

GRAPE CREEK, LTD.
P. O. Box 2038
San Angelo, TX 76902
Phone 325/945-4162 FAX 325/949-4302

May 28, 2009

Mr. Steve Floyd
County Commissioner Pct 3
Tom Green County
113 W. Beauregard
San Angelo, TX 76903

RE: Grape Creek Estates

Dear Commissioner Floyd,

In accordance with our discussions, we respectfully request for the County to accept the portion of Evergreen Road adjacent to our Grape Creek Estates subdivision for maintenance. The road was built to county specs and we believe should have been accepted by the County for maintenance over twenty years ago. A brief chronology of events is as follows:

- Our subdivision plat was approved by the Commissioners' Court on May 16, 1983.
- We constructed the portion of Evergreen Road adjacent to our subdivision to County specs in September 1983.
- In 1984, we paid the expenses involved in conveying a 30' strip of land to the County for its use and maintenance as a county road. This was the portion of Evergreen Lane from the eastern edge of our subdivision to Grape Creek Road. This was done (and paid for by us) with the intent of having a County maintained road all the way from Grape Creek Road to the western edge of our property.
- Our plat was finally recorded on February 29, 2000.

Since 1984, the County has maintained the portion of Evergreen Lane from Grape Creek Road to the eastern edge of our subdivision, but not the portion of the road adjacent to Grape Creek Estates. This is undoubtedly because of the confusion created by our plat not being recorded until 2000. At the time we had the plat approved and the county road built, there were no requirements as to the timing of actually recording a plat.

In 1997, my father (James R. Duncan) had discussions with then Commissioner Delbert Caffey about the road. We agreed to repair the road up to standards of the adjacent 30' road and for the County to provide maintenance. We repaired the portion of Evergreen Road adjacent to Grape Creek Estates at our expense. Unfortunately, my father became ill about that time and never recorded the plat as we had planned in 1997 when we repaired the road. My father died in 1998,

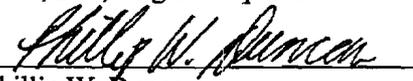
Page 2
Commissioner Steve Floyd
May 27, 2009

and we did not realize the plat was not recorded until 2000, when we finally recorded the plat. At that time, Commissioner Caffey was no longer in office and apparently the County still did not recognize our portion of Evergreen Road as being under County maintenance.

We believe this road was built to County specs and accepted for maintenance back in 1983. We respectfully request the Commissioners' Court to formally accept this portion of Evergreen Road for maintenance. In a spirit of cooperation and to make the best road possible for the County and the property owners living on Evergreen Road, we propose to pay to the County the materials costs required to pave the road to existing county specs (at the current road width which was approved with the plat). We understand the cost of these materials should be approximately \$15,000. In return, the County would repair the road to County specs, with the addition of a paving course on top of the road and maintain the road hereafter. In addition, we are willing to pay for any necessary legal and surveying costs if required by the County to convey the road.

