

**RELEASE OF EASEMENT BY JIMMIE ROYCE FINKE  
WHICH EASEMENT IS OVER AND ACROSS PROPERTY OWNED BY  
PATRICIA A. SMITH MCCANLIES, TRUSTEE OF THE  
PATRICIA A. SMITH MCCANLIES TRUST**

STATE OF TEXAS

COUNTY OF FAYETTE

1. Patricia A. Smith McCanlies, a resident of Fayette County, Texas is the Trustee of the Patricia A. Smith McCanlies Trust. The Patricia A. Smith McCanlies Trust is a trust organized and existing under the laws of the State of Texas, and was created in an instrument dated March 17, 1999.

2. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, is currently the owner of 25.00 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas ("McCanlies 25.00 Acres"). The McCanlies 25.00 Acres is more fully described in Exhibit "A" attached to a Warranty Deed from Robin G. Brown II, individually and as managing partner of Brown Top/Hidden Haven Partnership, to Patricia McCanlies dated August 7, 1995 and recorded in Volume 929 at Page 20 of the Deed Records of Fayette County, Texas. A survey plat of the McCanlies 25.00 Acres is attached hereto and marked as EXHIBIT "1" and made a part hereof for all intents and purposes ("Survey Plat").

3. A Right-Of-Way And Cross Easement Agreement was entered into between Robin G. Brown II, Brown Top/Hidden Haven Partnership, Jimmie R. Finke, Patricia McCanlies, and Billie T. Hinze and wife, Darlene Hinze ("Right-Of-Way And Cross Easement Agreement"). The Right-Of-Way And Cross Easement Agreement is dated August 8, 1995 and recorded in Volume 929, Pages 36-46, of the Deed Records of Fayette County, Texas. The Right-Of-Way And Cross Easement Agreement creates easements over and across and/or for the benefit of different properties, which properties include the McCanlies 25.00 Acres.

4. The Survey Plat depicts the route of the easement and/or easements created by the Right-Of-Way And Cross Easement Agreement and includes "Segment B-30 Foot Road Easement", which is more fully described in the Right-Of-Way And Cross Easement Agreement in Volume 929, at Page 44, of the Deed Records of Fayette County, Texas. Segment B-30 Foot Road Easement is labeled as "Segment "B"-30 Foot Road Easement Vol. 929 Pg. 20 D.R.F.C.T." on the Survey Plat. Segment B-30 Foot Road Easement lies between the southeasterly boundary and the northwesterly boundary of the McCanlies 25.00 Acres, as depicted on the Survey Plat, and is also described in a deed from Robin G. Brown II, Individually and as Managing Partner of Brown Top/Hidden Haven Partnership to Patricia McCanlies, dated August 7, 1995 and recorded in Volume 929, at Page 20, of the Deed Records of Fayette County, Texas (Page 26 of that deed for description of Segment B-30 Foot Road Easement).

5. As the owner of the following described 28.25 acres of land located in Fayette County, Texas, Jimmie Royce Finke is currently among the holders of the easement rights created in the Right-Of-Way And Cross Easement Agreement. The 28.25 acres in Fayette County, Texas owned by Jimmie Royce Finke is described as follows:

28.25 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas and described in a deed from Robin G. Brown II, individually and as Managing Partner of Brown Top/Hidden Haven Partnership, to Jimmie Royce Finke, dated August 7, 1995, and recorded in Volume 929 at Page 3 of the Deed Records of Fayette County, Texas (the "Finke 28.25 Acres").

The Finke 28.25 Acres is included among the servient and/or dominant estates in the Right-Of-Way And Cross Easement Agreement. The Right-Of-Way And Cross Easement Agreement provides, among other things, that the Segment B-30 Foot Road Easement may be an easement appurtenant to the Finke 28.25 Acres.

6. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, and Jimmie Royce Finke have agreed that Jimmie Royce Finke, as owner of the Finke 28.25 Acres, shall release forever, for himself and his heirs and assigns, all of his rights, as owner of the Finke 28.25 Acres or otherwise, in the Segment B-30 Foot Road Easement, including, but not limited to, any easement rights in the same. The purpose of this Release Of Easement By Jimmie Royce Finke Which Easement Is Over And Across Property Owned By Patricia A. Smith McCanlies, Trustee Of The Patricia A. Smith McCanlies Trust is to evidence, in writing, the release by Jimmie Royce Finke of all of his rights in the Segment B-30 Foot Road Easement.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that JIMMIE ROYCE FINKE, a single man and a resident of Fayette County, Texas, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby release, forever, unto Patricia A. Smith McCanlies, Trustee Of The Patricia A. Smith McCanlies Trust, all of his rights, as owner of the Finke 28.25 Acres or otherwise, in the Segment B-30 Foot Road Easement, including, but not limited to, any easement rights in the Segment B-30 Foot Road Easement. The release contained herein shall be binding upon Jimmie Royce Finke and his heirs and assigns.

