

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 §

Building Overhang Encroachment Easement

Authorizing Ordinance: [XXXXXX]

SP No.: Parcel [XXXXXXX]

Grantor: City of San Antonio

Grantor's Address: P.O. Box 839966, San Antonio, Texas 78283-3966

Grantee: CBMB Office Properties, L.L.C.

Grantee's Address: 315 E. Commerce Street, Suite 300, San Antonio, Texas 78205

Purpose of Easement: Constructing, maintaining, and repairing a building overhang; removing from the servient estate obstructions that may interfere with the exercise of the rights granted hereunder; together with the right of ingress and egress over the servient estate for the purpose of exercising all other rights hereby granted.

Description of Servient Estate: A combined 0.027 acre, or 1,142 square feet more or less adjacent to Block 2, New City Block 447 of the San Antonio, Bexar County, Texas, consisting of a 0.023 acre or 987 square feet more or less easement tract beyond the height of 17.5 feet above the finished asphalt elevation located on Eighth street and Broadway street, the land more particularly described on **Exhibit A** and a 0.004 acre or 155 square feet more or less easement tract beyond the height of 17.5 feet above the finished asphalt elevation located on Broadway street, 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.

Term: 75 years or when the building is demolished, whichever occurs first.

Purchase Price: Cash and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged.

Grantor grants, dedicates, and conveys to Grantee, for and in consideration of the Purchase Price, an easement over and across the Servient Estate for a term of 75 years or when the building is demolished, whichever shall occur first. The easement may be used only for the Purpose of Easement stated above. Grantor covenants and for itself, its heirs, executors, successors, and assigns, that no other building or obstruction of any kind will be placed on the servient estate herein granted.

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

It is anticipated that Grantee will complete construction of the building (with the permitted overhangs) by March 1, 2020. At any time after that date Grantee, or those claiming through Grantee, cease to use this easement for 12 consecutive months, Grantor has the right to terminate this easement by means of a written instrument recorded in the appropriate records of Bexar County, Texas. The instrument need be signed only by Grantor and assert that the easement was not used for 12 consecutive months.

Witness my hand, this _____ day of _____, 2018.

City of San Antonio,
a Texas municipal corporation

(Signature)

(Printed Name)

(Representative Capacity)

Attest:

City Clerk

Approved As To Form:

City Attorney

State of Texas §

County of Bexar §

This instrument was acknowledged before me this date by _____,
of the City of San Antonio, a Texas municipal corporation, in the capacity therein
stated and on behalf of that entity.

Date:_____

Notary Public, State of Texas

My Commission expires:_____