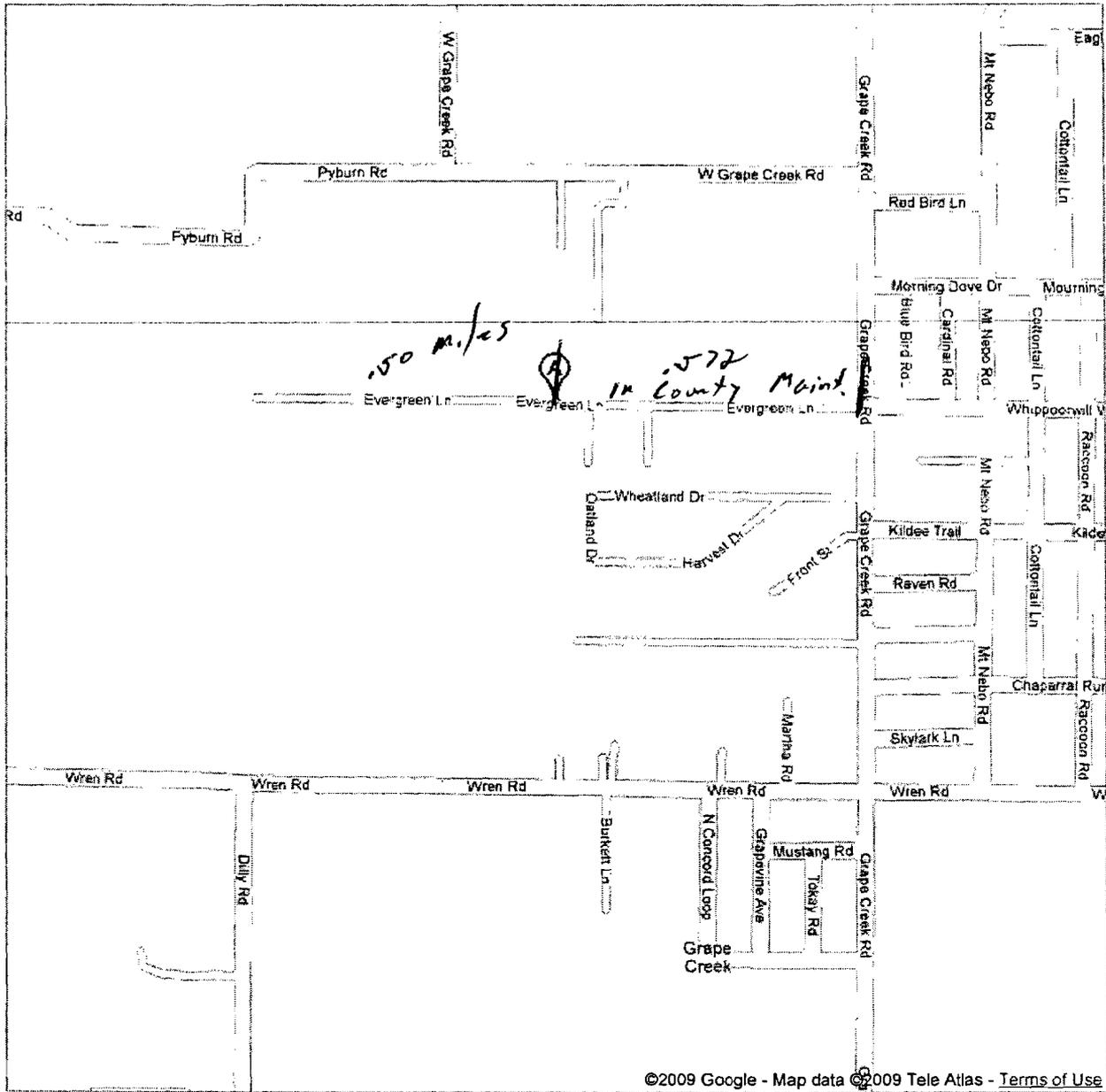
We believe this is a very fair proposal for all parties. Thank you very much for your consideration of this request.

