# EXHIBIT C

Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.

State of Texas

**Know All By These Presents:** 

County of Bexar §

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**Public Access Easement** 

## Authorizing Ordinance:

Grantor:	Street Retail San Antonio, LP
Grantor's Address:	1626 East Jefferson Street Rockville, Maryland 20852-4041 Attention: Legal
Grantee	City of San Antonio
Grantee's Address:	P.O. Box 839966 San Antonio, Texas 78283-3966 (Bexar County)
Purpose of Easement:	A non-exclusive access easement for the benefit of the general public, the City of San Antonio and its licensees, lessees, invitees, employees, agents and contractors and for the purpose of conducting City business as needed to maintain and repair the Appurtenant Property, and for ingress to and egress from the Appurtenant Property by Grantee and the general public.
Appurtenant Property:	0.0042 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on <b>Exhibit A</b> , which is incorporated herein by reference for all purposes as if it were fully set forth.

0.0112 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on **Exhibit A**, which is incorporated herein by reference for all purposes as if it were fully set forth.

Easement Property: 0.00020 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on Exhibit B, which is incorporated herein by reference for all purposes as if it were fully set forth.

Grantor grants, dedicates, and conveys to Grantee and to the public generally, for and in consideration of the benefits accruing to Grantor, to Grantor's other property, and to the public generally, a perpetual easement over, across, and upon the surface only of the Easement Property. This easement is appurtenant to the Appurtenant Property and runs with title to the Appurtenant Property. By its acceptance of the easement, the Grantee specifically acknowledges that the easement does not constitute a conveyance in fee of the Easement Property and Grantor reserves for Grantor's successors and assigns the right to use and enjoy the Easement Property for all purposes which do not interfere with Grantee's use of the Easement Property for the Purpose of Easement.

The easement may be used only for the Purpose of Easement stated above. Grantor covenants and for itself, its successors, and assigns, that no building or obstruction of any kind will be placed on the Easement Property herein granted.

Grantee has had full opportunity to examine the Easement Property and Grantee hereby waives any claim for damages that may arise out of the condition of the Easement Property. Grantee's taking possession of the Easement Property shall be conclusive evidence of Grantee's acceptance thereof and Grantee, as a material part of the consideration for this easement, hereby accepts the Easement Property "AS IS, WHERE IS, AND WITH ALL FAULTS" with any and all latent and patent defects. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement or other assertion with respect to the condition of the Easement Property but is relying on Grantee's examination of the Easement Property. To Have and To Hold the above described easement and rights unto Grantee, its successors and assigns, until its use is terminated or abandoned.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

## **GRANTOR:**

STREET RETAIL SAN ANTONIO, LP, a Delaware limited partnership, by its sole general partner, SRI San Antonio, Inc. d/b/a Street Retail San Antonio I, Inc., a Maryland corporation

By:\_\_\_\_\_

Printed
Name:\_\_\_\_\_

Title:\_\_\_\_\_

Date:\_\_\_\_\_

AGREED AND ACCEPTED:

## **GRANTEE:**

CITY OF SAN ANTONIO, TEXAS A Texas Municipal Corporation

By:\_\_\_\_\_

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Name: , City Manager or Designee

Accepted under Ordinance:\_\_\_\_\_

## ACKNOWLEDGEMENT

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THE STATE OF MARYLAND

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on \_\_\_\_\_\_, 2015, by \_\_\_\_\_\_, \_\_\_\_\_ of SRI San Antonio, Inc. d/b/a Street Retail San Antonio, Inc, a Maryland Corporation, on behalf of such corporation as the sole general partner of Street Retail San Antonio, LP, a Delaware limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

### ACKNOWLEDGEMENT

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THE STATE OF TEXAS COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared , City Manager or Designee for and on behalf of the CITY SAN ANTONIO, TEXAS, a Texas home rule municipal corporation; he/she acknowledged to me that he/she is the duly authorized representative of the CITY OF SAN ANTONIO, TEXAS, and that he/she executed said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

## GRANTOR'S ADDRESS:

Street Retail San Antonio, LP 1626 E Jefferson St. Rockville, MD 20852-4041

## **GRANTEE'S ADDRESS:**

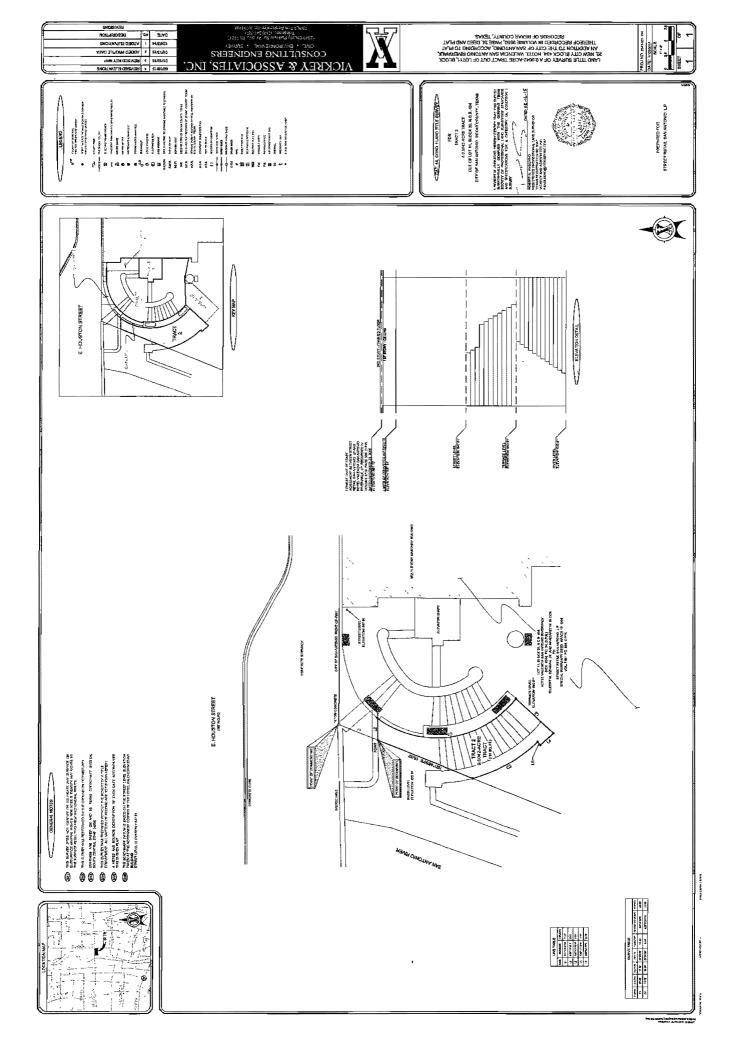
City of San Antonio PO Box 839966 San Antonio, Texas 78283

