

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.

DIANNE M. DIETZ, ET AL TO LARRY HEINER, ET AL

ROAD MAINTENANCE AGREEMENT

STATE OF TEXAS }
COUNTY OF GILLESPIE } KNOW ALL MEN BY THESE PRESENTS

Each of the undersigned owns a portion of the land over and across which the 12 foot wide easement centerline of which is described in the attached Exhibit "A" (Dietz), Exhibit "B" (White), Exhibit "C" (Rheinhardt), and Exhibit "D" (Ahrens) passes, or is an owner of the dominant estate described in Exhibit "E" and desire to enter into a road maintenance agreement pertaining to the roadway on said easement.

It is therefore contracted and agreed as follows:

1. The amount that each landowner, both present and future, is obligated to pay, shall be determined by the following method:
 - a. Ahrens shall have no obligation to pay for road maintenance as he has other access to his property;
 - b. Rheinhardt, White, Dietz and Heiner shall each be obligated to pay one-fourth of said road maintenance expense across the property of Ahrens;
 - c. White, Dietz and Heiner shall each be obligated to pay one-third of said road maintenance expense across the property of Rheinhardt and White;
 - d. Heiner shall be obligated to pay all (100%) of said road

maintenance expense across the property of Dietz.

2. Should any of the undersigned subdivide their land, then the above formula will be recalculated using an equitable formula that provides for the additional owners.

MULTIPLE signature and acknowledgment pages attached.

Edward L. White

EDWARD L. WHITE, by Linda White,
his Attorney-In-fact

Linda White
LINDA WHITE

THE STATE OF TEXAS, }

COUNTY OF GILLESPIE. }

This instrument was acknowledged before me on the 8th day of October, 2004, by LINDA WHITE, Individually and as Attorney-in-fact for EDWARD L. WHITE.



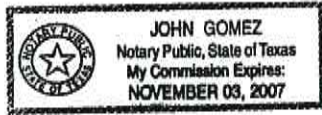
Loretta Leischner
Notary Public, State of Texas

Dianne M. Dietz
DIANNE M. DIETZ

THE STATE OF TEXAS, }

COUNTY OF TRAVIS }

This instrument was acknowledged before me on the 19th day of October, 2004, by DIANNE M. DIETZ.



[Signature]
Notary Public, State of Texas

Larry Heiner
LARRY HEINER

THE STATE OF TEXAS, }
COUNTY OF Gillespie }

This instrument was acknowledged before me on the 3 day of Dec, 2004, by LARRY HEINER.

Carolyn Weidenfeller
Notary Public, State of Texas
CAROLYN WEIDENFELLER
Notary Public
STATE OF TEXAS
My Commission
Expires 03/12/2008

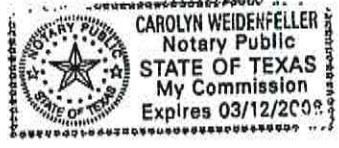
Harvey Heiner
HARVEY HEINER

THE STATE OF TEXAS, }

COUNTY OF Collins }

This instrument was acknowledged before me on the 3 day of Dec, 2004, by HARVEY HEINER.

Carolyn Weidenfeller
Notary Public, State of Texas



Imogene Schollian

IMOGENE SCHOLLIAN

THE STATE OF TEXAS, }

COUNTY OF Grillesport }

This instrument was acknowledged before me on the 3 day of Dec, 2004, by IMOGENE SCHOLLIAN.

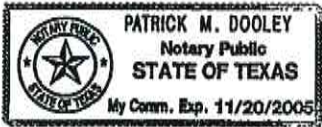
Carolyn Weidenfeller
Notary Public, State of Texas



Delane Rheinhardt
DELANE RHEINHARDT

THE STATE OF TEXAS, }
COUNTY OF GILLESPIE. }

This instrument was acknowledged before me on the 5th day of October, 2004, by DELANE RHEINHARDT.