Notwithstanding anything to the contrary contained herein, nothing herein shall affect any of the rights and/or burdens created in the Right-Of-Way And Cross Easement Agreement, other than those released herein which are applicable to the Segment B-30 Foot Road Easement.

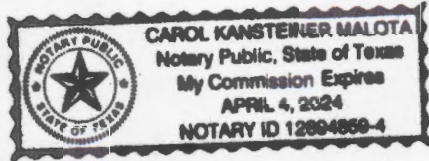
EXECUTED EFFECTIVE the 1<sup>st</sup> day of June, 2021.

  
JIMMIE ROYCE FINKE

STATE OF TEXAS

COUNTY OF FAYETTE

This instrument was acknowledged before me on the 10<sup>th</sup> day of JUNE, 2021,  
by JIMMIE ROYCE FINKE.



*Carol Kansteiner Malota*  
\_\_\_\_\_  
Notary Public, State of Texas

FAYETTE COUNTY, TEXAS  
 AMAZIAH BAKER LEAGUE  
 ABSTRACT NO. 2

EXHIBIT "1"

LEGEND

- 1/2" IRON ROD FOUND
- POINT FOR CORNER
- POWER POLE
- TRANSMISSION TOWER
- GUY ANCHOR
- OVERHEAD ELECTRIC LINE
- OVERHEAD HIGH VOLTAGE ELECTRIC LINE
- WIRE FENCE
- RECORD INFORMATION



NEEDHAM ROBERT BAKER  
 TO  
 DEBORAH CAROLE ALLEN  
 JUNE 28, 2009  
 CALLED 100.42 ACRES  
 VOLUME 1488, PAGE 743  
 O.R.F.C.T.

ON 37°55'39" E 342.85'  
 N 37°55'45" E  
 342.79'

P.O.B.  
 Texas South Central Zone  
 MAD 83/2011  
 State Plane Grid Coords  
 NAD 83 1100 29 USF  
 UTM 17, 689, 729 18 USF

JEANETTE SCHOENST  
 TO  
 SUE SCHOENST, ET AL  
 AUGUST 30, 2018  
 RESIDUE OF SECOND TRACT - CALLED 94 ACRES  
 VOLUME 1784, PAGE 936  
 O.R.F.C.T.

HILLSWICK, L.L.C.  
 TO  
 SUSAN ROSS  
 OCTOBER 23, 2020  
 CALLED 83.098 ACRES  
 VOLUME 1564, PAGE 480  
 O.R.F.C.T.

25.00 ACRES  
 PATRICIA A SMITH MCCANLIES  
 TO  
 PATRICIA A. SMITH MCCANLIES, TRUSTEE  
 OF THE PATRICIA A. SMITH MCCANLIES TRUST  
 MARCH 17, 1998  
 CALLED 25.00 ACRES  
 VOLUME 1870, PAGE 177  
 O.R.F.C.T.

MELISSA ANN FINKE  
 TO  
 BENJAMIN ERNEST FINKE  
 FEBRUARY 10, 2011  
 CALLED 4.14 ACRES  
 VOLUME 1555, PAGE 142  
 O.R.F.C.T.

BORIS C. BROWN, II, MANAGING PARTNER  
 OF THE BROWN TOPFRODEN HAVEN PARTNERSHIP  
 TO  
 JIMMIE ROYCE FINKE  
 AUGUST 7, 1995  
 CALLED 28.25 ACRES  
 VOLUME 829, PAGE 3  
 O.R.F.C.T.

BORIS C. BROWN, II, MANAGING PARTNER  
 OF THE BROWN TOPFRODEN HAVEN PARTNERSHIP  
 TO  
 BLUE L. BROWN, ET UX  
 AUGUST 7, 1995  
 CALLED 25.00 ACRES  
 VOLUME 829, PAGE 303  
 O.R.F.C.T.

10' ROAD EASEMENT  
 VOL. 929, PG. 36  
 D.R.F.C.T.

SEGMENT "B" - 20' ROAD EASEMENT  
 VOL. 929, PG. 20  
 D.R.F.C.T.

1/2" IRON ROD  
 FND AT 910.40'

30' ROAD EASEMENT  
 VOL. 929, PG. 3  
 D.R.F.C.T.

30' ROAD EASEMENT  
 VOL. 929, PG. 36  
 D.R.F.C.T.

ASPHALT/GRASS  
 DRIVE

SEGMENT "A" - 30' ROAD EASEMENT  
 VOL. 929, PG. 20  
 D.R.F.C.T.

