

Item: **SHADY GROVE**

(Category: RESTRICTIONS)

Volume {PR,"insert volume number",IN1,1}, Page {PR,"insert page number",IN1,2}, {PR,"insert type of records",ST1,3} Records of Kerr County, Texas, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. **FIRST DEED OUT**

Reversionary rights as described in deed dated {PR,"insert date of instrument",DT2,1}, recorded in Volume {PR,"insert volume number",IN1,2}, Page {PR,"insert page number",IN1,3}, {PR,"insert type of records",ST1,4} Records, Kerr County, Texas. **FIRST DEED OUT**

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Item: **SHADY GROVE**

(Category: Subdivisions)

- a. Easements as per the plat recorded in Volume 1, Page 48, Plat Records of Kerr County, Texas.
- b. Easements as per the Restrictions in deed recorded in Volume {PR,"insert Volume number of appropriate deed",IN1,1}, Page {PR,"insert page number of appropriate deed",IN1,2}, Deed Records of Kerr County, Texas. **FIRST DEED OUT**
- c. Easement dated August 28, 1946 to L.C.R.A., recorded in Volume 80, Page 636, Deed Records of Kerr County, Texas. (AS PER LOTS 10, 11, 21, 23, 19, 20 & 22 ONLY)
- d. Easement dated February 25, 1947 to L.C.R.A., recorded in Volume 81, Page 513, Deed Records of Kerr County, Texas. (AS PER LOTS 22, 1 & 2, AND LOTS 2, 8, 10 & 11 OF RESUB'D OF TRACTS 2, 3 & 4)
- e. Any visible and/or apparent roadways or easements over or across the subject property.
- f. Rights of Parties in Possession. (AS PER OWNER POLICY ONLY)

and rights unto the said Authority, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS our hands this 1st day of October, 1946.

Hal Peterson  
Charlie V. Peterson

THE STATE OF TEXAS )  
COUNTY OF KERR

( BEFORE ME, Virginia Kincaid a Notary Public in and for Kerr County, Texas, on this day personally appeared Hal Peterson and Charlie V. Peterson known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 1st day of October, A. D. 1946.

(SEAL)

Virginia Kincaid  
Notary Public, Kerr County, Texas.

Filed for record Oct. 28, 1946 at 10:10 o'clock A. M.

Recorded October 29, 1946 at 9:15 o'clock A. M.

THE STATE OF TEXAS )  
COUNTY OF KERR

KNOW ALL MEN BY THESE PRESENTS: That J. F. Johnson, Hunt, Texas of Kerr County, Texas, for and in consideration of One and no/100 Dollars (\$1.00) to me (us) in hand paid by Lower Colorado River Authority, of Austin, Texas (hereinafter called the "Authority"), have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Authority, an easement and right-of-way for an electric transmission and/or distribution line, consisting of variable number of wires, and all necessary or desirable appurtenances (including towers, H-Frames or poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), at or near the location and along the general course now located and staked out by the said Authority, over, across and upon the following described lands located in John Matchett Survey #43, Kerr County, Texas, to-wit: The following being the center line of a right-of-way line herein described. Beginning at a point in the center line of a dividing line dividing tract number nine (9) and ten (10) in the Shady Grove Addition; said point being located 393 feet southwest from a point at which said dividing line intersects the north property line of said Addition; thence in a southwesterly direction to a point in the dividing line between tract eleven (11) and Johnson's Drive of the Shady Grove Addition; said point being located 111 feet, more or less, west from the southeast corner of tract eleven (11). Beginning again at a point in the north dividing line of tract 21 and tract 23; said point being located 14 feet, more or less, west from the northeast corner of said tract; thence in a southerly direction to a point in the south dividing line of tracts 21 and 19; said point being located 28 feet, more or less, west from the southeast corner of tract 21; thence in a westerly direction to a point in the dividing line of tracts 20 and 22; said point being located 214 feet, more or less, east from the northwest corner of tract 20. Together with the right of ingress and egress over my (our) adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate along the same general direction of said lines; the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the efficiency of said lines or their appurtenances. TO HAVE AND TO HOLD the above described easement and rights unto the said Authority, its successors and assigns, until said line shall be abandoned.