Patrick M. Dooley
Notary Public, State of Texas

EXHIBIT "A" - Dietz (Page 1)
Hill Country Land Surveying Company
 Boundary • Topographic • Construction
 110 North Millam, Sta. C • Fredericksburg, Texas 78624
 Phone 830-990-2665 • Fax 830-990-5095

Field Notes for a Centerline Road Easement

Being a centerline road easement across the Abe Coleson Survey No. 613, Abstract No. 1338, and across the Charles Hartmann Survey No. 472, Abstract No. 1754, Gillespie County, Texas, said centerline road easement also being across that certain 180 acre tract of land conveyed to Dianne M. Dietz, Et. Al. by deed recorded in Volume 401, Pages 519-520, Official Public Records, Gillespie County, Texas, said centerline road easement being more particularly described by metes and bounds as follows:

Beginning at a point in the centerline of a traveled road, in the east line of that certain 100.84 acre tract of land conveyed to Harvey Heiner, Et. Al. by deed recorded in Volume 189, Pages 706-707, Deed Records, Gillespie County, Texas, the west line of said 180 acre tract, from which a fence corner post found for the northeast corner of said 100.84 acre tract bears, N. 00°23'34" W., 9.85 feet;

Thence, with the centerline of a well traveled gravel road, the centerline of the herein described easement, across said 180 acre tract, the following courses and distances,

N. 89°28'38" E., 536.06 feet to a point for angle,
 N. 63°58'33" E., 135.60 feet to a point for angle,
 N. 47°49'29" E., 40.38 feet to a point for angle,
 S. 76°23'32" E., 110.06 feet to a point for angle,
 N. 57°37'47" E., 96.00 feet to a point for angle,
 N. 28°09'25" E., 61.33 feet to a point for angle,
 N. 17°36'56" E., 66.71 feet to a point for angle,
 N. 40°10'14" E., 41.84 feet to a point for angle,
 N. 67°54'05" E., 103.16 feet to a point for angle,
 N. 40°43'06" E., 116.89 feet to a point for angle,
 N. 58°38'14" E., 31.49 feet to a point for angle,
 S. 84°15'06" E., 118.43 feet to a point for angle,
 S. 89°25'50" E., 59.42 feet to a point for angle,
 N. 64°22'48" E., 94.26 feet to a point for angle,
 N. 59°04'37" E., 59.74 feet to a point for angle,
 N. 38°47'53" E., 121.20 feet to a point for angle,
 N. 15°42'01" E., 66.50 feet to a point for angle,
 N. 30°00'44" E., 32.38 feet to a point for angle,
 N. 41°16'53" E., 138.14 feet to a point for angle,
 N. 52°54'26" E., 155.53 feet to a point for angle,
 N. 68°23'28" E., 123.94 feet to a point for angle,
 N. 51°55'39" E., 33.82 feet to a point for angle,
 N. 25°51'57" E., 44.49 feet to a point for angle,
 N. 20°01'21" E., 86.61 feet to a point for angle,
 N. 38°41'09" E., 149.96 feet to a point for angle,
 N. 38°19'39" E., 114.29 feet to a point for angle,
 N. 20°16'00" E., 89.80 feet to a point for angle,
 N. 64°19'19" E., 131.94 feet to a point for angle,

Exhibit "A" - Dietz (Page 2)

S. 72°44'14" E., 55.34 feet to a point for angle,
S. 47°46'58" E., 73.86 feet to a point for angle,
S. 36°02'40" E., 196.83 feet to a point for angle,
S. 22°26'51" E., 134.56 feet to a point for angle,
S. 17°43'26" E., 114.39 feet to a point for angle,
S. 03°17'23" E., 131.09 feet to a point for angle,
S. 13°44'59" W., 526.12 feet to a point for angle,
S. 04°44'05" W., 177.01 feet to a point for angle,
S. 39°15'13" E., 71.35 feet to a point for angle,
and

S. 65°41'21" E., 54.56 feet to a point in the centerline of traveled road, in a gateway, in the east line of said 180 acre tract for the Point-of-Termination of the herein described centerline road easement.

Note: This description is based on an on the ground survey performed on July 8, 2004.