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Tract 2 and Tract 1



CONSULTING ENGINEERS

Sheet 1 of 2

#### METES AND BOUNDS DESCRIPTION TRACT 2 0.0042-ACRE TRACT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0042-ACRE (181 SQUARE FEET) TRACT OF LAND OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0042-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE S21°48'50"W, DEPARTING SAID RIGHT-OF-WAY, ALONG THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, A DISTANCE OF 7.41 FEET TO A POINT ON EDGE OF ROCK WALL, FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11, THE FOLLOWING SIX (6) CALLS:

- 1) N89°18'18"E, ALONG SAID EDGE OF ROCK WALL, A DISTÁNCE OF 3.81 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE LEFT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) ALONG SAID CURVE TO THE LEFT AND GENERALLY ALONG EDGE OF ROCK WALL, A DISTANCE OF 27.32 FEET, WITH A RADIUS OF 17.50 FEET, A CENTRAL ANGLE OF 89°26'49", AND A CHORD BEARING AND DISTANCE OF S08°08'54"E, 24.63 FEET TO A CORNER OF ROCK WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) S42°40'00"W, DEPARTING SAID ROCK WALL, A DISTANCE OF 8.97 FEET TO A CORNER OF ROCK WALL, FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) N42°12'33"W, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 3.08 FEET TO A CORNER OF ROCK WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 5) N50°54'47"E, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 0.75 FEET TO A CORNER OF ROCK WALL AT A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 6) ALONG SAID CURVE TO THE RIGHT, ALONG SAID EDGE OF ROCK WALL, A DISTANCE OF 13.22 FEET, WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF 29°07'56", AND A CHORD BEARING AND DISTANCE OF N29°32'52"W, 13.08 FEET TO A POINT ON THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, FOR THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N21°48'50"E, DEPARTING SAID EDGE OF WALL, ALONG SAID COMMON LINE, A DISTANCE OF 18.09 FEET RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.0042 OF AN ACRE (181 SQUARE FEET) OF LAND.



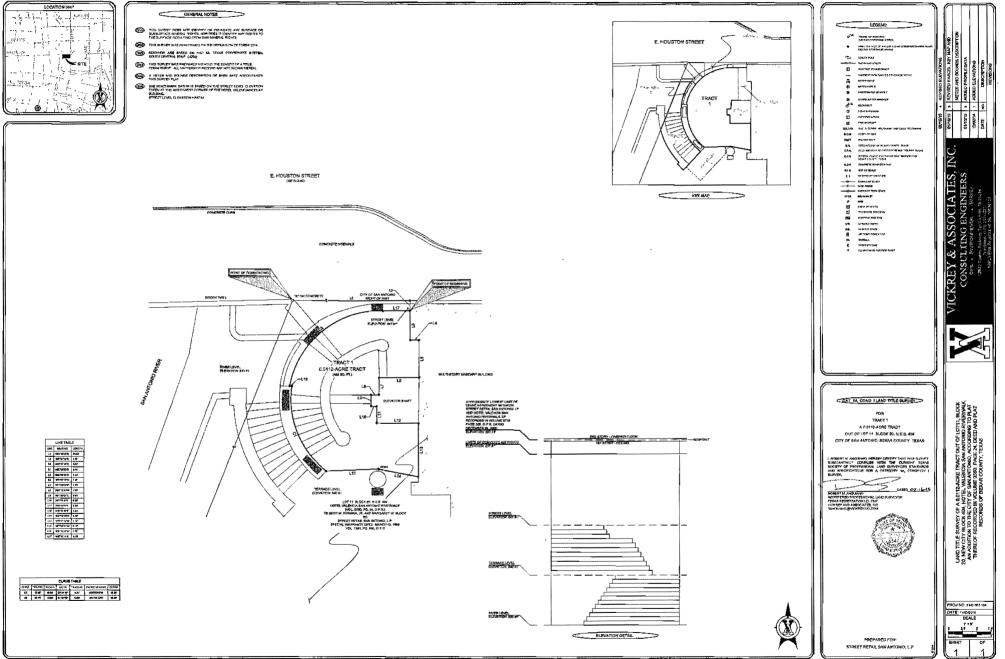
Sheet 2 of 2

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC. An accompanying survey plat of even date accompanies this description.





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-----APPEND PT RALA

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## VICKREY & ASSOCIATES, Inc. \_

CONSULTING ENGINEERS

Sheet 1 of 2

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### METES AND BOUNDS DESCRIPTION TRACT 1 0.0112-ACRE TRACT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0112-ACRE (488 SQUARE FEET) TRACT OF LAND OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0112-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE N89°56'02"E, ALONG THE COMMON LINE OF SAID LOT 11 AND RIGHT-OF-WAY, A DISTANCE OF 20.60 FEET TO A POINT;

THENCE S00°27'46"E, DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11 AND PARTIALLY ALONG THE FACE OF EXISTING BUILDING WALL, A DISTANCE OF 1.80 FEET TO THE **POINT OF BEGINNING** AND NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11 AND ALONG SAID FACE OF BUILDING WALL, THE FOLLOWING THREE (3) CALLS:

- 1) S00°27'46"E, A DISTANCE OF 5.04 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) N90°00'00"E, A DISTANCE OF 1.54 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- S00°00'00"E, A DISTANCE OF 6.49 FEET TO THE CORNER OF AN ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, ALONG SAID FACE OF ELEVATOR SHAFT, THE FOLLOWING SEVEN (7) CALLS:

- 1) S89°27'12"W, A DISTANCE OF 7.02 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) S01°02'04"W, A DISTANCE OF 2.96 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) S88°12'55"W, A DISTANCE OF 1.39 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) S01°20'37"E, A DISTANCE OF 2.01 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,



- 5) S87°52'40"E, A DISTANCE OF 0.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 6) S00°40'04"E, A DISTANCE OF 2.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 7) S89°33'53"E, A DISTANCE OF 7.31 FEET TO THE FACE OF AFOREMENTIONED BUILDING WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE S00°00'20"W, ALONG SAID FACE OF BUILDING WALL, A DISTANCE OF 9.30 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING SIX (6) CALLS:

- 1) N79°21'15"W, A DISTANCE OF 7.13 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) S87°48'41"W, A DISTANCE OF 9.19 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, AT A CORNER OF ROCK WALL, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) ALONG SAID CURVE TO THE RIGHT, ALONG THE EDGE OF SAID ROCK WALL, A DISTANCE OF 16.86 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°21'59", AND A CHORD BEARING AND DISTANCE OF N22°00'45"W, 16.09 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) N88°56'52"W, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 0.38 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 5) ALONG SAID CURVE TO THE RIGHT, DEPARTING SAID ROCK WALL, ALONG THE FACE OF ROCK COLUMNS, A DISTANCE OF 22.78 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 81°34'29", AND A CHORD BEARING AND DISTANCE OF N51°28'45"E, 20.90 FEET TO A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 6) N89°32'14"E, DEPARTING SAID ROCK COLUMN, A DISTANCE OF 4.78 FEET RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.0112 OF AN ACRE (488 SQUARE FEET) OF LAND.