Not more than \_\_\_\_\_ towers, \_\_\_\_\_ H-Frames, 6 poles and 7 guys, shall be erected along the course of said lines unless the said Authority, its successors or assigns, shall pay to me (us) my (our) heirs and legal representatives, at the rate of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for each tower,

H-Frame, pole and guy erected in excess of said number, and upon such payment the said Authority, its successors or assigns, shall have the right and the right is hereby granted, to erect towers, H-Frames, poles and guys along said course in excess of said number.

And I (we) do hereby bind myself (ourselves), my (our) heirs and legal representatives, to warrant and forever defend all and singular the above described easement and rights unto the said Authority, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS my hand this 28th day of August, 1946.

J. F. Johnson

THE STATE OF TEXAS )  
COUNTY OF KERR

( BEFORE ME, the undersigned authority, a Notary Public in and for Kerr County, Texas, on this day personally appeared J. F. Johnson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 28th day of August, A. D. 1946.

(SEAL)

William Bonn  
Notary Public, Kerr County, Texas.

Filed for record Oct. 28, 1946 at 10:10 o'clock A. M.

Recorded October 29, 1946 at 9:30 o'clock A. M.

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EASEMENT

THE STATE OF TEXAS )  
COUNTY OF BEXAR

KNOW ALL MEN BY THESE PRESENTS: That Ethel L. Ferguson, a feme sole, of Bexar County, Texas, for and in consideration of One and no/100 Dollars (\$1.00) to me (us) in hand paid by Lower Colorado River Authority, of Austin, Texas (hereinafter called the "Authority"), have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Authority, an easement and right-of-way for an electric transmission and/or distribution line, consisting of variable number of wires, and all necessary or desirable appurtenances (including towers, H-Frames or poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), at or near the location and along the general course now located and staked out by the said Authority, over, across and upon the following described lands located in John Matchett Survey #43, Kerr County, Texas, to-wit:

The following being the center line of a right-of-way line herein described. Beginning at a point in the center line of a property line dividing the property of Ethel L. Ferguson and Peterson's Stock Farm; said point being located 210 feet, more or less, west from Ethel L. Ferguson's northeast property corner which is also the northeast corner of tract number nine (9) of the Shady Grove Addition; thence in a southwesterly direction to a point in the dividing line of tract nine (9) and ten (10) of the Shady Grove Addition; said point being located 393 feet, more or less, southwest from a point at which said dividing line intersects the north property line of said Addition. Together with the right of ingress and egress over my (our) adjacent lands to or from said right-of-way for the purpose of constructing, re-constructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate along the same general direction of said lines; the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the efficiency of said lines or their appurtenances.

TO HAVE AND TO HOLD the above described easement and rights unto the said Authority, its successors and assigns, until said line shall be abandoned.

Not more than \_\_\_\_\_ towers, \_\_\_\_\_ H-Frames, 3 poles and 2 guys, shall be erected along the course of said lines unless the said Authority, its successors or assigns, shall pay to me (us), my (our) heirs and legal representatives, at the rate of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for each

No. 2090 ESTATE OF LEO LINDNER, DECEASED.  
INVENTORY AND APPRAISEMENT AND LIST OF CLAIMS.  
Filed 6th day of February, 1947.  
Otto Schweppe, County Clerk.  
Recorded in Vol. 13, Pgs. 400-402. Probate Minutes of Kendall County, Texas.

THE STATE OF TEXAS )

COUNTY OF KENDALL ) I, Otto Schweppe, Clerk of the County Court in and for Kendall County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the original Application for Probate of Will, Order Admitting Will to Probate, Last Will & Testament, Oath of Administratrix and Inventory & Appraisement, in the Matter of the Estate of Leo Lindner, deceased, as the same appears of record and on file in my office.

