

STATE OF TEXAS

COUNTY OF COLORADO

Land Description
8.00 Acres

BEING a tract or parcel containing 8.00 acres of land together with the use of a 50-foot wide access easement containing 1.29 acres situated in the Henry Austin Survey, Abstract No. 4, Colorado County, Texas and being a part or portion of that same land described as 32.25 acres in Deed dated June 7, 2012 from Janecka Land & Cattle Co., LLC to Jack Janecka, et ux, recorded in Volume 698, Page 632, Colorado County Official Records. Said 8.000 acre tract being described more particularly by metes and bounds as follows:

COMMENCING at a ½" iron rod found for the Southeast corner of the Janecka 32.25 acre tract at the Northeast dead-end corner of Park Drive in the City of Weimar, said corner also being the Northeast corner of the Lester Subdivision, Unit 2, as recorded in Slide 56, Colorado County Plat Records and being in the West line of the Robert Gall 29.82 acre tract as described in Volume 263, Page 22, Official Records;

THENCE along the East line of the Janecka tract, common with the West line of the Gall 29.82 acre tract, N 01° 12' 49" E a distance of 116.98 feet to a ½" iron rod set for the **POINT OF BEGINNING** and Southeast corner of the herein described tract;

THENCE leaving said common boundary line and crossing the Janecka tract, N 89° 07' 33" W a distance of 25.00 feet to a PK Nail (stamped Rau Surveying) set near the center of an existing crushed limestone rock road for the Southwest corner of the herein described tract;

THENCE following the centerline of an existing crushed limestone rock road, which crosses the Janecka tract, also being the center of a 50-foot wide access easement, the following calls:

- N 16°35'49" W a distance of 17.27 feet to a PK Nail set for angle point, and
- N 45°33'31" W a distance of 26.83 feet to a PK Nail set for angle point, and
- N 77°46'48" W a distance of 39.51 feet to a PK Nail set for angle point, and
- S 89°29'39" W a distance of 158.28 feet to a PK Nail set for angle point, and
- N 73°53'03" W a distance of 44.46 feet to a PK Nail set for angle point, and
- N 39°06'25" W a distance of 45.73 feet to a PK Nail set for angle point, and
- N 23°19'29" W a distance of 206.17 feet to a PK Nail set for angle point, and
- N 08°30'46" W a distance of 51.34 feet to a PK Nail set for angle point, and
- N 00°41'34" E a distance of 421.31 feet to a PK Nail (stamped Rau Surveying) set for the Northwest corner of the herein described tract;

THENCE leaving said road, S 89°58'37" E, at 25.00 feet set a ½" iron rod for reference on the East line of said 50-foot wide road easement continuing across the Janecka tract for a total distance of 519.10 feet to a ½" iron rod set in the East line of the Janecka tract for the Northeast corner of the herein described tract, also being on the East line of the Gall 29.82 acre tract;

THENCE along the common boundary between the Janecka tract and the Gall 29.82 acre tract, the following calls:

- S 00°06'10" E a distance of 631.70 feet to a 3/8" iron rod found for corner, and
- N 86°52'33" W a distance of 116.06 feet to a ½" iron rod found for corner, and
- S 01°12'49" W a distance of 126.33 feet to the **POINT OF BEGINNING**, containing 8.00 acres of land of which 0.58 acres being within a 50-foot wide road access easement

Easement Description

Being a 50-foot wide access easement containing 1.29 acres which extends on, over and across the Janecka 32.25 acre tract along an existing crushed limestone road and being described by centerline as follows:

BEGINNING at a point in the center of Park Drive at its dead-end on the North line of the Lester Subdivision, Block 133 in the City of Weimar, located at a point on the South line of Janecka 32.25 acre tract from which its Southeast corner bears S 89° 08' 00" E a distance of 25.00 feet;

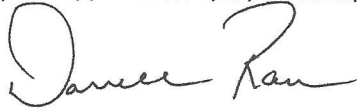
THENCE along a line which is 25 feet West of and parallel with the East boundary of the Janecka 32.25 acre tract, N 01° 12' 49" E a distance of 116.98 feet to a PK Nail found in the center of a crushed limestone rock road for the Southeast corner of a 8.00 acre tract divided out of the Janecka tract this same day;

THENCE along the center of said crushed limestone rock road, being the center of this 50-foot wide road easement, also being the South and West boundaries of said 8.00 acre tract, the following calls:

- N 16°35'49" W a distance of 17.27 feet to a PK Nail set for angle point, and
- N 45°33'31" W a distance of 26.83 feet to a PK Nail set for angle point, and
- N 77°46'48" W a distance of 39.51 feet to a PK Nail set for angle point, and
- S 89°29'39" W a distance of 158.28 feet to a PK Nail set for angle point, and
- N 73°53'03" W a distance of 44.46 feet to a PK Nail set for angle point, and
- N 39°06'25" W a distance of 45.73 feet to a PK Nail set for angle point, and
- N 23°19'29" W a distance of 206.17 feet to a PK Nail set for angle point, and
- N 08°30'46" W a distance of 51.34 feet to a PK Nail set for angle point, and
- N 00°41'34" E a distance of 421.31 feet to a PK Nail set for the Northwest corner of said 8.00 acre tract and being the **POINT OF TERMINATION** of the herein described easement.

Notes:

- (1) All bearings are based on the North line of the Janecka 32.25 acre tract.
- (2) Survey plat to accompany this description



Darrell D. Rau
Registered Professional Land Surveyor
Registration No. 4173
Firm No. 10162600

Date: August 31, 2015



RESTRICTIONS

This conveyance is made subject to the following covenants and restrictions, which are accepted by Grantees and shall be binding upon Grantees, their heirs, successors and assigns, as covenants running with the land, to-wit:

- A. The herein described land and premises shall be limited to single family residential use; it shall not be used for business or commercial purposes;
- B. The home constructed on the herein described land and premises shall contain a minimum of 1,800 square feet of living area, and shall be of new, standard type construction;
- C. No mobile or manufactured homes shall be placed upon the herein described land and premises;
- D. The herein described land and premises shall not be subdivided;

The covenants and restrictions set forth herein shall continue and be binding upon Grantees, their heirs, successors and assigns, as covenants running with the land, for a period of twenty-five (25) years from the date hereof; at the end of such period, these covenants and restrictions shall automatically be extended for successive periods of ten (10) years, unless an instrument executed by a majority of the owners of the tracts comprising all of that certain tract described as 32.25 acres in Warranty Deed with Vendor's Lien from Janecka Land & Cattle Co. LLC to Jack Janecka and wife, Cara L. Janecka, dated June 7, 2012, recorded in Volume 698, Page 632, of the Official Records of Colorado County, Texas, has been recorded, agreeing to change such covenants and restrictions, in whole or in part, or to revoke them; to insure the observance of these covenants and restrictions and in the case of and upon any violation or non-observance of any of the above listed covenants and restrictions, Grantors, their heirs, successors or assigns, or any of the owners or occupants of any part or portion of that certain tract described as 32.25 acres in Warranty Deed with Vendor's Lien from Janecka Land & Cattle Co. LLC to Jack Janecka and wife, Cara L. Janecka, dated June 7, 2012, recorded in Volume 698, Page 632, of the Official Records of Colorado County, Texas, of which the heretofore described land and premises hereby conveyed is a part, shall have the right to prevent the breach thereof by injunction, mandatory or otherwise, and to recover whatever damages may have been suffered from such breach; and no act or omission upon the part of any of the beneficiaries of this clause shall be a waiver of the operation or enforcement of any of said covenants and restrictions;