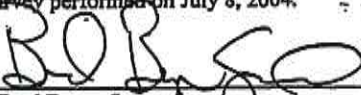

Brad Bryan Spenrath
Registered Professional Land Surveyor
No. 5357 Job # 04-5150E2

Exhibit "B" - White

Centerline of road
(through 107.1 acre tract)THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of the centerline of a traveled road made at the request of Edward White, et al. Said road is situated in Gillespie County, Texas, and passes through part of the Charles Hartmann Survey No. 472 (W. 1/2), Abstract No. 1754, and through part of that 132.87 acre tract of land described in a conveyance to Edward L. White, et ux, by Glenn L. Kneese, et al, dated November 26, 1971, found of record in Volume 101, pages 361-362 of the Deed Records of Gillespie County, Texas, and through part of a 107.1 acre tract of land this day surveyed for Edward White, et al.

Said centerline of road is described by metes and bounds as follows, to wit:

BEGINNING at a 1/2 inch steel bar set in a gateway, for a westerly corner of a 25.15 acre tract of land and an easterly corner of a 107.1 acre tract of land, both this day surveyed for Edward White, et al, for the ending point of the centerline of a road this day surveyed through said 25.15 acre tract, for the point of beginning, from which the S.W. corner of said 25.15 acre tract and the S.E. corner of said 107.1 acre tract bear S. 18 deg. 36 min. 45 sec. W. 872.15 feet and from said respective S.W. and S.E. corners the S.W. corner of said 132.87 acre tract of land described in said conveyance to Edward L. White, et ux, by Glenn L. Kneese, et al, found of record in Volume 101, pages 361-362 of the Deed Records of Gillespie County, Texas, bears N. 89 deg. 57 min. 15 sec. W. 842.9 feet;

THENCE with the centerline of a traveled road as follows:

N. 57 deg. 46 min. W. 824.9 feet;
N. 26 deg. 26 min. W. 124.6 feet;
N. 36 deg. 07 min. W. 105.3 feet;
N. 16 deg. 27 min. W. 196.1 feet;
N. 69 deg. 06 min. W. 46.3 feet to a point in a West line of said 132.87 acre tract and in an East line of a 181.68 acre tract of land described in a conveyance to Stephen Karl Feller found of record in Volume 101, pages 665-667 of said Deed Records, for the end of this survey and description of the centerline of said road, from which a 1/2 inch steel bar set at a South gatepost bears S. 8 deg. 04 min. 30 sec. E. 6.65 feet;

Surveyed January 5, 1994

I, Carey Bonn, Registered Professional Land Surveyor, hereby certify that the foregoing field notes and accompanying plat represent a survey made on the ground under my supervision.



Carey Bonn

Carey Bonn
Reg. Prof. Land Surveyor No. 4447

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of the centerline of a traveled road made at the request of Edward White, et al. Said road is situated in Gillespie County, Texas, and passes through part of the Charles Hartmann Survey No. 472 (W. 1/2), Abstract No. 1754, and through part of that 132.87 acre tract of land described in a conveyance to Edward L. White, et ux, by Glenn L. Kneese, et al, dated November 26, 1971, found of record in Volume 101, pages 361-362 of the Deed Records of Gillespie County, Texas, and through part of a 25.15 acre tract of land this day surveyed for Edward White, et al.

Said centerline of road is described by metes and bounds as follows, to wit:

BEGINNING at a point in a gateway in the occupational East line of the the Charles Hartmann Survey No. 472 (W. 1/2), Abstract No. 1754, and in the East line of that 132.87 acre tract of land described in said conveyance to Edward L. White, et ux, by Glenn L. Kneese, et al, found of record in Volume 101, pages 361-362 of the Deed Records of Gillespie County, Texas, and in the East line of said 25.15 acre tract of land this day surveyed for Edward White, et al, 10.0 feet N. 0 deg. 37 min. E. from the S.E. corners of said 132.87 and 25.15 acre tracts, for the point of beginning;

THENCE with the centerline of a traveled road as follows:

N. 73 deg. 06 min. W. 45.1 feet;
N. 20 deg. 51 min. W. 118.3 feet;
N. 28 deg. 35 min. W. 242.8 feet;
N. 43 deg. 21 min. W. 90.9 feet;
N. 49 deg. 44 min. W. 76.8 feet;
N. 59 deg. 16 min. W. 191.4 feet;
N. 45 deg. 26 min. W. 385.8 feet to a 1/2 inch steel bar set in a gateway, for a westerly corner of said 25.15 acre tract, for an easterly corner of a 107.1 acre tract of land this day surveyed for Edward White, et al, for the end of this survey and description of the centerline of said road;

Surveyed January 5, 1994

I, Carey Bonn, Registered Professional Land Surveyor, hereby certify that the foregoing field notes and accompanying plat represent a survey made on the ground under my supervision.