1/2" IRON ROD  
 FND AT 1236.62'

1/2" IRON ROD  
 FND AT 1277.79'  
 0.06' LEFT OF THE LINE

1/2" IRON ROD  
 FND AT 1348.49'

HORIZONTAL DATUM: NAD83/2011 (EPOCH: 2010)  
 VERTICAL DATUM: NAVD 88  
 COMBINED SCALE FACTOR: 0.9999365538  
 BEARING BASIS: TX LAMBERT GRID SOUTH CENTRAL ZONE  
 DISTANCES SHOWN ARE SURFACE VALUES

SURVEY PLAT OF 25.00 ACRES  
 AMAZIAH BAKER LEAGUE, A-8  
 FAYETTE COUNTY, TEXAS

SURVEY NOTES

1. THE SURVEYOR DID NOT ABSTRACT THE PROPERTY AND THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR REPORT.
2. PROPERTY IS SUBJECT TO THOSE EASEMENTS, RESTRICTIONS, ETC. THAT APPEAR OF RECORD OR UNRECORDED AND NOT SHOWN ON SURVEY.
3. A SEPARATE METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

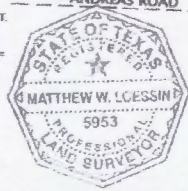
SURVEYOR CERTIFICATION

THIS SURVEY WAS MADE ON THE GROUND ON FEBRUARY 25 & 26, 2021 UNDER MY SUPERVISION AND REPRESENTS THOSE FACTS FOUND AT THE TIME OF SURVEY.

*Matthew W. Loessin*

FOR FSC, INC.  
 BY MATTHEW W. LOESSIN, RPLS  
 17247 S. RELIANCE TRAIL, NO. 5493

02/16/2021



DATE: 03/16/2021  
 DRAWN BY: CBH  
 CHECKED BY: MWL  
 FIELD CREW: MEW/GFH  
 PROJECT NO: 2021020194  
 COUNTY: FAYETTE  
 SCALE: 1" = 300'  
 SHEET: 1 OF 1

**FSC INC**  
 SURVEYORS + ENGINEERS

2205 Walnut Street - Columbus, TX 76934  
 Ph: 979.732.3114 - Fax: 979.732.5271  
 TDD/800.979.1460 - TDD/800.979.1460  
 www.fscinc.com

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**GRANTEE'S NAME:**

**The Patricia A. Smith McCanlies Trust**

**4721 Andreas Road**

**Round Top, Texas 78954**

**RETURN TO:**

**Johnetta Scheh**

**P. O. Box 456**

**Sealy, TX 77474**

**RELEASE OF EASEMENTS BY BILLIE T. HINZE AND WIFE,  
DARLENE HINZE, WHICH EASEMENTS ARE OVER AND ACROSS  
PROPERTY OWNED BY PATRICIA A. SMITH MCCANLIES, TRUSTEE OF  
THE PATRICIA A. SMITH MCCANLIES TRUST**

STATE OF TEXAS

COUNTY OF FAYETTE

1. Patricia A. Smith McCanlies, a resident of Fayette County, Texas is the Trustee of the Patricia A. Smith McCanlies Trust. The Patricia A. Smith McCanlies Trust is a trust organized and existing under the laws of the State of Texas, and was created in an instrument dated March 17, 1999.

2. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, is currently the owner of 25.00 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas ("McCanlies 25.00 Acres"). The McCanlies 25.00 Acres is more fully described in Exhibit "A" attached to a Warranty Deed from Robin G. Brown II, individually and as managing partner of Brown Top/Hidden Haven Partnership, to Patricia McCanlies dated August 7, 1995 and recorded in Volume 929 at Page 20 of the Deed Records of Fayette County, Texas. A survey plat of the McCanlies 25.00 Acres is attached hereto and marked as EXHIBIT "1" and made a part hereof for all intents and purposes ("Survey Plat").

3. A Right-Of-Way And Cross Easement Agreement was entered into between Robin G. Brown II, Brown Top/Hidden Haven Partnership, Jimmie R. Finke, Patricia McCanlies, and Billie T. Hinze and wife, Darlene Hinze ("Right-Of-Way And Cross Easement Agreement"). The Right-Of-Way And Cross Easement Agreement is dated August 8, 1995 and recorded in Volume 929, Pages 36-46, of the Deed Records of Fayette County, Texas. The Right-Of-Way And Cross Easement Agreement creates easements over and across and/or for the benefit of different properties, which properties include the McCanlies 25.00 Acres.