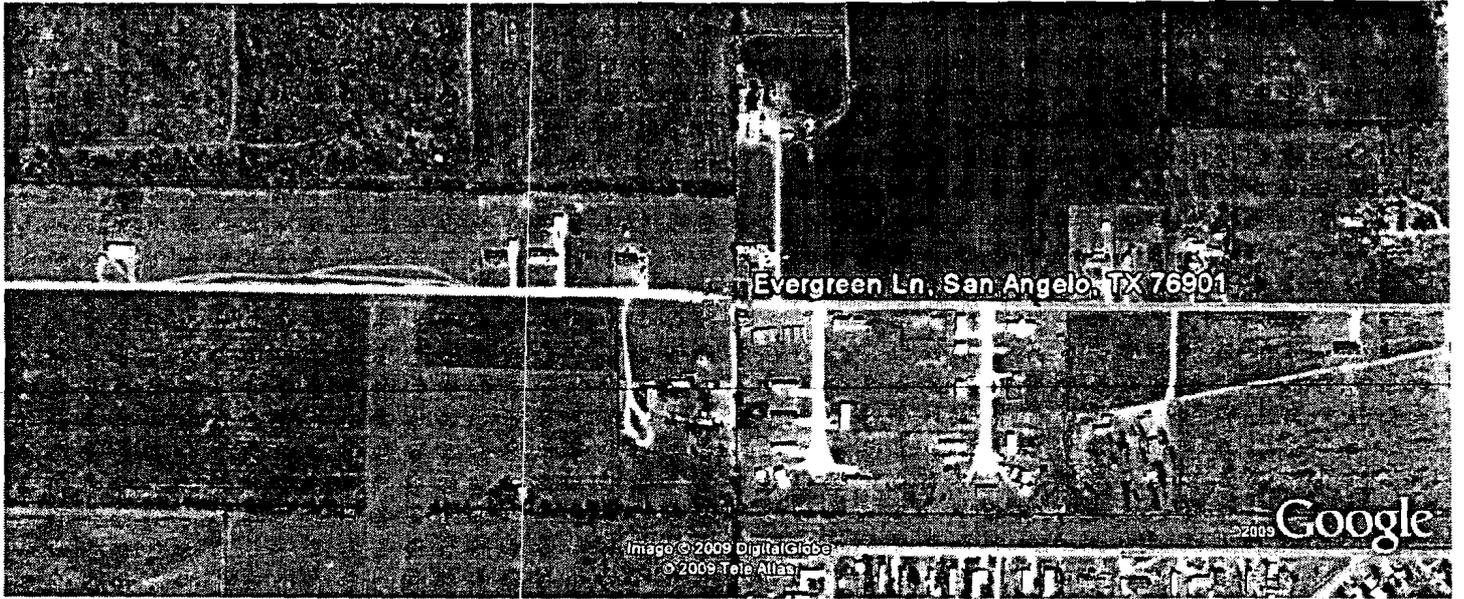
Sincerely,
Grape Creek, Ltd.
By: 2316, Ltd., its general partner