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC.

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

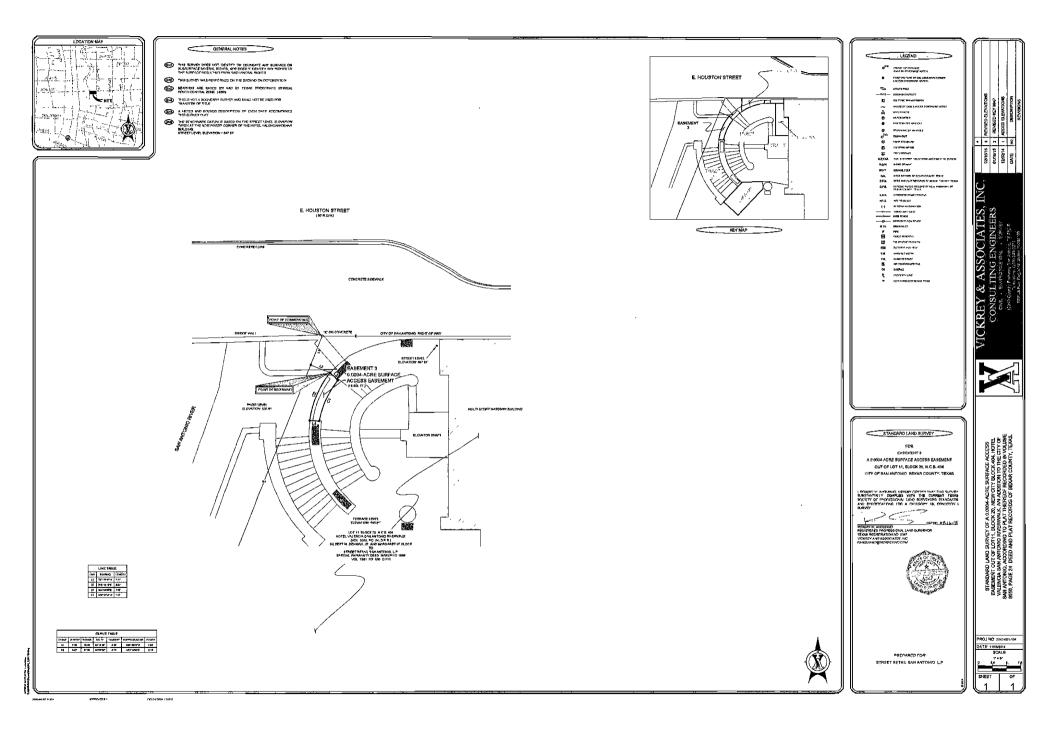
An accompanying survey plat of even date accompanies this description.



## Exhibit B

## Easement 2

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CONSULTING ENGINEERS

Sheet 1 of 1

### METES AND BOUNDS DESCRIPTION EASEMENT 2 0.0020-ACRE SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0020-ACRE (86 SQUARE FEET) SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0020-ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE S21°48'50"W, DEPARTING SAID RIGHT-OF-WAY, ALONG THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, A DISTANCE OF 34.27 FEET TO A POINT;

THENCE S68°11'10"E, DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11, A DISTANCE OF 13.16 FEET TO A POINT ON EDGE OF ROCK WALL, FOR THE **POINT OF BEGINNING** AND MOST WESTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE N42°40'00"E, GENERALLY ALONG SAID EDGE OF ROCK WALL, A DISTANCE OF 9.46 FEET TO A CORNER OF ROCK WALL, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING FOUR (4) CALLS:

- 1) N87°48'41"E, A DISTANCE OF 7.30 FEET TO A POINT, FOR THE NORTH CORNER OF THE HEREIN DESCRIBED EASEMENT,
- 2) S02°11'19"E, A DISTANCE OF 2.53 FEET TO A POINT, FOR THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT,
- 3) S43°00'55"W, A DISTANCE OF 12.86 FEET TO A POINT, FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED EASEMENT, AND
- 4) N46°59'05"W, A DISTANCE OF 6.89 RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.0020 ACRES (86 SQUARE FEET) OF EASEMENT.

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC. An accompanying survey plat of even date accompanies this description.



R:\2543-001\0ffice\104\0.0020-Ac Surface Access Esmnt (2) 011615 Rev 021515 docx 1294U Country Parkway • San Antonio, Texas 78210 • 210-349-3271 • FAX 210-349-2561 Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.

State of Texas

Know All By These Presents:

S County of Bexar

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**Public Access Easement** 

## Authorizing Ordinance:

Grantor:	Street Retail San Antonio, LP
Grantor's Address:	1626 East Jefferson Street Rockville, Maryland 20852-4041 Attention: Legal
Grantee	City of San Antonio
Grantee's Address:	P.O. Box 839966 San Antonio, Texas 78283-3966 (Bexar County)
Purpose of Easement:	A non-exclusive access easement for the benefit of the general public, the City of San Antonio and its licensees, lessees, invitees, employees, agents and contractors and for the purpose of conducting City business as needed to maintain and repair the Appurtenant Property, and for ingress to and egress from the Appurtenant Property and the Houston Street Right-of-Way by Grantee and the general public.
Appurtenant Property:	0.0112 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on <b>Exhibit A</b> , which is incorporated herein by reference for all purposes as if it were fully set forth.

**Easement Property:** 0.0008 acre, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on **Exhibit B**, which is incorporated by reference for all purposes as if fully set forth

Grantor grants, dedicates, and conveys to Grantee and to the public generally, for and in consideration of the benefits accruing to Grantor, to Grantor's other property, and to the public generally, a perpetual easement over, across, and upon the surface only of the Easement Property. This easement is appurtenant to the Appurtenant Property and runs with title to the Appurtenant Property. By its acceptance of the easement, the Grantee specifically acknowledges that the easement does not constitute a conveyance in fee of the Easement Property and Grantor reserves for Grantor's successors and assigns the right to use and enjoy the Easement Property for all purposes which do not interfere with Grantee's use of the Easement Property for the Purpose of Easement.

The easement may be used only for the Purpose of Easement stated above. Grantor covenants and for itself, its successors, and assigns, that no building or obstruction of any kind will be placed on the Easement Property herein granted.

