

MUTUAL ACCESS EASEMENT AGREEMENT

THIS MUTUAL ACCESS EASEMENT AGREEMENT is made as of April _____, 2020 by and between Lawrence Guseman, whose address is P.O. Box 10173, College Station, Texas 77842 ("Guseman"), and Oscar H. and Nancy Beard, whose address is 1110 Royal Adelaide Drive, College Station, Texas 77845 (collectively "Beard").

RECITALS:

WHEREAS, Guseman is the owner of certain real property ("Guseman Property") with the street address of 1308 W. Villa Maria Road, Bryan, Texas, and more particularly described as follows:

Villa West IV Phase I, Block A, Lot 1, also known as Villa West Ph 4, Block A, Lot 1;

WHEREAS, Beard is the owner of certain real property ("Beard Property") with the street address of 1312 W. Villa Maria Road, Bryan, Texas, and more particularly described as follows:

Villa West IV Phase I, Block A, Lot 2, also known as Villa West Ph 4, Block A, Lot 2; and

WHEREAS, the parties desire to provide for mutual ingress and egress across their respective tracts in the area depicted on Exhibit "A" (attached hereto and incorporated herein by reference) and referred to herein as the "Easement Area", understanding that the parties will utilize the Easement Area to access Villa Maria Road.

NOW THEREFORE, in consideration of Ten Dollars (\$10.00) in hand paid to each and in consideration of the mutual covenants contained herein, Guseman and Beard hereby grant and convey, covenant and agree as follows:

1. Guseman grants and conveys to Beard, its successors and assigns, a perpetual non-exclusive easement and right-of-way over and across that portion of the Easement Area located on the Guseman Property for pedestrian and vehicular access, ingress and egress, over, upon and across the Easement Area for the benefit of, and as an appurtenance to, the Beard Property.

2. Beard grants and conveys to Guseman, its successors and assigns, a perpetual non-exclusive easement and right-of-way over and across that portion of the Easement Area located on the Beard Property for pedestrian and vehicular access, ingress and egress, over, upon and across the Easement Area for the benefit of, and as an appurtenance to, the Guseman Property.

PREPARED IN THE LAW OFFICE OF:
THE LAW OFFICE OF CHRISTOPHER J. SMITHERMAN, P.C.
6166 Imperial Loop, Suite 15
College Station, Texas 77845



Jonathan Pawlak
Notary Public

Nancy Beard.
This instrument was acknowledged before me the 4th day of June, 2020 by

STATE OF TEXAS §
COUNTY OF BRAZOS §

Notary Public

H. Beard.
This instrument was acknowledged before me the 4th day of June, 2020 by Oscar

STATE OF TEXAS §
COUNTY OF BRAZOS §

Nancy L Beard
Nancy Beard

Oscar H. Beard

EXHIBIT "A"

FIELD NOTES
0.0542 ACRES

Being all that certain tract or parcel of land lying and being situated in the ZENO PHILLIPS LEAGUE, PHASE 1 according to the final plat recorded in Volume 648, Page 233 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 1/2-inch iron rod marking the east corner of said Lot 2, Block A and the south corner of Lot 1, Block A of said VILLA WEST IV, PHASE 1, said iron rod also being in the northwest right-of-way line of West Villa Maria Road (based on a 100-foot width);

THENCE: N 37°44'09" W along the common line of said Lots 2 and 1, Block A for a distance of 22.46 feet to the POINT OF BEGINNING and being the east corner of this herein described parcel;

THENCE: S 53°02'30" W into and through said Lot 2, Block A for a distance of 115.70 feet to a point for the south corner of this parcel and being in the northeast line of Lot 3R, VILLA PARK WEST according to the replat recorded in Volume 6396, Page 159 (O.R.B.C.), from whence a found 1/2-inch iron rod marking the south corner of said Lot 2, Block A of said VILLA WEST IV, PHASE 1 and the east corner of Lot 3R of said VILLA PARK WEST bears S 37°44'09" E at a distance of 30.28 feet for reference;

THENCE: N 37°44'09" W along the common line of said Lot 2, Block A of said VILLA WEST IV, PHASE 1 and Lot 3R of said VILLA PARK WEST for a distance of 20.40 feet to a point for the west corner of this herein described parcel;

THENCE: N 53°02'30" E into and through said Lot 2, Block A for a distance of 115.70 feet to a point for the north corner of this parcel and being in the southwest line of said Lot 1, Block A;

THENCE: S 37°44'09" E along the common line of said Lots 2 and 1, Block A for a distance of 20.40 feet to the POINT OF BEGINNING and containing 0.0542 acres (2,360.3 square feet) of land, more or less.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on April, 2020.

