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EASMT

**EASEMENT  
FOR  
WAYSIDE VILLAGE SECTION 2**

X  
THE STATE OF TEXAS     §  
                                   §     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS     §

THAT, BGM LAND INVESTMENTS LTD., a Texas limited partnership, of Harris County, Texas by and through its hereunto duly authorized officer (hereinafter called "Grantor"), for and in consideration of the mutual benefits to be derived there from has granted, and by these presents does hereby grant unto all public utilities a public utility easement ("Easement") upon, over, across and through the property (the "Easement Area") situated in Harris County, Texas, as described by metes and bounds in Exhibit "A", which is attached hereto and by this reference are made a part hereof.

1.00  
noname  
shown

The easement, right-of-way, rights and privileges herein granted shall be used only for the purposes of laying, operating, maintaining, repairing, replacing and reconstructing of public utilities, whatever form, and any and all related facilities and for making connections therewith and thereto, together with any and all necessary incidentals and appurtenances thereto in, along, upon and across the Easement Area.

Subject to the foregoing and subsequent provisions hereof, public utilities, their assigns, agents, employees, workmen and representatives shall, at all present and future times, have the right and privilege of ingress and egress in, along, upon and across the Easement Area for the purposes hereof.

The grant made hereunder is not a conveyance of the Easement Area nor of any interest in the oil, gas, and other minerals in, on, or under the land subject to easement herein granted, but is a grant solely of the easement as above described.

TO HAVE AND TO HOLD the above described easement for the said purposes, together with all and singular, the rights, privileges, and appurtenances thereto as described above in

RP 051-82-0241

anywise belonging to the said public utilities, their successors and assigns forever, subject to the limitations, conditions and restrictions set forth hereinabove.

IN WITNESS WHEREOF, this instrument is executed the 12 day of November, 2007.

GRANTOR:

BGM LAND INVESTMENTS LTD., a Texas limited partnership

By: GP Landvest, LLC

a Texas limited liability company,  
its General Partner

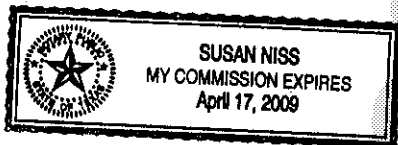
By: John Sachs  
John Sachs  
Manager

THE STATE OF TEXAS

COUNTY OF HARRIS

§  
§  
§

7 This instrument was acknowledged before me on the 12 day of November, 2007, by John Sachs, Manager GP Landvest L.L.C. on behalf of said General Partner.



Susan Niss  
Notary Public in and for  
The State of Texas

County Clerk  
HARRIS COUNTY, TEXAS

2007 NOV 14 PM 12:58

FILED

RET  
Jae Baik  
18333 Northwest Freeway, Suite 300  
Houston TX 77040

10' UTILITY EASEMENT

METES AND BOUNDS DESCRIPTION  
OF 1050 SQUARE FEET OF LAND  
IN THE ELI NOLAND SURVEY, A-600  
HARRIS COUNTY, TEXAS

All that certain 1050 square feet of land, out of the 87.36 acre tract described in the deed from Shin-Shan Chu to BGM Land Investments, Ltd., recorded under File No. X780830, in the Official Public Records of Real Property of Harris County, Texas, in the Eli Noland Survey, A-600, Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone)

**COMMENCING** at 5/8" iron rod found for the northeast corner of the 51.95 acre tract described as Tract II, in the deed from Hispanic Housing and Education Corporation to BGM Land Investments, Ltd., recorded under File No. X780829, in the Official Public Records of Real Property of Harris County, Texas, in the west line of said 87.36 acre tract; **THENCE** South 02° 46' 39" East - 2330.84', along the east line of said 51.95 acre tract, common to the west line of said 87.36 acre tract to an angle corner, from which a 5/8" iron rod found for the southeast corner of said 51.95 acre tract, common to the southwest corner of said 87.36 acre tract, in the northwest right-of-way line of the Beaumont, Sour Lake and Western Railway Company fee strip (100' R.O.W.), recorded under Volume 194, Page 61, in the Deed Records of Harris County, Texas, bears South 02° 46' 39" East - 1136.44'; **THENCE** North 87° 13' 21" East - 321.13' to the north corner and **POINT OF BEGINNING** of the herein described easement;

**THENCE** South 53° 44' 48" East - 10.00' to the east corner of the herein described easement;

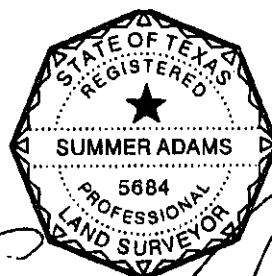
**THENCE** South 36° 15' 12" West - 105.00' to the south corner of the herein described easement;

**THENCE** North 53° 44' 48" West - 10.00' to the west corner of the herein described easement;

**THENCE** North 36° 15' 12" East - 105.00' to the **POINT OF BEGINNING** of the herein described easement and containing 1050 square feet of land.

Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.