Grantee has had full opportunity to examine the Easement Property and Grantee hereby waives any claim for damages that may arise out of the condition of the Easement Property. Grantee's taking possession of the Easement Property shall be conclusive evidence of Grantee's acceptance thereof and Grantee, as a material part of the consideration for this easement, hereby accepts the Easement Property "AS IS, WHERE IS, AND WITH ALL FAULTS" with any and all latent and patent defects. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement or other assertion with respect to the condition of the Easement Property but is relying on Grantee's examination of the Easement Property.

To Have and To Hold the above described easement and rights unto Grantee, its successors and assigns, until its use is terminated or abandoned.

Witness my hand, this day of \_\_\_\_\_, 2015.

### **GRANTOR:**

STREET RETAIL SAN ANTONIO, LP, a Delaware limited partnership, by its sole general partner, SRI San Antonio, Inc. d/b/a Street Retail San Antonio I, Inc., a Maryland corporation

By:

Printed Name:\_\_\_\_\_

Title:

Date:

## AGREED AND ACCEPTED:

## **GRANTEE:**

CITY OF SAN ANTONIO, TEXAS A Texas Municipal Corporation

By:\_\_\_\_\_

Name:\_\_\_\_\_\_, City Manager or Designee

Accepted under Ordinance:\_\_\_\_\_

#### ACKNOWLEDGEMENT

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THE STATE OF MARYLAND

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on \_\_\_\_\_\_, 2015, by \_\_\_\_\_\_\_ of SRI San Antonio, Inc. d/b/a Street Retail San Antonio, Inc, a Maryland Corporation, on behalf of such corporation as the sole general partner of Street Retail San Antonio, LP, a Delaware limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

#### ACKNOWLEDGEMENT

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THE STATE OF TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared , City Manager or Designee for and on behalf of the CITY SAN ANTONIO, TEXAS, a Texas home rule municipal corporation; he/she acknowledged to me that he/she is the duly authorized representative of the CITY OF SAN ANTONIO, TEXAS, and that he/she executed said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of , 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

## **GRANTOR'S ADDRESS:**

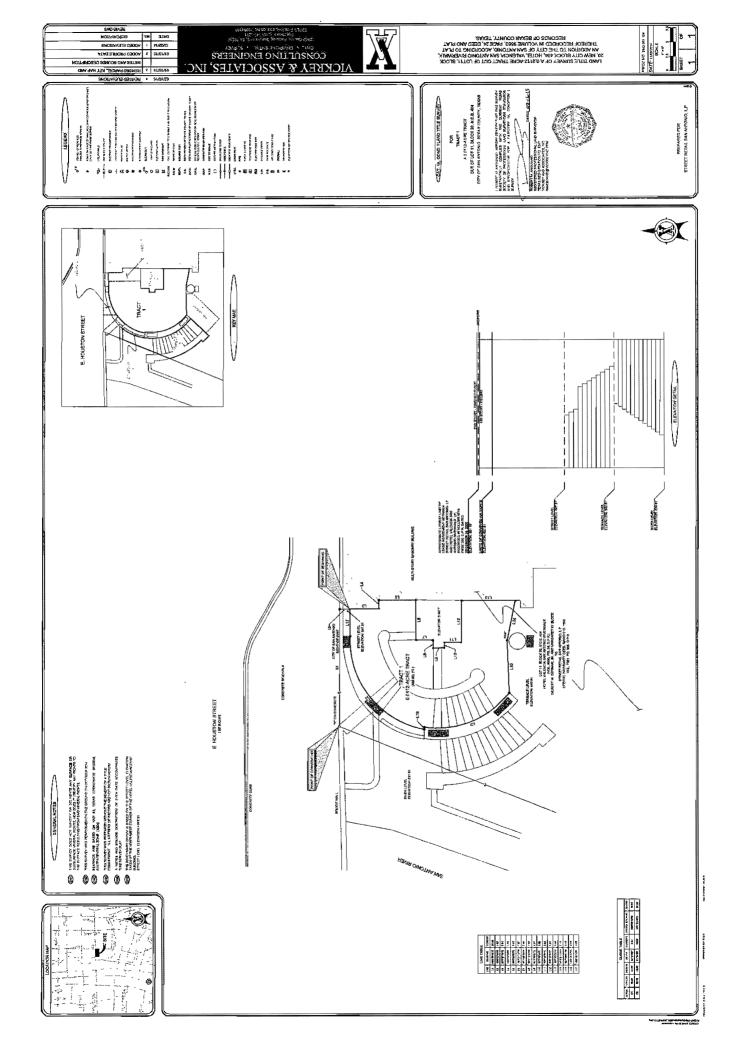
Street Retail San Antonio, LP 1626 E Jefferson St. Rockville, MD 20852-4041

## **<u>GRANTEE'S ADDRESS:</u>**

City of San Antonio PO Box 839966 San Antonio, Texas 78283 .

Tract 1

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## VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

Sheet 1 of 2

## METES AND BOUNDS DESCRIPTION TRACT 1 0.0112-ACRE TRACT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0112-ACRE (488 SQUARE FEET) TRACT OF LAND OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404. HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO. ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0112-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

COMMENCING AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE N89°56'02"E, ALONG THE COMMON LINE OF SAID LOT 11 AND RIGHT-OF-WAY, A DISTANCE OF 20.60 FEET TO A POINT;

THENCE S00°27'46"E, DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11 AND PARTIALLY ALONG THE FACE OF EXISTING BUILDING WALL, A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING AND NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11 AND ALONG SAID FACE OF BUILDING WALL, THE FOLLOWING THREE (3) CALLS:

- 1) S00°27'46"E, A DISTANCE OF 5.04 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- N90°00'00"E, A DISTANCE OF 1.54 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 3) S00°00'00"E, A DISTANCE OF 6.49 FEET TO THE CORNER OF AN ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, ALONG SAID FACE OF ELEVATOR SHAFT, THE FOLLOWING SEVEN (7) CALLS:

- 1) \$89°27'12"W, A DISTANCE OF 7.02 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) S01°02'04"W, A DISTANCE OF 2.96 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- S88°12'55"W, A DISTANCE OF 1.39 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) S01°20'37"E, A DISTANCE OF 2.01 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,



- 5) S87°52'40"E, A DISTANCE OF 0.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 6) S00°40'04"E, A DISTANCE OF 2.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 7) S89°33'53"E, A DISTANCE OF 7.31 FEET TO THE FACE OF AFOREMENTIONED BUILDING WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE S00°00'20"W, ALONG SAID FACE OF BUILDING WALL, A DISTANCE OF 9.30 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING SIX (6) CALLS:

- 1) N79°21'15"W, A DISTANCE OF 7.13 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) S87°48'41"W, A DISTANCE OF 9.19 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, AT A CORNER OF ROCK WALL, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) ALONG SAID CURVE TO THE RIGHT, ALONG THE EDGE OF SAID ROCK WALL, A DISTANCE OF 16.86 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°21'59", AND A CHORD BEARING AND DISTANCE OF N22°00'45"W, 16.09 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) N88°56'52"W, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 0.38 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 5) ALONG SAID CURVE TO THE RIGHT, DEPARTING SAID ROCK WALL, ALONG THE FACE OF ROCK COLUMNS, A DISTANCE OF 22.78 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 81°34'29", AND A CHORD BEARING AND DISTANCE OF N51°28'45"E, 20.90 FEET TO A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 6) N89°32'14"E, DEPARTING SAID ROCK COLUMN, A DISTANCE OF 4.78 FEET RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.0112 OF AN ACRE (488 SQUARE FEET) OF LAND.

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC.

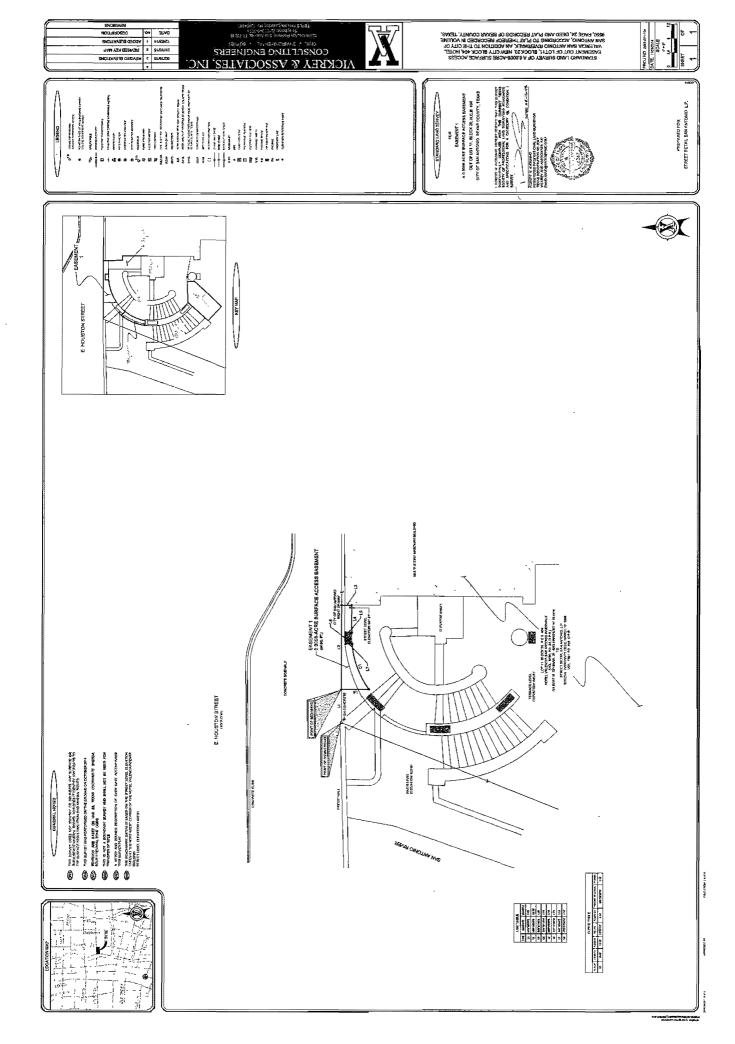
JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

An accompanying survey plat of even date accompanies this description.



Easement 1

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CONSULTING ENGINEERS

Sheet 1 of 2

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### METES AND BOUNDS DESCRIPTION EASEMENT 1 0.0008-ACRE SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0008-ACRE (34 SQUARE FEET) SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0008-ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE N89°56'02"E, ALONG THE COMMON LINE OF SAID LOT 11 AND E. HOUSTON STREET RIGHT-OF-WAY, A DISTANCE OF 5.82 FEET TO THE **POINT OF BEGINNING** AND NORTHWEST CORNER OF THE HEREIN DESCRIBE EASEMENT;

THENCE N89°56'02"E, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 14.78 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11, THE FOLLOWING TWO (2) CALLS:

- 1) S00°27'46"E, AND PARTIALLY ALONG THE FACE OF EXISTING BUILDING WALL, A DISTANCE OF 1.80 FEET TO A POINT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, AND
- 2) S89°32'14"W, DEPARTING SAID FACE OF BUILDING WALL, A DISTANCE OF 4.78 FEET TO A CORNER OF A ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11, ALONG THE FACE OF SAID ROCK COLUMN, THE FOLLOWING THREE (3) CALLS:

- 1) NO0°49'56"E, A DISTANCE OF 1.16 FEET TO A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT,
- 2) S87°44'46"W, A DISTANCE OF 2.03 FEET TO A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT, AND
- 3) S01°10'44"E, A DISTANCE OF 1.13 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE LEFT, AT A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING TWO (2) CALLS:

1) ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 8.66 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 31°00'19", AND A CHORD BEARING AND DISTANCE OF S69°38'36"W, 8.55 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT, AND



12940 Country Parkway • San Antonio, Texas 78216 • 210-349-3271 • FAX 210-349-2561

ALTERNATION OF ACCOUNTS A

2) N00°03'58"W, A DISTANCE OF 4.84 RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.0008 OF AN ACRE (34 SQUARE FEET) OF EASEMENT.

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

An accompanying survey plat of even date accompanies this description.

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CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC.



Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.

State of Texas § S County of Bexar §

Know All By These Presents:

**Public Access Easement** 

### Authorizing Ordinance:

Grantor:	Street Retail San Antonio, LP
Grantor's Address:	1626 East Jefferson Street Rockville, Maryland 20852-4041 Attention: Legal
Grantee	City of San Antonio
Grantee's Address:	P.O. Box 839966 San Antonio, Texas 78283-3966 (Bexar County)
Purpose of Easement:	A non-exclusive access easement for the benefit of the general public, the City of San Antonio and its licensees, lessees, invitees, employees, agents and contractors and for the purpose of conducting City business as needed to maintain and repair the Appurtenant Property, and for ingress to and egress from the Appurtenant Property by Grantee and the general public.
Appurtenant Property:	0.0042 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on <b>Exhibit A</b> , which is incorporated herein by reference for all purposes as if it were fully set forth.

0.0112 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on **Exhibit A**, which is incorporated herein by reference for all purposes as if it were fully set forth.