4. The Survey Plat depicts the route of the easement and/or easements created by the Right-Of-Way And Cross Easement Agreement and includes "Segment B-30 Foot Road Easement", which is more fully described in the Right-Of-Way And Cross Easement Agreement in Volume 929, at Page 44, of the Deed Records of Fayette County, Texas. Segment B-30 Foot Road Easement is labeled as "*Segment "B"-30 Foot Road Easement Vol. 929 Pg. 20 D.R.F.C.T.*" on the Survey Plat. Segment B-30 Foot Road Easement lies between the southeasterly boundary and the northwesterly boundary of the McCanlies 25.00 Acres, as depicted on the Survey Plat, and is also described in a deed from Robin G. Brown II, Individually and as Managing Partner of Brown Top/Hidden Haven Partnership to Patricia McCanlies, dated August 7, 1995 and recorded in Volume 929, at Page 20, of the Deed Records of Fayette County, Texas (Page 26 of that deed for description of Segment B-30 Foot Road Easement). The Survey Plat also depicts "*Segment "A"-30' Road Easement Vol. 929 Pg. 20 D.R.F.C.T.*" which crosses the southwesterly boundary of the McCanlies 25.00 Acres, as shown on the Survey Plat. This Easement is referred to herein as "Segment A-30 Foot Road Easement", and is more fully described in that previously referred to deed dated August 7, 1995 and recorded in Volume 929 at Page 20 of the Deed Records of Fayette County, Texas (Page

25 of that deed for description of Segment A-30 Foot Road Easement and in the Right-Of-Way And Cross Easement Agreement on Page 43).

5. As the owner of the following described 25.00 acres of land located in Fayette County, Texas and the following described 111.00 acres of land located in Fayette County, Texas, Billie T. Hinze and wife, Darlene Hinze, are currently among the holders of the easement rights created in the Right-Of-Way And Cross Easement Agreement. The 25.00 acres and the 111.00 acres in Fayette County, Texas owned by Billie T. Hinze and wife, Darlene Hinze, are described as follows:

- 25.00 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas and described in a deed from the Brown Top/Hidden Haven Partnership to Billie T. Hinze, et ux, dated August 7, 1995, and recorded in Volume 928 at Page 905 of the Deed Records of Fayette County, Texas (the "Hinze 25.00 Acres").
- 111.00 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas and described in a deed from B. Krause and G. Fricke, Independent Executors of the Estate of Lona O. Braun, to Billie T. Hinze, et ux, dated April 16, 1969, and recorded in Volume 409 at Page 381 of the Deed Records of Fayette County, Texas (the "Hinze 111.00 Acres").

Both the Hinze 25.00 Acres and the Hinze 111.00 Acres are included among the servient and/or dominant estates in the Right-Of-Way And Cross Easement Agreement. The Right-Of-Way And Cross Easement Agreement provides, among other things, that the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement may be easements appurtenant to the Hinze 25.00 Acres and the Hinze 111.00 Acres.

6. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, and Billie T. Hinze and wife, Darlene Hinze, have agreed that Billie T. Hinze and wife, Darlene Hinze, as owner of the Hinze 25.00 Acres and the Hinze 111.00 Acres, shall release forever, for themselves and their heirs and assigns, all of their rights, as owners of the Hinze 25.00 Acres and the Hinze 111.00 Acres or otherwise, in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement, including, but not limited to, any easement rights in the same. The purpose of this Release Of Easements By Billie T. Hinze and wife, Darlene Hinze, Which Easements Are Over And Across Property Owned By Patricia A. Smith McCanlies, Trustee Of The Patricia A. Smith McCanlies Trust is to evidence, in writing, the release by Billie T. Hinze and wife, Darlene Hinze, of all of their rights in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that BILLIE T. HINZE and wife, DARLENE HINZE, residents of Fayette County, Texas, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby release, forever, unto Patricia A. Smith McCanlies,

Trustee Of The Patricia A. Smith McCanlies Trust, all of their rights, as owners of the Hinze 25.00 Acres and the Hinze 111.00 Acres or otherwise, in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement, including, but not limited to, any easement rights in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement. The release contained herein shall be binding upon Billie T. Hinze and wife, Darlene Hinze, and their heirs and assigns.

Notwithstanding anything to the contrary contained herein, nothing herein shall affect any of the rights and/or burdens created in the Right-Of-Way And Cross Easement Agreement, other than those released herein which are applicable to the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement.

EXECUTED EFFECTIVE the 1<sup>st</sup> day of June, 2021.

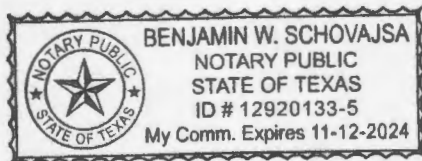
Billie T. Hinze  
BILLIE T. HINZE

Darlene Hinze  
DARLENE HINZE

STATE OF TEXAS

COUNTY OF FAYETTE

This instrument was acknowledged before me on the 15<sup>th</sup> day of June, 2021, by BILLIE T. HINZE.

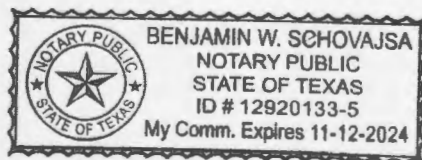


B. Schovajsa  
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF FAYETTE

This instrument was acknowledged before me on the 15<sup>th</sup> day of June, 2021, by DARLENE HINZE.