By: 
Phillip W. Duncan
Member

Google maps Address Evergreen Ln San Angelo, TX 76901

Get Google Maps on your phone
 Text the word "GMAPS" to 466453

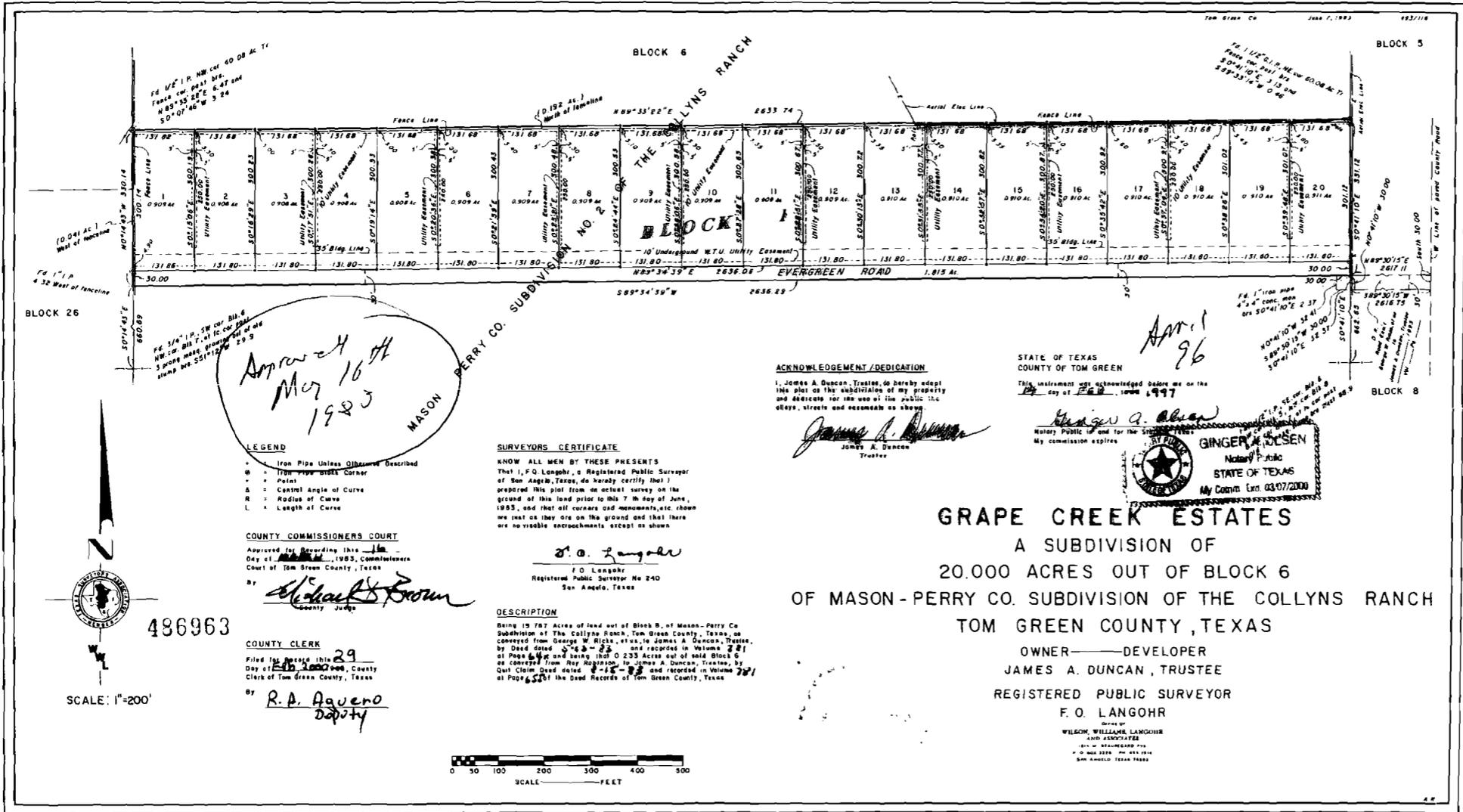





Evergreen Ln, San Angelo, TX 76901

Chronology for item #14 Consider Evergreen Lane

Ex. A	Subdivision specs at time of approval	02-18-72
Ex. B	Approval of Grape Creek Estates	05-02-83
Ex. C	Dedication of row for Evergreen LANE	09-19-83
Ex. D	Request for filing	04-03-96
	Filed	03-07-00
Ex. E	Approved plat abutting southern property	
	File ^{Filing} of Grape Creek Estates	09-06-02



Approved
 May 16th
 1993

- LEGEND**
- Iron Pipe Unless Otherwise Described
 - ⊙ True Survey Corner
 - ⊙ Point
 - Δ Central Angle of Curve
 - R Radius of Curve
 - L Length of Curve

COUNTY COMMISSIONERS COURT
 Approved for Recording this 16th Day of May, 1993, Commissioners Court of Tom Green County, Texas

By *Michael Brown*
 County Judge

COUNTY CLERK
 Filed for Record this 29th Day of May, 1993, County Clerk of Tom Green County, Texas

By *R. A. Agueno*
 Deputy

SURVEYORS CERTIFICATE
 KNOW ALL MEN BY THESE PRESENTS That I, F.O. Langohr, a Registered Public Surveyor of San Angelo, Texas, do hereby certify that I prepared this plat from an actual survey on the ground of this land prior to this 7th day of June, 1993, and that all corners and monuments, etc. shown are just as they are on the ground and that there are no visible encroachments except as shown.