Given under my hand and seal of office, this the 6th day of March, A. D. 1947.

(SEAL)

Otto Schweppe  
County Clerk, Kendall County, Texas.

Filed for record March 13, 1947 at 11:30 o'clock A. M.

Recorded March 14th, 1947, at 10:00 o'clock A. M.

CERTIFICATE OF COUNTY JUDGE WHERE NO  
INHERITANCE TAX IS DUE

Feb. 20, 1947  
Austin, Texas  
DATE RECEIVED

THE STATE OF TEXAS ( )  
COUNTY OF KENDALL )

IN RE: ESTATE OF Leo Lindner

On this the 18th day of February, 1947, came on to be seen, heard and considered for final determination the amount of Inheritance Tax due the State of Texas by the Estate of Leo Lindner, Deceased, and by the heirs and devisees under the Will of said decedent, and having duly examined and duly considered the inventory and reports filed herein by the Executors of said Estate as well as the Will of said Leo Lindner, Deceased, I find that under the laws of the State of Texas that there is no Inheritance Tax due said State by either the heirs, or devisees of said Leo Lindner, Deceased, and that this finding and conclusions be certified to the Comptroller of Public Accounts of the State of Texas as well as entered upon the Minutes of this Court.

APPROVED:

Geo. H. Sheppard  
Comptroller of Public Accounts.

B. H. Balser  
HONORABLE B. H. BALSER  
County Judge, Kendall County, Texas.

THE STATE OF TEXAS ( )  
COUNTY OF KENDALL )

I OTTO SCHWEPPE, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument of writing dated the 18th day of February, 1947, with its certificates of authentication was filed for Record in my office, the 28th day of February, 1947 at 9:30 o'clock A. M. and duly Recorded the 28th day of February, 1947 at 11:45 o'clock A. M., Deed Record of said County, in Vol. 66 on Pages 433.

WITNESS my hand and the seal of the County Court of said County, at office in Boerne, Texas the day and year last above written:

(SEAL)

Otto Schweppe  
Clerk County Court, Kendall County, Texas.

Filed for record March 13, 1947 at 11:30 o'clock A. M.

Recorded March 14, 1947 at 10:30 o'clock A. M.

THE STATE OF TEXAS ( )  
COUNTY OF KERR )

KNOW ALL MEN BY THESE PRESENTS: That J. F. Johnson and wife, Adell

Johnson of Kerr County, Texas, for and in consideration of One and no/100 Dollars (\$1.00) to me (us) in hand paid by Lower Colorado River Authority, of Austin, Texas (hereinafter called the "Authority"), have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Authority, an easement and right-of-way for an electric transmission and/or distribution line, consisting of variable number of wires and all necessary or desirable appurtenances, (including towers, H-Frames or poles made of wood, metal or other materials,