Carey Bonn

Carey Bonn
Reg. Prof. Land Surveyor No. 4447

Exhibit "D" - Ahrens

Hill Country Land Surveying Company

Boundary • Topographic • Construction
 110 North Milam, Ste. C • Fredericksburg, Texas 78624
 Phone 830-990-2665 • Fax 830-990-5095

Field Notes for a Centerline Road Easement

Being a centerline road easement across the A. Hartman Survey No. 472, Abstract No. 1712, and across the A. Hartman Survey No. 316, Abstract No. 1713, Gillespie County, Texas, said centerline road easement also being across those lands conveyed to Edwin C. Ahrens, Et. Ux. by deed recorded in Volume 54, Pages 44-45, Deed Records, Gillespie County, Texas, said centerline road easement being more particularly described by metes and bounds as follows:

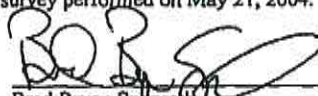
Beginning at a point in the centerline of a traveled road, in a west line of the Ahrens tract, the east line of the Delane Florence Rheinhardt 25.15 acre tract of land recorded in Volume 452, Pages 667-672, Official Public Records, Gillespie County, Texas, from which a fence corner post found for the southeast corner of said 25.15 acre tract bears, S. 02°50'39" E., 6.83 feet;

Thence, with the centerline of a well traveled gravel road, the centerline of the herein described easement, across said Ahrens tract, the following courses and distances,

S. 88°36'20" E., 54.62 feet to a point for angle,
 N. 80°30'28" E., 139.25 feet to a point for angle,
 S. 82°45'57" E., 290.77 feet to a point for angle,
 S. 65°43'55" E., 200.64 feet to a point for angle,
 S. 29°34'12" E., 322.31 feet to a point for angle,
 S. 59°03'08" E., 137.07 feet to a point for angle,
 S. 51°12'25" E., 223.58 feet to a point for angle,
 S. 43°16'14" E., 330.47 feet to a point for angle,
 S. 51°00'48" E., 150.55 feet to a point for angle,
 S. 43°50'31" E., 152.66 feet to a point for angle,
 S. 28°20'55" E., 176.94 feet to a point for angle,
 S. 63°48'17" E., 561.85 feet to a point for angle,
 S. 73°35'55" E., 108.00 feet to a point for angle,
 S. 62°57'44" E., 79.80 feet to a point for angle,
 S. 28°35'34" E., 139.80 feet to a point for angle,
 S. 19°44'15" E., 76.95 feet to a point for angle,
 S. 08°11'52" W., 81.29 feet to a point for angle,
 S. 34°39'54" W., 136.44 feet to a point for angle, and
 S. 32°28'11" E., 71.84 feet to a 60D nail set in Weinheimer Road for the Point-of-Termination of the herein described centerline road easement.

Note: This description is based on an on the ground survey performed on May 21, 2004.




 Brad Bryan Spennrath
 Registered Professional Land Surveyor
 No. 5357 Job # 04-5150E

Hill Country Land Surveying Company

Boundary • Topographic • Construction
110 North Millam, Sta. C • Fredericksburg, Texas 78624
Phone 830-990-2665 • Fax 830-990-5095

Field Notes for a 100.712 Acre Tract of Land

Being a 100.712 acre tract of land out of the Abe Coleson Survey No. 613, Abstract No. 1338, Gillespie County, Texas, said 100.712 acre tract of land also being that certain 100.84 acre tract of land conveyed to Harvey Heiner, Et. Al. by deed recorded in Volume 189, Pages 706-707, Deed Records, Gillespie County, Texas, said 100.712 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 10" wood corner post found for the northwest corner of the herein described tract, the northwest corner of said 100.84 acre tract, the northeast corner of the Roy W. Heiner 32.8 acre tract of land recorded in Volume 538, Pages 11-14, Official Public Records, Gillespie County, Texas, and being in the south line of the Lucille M. Klier 141.23 acre tract of land recorded in Volume 153, Pages 695-706, Deed Records, Gillespie County, Texas;