See survey plat on Page 1 of 2
for additional information.

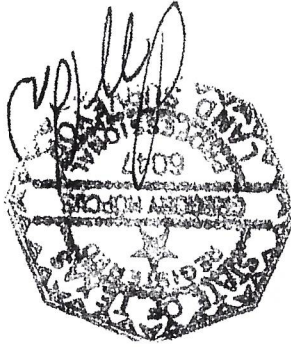


EXHIBIT "A"

FIELD NOTES
0.0398 ACRES

Being all that certain tract or parcel of land lying and being situated in the ZENO PHILLIPS LEAGUE, Abstract No. 45, in Bryan, Brazos County, Texas and being part of Lot 1, Block A, VILLA WEST IV, PHASE 1 according to the final plat recorded in Volume 648, Page 233 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 12-inch iron rod marking the south corner of said Lot 1, Block A and the east corner of Lot 2, Block 1 of said VILLA WEST IV, PHASE 1, said iron rod also being in the northwest right-of-way line of West Villa Maria Road (based on a 100-foot width);

THENCE: N 37°44'09" W along the common line of said Lots 1 and 2, Block A for a distance of 22.46 feet to the POINT OF BEGINNING and being the south corner of this herein described parcel;

THENCE: N 37°44'09" W, continue along said common line for a distance of 20.40 feet to a point for the west corner of this parcel;

THENCE: N 53°02'30" E into and through said Lot 1, Block A for a distance of 85.01 feet to a point for the north corner of this herein described parcel and being in the southwest line of Lot 1, Block 1, FIRST FREEWILL BAPTIST CHURCH according to the plat recorded in Volume 532, Page 819 (B.C.D.R.);

THENCE: S 37°44'09" E along the common line of said Lot 1, Block A of said VILLA WEST IV, PHASE 1 and Lot 1, Block 1 of said FIRST FREEWILL BAPTIST CHURCH for a distance of 20.40 feet to a point for the east corner of this tract, from whence a found 1/2-inch iron rod marking the east corner of said Lot 1, Block A and the south corner of Lot 1, Block 1 of said FIRST FREEWILL BAPTIST CHURCH bears S 37°44'09" E at a distance of 25.37 feet for reference;

THENCE: S 53°02'30" W into and through said Lot 1, Block A for a distance of 85.01 feet to the POINT OF BEGINNING and containing 0.0398 acres (1,734.2 square feet) of land, more or less.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on April, 2020.

See survey plat on Page 1 of 2 for additional information.