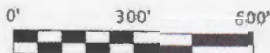
B. Schovajsa  
Notary Public, State of Texas



FAYETTE COUNTY, TEXAS  
 AMAZIAH BAKER LEAGUE  
 ABSTRACT NO. 2

EXHIBIT "1"

- LEGEND**
- 1/2" IRON ROD FOUND
  - POINT FOR CORNER
  - ⊕ POWER POLE
  - ⊕ TRANSMISSION TOWER
  - ⊕ CLAY ANCHOR
  - OVERHEAD ELECTRIC LINE
  - OVERHEAD HIGH VOLTAGE ELECTRIC LINE
  - WIRE FENCE
  - RECORD INFORMATION



HILLSHOCK, L.L.C.  
 TO  
 SUSAN BOSS  
 OCTOBER 23, 2020  
 CALLED 83.098 ACRES  
 VOLUME 1564, PAGE 480  
 O.R.F.C.T.

NORMAN ROBERT BAKER  
 TO  
 DEIRDRE CAROLE ALLEN  
 JUNE 25, 2009  
 CALLED 100.25 ACRES  
 VOLUME 1488, PAGE 743  
 O.R.F.C.T.

POINT FOR CORNER  
 AT 142.55'  
 1/2" IRON ROD FND  
 BEARS N 84°1'42.5" W - 0.28'

(N 37°55'39" E 342.85')  
 N 37°55'45" E  
 342.79'

P.O.B.  
 Texas South Central Zone  
 640 (8/2011)  
 State Plane Grid Coordinate  
 NAD 83 13,936,109.29 USH  
 UTM 2,689,329.18 USH

**25.00 ACRES**  
 PATRICIA A. SMITH MCCANLUS  
 TO  
 PATRICIA A. SMITH MCCANLUS, TRUSTEE  
 OF THE PATRICIA A. SMITH MCCANLUS TRUST  
 MARCH 17, 1989  
 CALLED 21.90 ACRES  
 VOLUME 1070, PAGE 177  
 O.R.F.C.T.

MELISSA ANN FINKE  
 TO  
 BENJAMIN ERNEST FINKE  
 FEBRUARY 10, 2011  
 CALLED 4.14 ACRES  
 VOLUME 1555, PAGE 142  
 O.R.F.C.T.

ROBIN G. BROWN, II, MANAGING PARTNER  
 OF THE BROWN TOP/HIDDEN HAVEN PARTNERSHIP  
 TO  
 JIMME ROYCE FINKE  
 AUGUST 7, 1995  
 CALLED 28.25 ACRES  
 VOLUME 929, PAGE 3  
 O.R.F.C.T.

ROBIN G. BROWN, III, MANAGING PARTNER  
 OF THE BROWN TOP/HIDDEN HAVEN PARTNERSHIP  
 TO  
 BILLIE L. HULSE ET UX  
 AUGUST 7, 1995  
 CALLED 25.00 ACRES  
 VOLUME 928, PAGE 805  
 O.R.F.C.T.

30' ROAD EASEMENT  
 VOL. 929, PG. 38  
 D.R.F.C.T.

SEGMENT "A" - 30' ROAD EASEMENT  
 VOL. 929, PG. 20  
 D.R.F.C.T.

SEGMENT "B" - 30' ROAD EASEMENT  
 VOL. 929, PG. 20  
 D.R.F.C.T.

30' ROAD EASEMENT  
 VOL. 929, PG. 37  
 D.R.F.C.T.

HORIZONTAL DATUM: NAD83/2011 (EPOCH: 2010)  
 VERTICAL DATUM: MAVD 88  
 COMBINED SCALE FACTOR: 0.9999985598  
 BEARING BASIS: TX LAMBERT GRID SOUTH CENTRAL ZONE  
 DISTANCES SHOWN ARE SURFACE VALUES

**SURVEY PLAT OF 25.00 ACRES  
 AMAZIAH BAKER LEAGUE, A-B  
 FAYETTE COUNTY, TEXAS**

- SURVEY NOTES**
1. THE SURVEYOR DID NOT ABSTRACT THE PROPERTY AND THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR REPORT.
  2. PROPERTY IS SUBJECT TO THOSE EASEMENTS, RESTRICTIONS, ETC. THAT APPEAR OF RECORD OR UNRECORDED AND NOT SHOWN ON SURVEY.
  3. A SEPARATE METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

**SURVEYOR CERTIFICATION**  
 THIS SURVEY WAS MADE ON THE GROUND ON FEBRUARY 25 & 26, 2021 UNDER MY SUPERVISION AND REPRESENTS THOSE FACTS FOUND AT THE TIME OF SURVEY.

