

BOUNDARY LINE AGREEMENT: ERNA FAYE HEGEMEYER, ET AL TO AND WITH
LUCY HUGHES, ET AL

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WASHINGTON §

-2989

The parties hereto are ERNA FAYE HEGEMEYER, DONALD RAY ATKINSON,

JANIS MARIE ATKINSON, WILMA JEAN ATKINSON, MAURICE ATKINSON,

W. Anne

Kaye

SHERRY ANN ATKINSON-LIVELY, LINDA FAYE ATKINSON and MARJORIE FORD *Atkinson*

~~ATKINSON~~ (hereinafter called "ATKINSON") of WASHINGTON County, Texas, and

LUCY HUGHES, acting by and through her attorney-in-Fact, LINDA GIVENS and MARY

HUGHES DAVENPORT (hereinafter called "HUGHES"), of Burleson County, Texas.

The parties are adjoining landowners of parcels of property described as follows:

1. ATKINSON owns that certain 5.284 acres tract of land out of the P. & A. Hope Survey, A-62, Washington County, Texas, being shown in Exhibit "A" as the "Atkinson Tract" and being the same property conveyed by deed recorded in Volume 936, Page 272, Official Records of Washington County, Texas to which reference is made for all purposes.
2. HUGHES owns that certain 5.066 acres of land out of the P. & A. Hope Survey, A-62, Washington County, Texas, being a portion of the same property set out in Volume 253, Page 526, Deed Records of Washington County, Texas, to which reference is made for all purposes, which is shown on the attached plat referred to as Exhibit "A" ("Hughes tract").

WHEREAS, the common boundary between the Atkinson Tract and the Hughes Tract is the deed line as described in Exhibit "A" which is made a part hereof for all purposes pertinent. Said common boundary line is identified on the attached plat, being Exhibit "A", as the common boundary between the Atkinson Tract and Hughes Tract as being the present

deed call, N 2° 25' 23" E 1402.52 ft. between the tracts, as shown on the plat set out in Exhibit "A".

WHEREAS, HUGHES fence is not on the common boundary, but east of the common boundary line, within his property.

THEREFORE, the parties agree as follows:

The true common boundary line between the Atkinson Tract and the Hughes Tract is and shall be the deed line as described and set out in Exhibit "A" which is made a part hereof for all purposes pertinent. Each party hereto respectively waives any rights of adverse possession, past, present or future to any property not on such party's side of the common boundary line as described in Exhibit "A" or to make any claim as to any other common boundary line, and agree that the common boundary line as set out in Exhibit "A" shall be the common boundary line between the Atkinson Tract and the Hughes Tract.

This agreement is binding upon the parties hereto, their heirs, successors and assigns.

SIGNED on the 27th day of April, 2001.


ERNA FAYE HEGEMEYER

DONALD RAY ATKINSON

JANIS MARIE ATKINSON

WILMA JEAN ATKINSON

MAURICE ATKINSON

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND containing 5.066 acres, situated in Washington County, Texas, out of the P. & A. Hope Survey, Abstract No. 62, and being a portion of a called 7 acre tract (less a called 2.28 acres, Volume 83, Page 237, and less a called 0.44 acres, Volume 302, Page 113) described in a deed from Alex Hughes to Eddie Hughes dated July 6, 1964 and recorded in Volume 253, Page 526 of the Deed Records of Washington County, Texas, said 5.066 acre tract being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod, in the West margin of F.M. Highway 2935, in the South line of the original called 7 acre tract, marking the Northeast corner of the Artis Edwards, et ux called 2.104 acre tract (Volume 862, Page 946, Official Records of Washington County, Texas), the Southwest corner of the Eddie Hughes to State of Texas 0.44 acre tract (Volume 302, Page 113, Deed Records of Washington County, Texas), and the Southeast corner of the herein described 5.066 acre tract;

THENCE departing said highway margin, with the North line of the Edwards tract, being the South line of the original called 7 acre tract, N 86deg 53min 50sec W, 14.87 ft. to a found 3/8 inch iron rod in fence line, marking the Southeast corner of the Marjorie F. Atkinson called 1.00 acre tract (Volume 936, Page 276, Official Records of Washington County, Texas), the Southwest corner of the original called 7 acre tract, and the Southwest corner of the herein described tract (the South line of the 1.00 acre tract being the BASIS OF BEARING LINE for this survey);

