

R. M. Scales, Notary Public in and for Harris County, Texas.(Seal)

Filed for record May 22,1941 at 12:50 o'clock P.M. Recorded June 16,1941 at 6:00 o'clock P.M.

W. O. Miller Clerk County Court, Harris County, Texas. By Betty Kirby Deputy

No. 33925

Emil Berner

-To-

City of Houston

Easement

State of Texas, County of Harris, Know all men by these presents;

That I, Emil Berner, being the owner in fee simple of the following described property, to-wit;

Lots 1, 2, 3, 4, & fractional lot 5, in block #1, of Ludtke Sub-division, out of the D. Gregg Survey, North Side Buffalo Bayou, Houston, Harris County, Texas, do in consideration of the sum of One dollar (\$1.00) to me in hand paid by the City of Houston, the receipt of which is hereby acknowledged, grant, sell, transfer, release and forever quit-claim unto the said City of Houston, its successors and assigns, an easement for sanitary sewer purposes said easement being 4 feet wide between two parallel lines, said parallel lines being parallel with, on opposite sides of and equidistant from a center-line, said center-line being more particularly described as follows;

Beginning at a point in the West line of lot 1, in block #1 of said Ludtke Sub-division on the East side of Gregg Street, 45 feet wide, said point of beginning being located from the South-west corner of said lot #1, North 64 feet;

Thence East along the said center-line of said 4 foot sanitary sewer easement, parallel with and North 64 feet from the South line of said lots 1 to 4 inclusive, and fractional lot 5, and through said lots a total distance of 233 1/3 feet to the end of said 4 ft. easement in the East line of said fractional lot #5. Said easement to be used by said City for sanitary sewer purposes, over, under and across the above described property.

I do hereby agree, bind and obligate myself, my heirs or assigns, that no fences, buildings or other improvements shall be placed in, on or along said easement, and further, that the City shall be and is hereby released and relieved from any and all liability from any damages occasioned by and in the reasonable exercise of its right or rights granted herein or hereunder.

To have and to hold the above described property and easement for sanitary sewer purposes, together with all the rights and appurtenances thereto in anywise belonging to said City of Houston, its successors and assigns forever. However, it is expressly provided, that if said easement or any part thereof is ever discontinued for sanitary sewer purposes, the title thereto shall revert to the then owners of said property, the right and privilege being reserved to the City of Houston, its successors, assigns, or agents, to go upon said premises at any time for the purpose of removing, repairing or replacing any sanitary sewer thereon or thereunder. Witness my hand at Houston, Texas, this 11th day of Oct. A. D., 1940.

Emil Berner

Approved: Location and Conditions: R. M. Scales, Asst. City Engineer Description: A. J. Graham, Sr. Draftsman From: Palmer Hutcheson, Jr. Asst. City Attorney

The State of Texas, County of Harris, Before me, R. M. Scales, a Notary Public in and for said County and State, on this day personally appeared Emil Berner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 11th day of October, A. D., 1940.

R. M. Scales, Notary Public in and for Harris County, Texas.(Seal)

Filed for record May 22,1941 at 12:50 o'clock P.M. Recorded June 16,1941 at 6:15 o'clock P.M.

W. O. Miller Clerk County Court, Harris County, Texas. By Betty Kirby Deputy