

7085

ASSIGNMENT AND EASEMENT

THE STATE OF TEXAS §

COUNTY OF BREWSTER §

TERRAMAR CORPORATION, a Texas corporation ("Terramar") for good and valuable consideration, hereby assigns, transfers, grants and conveys, without warranty of title, either expressed or implied, unto Property Owners' Association of Terlingua Ranch, Inc., a Texas nonprofit corporation ("Association") and the Association's successors; (a) the non-exclusive right and privilege to use in common with Terramar and other appropriate parties any easement now owned or held by Terramar for ingress and egress across existing roads and roadways upon any property in Brewster County, Texas, previously conveyed by Terramar to various third parties reserving unto Terramar any such easement; and (b) a non-exclusive easement of ingress and egress over, across and upon all existing roads and roadways upon any property now owned by Terramar within Brewster County, Texas, as shown by the records of the County Clerk of Brewster County, Texas, as of the date hereof; such assignment of easement rights and the non-exclusive easement granted herein being for the purpose of ingress and egress by the Association and the Association's duly authorized agents and representatives for (i) the maintenance and repair of such roads and roadways, and (ii) the maintenance and repair of the fresh water system comprised of wells, pumps, flow lines and appurtenant equipment located in and upon Section 3, Block TER, Brewster County, Texas and along and contiguous to existing roads from such Section 3 to the 423.84 acre tract described in that certain Warranty Deed dated November 30, 1976 from Terramar to the Association recorded in Volume 198, Page 714, Deed Records, Brewster County, Texas. The rights and privileges herein created and assigned to the Association are non-exclusive and are personal to the Association and are not subject to assignment or transfer by the Association without the joinder and approval of Terramar and its successors and assigns.

DATED this 29th day of December, 1976.

TERRAMAR CORPORATION

ATTEST:

By

W. B. McCall

President

SecretaryVOL. 200 PAGE 119

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THE STATE OF TEXAS X

COUNTY OF NUECES X

BEFORE ME, the undersigned authority, on this day personally appeared William McNeer, known to me to be the person whose name is subscribed to the foregoing instrument as President of TERRAMAR CORPORATION, a corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 29th day of December, 1976.

Rebecca A. Carson
Notary Public in and for Nueces
County, Texas
My Commission Expires: 4/22/78

FILED FOR RECORD the 6 day of January A.D., 1977 at 9:20 o'clock A
RECORDED the 6 day of January A.D., 1977 at 3:45 o'clock P
By Hortencia Lamas Deputy HELEN CRONE, County Clerk,
Brewster County, Texas