THENCE departing the North line of the Edwards tract, with the West line of the original called 7 acre tract, and with the East line of the Atkinson 1.00 acre tract, N 02deg 25min 23sec E, at 50 ft. pass the lower Northeast corner of the 1.00 acre tract, being the Southeast corner of the Erna F. Hegemeyer, et al called 5.284 acre tract (Volume 936, Page 272, Official Records of Washington County, Texas), and CONTINUING, now with the East line of the 5.284 acre tract, at 1352.52 ft. pass a 1/2 inch iron rod, set on the South bank of Big Sandy Creek (aka Sandy Creek) for reference, and CONTINUING, for a TOTAL DISTANCE of 1402.52 ft. to a point in the center of said creek, marking the Northeast corner of the 5.284 acre tract and Northwest corner of the herein described tract;

THENCE with said creek centerline, being a portion of the Southerly line of the A.H. Ehrig called 22.15 acre tract (Volume 274, Page 563, Deed Records of Washington County, Texas), and the Northerly line of the herein described tract, N 45deg 18min 33sec E, 29.88 ft. to a point; N 77deg 34min 09sec E, 90.45 ft. to a point; N 45deg 19min 13sec E, 92.84 ft. to a point; and, N 75deg 10min 48sec E, 70.30 ft. to a point in said creek centerline, at its intersection with the West margin of F.M. Highway 2935, marking the Southeast corner of the Ehrig tract and the Northeast corner of the herein described 5.066 acre tract (a 1/2 inch iron rod, set on the Southerly bank of said creek, for reference, bears S 07deg 03min 09sec W, 20.00 ft.);

THENCE departing said creek centerline, with the West margin of F.M. Highway 2935, being the East line of the herein described tract, in a curve to the right, having a radius of 5729.01 ft., a central angle (delta) of 03deg 11min 30sec, for a distance (length) of 319.41 ft. (chord S 07deg 03min 09sec W, 319.37 ft.) to a found concrete highway monument for end of curve;

THENCE continuing with said highway margin, S 08deg 39min 01sec W, 616.24 ft. to a found concrete highway monument, marking the beginning of a curve;

THENCE continuing with said highway margin, in a curve to the right, having a radius of 2804.45 ft., a central angle (delta) of 09min 21min 39sec, for a distance (length) of 458.18 ft. (chord S 13deg 23min 44sec W, 457.68 ft.) to a found concrete highway monument marking the end of curve;

THENCE continuing with said highway margin, S 17deg 57min 56sec W, 162.32 ft. to the PLACE OF BEGINNING and containing 5.066 acres of land, of which 0.224 acres lie between an existing fence line and the West deed line of the original called 7 acre tract.

STATE OF TEXAS
COUNTY OF WASHINGTON

I hereby certify that this instrument was FILED on the date and at the place stated hereon by me and was duly RECORDED in the volume and page of the OFFICIAL RECORDS of Washington County, Texas, as stamped hereon by me on