telephone and telegraph wire, props and guys], at or near the location and along the general course now located and staked out by the said Authority, over, across and upon the following described lands located in Heirs of John Matchett Survey #43, Kerr County, Texas, to-wit: The following being the center line of a right-of-way line herein described. Beginning at a point in the dividing line of tracts 20 and 22 of Shady Grove, said point being located 1 foot (more or less) <sup>east</sup> from a point at which said line intersects the dividing line of tracts 19 and 20; thence in a southerly direction to a point in the north right-of-way line of Johnson Drive, said point being located 50 feet (more or less) west from <sup>a</sup> point at which said dividing line intersects the north right-of-way line of Johnson Drive; thence in a southeasterly direction to a point in the south right-of-way line of Johnson Drive, said point being located 30 feet (more or less) west from a point at which the east property line of tract 2 intersects the south right-of-way line of Johnson Drive; thence in a southeasterly direction paralleling said property line across lots 2, 8, 10 and 11 of a sub-division of Tracts 2, 3 and 4 to a point in the south property line of Tract 3, said point being located 75 feet (more or less) east from a point at which the dividing line of Tracts 2 and 3 intersects their south property lines. Beginning again at a point in the south right-of-way line of Johnson Drive, said point being located 30 feet (more or less) west from a point at which the dividing line of Tracts 2 and 3 intersects the south right-of-way line of Johnson Drive; thence in a westerly direction <sup>to</sup> a point in the dividing line of Tracts 1 and 2, said point being located at a point at which said dividing line of Tracts 1 and 2 intersects the south right-of-way line of Johnson Drive. Together with the right of ingress and egress over my (our) adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate along the same general direction of said lines; the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the efficiency of said lines or their appurtenances. TO HAVE AND TO HOLD the above described easement and rights unto the said Authority, its successors and assigns, until said line shall be abandoned. Not more than      towers,      H-Frames,      poles and      guys, shall be erected along the course of said lines unless the said Authority, its successors or assigns, shall pay to me (us), my (our) heirs and legal representatives, at the rate of      Dollars (\$    ) for each tower, H-Frame, pole and guy erected in excess of said number, and upon such payment the said Authority, its successors or assigns, shall have the right and the right is hereby granted, to erect towers, H-Frames, poles and guys along said course in excess of said number. And I (we) do hereby bind myself (ourselves), my (our) heirs and legal representatives, to warrant and forever defend all and singular the above described easement and rights unto the said Authority, its successors and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof.

WITNESS our hand this 25th day of February, 1947.

The above easement meets with my approval. J. F. Johnson  
R. A. Remschel  
2-27-1946 Adell Johnson

THE STATE OF TEXAS )  
COUNTY OF KERR ( BEFORE ME, the undersigned authority, a Notary Public in and for Kerr County, Texas, on this day personally appeared J. F. Johnson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of February, A. D. 1947.

(SEAL)

Donal M. McClellan  
Notary Public, Kerr County, Texas.

OF February, A. D. 1947.  
 (SEAL) Donal M. McClellan  
 Notary Public, Kerr County, Texas.  
 Filed for record March 13, 1947 at 2:45 o'clock P. M.  
 Recorded March 14, 1947 at 11:30 o'clock A. M.

THE STATE OF TEXAS )  
COUNTY OF KERR )

KNOW ALL MEN BY THESE PRESENTS: That Leo Jenschke and wife, Helen Jenschke of Kerr County, Texas, for and in consideration of One and no/100 Dollars (\$1.00) to me (us) in hand paid by Lower Colorado River Authority, of Austin, Texas (hereinafter called the "Authority"), have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Authority, an easement and right-of-way for an electric transmission and/or distribution line, consisting of variable number of wires, and all necessary or desirable appurtenances (including towers, H-Frames or poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), at or near the location and along the general course now located and staked out by the said Authority, over, across and upon the following described lands located in Benjamin F. Gage Survey #116, Kerr County, Texas, to-wit:

The following being the center line of a right-of-way line herein described. Beginning at a point in the center line of a property line dividing the property of Leo Jenschke and State Highway No. 16, said point being located 1 foot northeast from Leo Jenschke's south property corner; thence in a southwesterly direction for a distance of 20 feet to an Authority's distribution pole, said pole being located 1 foot northeast from Leo Jenschke's southwest property line. Together with the right of ingress and egress over my (our) adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate along the same general direction of said lines; the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the efficiency of said lines or their appurtenances. TO HAVE AND TO HOLD the above described easement and rights unto the said Authority, its successors and assigns, until said line shall be abandoned. Not more than No towers, No H-Frames, 1 poles and No guys, shall be erected along the course of said lines unless the said Authority, its successors or assigns, shall pay to me (us), my (our) heirs and legal representatives, at the rate of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) for each tower, H-Frame, pole and guy erected in excess of said number, and upon such payment the said Authority, its successors or assigns, shall have the right and the right is hereby granted, to erect towers, H-Frames, poles and guys along said course in excess of said number.

And I (we) do hereby bind myself (ourselves), my (our) heirs and legal representatives, to warrant and forever defend all and singular the above described easement and rights unto the said Authority, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Leo Jenschke  
Helen Jenschke