGINNING:  
FND 1/2" IR  
"SEACOAST 5423"  
N:13,760,109.81  
E:3,399,593.70  
FND 1/2" IR  
"COASTAL  
SURVEYING"  
N25°44' E 1.0'

N 65°07'45" E 518.59'  
20' wide Waterline Easement  
S 65°07'45" W 519.00'

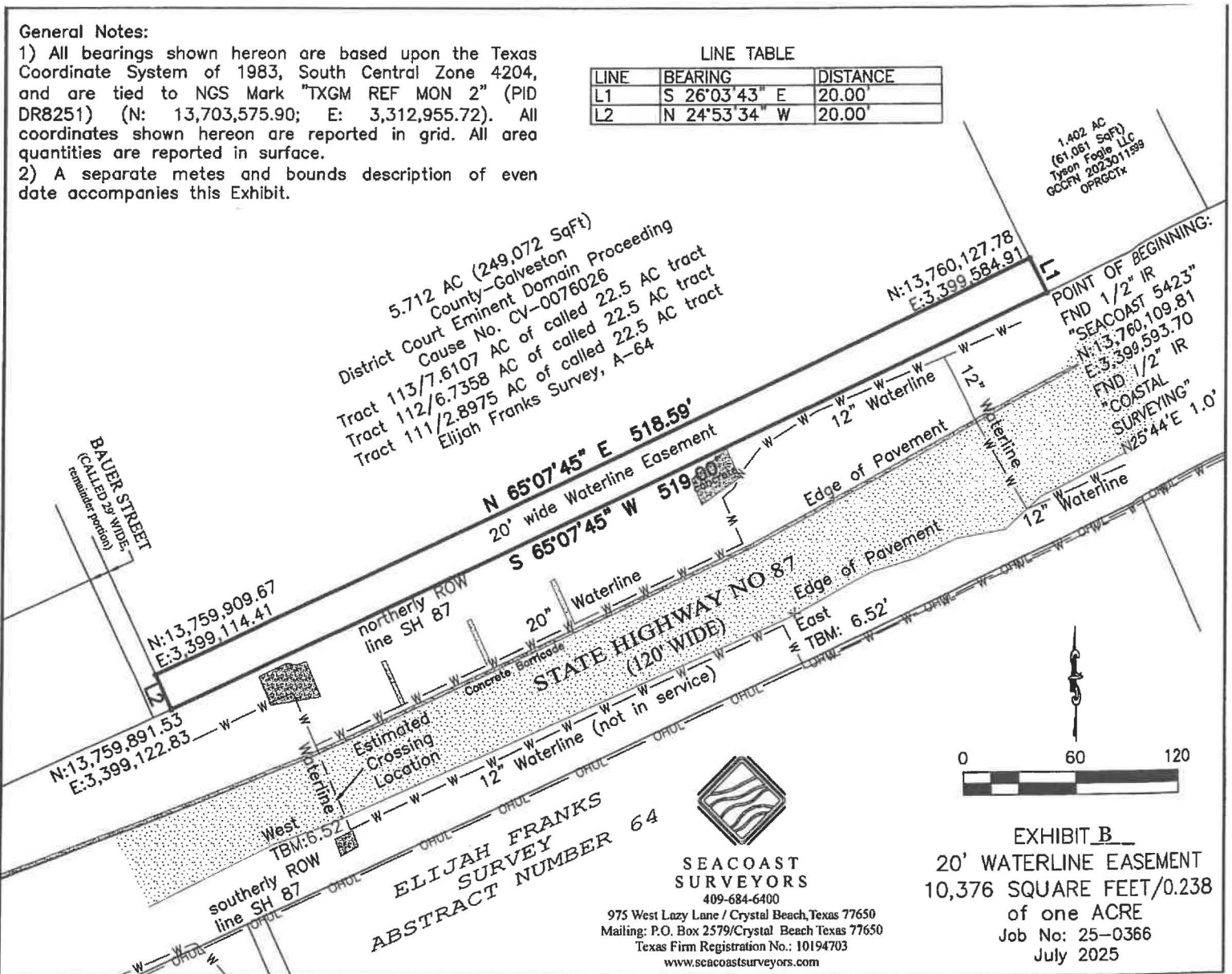
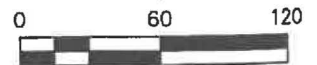
STATE HIGHWAY NO 87  
(120' WIDE)  
(not in service)

ELIJAH FRANKS  
SURVEY  
ABSTRACT NUMBER 64

SEACOAST  
SURVEYORS  
409-684-6400

975 West Lazy Lane / Crystal Beach, Texas 77650  
Mailing: P.O. Box 2579 / Crystal Beach Texas 77650  
Texas Firm Registration No.: 10194703  
www.seacoastsurveyors.com

EXHIBIT B  
20' WATERLINE EASEMENT  
10,376 SQUARE FEET/0.238  
of one ACRE  
Job No: 25-0366  
July 2025



## FILED AND RECORDED

Instrument Number: 2025043480

Recording Fee: 0.00

Number Of Pages: 5

Filing and Recording Date: 09/16/2025 2:19PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink, reading "Dwight D. Sullivan". The signature is written in a cursive style with a large, sweeping "S" at the end.

**Dwight D. Sullivan**, County Clerk  
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*