Easement Property: 0.0004 acre tract, more or less, out of Lot 11, Block 20 N.C. 404, an addition to the City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9550, Page 24 of the Deed and Plat Records of Bexar County, Texas, the land being more particularly described on Exhibit B, which is incorporated herein by reference for all purposes as if it were fully set forth.

Grantor grants, dedicates, and conveys to Grantee and to the public generally, for and in consideration of the benefits accruing to Grantor, to Grantor's other property, and to the public generally, a perpetual easement over, across, and upon the surface only of the Easement Property. This easement is appurtenant to the Appurtenant Property and runs with title to the Appurtenant Property. By its acceptance of the easement, the Grantee specifically acknowledges that the easement does not constitute a conveyance in fee of the Easement Property and Grantor reserves for Grantor's successors and assigns the right to use and enjoy the Easement Property for all purposes which do not interfere with Grantee's use of the Easement Property for the Purpose of Easement.

The easement may be used only for the Purpose of Easement stated above. Grantor covenants and for itself, its successors, and assigns, that no building or obstruction of any kind will be placed on the Easement Property herein granted.

Grantee has had full opportunity to examine the Easement Property and Grantee hereby waives any claim for damages that may arise out of the condition of the Easement Property. Grantee's taking possession of the Easement Property shall be conclusive evidence of Grantee's acceptance thereof and Grantee, as a material part of the consideration for this easement, hereby accepts the Easement Property "AS IS, WHERE IS, AND WITH ALL FAULTS" with any and all latent and patent defects. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement or other assertion with respect to the condition of the Easement Property but is relying on Grantee's examination of the Easement Property. To Have and To Hold the above described easement and rights unto Grantee, its successors and assigns, until its use is terminated or abandoned.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

## **GRANTOR:**

STREET RETAIL SAN ANTONIO, LP, a Delaware limited partnership, by its sole general partner, SRI San Antonio, Inc. d/b/a Street Retail San Antonio I, Inc., a Maryland corporation

By:\_\_\_\_\_

Printed
Name:\_\_\_\_\_

Title:

Date:

AGREED AND ACCEPTED:

## **GRANTEE:**

CITY OF SAN ANTONIO, TEXAS A Texas Municipal Corporation

By: \_\_\_\_\_

Name:\_\_\_\_\_\_, City Manager or Designee

Accepted under Ordinance:\_\_\_\_\_

## ACKNOWLEDGEMENT

## THE STATE OF MARYLAND § COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on \_\_\_\_\_\_, 2015, by \_\_\_\_\_\_, \_\_\_\_\_ of SRI San Antonio, Inc. d/b/a Street Retail San Antonio, Inc, a Maryland Corporation, on behalf of such corporation as the sole general partner of Street Retail San Antonio, LP, a Delaware limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

#### ACKNOWLEDGEMENT

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THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_\_\_\_, City Manager or Designee for and on behalf of the CITY SAN ANTONIO, TEXAS, a Texas home rule municipal corporation; he/she acknowledged to me that he/she is the duly authorized representative of the CITY OF SAN ANTONIO, TEXAS, and that he/she executed said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_

## **GRANTOR'S ADDRESS:**

Street Retail San Antonio, LP 1626 E Jefferson St. Rockville, MD 20852-4041

## **GRANTEE'S ADDRESS:**

City of San Antonio PO Box 839966 San Antonio, Texas 78283 .

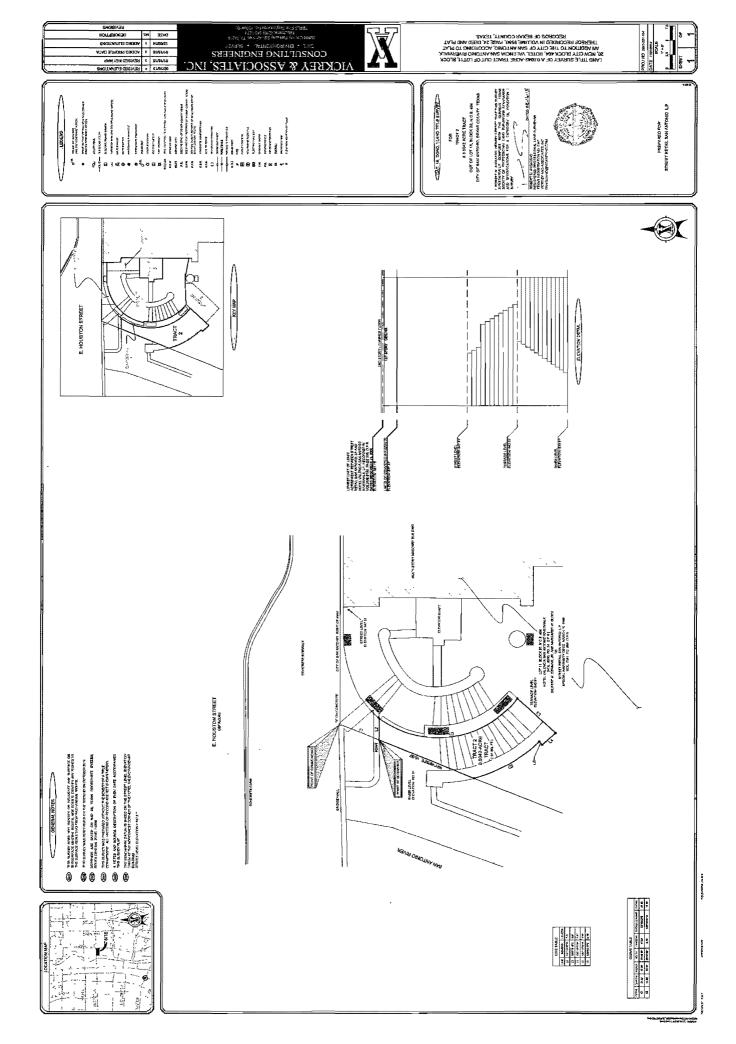
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Tract 2 and Tract 1

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## VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

Sheet 1 of 2

#### METES AND BOUNDS DESCRIPTION TRACT 2 0.0042-ACRE TRACT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0042-ACRE (181 SQUARE FEET) TRACT OF LAND OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0042-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE S21°48'50"W, DEPARTING SAID RIGHT-OF-WAY, ALONG THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, A DISTANCE OF 7.41 FEET TO A POINT ON EDGE OF ROCK WALL, FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11, THE FOLLOWING SIX (6) CALLS:

- 1) N89°18'18"E, ALONG SAID EDGE OF ROCK WALL, A DISTANCE OF 3.81 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE LEFT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) ALONG SAID CURVE TO THE LEFT AND GENERALLY ALONG EDGE OF ROCK WALL, A DISTANCE OF 27.32 FEET, WITH A RADIUS OF 17.50 FEET, A CENTRAL ANGLE OF 89°26'49", AND A CHORD BEARING AND DISTANCE OF S08°08'54"E, 24.63 FEET TO A CORNER OF ROCK WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) S42°40'00"W, DEPARTING SAID ROCK WALL, A DISTANCE OF 8.97 FEET TO A CORNER OF ROCK WALL, FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) N42°12'33"W, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 3.08 FEET TO A CORNER OF ROCK WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 5) N50°54'47"E, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 0.75 FEET TO A CORNER OF ROCK WALL AT A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 6) ALONG SAID CURVE TO THE RIGHT, ALONG SAID EDGE OF ROCK WALL, A DISTANCE OF 13.22 FEET, WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF 29°07'56", AND A CHORD BEARING AND DISTANCE OF N29°32'52"W, 13.08 FEET TO A POINT ON THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, FOR THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N21°48'50"E, DEPARTING SAID EDGE OF WALL, ALONG SAID COMMON LINE, A DISTANCE OF 18.09 FEET RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 0.0042 OF AN ACRE (181 SQUARE FEET) OF LAND.



Sheet 2 of 2

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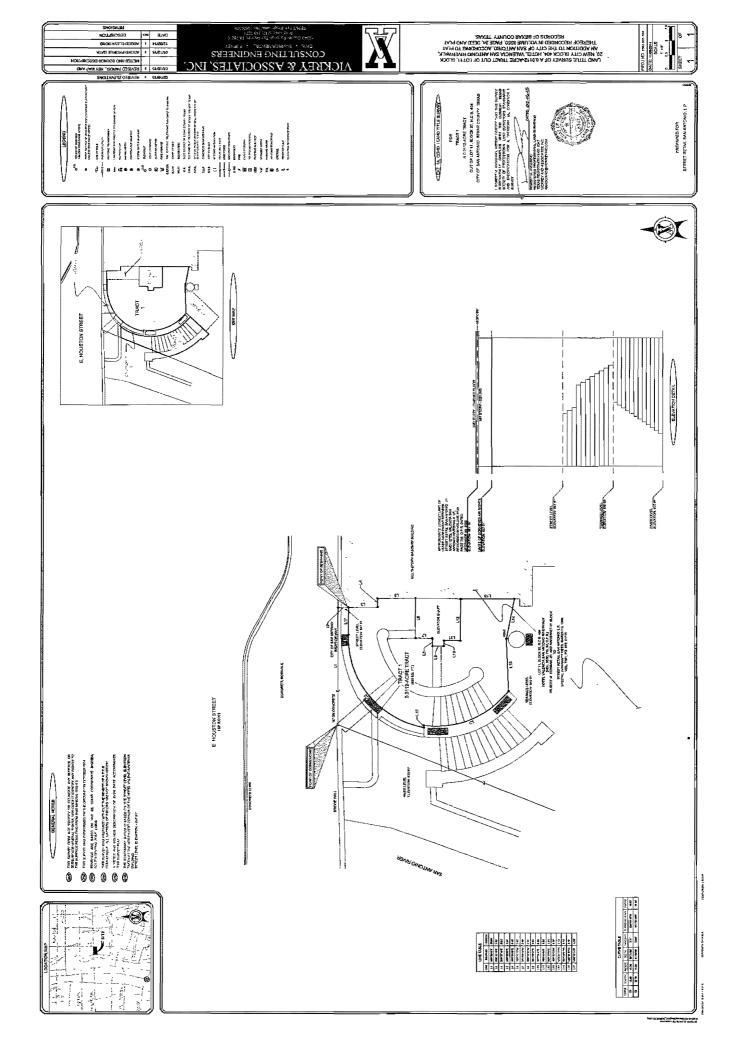
JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

An accompanying survey plat of even date accompanies this description.



CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC.



## VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

Sheet 1 of 2

### METES AND BOUNDS DESCRIPTION TRACT 1 0.0112-ACRE TRACT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0112-ACRE (488 SQUARE FEET) TRACT OF LAND OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0112-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE N89°56'02"E, ALONG THE COMMON LINE OF SAID LOT 11 AND RIGHT-OF-WAY, A DISTANCE OF 20.60 FEET TO A POINT;

THENCE S00°27'46"E, DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11 AND PARTIALLY ALONG THE FACE OF EXISTING BUILDING WALL, A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING AND NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11 AND ALONG SAID FACE OF BUILDING WALL, THE FOLLOWING THREE (3) CALLS:

- 1) S00°27'46"E, A DISTANCE OF 5.04 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) N90°00'00"E, A DISTANCE OF 1.54 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 3) S00°00'00"E, A DISTANCE OF 6.49 FEET TO THE CORNER OF AN ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, ALONG SAID FACE OF ELEVATOR SHAFT, THE FOLLOWING SEVEN (7) CALLS:

- 1) S89°27'12"W, A DISTANCE OF 7.02 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) S01°02'04"W, A DISTANCE OF 2.96 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) S88°12'55"W, A DISTANCE OF 1.39 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) S01°20'37"E, A DISTANCE OF 2.01 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,



- 5) S87°52'40"E, A DISTANCE OF 0.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 6) S00°40'04"E, A DISTANCE OF 2.95 FEET TO A CORNER OF ELEVATOR SHAFT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 7) S89°33'53"E, A DISTANCE OF 7.31 FEET TO THE FACE OF AFOREMENTIONED BUILDING WALL, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE SO0°00'20"W, ALONG SAID FACE OF BUILDING WALL, A DISTANCE OF 9.30 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE DEPARTING SAID FACE OF BUILDING WALL, CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING SIX (6) CALLS:

- 1) N79°21'15"W, A DISTANCE OF 7.13 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- S87°48'41"W, A DISTANCE OF 9.19 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, AT A CORNER OF ROCK WALL, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) ALONG SAID CURVE TO THE RIGHT, ALONG THE EDGE OF SAID ROCK WALL, A DISTANCE OF 16.86 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°21'59", AND A CHORD BEARING AND DISTANCE OF N22°00'45"W, 16.09 FEET TO A POINT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 4) N88°56'52"W, ALONG THE EDGE OF ROCK WALL, A DISTANCE OF 0.38 FEET TO A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR A CORNER OF THE HEREIN DESCRIBED TRACT,
- 5) ALONG SAID CURVE TO THE RIGHT, DEPARTING SAID ROCK WALL, ALONG THE FACE OF ROCK COLUMNS, A DISTANCE OF 22.78 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 81°34'29", AND A CHORD BEARING AND DISTANCE OF N51°28'45"E, 20.90 FEET TO A CORNER OF ROCK COLUMN, FOR A CORNER OF THE HEREIN DESCRIBED TRACT, AND
- 6) N89°32'14"E, DEPARTING SAID ROCK COLUMN, A DISTANCE OF 4.78 FEET RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.0112 OF AN ACRE (488 SQUARE FEET) OF LAND.