FILED FOR RECORD
WASHINGTON COUNTY, TX

01 MAY 10 PM 4:55

BETH A. ROTHERMEL
WASHINGTON CO. CLERK



Beth A. Rothermel

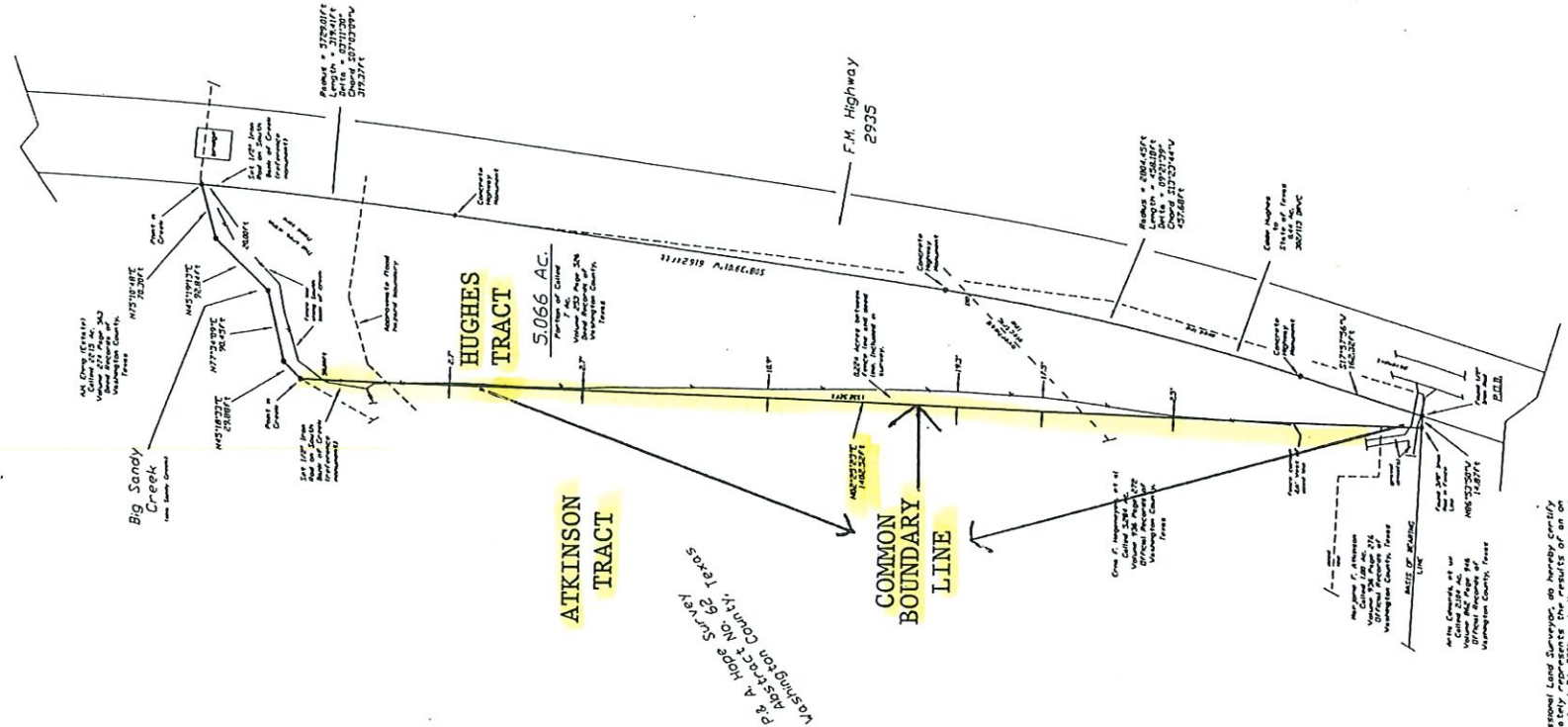
Beth Rothermel, County Clerk
Washington County, Texas

MAY 11 2001

EXHIBIT "A"



SCALE 1" = 100'



I, David A. Blakey, Registered Professional Land Surveyor, do hereby certify that the data shown hereon accurately represents the results of an original survey made by me or under my direct supervision and all corners shown hereon were not corrected or discontinued and all corners were as shown hereon. This survey was made in connection with the transaction of the sale of the above described land to the Estate of Eddie Hughes, as shown on the plat of the survey. I am not responsible for any error or mistake in this survey or for any other person's use of the survey for any purpose other than that for which it was made. I am not responsible for any loss resulting therefrom.

David A. Blakey
Registered Professional Land Surveyor No. 4022

NOTICED: CITIZENS STATE BANK - SOMERVILLE MORTGAGE POCKET A LEE LORNE E. LEE	Estate of Eddie Hughes
4650 Whinn Lane Houston, Texas 77035	D.A. Blakey & Associates Land Surveying RPLS 4052

STATE OF TEXAS
COUNTY OF WASHINGTON

I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the volume and page of the OFFICIAL RECORDS of Washington County, Texas, as stamped hereon by me on **MAY 11 2001**

FILED FOR RECORD
WASHINGTON COUNTY, TX

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BETH A. ROTHERMEL
WASHINGTON CO. CLERK

Beth A. Rothermel
Beth Rothermel, County Clerk
Washington County, Texas