FOR FSC, INC.  
 BY: MATTHEW W. LOESSIN, RPLS  
 TEXAS REGISTRATION NO. 5953



DATE: 03/16/2021  
 DRAWN BY: CBH  
 CHECKED BY: NWL  
 FIELD CREW: MEW/GPH  
 PROJECT NO: 2021020194  
 COUNTY: FAYETTE  
 SCALE: 1" = 300'  
 SHEET: 1 OF 1

**FSC INC**  
 SURVEYORS+ENGINEERS

2209 Walnut Street - Columbus, TX 76934  
 Ph: 979.732.3114 - Fax: 979.732.5271  
 TSP# FIRM 10006100 - TSP# FIRM 17957  
 www.fscinc.net

© COPYRIGHT 2021 - ALL RIGHTS RESERVED - THIS SURVEY IS NOT ORIGINAL WITHOUT RED LICENSE SEAL AND BLUE SIGNATURE OF SURVEYOR

**GRANTEE'S NAME:**

**The Patricia A. Smith McCanlies Trust**

**4721 Andreas Road**

**Round Top, Texas 78954**

**RETURN TO:**

**Johnetta Scheh**

**P. O. Box 456**

**Sealy, TX 77474**

**RELEASE OF EASEMENTS BY DEIRDRE ALLEN SWANSEN  
WHICH EASEMENTS ARE OVER AND ACROSS PROPERTY OWNED BY  
PATRICIA A. SMITH MCCANLIES, TRUSTEE OF THE  
PATRICIA A. SMITH MCCANLIES TRUST**

STATE OF TEXAS

COUNTY OF FAYETTE

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2. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, is currently the owner of 25.00 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas ("McCanlies 25.00 Acres"). The McCanlies 25.00 Acres is more fully described in Exhibit "A" attached to a Warranty Deed from Robin G. Brown II, individually and as managing partner of Brown Top/Hidden Haven Partnership, to Patricia McCanlies dated August 7, 1995 and recorded in Volume 929 at Page 20 of the Deed Records of Fayette County, Texas. A survey plat of the McCanlies 25.00 Acres is attached hereto and marked as EXHIBIT "1" and made a part hereof for all intents and purposes ("Survey Plat").

3. A Right-Of-Way And Cross Easement Agreement was entered into between Robin G. Brown II, Brown Top/Hidden Haven Partnership, Jimmie R. Finke, Patricia McCanlies, and Billie T. Hinze and wife, Darlene Hinze ("Right-Of-Way And Cross Easement Agreement"). The Right-Of-Way And Cross Easement Agreement is dated August 8, 1995 and recorded in Volume 929, Pages 36-46, of the Deed Records of Fayette County, Texas. The Right-Of-Way And Cross Easement Agreement creates easements over and across and/or for the benefit of different properties, which properties include the McCanlies 25.00 Acres.

4. The Survey Plat depicts the route of the easement and/or easements created by the Right-Of-Way And Cross Easement Agreement and includes "Segment B-30 Foot Road Easement", which is more fully described in the Right-Of-Way And Cross Easement Agreement in Volume 929, at Page 44, of the Deed Records of Fayette County, Texas. Segment B-30 Foot Road Easement is labeled as "*Segment "B"-30 Foot Road Easement Vol. 929 Pg. 20 D.R.F.C.T.*" on the Survey Plat. Segment B-30 Foot Road Easement lies between the southeasterly boundary and the northwesterly boundary of the McCanlies 25.00 Acres, as depicted on the Survey Plat, and is also described in a deed from Robin G. Brown II, Individually and as Managing Partner of Brown Top/Hidden Haven Partnership to Patricia McCanlies, dated August 7, 1995 and recorded in Volume 929, at Page 20, of the Deed Records of Fayette County, Texas (Page 26 of that deed for description of Segment B-30 Foot Road Easement). The Survey Plat also depicts "*Segment "A"-30' Road Easement Vol. 929 Pg. 20 D.R.F.C.T.*" which crosses the southwesterly boundary of the McCanlies 25.00 Acres, as shown on the Survey Plat. This Easement is referred to herein as "Segment A-30 Foot Road Easement", and is more fully described in that previously referred to deed dated August 7, 1995 and recorded in Volume 929 at Page 20 of the Deed Records of Fayette County, Texas (Page

25 of that deed for description of Segment A-30 Foot Road Easement and in the Right-Of-Way And Cross Easement Agreement on Page 43).

5. As the owner of the following described 100.22 acres of land located in Fayette County, Texas, Deirdre Allen Swansen is currently among the holders of the easement rights created in the Right-Of-Way And Cross Easement Agreement. The 100.22 acres in Fayette County, Texas owned by Deirdre Allen Swansen is described as follows:

100.22 acres of land located in the Amaziah Baker League, A-8, Fayette County, Texas and described in a deed from Norman Robert Baker dated June 26, 2009 and recorded in Volume 1488 at Page 743 of the Official Records of Fayette County, Texas (the "Swansen 111.22 Acres").