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC.

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

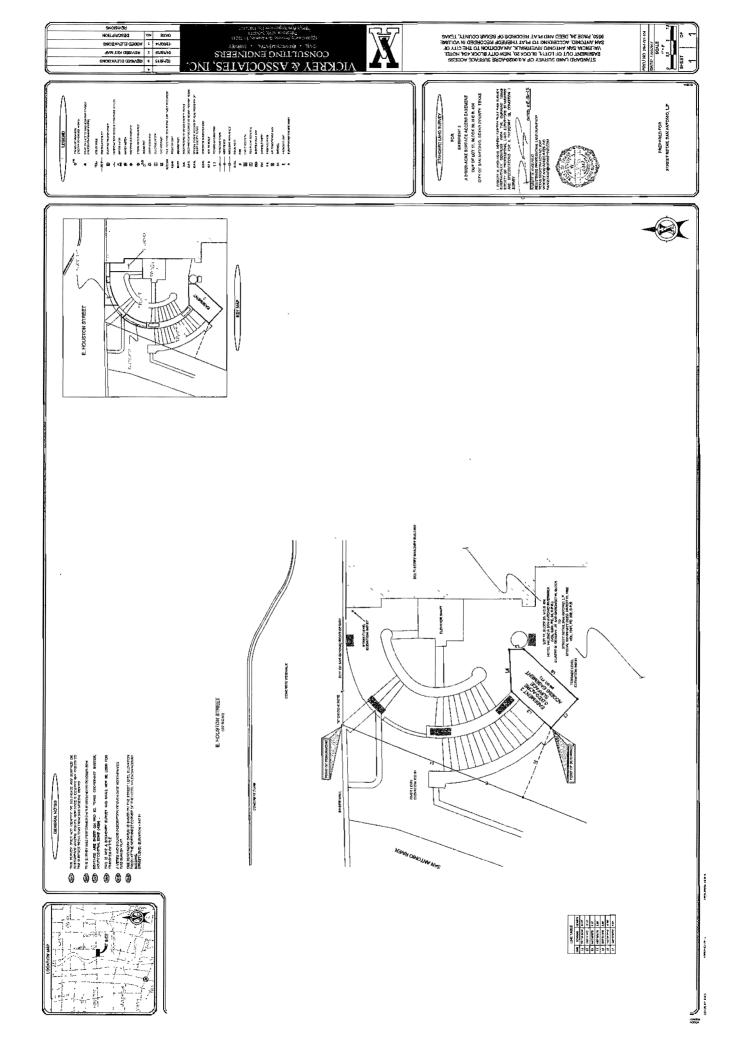
An accompanying survey plat of even date accompanies this description.



Exhibit B

Easement 3

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VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

Sheet 1 of 1

#### METES AND BOUNDS DESCRIPTION EASEMENT 3 0.0004-ACRE SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, N.C.B. 404 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

BEING A 0.0004-ACRE (15 SQUARE FEET) SURFACE ACCESS EASEMENT OUT OF LOT 11, BLOCK 20, NEW CITY BLOCK 404, HOTEL VALENCIA SAN ANTONIO RIVERWALK, AN ADDITION TO THE CITY OF SAN ANTONIO, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9550, PAGE 24, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID LOT 11 BEING THAT SAME LAND CONVEYED FROM GILBERT M. DENMAN, JR. AND MARGARET W. BLOCK TO STREET RETAIL SAN ANTONIO, L.P. BY SPECIAL WARRANTY DEED, DATED MARCH 10, 1998 AND RECORDED IN VOLUME 7381, PAGE 856, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, SAID 0.0004-ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO NAD83, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204):

**COMMENCING** AT AN "X" ON CONCRETE ON THE SOUTH RIGHT-OF-WAY LINE OF E. HOUSTON STREET (60' WIDE), SAME POINT ALSO BEING ON THE EAST LINE OF THE SAN ANTONIO RIVER AND BEING THE NORTHWEST CORNER OF SAID LOT 11;

THENCE S21°48'50"W, DEPARTING SAID RIGHT-OF-WAY, ALONG THE COMMON LINE OF SAID LOT 11 AND SAN ANTONIO RIVER, A DISTANCE OF 5.41 FEET TO A POINT;

THENCE S68°11'10"E, DEPARTING SAID COMMON LINE, INTO AND ACROSS SAID LOT 11, A DISTANCE OF 3.67 FEET TO A CORNER OF ROCK WALL, FOR THE **POINT OF BEGINNING** AND NORTH CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE CONTINUING INTO AND ACROSS SAID LOT 11, THE FOLLOWING FOUR (4) CALLS:

- 1) S44°44'46"E, ALONG THE EDGE OF SAID ROCK WALL, A DISTANCE OF 1.92 FEET TO A CORNER OF ROCK WALL AT A NON-TANGENT POINT OF CURVATURE TO THE LEFT, FOR A CORNER OF THE HEREIN DESCRIBED EASEMENT,
- 2) ALONG SAID CURVE TO THE LEFT, DEPARTING SAID WALL, A DISTANCE OF 7.88 FEET, WITH A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 28°13'46", AND A CHORD BEARING AND DISTANCE OF S24°48'24"W, 7.80 FEET TO A CORNER OF ROCK WALL, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED EASEMENT,
- 3) N88°56'52"W, ALONG THE EDGE OF SAID ROCK WALL, A DISTANCE OF 1.69 FEET TO A CORNER OF ROCK WALL AT A NON-TANGENT POINT OF CURVATURE TO THE RIGHT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, AND
- 4) ALONG SAID CURVE TO THE RIGHT, DEPARTING SAID WALL, A DISTANCE OF 9.27 FEET, WITH A RADIUS OF 17.50 FEET, A CENTRAL ANGLE OF 30°20'32", AND A CHORD BEARING AND DISTANCE OF N23°14'46"E, 9.16 FEET RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.0004 OF AN ACRE (15 SQUARE FEET) OF EASEMENT.

JOB NO. 2543-001-104 JANUARY 16, 2015 REVISED FEBRUARY 16, 2015

CERTIFIED THIS 16TH DAY OF FEBRUARY, 2015

ROBERT M. ANGUIANO, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS CERTIFIED REGISTRATION NO. 6347 VICKREY & ASSOCIATES, INC. An accompanying survey plat of even date accompanies this description.

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