



ACCESS EASEMENT

DATE: August 3, 2009

GRANTOR: WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION

GRANTOR'S MAILING ADDRESS: Whitewater Springs
10900 South FM 1174
Bertram, Texas 78605

GRANTEE: LOWER COLORADO RIVER AUTHORITY, a conservation and reclamation district of the State of Texas

GRANTEE'S MAILING ADDRESS: P. O. Box 220
Austin, Texas 78767

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

EASEMENT PROPERTY: Those certain tracts of land described as the "Commons" in the following restrictive covenants and plats recorded in:

Section I: Volume 681, Page 769, amended in Volume 735, Page 409, Real Property Records of Burnet County, Texas and Volume 764, Page 58, Volume 764, Page 93, Volume 774, Page 200 and Volume 1286, Page 395, Official Public Records of Burnet County, Texas and in Cabinet 2, Slide Nos. 108B, 108C, 108D, 109A, 109B, 109C, 109D, 110A, 110B, 110C, 110D and 111A, Plat Records of Burnet County Texas.

Section II: Volume 808 Page 159, and Volume 1286, Page 414, Official Public Records of Burnet County, Texas and in Cabinet 2, Slide Nos. 120D, 121A, 121B, 121C, 121D, 122A, 122B, 122C, 122D, 123A, 123B, 123C, 123D and 124A, Plat Records of Burnet County, Texas.

Section III: Volume 681, Page 769, amended in Volume 735, Page 409, Real Property Records of Burnet County, Texas and Volume 764, Page 38, Volume 764, Page 58, Volume 764, Page 93 and Volume 1286, Page 433, Official Public Records of Burnet County, Texas and in Cabinet 2, Slide Nos. 148A, 148B, 148C, 148D, 149A, 149B and 149C, Plat Records of Burnet County, Texas.

Section IV: Volume 887, Page 336, and Volume 1286, Page 452, Official Public Records of Burnet County, Texas and in Cabinet 2, Slide Nos. 149D, 150A, 150B, 150C and 150D, Plat Records of Burnet County, Texas.

Section V: Volume 892, Page 117, Volume 1093, Page 3 and Volume 1286, Page 471,

Official Public Records of Burnet County, Texas and in Cabinet 2, Slide Nos. 154C, 154D and 155A, Plat records of Burnet County, Texas.

LCRA PROPERTY: Those twenty one (21) certain tracts described in the Special Warranty Deeds recorded in the Official Public Records of Burnet County, Texas at:

- 1) Volume 1189, Page 624;
- 2) Volume 1414, Page 398; Page 409; Page 420; Page 431; Page 442; Page 453; Page 464; Page 476; Page 487; Page 498; Page 510; Page 521; Page 533; Page 544; Page 555; Page 566; Page 577; and Page 588;
- 3) Document No. 200904219; and
- 4) Document No. 200904222.

GRANTOR, for the CONSIDERATION paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE an easement and right-of-way in, upon, under, over and across the EASEMENT PROPERTY, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold to GRANTEE and GRANTEE'S successors and assigns forever. The easement, right-of-way, rights, and privileges herein granted shall be used for the purposes of providing vehicular and pedestrian ingress and egress to and from the LCRA PROPERTY above for any reason related to water supply. GRANTEE shall have the right of ingress and egress at all times upon and across the EASEMENT PROPERTY for such stated purposes. Provided however, GRANTOR reserves the right to change, modify, redefine or convey the Easement Property and/or add additional easement property provided Grantee has, at all times, reasonable access to the LCRA PROPERTY.

GRANTEE'S use of the EASEMENT PROPERTY shall be subject to all laws, rules, regulations and rights of any governmental entity or department, including but not limited to, U.S. Fish and Wildlife Department.

GRANTEE agrees that upon completion of any construction on the LCRA PROPERTY, GRANTEE shall clean up and dispose of from off the EASEMENT PROPERTY and any of GRANTOR'S other property all surplus excavation, debris, trash, or litter resulting from GRANTEE'S use of the EASEMENT PROPERTY. GRANTEE at all times after completing any work in connection with GRANTEE'S use of the EASEMENT PROPERTY will restore the surface of the EASEMENT PROPERTY, as nearly as possible, to the condition in which the EASEMENT PROPERTY was found immediately before such work was undertaken.

The rights granted to GRANTEE in this EASEMENT shall be and are assignable in whole or in part for the herein stated purposes. This instrument and the terms and conditions contains herein, shall inure to the benefit of and be binding upon GRANTEE and

GRANTOR, and their successors and assigns.

GRANTOR warrants and shall forever defend the EASEMENT to GRANTEE against anyone lawfully claiming or to claim the easement or any part thereof when the claim is by, through, or under GRANTOR, but not otherwise.

When the context requires, singular nouns and pronouns include the plural. When appropriate, the term "GRANTEE" includes the employees, agents, subsidiaries, officers, servants, contractors, successors and assigns of GRANTEE.

GRANTOR:

By: LaDale Young
LaDale Young
President, Whitewater Springs Property Owners Association

ACKNOWLEDGMENT

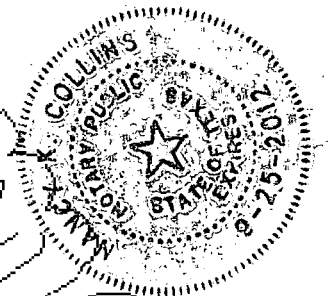
STATE OF TEXAS

COUNTY OF Burnet

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The instrument was acknowledged before me on July Aug. 3, 2009 2009, by LaDale Young, President, Whitewater Springs Property Owners Association.

Nancy L. Collins
Notary Public, State of Texas



AFTER RECORDING, RETURN TO:

Lower Colorado River Authority
Real Estate Services, H219
P.O. Box 220
Austin, Texas 78767

DOCS-Easement-LRCA-Whitewater

Unofficial Document

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Janet Parker

201000882

February 04, 2010 10:02:50 AM

FEE: \$24.00

Janet Parker, County Clerk

Burnet County, Texas