The Swansen 100.22 Acres is included among the servient and/or dominant estates in the Right-Of-Way And Cross Easement Agreement. The Right-Of-Way And Cross Easement Agreement provides, among other things, that the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement may be easements appurtenant to the Swansen 100.22 Acres.

6. Patricia A. Smith McCanlies, as Trustee of the Patricia A. Smith McCanlies Trust, and Deirdre Allen Swansen have agreed that Deirdre Allen Swansen, as owner of the Swansen 100.22 Acres, shall release forever, for herself and her heirs and assigns, all of her rights, as owner of the Swansen 100.22 Acres or otherwise, in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement, including, but not limited to, any easement rights in the same. The purpose of this Release Of Easements By Deirdre Allen Swansen Which Easements Are Over And Across Property Owned By Patricia A. Smith McCanlies, Trustee Of The Patricia A. Smith McCanlies Trust is to evidence, in writing, the release by Deirdre Allen Swansen of all of her rights in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that DEIRDRE ALLEN SWANSEN, a single woman and a resident of San Diego County, California, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby release, forever, unto Patricia A. Smith McCanlies, Trustee Of The Patricia A. Smith McCanlies Trust, all of her rights, as owner of the Swansen 100.22 Acres or otherwise, in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement, including, but not limited to, any easement rights in the Segment B-30 Foot Road Easement and the Segment A-30 Foot Road Easement. The release contained herein shall be binding upon Deirdre Allen Swansen and her heirs and assigns.

Notwithstanding anything to the contrary contained herein, nothing herein shall affect any of the rights and/or burdens created in the Right-Of-Way And Cross Easement Agreement, other than those released herein which are applicable to the Segment B-30 Foot Road Easement and/or the Segment A-30 Foot Road Easement.

EXECUTED EFFECTIVE the 1<sup>st</sup> day of June, 2021.

*Deirdre Allen Swansen*  
DEIRDRE ALLEN SWANSEN

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

This instrument was acknowledged before me on the 25 day of June, 2021,  
by DEIRDRE ALLEN SWANSEN.



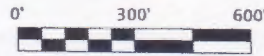
*A. O'Loughlin*  
Notary Public, State of California

FAYETTE COUNTY, TEXAS  
 AMAZIAH BAKER LEAGUE  
 ABSTRACT NO. 2

LEGEND

- 1/2" IRON ROD FOUND
- POINT FOR CORNER
- # POWER POLE
- T TRANSMISSION TOWER
- CLY ANCHOR
- OVERHEAD ELECTRIC LINE
- OVERHEAD HIGH VOLTAGE ELECTRIC LINE
- WIRE FENCE
- RECORD INFORMATION

JEANETTE SCHOENST  
 TO  
 SUE SCHROEDER, ET AL  
 AUGUST 18, 2018  
 REMOVAL OF SECOND TRACT - CALLED 94 ACRES  
 VOLUME 1784, PAGE 936  
 O.R.F.C.T.



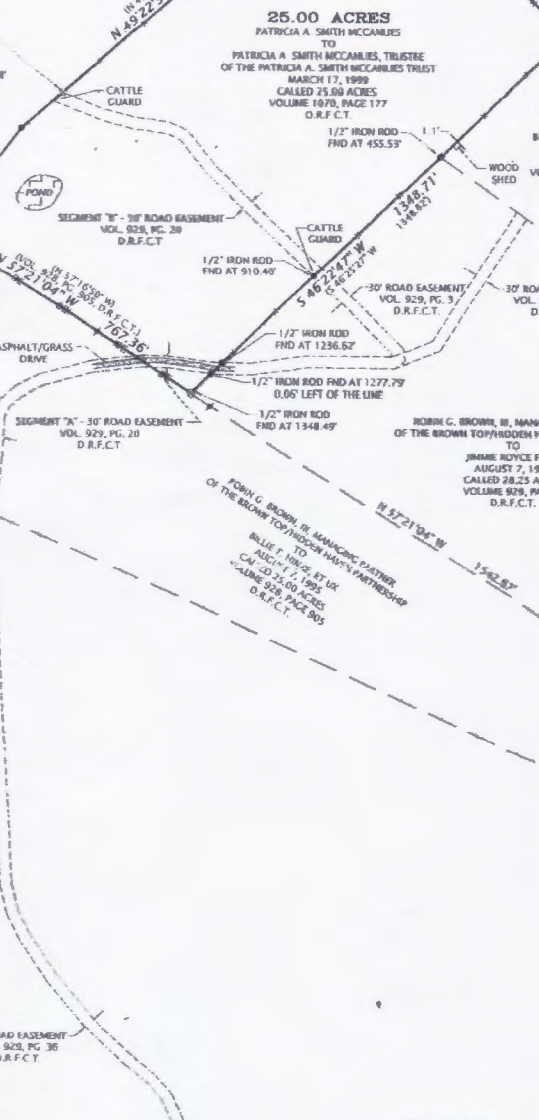
HILLSBRICK, L.L.C.  
 TO  
 SUSAN BOSS  
 OCTOBER 23, 2020  
 CALLED 83.008 ACRES  
 VOLUME 1964, PAGE 480  
 O.R.F.C.T.