F.O. Langohr
 Registered Public Surveyor No 240
 San Angelo, Texas

DESCRIPTION
 Being 19.787 Acres of land out of Block 6, of Mason - Perry Co. Subdivision of The Collins Ranch, Tom Green County, Texas, as conveyed from George W. Richey, et al. to James A. Duncan, Trustee, by Deed dated 0-18-83 and recorded in Volume 221 at Page 644 and being that 0.235 Acres out of said Block 6 as conveyed from Ray Robinson, to James A. Duncan, Trustee, by Quit Claim Deed dated 0-18-83 and recorded in Volume 221 at Page 653 of the Deed Records of Tom Green County, Texas.

ACKNOWLEDGEMENT / DEDICATION

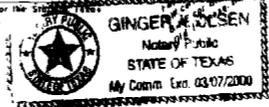
I, James A. Duncan, Trustee, do hereby accept this plat as the subdivisions of my property and dedicate for the use of the public the alleys, streets and easements as shown.

James A. Duncan
 James A. Duncan
 Trustee

**STATE OF TEXAS
 COUNTY OF TOM GREEN**

This instrument was acknowledged before me on the 14th day of FEB, 1993.

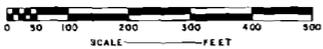
Walter G. Olson
 Notary Public in and for the State of Texas
 My commission expires



GRAPE CREEK ESTATES
 A SUBDIVISION OF
 20.000 ACRES OUT OF BLOCK 6
 OF MASON - PERRY CO. SUBDIVISION OF THE COLLINS RANCH
 TOM GREEN COUNTY, TEXAS

OWNER — DEVELOPER
 JAMES A. DUNCAN, TRUSTEE
 REGISTERED PUBLIC SURVEYOR
 F. O. LANGOHR

BY *Wilson, Williams, Langohr and Associates*
 WILSON, WILLIAMS, LANGOHR AND ASSOCIATES
 1211 W. BRADSHAW ST.
 P.O. BOX 2228 SAN ANGELO, TEXAS 76901