Thence, with the north line of the herein described tract, the north line of said 100.84 acre tract, the south line of the Klier 141.23 acre tract, the south line of the Gene Crenwelge 232.47 acre tract of land recorded in Volume 153, Pages 708-712, Deed Records, Gillespie County, Texas, and the south line of the Irene Miller 80.50 acre tract of land recorded in Volume 153, pages 695-706, Deed Records, Gillespie County, Texas, N. 89°19'47" E., 2786.85 feet (N 90°00'00" E 2799.39' called as per Vol. 95, Pgs. 151-156, D.R.) to a 4" steel pipe fence corner post found for the northeast corner of the herein described tract, the northeast corner of said 100.84 acre tract, a northwest corner of the Marvin Otto and Laura U. Dietz 180.0 acre tract of land recorded in Volume 330, Pages 735-746, Real Property Records, Gillespie County, Texas;

Thence, with east line of the herein described tract, the east line of said 100.84 acre tract, the west line of the Dietz 180.0 acre tract, S. 00°23'34" E., 1638.32 feet (S 00°42'30" E 1638.18' called as per Vol. 330, Pgs. 735-746, R.P.R.) to a 5" steel pipe fence corner post found for the southeast corner of the herein described tract, the southeast corner of said 100.84 acre tract, the southwest corner of the Dietz 180.0 acre tract, and being in the north line of the Ronald W. and Mary Edith Burkey 230.0 acre tract of land recorded in Volume 305, Pages 1-7, Real Property Records, Gillespie County, Texas;

Thence, with the southerly line of the herein described tract, the southerly line of said 100.84 acre tract, the northerly line of the Burkey 230.0 acre tract, N. 89°42'49" W., 834.01 feet (N 89°46'34" W called as per Vol. 305, Pgs. 1-7, R.P.R.) to a ½" steel rod found for angle, and N. 86°05'19" W., 1434.38 feet (N 86°05'19" W 1433.41' called as per Vol. 305, Pgs. 1-7, R.P.R.) (Basis of Bearing) to a ½" steel rod found for angle of the herein described tract, the northwest corner of said Burkey 230.0 acre tract, the northeast corner of the Earl A. and Joyce N. Siebold 142.84 acre tract of land recorded in Volume 125, Pages 1-4, Deed Records, Gillespie County, Texas;

Thence, continuing with the southerly line of the herein described tract, the southerly line of said 100.84 acre tract, the north line of the Siebold 142.84 acre tract, N. 89°52'15" W., 519.95 feet (N 89°57'00" W called as per Vol. 125, Pgs. 1-4, D.R.) to a wood fence post found for the southwest corner of the herein described tract, the southwest corner of said 100.84 acre tract, the southeast corner of the aforementioned Heiner 32.8 acre tract;

Thence, with the west line of the herein described tract, the west line of said 100.84-acre tract, the east line of the Heiner 32.8 acre tract, N. 00°29'33" W., 1502.55 feet (N 00°03'05" E 1502.53' called as per Vol. 538, Pgs. 11-14, O.P.R) to the **Point-of-Beginning** and containing 100.712 acres of land.

Note: This description is based on an on the ground survey performed on May 21, 2004.
A Survey Plat of the above described tract was prepared.





Brad Bryan Spenrath
Registered Professional Land Surveyor
No. 5357 Job# 04-5150

FILED

AT 3:57 O'CLOCK P M
ON THE 17th DAY OF Dec
A.D., 2004.

MARY LYNN RUSCHE
COUNTY CLERK
GILLESPIE COUNTY, TEXAS

BY: *Helen Cain*
DEPUTY

**STATE OF TEXAS
COUNTY OF GILLESPIE**

I hereby certify that this instrument was FILED on the
date and at the time stamped hereon by me and was
duly RECORDED in the Volume and Page of the
Official Public Records of Gillespie County, Texas.

VOL. 580 PAGES 942-957
RECORDED 12-20-2004



MARY LYNN RUSCHE
County Clerk
Gillespie County, Texas

BY: *Betty Creweige*
DEPUTY
Betty Creweige