NORMAN ROBERT BAKER  
 TO  
 DEBORAH CARROLL ALLEN  
 JUNE 26, 2009  
 CALLED 100.22 ACRES  
 VOLUME 1488, PAGE 743  
 O.R.F.C.T.

POINT FOR CORNER  
 AT 142.55'  
 1/2" IRON ROD FND  
 BEARS N 84°14'25" W - 0.20'

(N 37°55'39" E 342.85')  
 N 37°55'45" E  
 342.79'

P.O.B.  
 Texas South Central Zone  
 1845 8/3/2011  
 State Plane Grid Coord  
 (NAD 83) 13,956,509.79 USH  
 UTM 12,589,729.18 USH



MELISSA ANN FINKE  
 TO  
 BENJAMIN EDREST FINKE  
 FEBRUARY 10, 2011  
 CALLED 4.14 ACRES  
 VOLUME 1555, PAGE 142  
 O.R.F.C.T.

ROBIN C. BROWN, III, MANAGING PARTNER  
 OF THE BROWN TOP/HIDDEN HAVEN PARTNERSHIP  
 TO  
 JIMMIE ROYCE FINKE  
 AUGUST 7, 1995  
 CALLED 38.25 ACRES  
 VOLUME 929, PAGE 3  
 O.R.F.C.T.

ROBIN C. BROWN, III, MANAGING PARTNER  
 OF THE BROWN TOP/HIDDEN HAVEN PARTNERSHIP  
 TO  
 BILLIE L. FINKE, ET UX  
 AUGUST 7, 1995  
 CALLED 20.00 ACRES  
 VOLUME 929, PAGE 805  
 O.R.F.C.T.

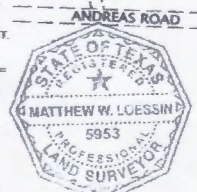
HORIZONTAL DATUM: NAD83/2011 (EPOCH: 2010)  
 VERTICAL DATUM: NAVD 88  
 COMBINED SCALE FACTOR: 0.9999385538  
 BEARING BASIS: TX LAMBERT GRID SOUTH CENTRAL ZONE  
 DISTANCES SHOWN ARE SURFACE VALUES

**SURVEY PLAT OF 25.00 ACRES  
 AMAZIAH BAKER LEAGUE, A-B  
 FAYETTE COUNTY, TEXAS**

- SURVEY NOTES**
1. THE SURVEYOR DID NOT ABSTRACT THE PROPERTY AND THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR REPORT.
  2. PROPERTY IS SUBJECT TO THOSE EASEMENTS, RESTRICTIONS, ETC. THAT APPEAR OF RECORD OR UNRECORDED AND NOT SHOWN ON SURVEY.
  3. A SEPARATE METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

**SURVEYOR CERTIFICATION**  
 THIS SURVEY WAS MADE ON THE GROUND ON FEBRUARY 25 & 26, 2021 UNDER MY SUPERVISION AND REPRESENTS THOSE FACTS FOUND AT THE TIME OF SURVEY.

*Matthew W. Loessin*  
 FOR FSC, INC.  
 BY MATTHEW W. LOESSIN, RPLS  
 02/16/2021



DATE: 03/16/2021  
 DRAWN BY: CWH  
 CHECKED BY: MWL  
 FIELD CREW: MEW/GPH  
 PROJECT NO: 2021020194  
 COUNTY: FAYETTE  
 SCALE: 1" = 300'  
 SHEET: 1 OF 1

**FSC INC**  
 SURVEYORS+ENGINEERS

2205 Walnut Street - Columbus, TX 78954  
 Ph: 979.732.3114 - Fax: 979.732.5271  
 TRPLS FIRM 10000100 - TBPE FORM 17957  
 www.fscinc.net

© COPYRIGHT 2021. ALL RIGHTS RESERVED. THIS SURVEY IS NOT ORIGINAL WITHOUT RED LICENSE SEAL AND BLUE SIGNATURE OF SURVEYOR.

EXHIBIT "1"

**GRANTEE'S NAME:**

**The Patricia A. Smith McCanlies Trust**

**4721 Andreas Road**

**Round Top, Texas 78954**

**RETURN TO:**

**Johnetta Scheh**

**P. O. Box 456**

**Sealy, TX 77474**