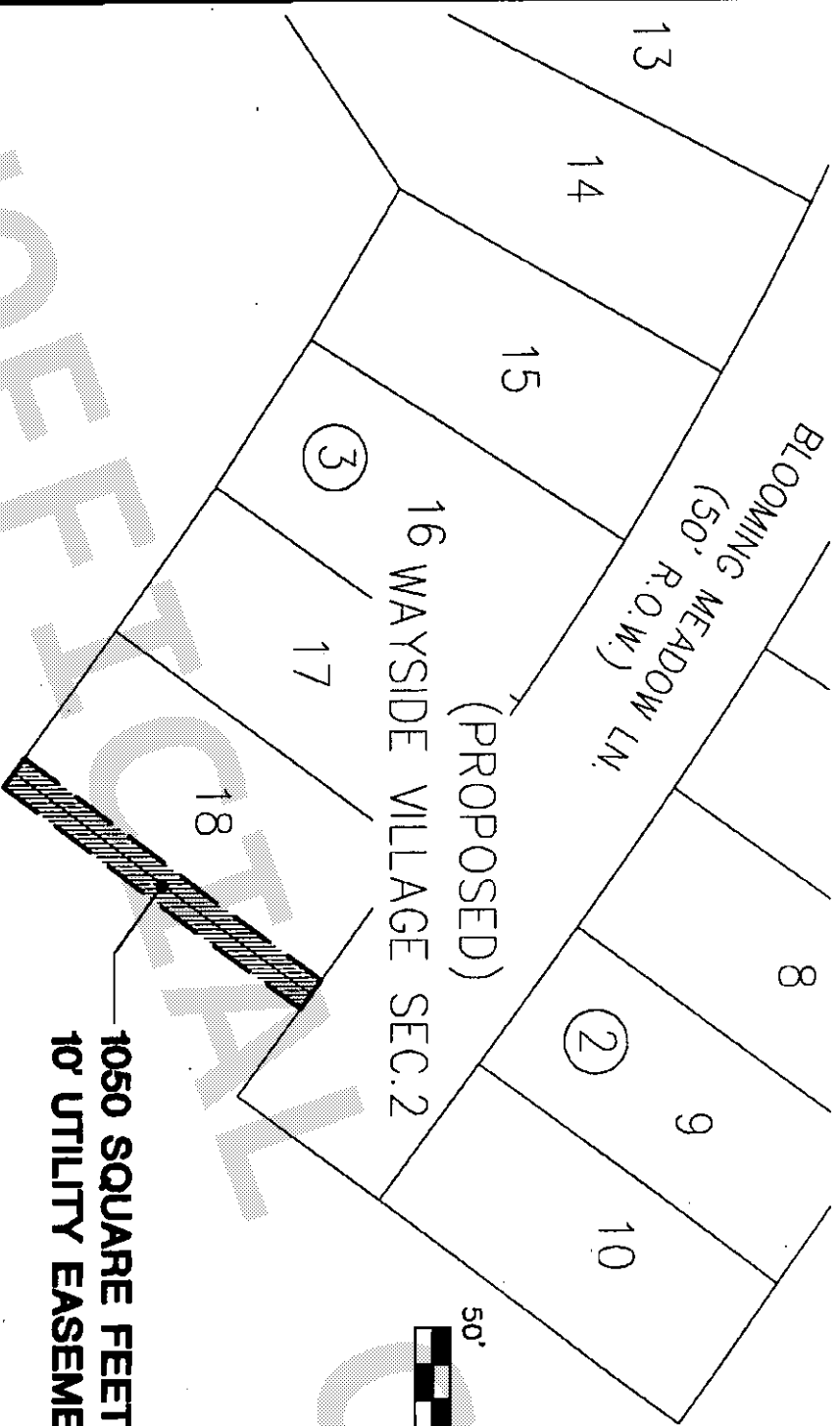
Job No. 909-026-00-565



Certification Date  
December 12, 2006

THIS LEGAL DESCRIPTION IS ISSUED FOR THE PURPOSE OF ATTACHMENT TO EASEMENT DEDICATION DOCUMENTS. IT SHOULD NOT BE USED FOR TITLE TRANSFER.

RECORDED  
 At the time of recording, this instrument was filed and recorded the instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts additions and changes were present at the time the instrument was filed and recorded.



87.36 ACRES  
 SHIN-SHAN CHU  
 TO  
 BGM LAND INVESTMENTS, LTD.  
 FILE NO. X780830, O.P.R.R.P.

1050 SQUARE FEET  
 10' UTILITY EASEMENT


**PATE**  **SURVEYORS**

A DIVISION OF PATE ENGINEERS, INC.

1333 NW Freeway, Ste 300 Houston, TX 77040 • (713) 462-3178 • Fax (713) 462-3015 • www.pateeng.com

EXHIBIT A

1050 SQUARE FEET  
 10' UTILITY EASEMENT  
 ELLI NOLAND SURVEY, A-600  
 HARRIS COUNTY, TEXAS

DRAWN: CN	ORIGINAL
APPROVED FOR ISSUE: 	ISSUE DATE: DECEMBER 12, 2006
	SCALE: 1" = 50'
JOB NO.: 909-026-00-565	

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.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number Sequence on the  
date and at the time stamped hereon by me, and was duly RECORDED. In the  
Official Public Records of Real Property of Harris County, Texas on

NOV 14 2007



*Emily L. Kaufman*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

COPY

UNOFFICIAL