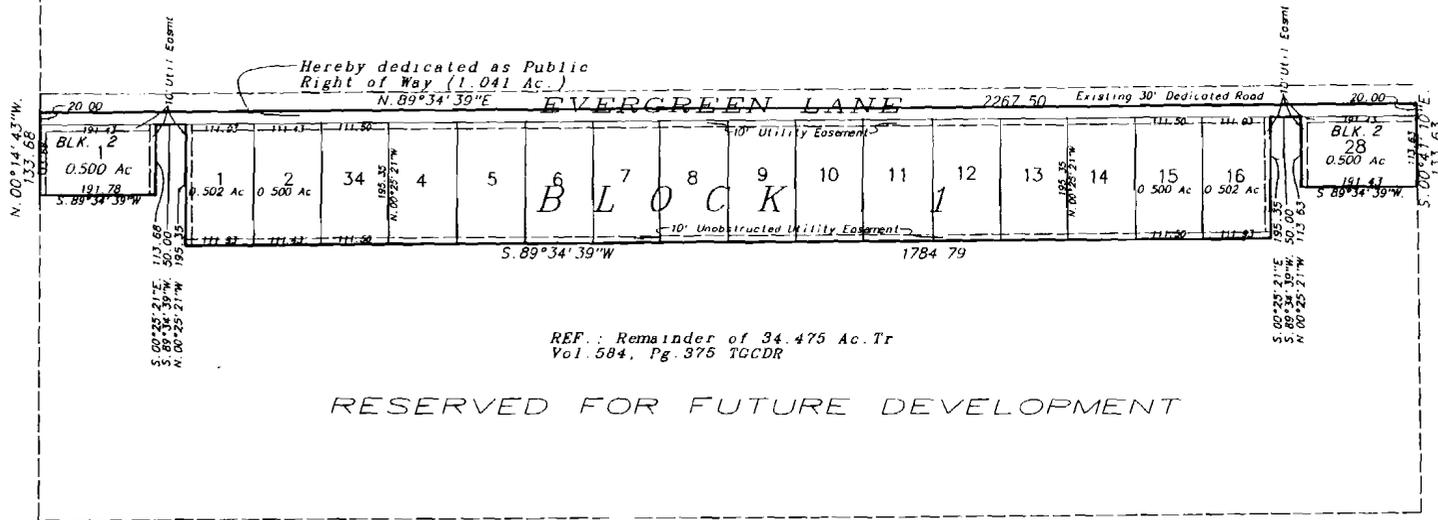


SCALE: 1"=200'

486963

1937/118

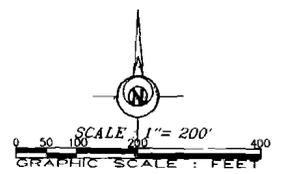
REF.: Block 26 Mason-Perry Co. Subdivision
of the Collyns Ranch
Vol. 45, Pg. 418 DR



REF.: Remainder of 34.475 Ac. Tr
Vol. 584, Pg. 375 TGCDR

RESERVED FOR FUTURE DEVELOPMENT

REF.: Block 7 Mason-Perry Co. Subdivision
of the Collyns Ranch
Vol. 45, Pg. 418 DR

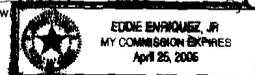


GRAPE CREEK VILLAGE SUBDIVISION
- Section 1
TOM GREEN COUNTY, TEXAS.

OWNER/DEVELOPER - IVAN LESHIKAR, TRUSTEE
DESCRIPTION: Being 10.045 acres of land out of Block 6, Mason-Perry Co. Subdivision #2 of the Collyns Ranch, Tom Green County, Texas and also being out of that certain 34.475 acre tract described and recorded in Volume 584, Page 375 Deed Records of Tom Green County, Texas
Tom Green County Appraisal District Tax ID No. 55-51200-0006-002-00

ACKNOWLEDGEMENT/DEDICATION
I, Ivan Leshikar, do hereby adopt this plat as the subdivision of my property and dedicate for the use of the public the street and easements shown hereon.
Ivan Leshikar
Ivan Leshikar, Trustee

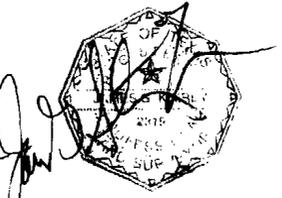
NOTARY PUBLIC
STATE OF TEXAS
This instrument was acknowledged before me on 9-07-02
by Ivan Leshikar in the capacity shown
Edna Enriquez, Jr.
Notary Public, State of Texas



COUNTY COMMISSIONER'S COURT
Approved for recording this 11 day
of September, 2002
By: *Michael S. Brown*
County Judge

911 COORDINATOR
Approved for recording this 6 day
of September, 2002
By: *James Rupp*

COUNTY CLERK
Filed for record this 6 day of
September 2002
Cheryl Bradley
Deputy
533104



SURVEYOR'S CERTIFICATE
Know all men by these presents that I, James G. Kimrey RPLS do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon were properly placed, under my supervision, in accordance with accepted rules for land subdivision, and I further certify that the tract of land herein platted lies outside any extraterritorial jurisdictional area in Tom Green County, Texas

Iron pipes will be set at all property corners, PCs, PTs, and PIs in accordance with Tom Green County Subdivision Requirements.
Bearings shown hereon are based on that certain tract described and recorded in Volume 504, Page 375 Deed Records of Tom Green County, Texas.
Distances shown are surface horizontal
No construction or development may begin within this subdivision until all Tom Green County Requirements have been satisfied.
No structure in this subdivision shall be occupied until it is connected to a public sewer system or to an on site waste water system that has been approved and permitted by the Tom Green County Environmental Health Department