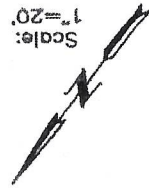
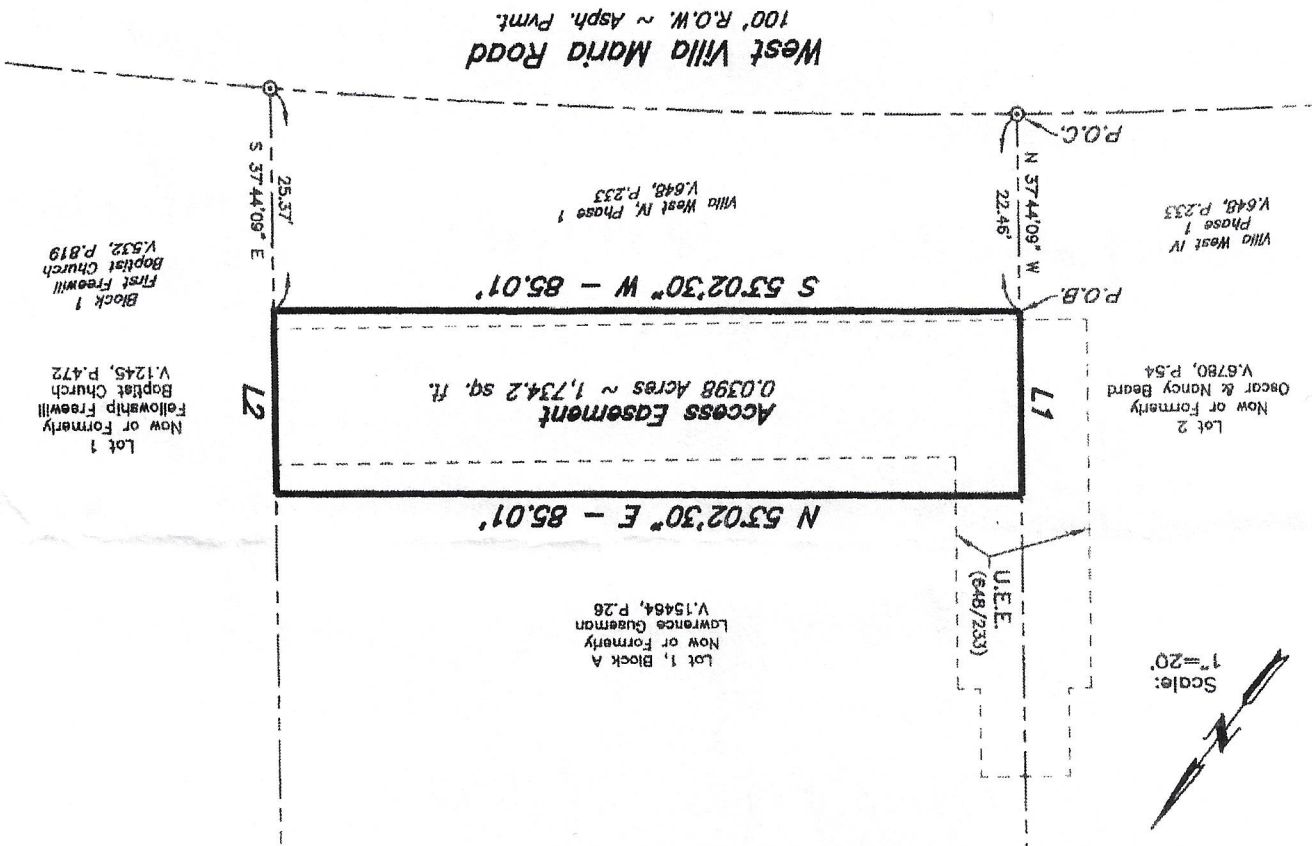
PROPOSED ACCESS EASEMENT
LOT 1, BLOCK A
VILLA WEST IV, PHASE 1 (648/233)
 ZENO PHILLIPS LEAGUE, A-45
 BRYAN, BRAZOS COUNTY, TEXAS
 APRIL, 2020

- GENERAL SURVEYOR NOTES:**
1. Bearings and actual measured distance to the monuments are consistent with the recorded plat in Volume 648, Page 233, Deed Records, Brazos County, Texas.
 2. According to the Flood Insurance Rate Maps for Brazos County, Texas and incorporated Revised Map Number 48041C0215F, Map Area, April 2, 2014, this property is not located in a Special Flood Hazard Area.
 3. This survey is valid only if the print has original seal and signature of Surveyor.
 4. See Page 2 of 2 for metes and bounds description prepared with this plat.
 5. Some existing utility lines and existing easements may not be depicted hereon.

LEGEND

- ⊙ - 1/2" Iron Rod Found (CM)
- CM - Controlling Monument
- P.O.B. - Point of Beginning
- P.O.C. - Point of Commencing
- U.E.E. - Underground Electrical Easement

LINE TABLE			
LINE	BEARING	DISTANCE	
L1	N 37°44'09" W	20.40'	
L2	S 37°44'09" E	20.40'	



Scale: 1"=20'

Engineer Reg. No. F-450
 Survey Reg. No. 101033-00

1008 WOODGATE DR., SUITE 100 - COLLEGE STATION, TX, 77845 - (979) 693-8898





STATE OF TEXAS
 COUNTY OF BRAZOS
 Karen McQueen
 County Clerk
 Brazos County, TX

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

Station:

CCLERK08

User:

Michelle O

Recorded Date/Time:

June 24, 2020 04:17 PM

Receipt Number:

20200624000129

Document Number:

1397089

File Information:

Record and Return To:

Christopher Smitherman
 6166 IMPERIAL LOOP, STE 15
 COLLEGE STATION TX 77845

***** 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.

Total Recording: \$50.00

" Examined and Charged as Follows: "

Recorded On: June 24, 2020 04:17 PM

Number of Pages: 8

Real Property Recordings

Instrument Number: 1397089
 Volume : 16145

VG-267-2020-1397089



Brazos County
 Karen McQueen
 County Clerk