

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

MINUTE ORDER

Page 1 of 2

VARIOUS Districts

The Texas Transportation Commission (commission) of the State of Texas (state) has found in order to promote the public safety, to facilitate the safety and movement of traffic and to preserve the financial investment of the public in its highways, public necessity requires the laying out, opening, constructing, reconstructing, maintaining, and operating of the following highways in the state as a part of the State Highway System (highway system).

The commission has found and determined that each of the following listed parcels of land, same being more particularly described in the exhibits attached hereto, and such additional lesser estates or property interests described thereon, are necessary or convenient for use for such purposes and it is necessary to acquire fee simple title to said land, as provided by Texas Transportation Code, Subchapter D, Chapter 203, Sections 203.051, 203.052, and 203.054, as a part of the highway system to be constructed, reconstructed, maintained and operated thereon.

The commission has found in order to promote the public safety, to facilitate the safety and movement of traffic, to preserve the financial investment of the public in its highways and reconstructing, maintaining, and operating of Controlled Access Highways in the state as a part of the highway system at such locations as are necessary throughout the state and has determined that each of the following listed parcels of land, described in those Exhibits designated, identified and listed by an alphabetical exhibit reference under "CONTROLLED ACCESS" and same being more particularly described in the exhibits attached hereto and such additional lesser estates or property interests described thereon, are necessary and suitable for use for such purposes and it is necessary to acquire fee simple title to said land, as provided by law, as a part of the highway system to be so constructed, reconstructed, maintained, and operated thereon and in the exercise of the police power of the state for the preservation of human life and safety, and under existing laws, the highway to be constructed on each such parcel of land is designated as a Controlled Access Highway, and on such parcels of land listed herein where there is remaining abutting private property, roads are to be built as a part of said highway whereby the right of ingress and egress to or from the remaining private property abutting on said highway is to be permitted and/or denied, as designated and set forth on each of the exhibits attached hereto.

The commission, through its duly authorized representatives, has attempted to negotiate with the owner(s) of the parcels of land described in the attached exhibits and has been unable to agree with such owner(s) as to the fair cash market value thereof and damages, if any, or after diligent search of available records, numerous inquiries, and actual visits to the location of said parcels of land has been unable to locate the owner(s) of same so as to enter into negotiations for the purchase of said parcels of land.

IT IS THEREFORE ORDERED that the executive director is hereby authorized and directed to transmit this request of the commission to the attorney general to file or cause to be filed against all owners, lienholders and any owners of any other interests in said parcels of land, proceedings in eminent domain to acquire in the name of and on behalf of the state, for said purposes, fee simple title to each such parcel of land as are more particularly described in each of the exhibits attached hereto and made a part hereof, and such additional lesser estates or property interests as are more fully described in each of said exhibits, save and excepting, oil, gas and sulphur, as provided by law, to wit:

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

MINUTE ORDER

Page 2 of 2

VARIOUS Districts

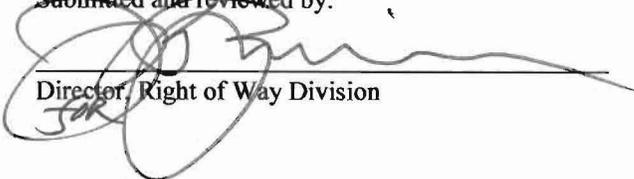
NON-CONTROLLED ACCESS

| COUNTY | HIGHWAY | EXHIBIT | ROW CSJ NO. | PARCEL |
|---------|---------|---------|-------------|---------|
| Austin | SH 36 | 10 | 0187-02-059 | 55 |
| Coryell | US 84 | 8 | 0055-03-025 | 53 |
| Dallas | Loop 12 | 11 | 0353-05-105 | 5, 5TE |
| Hidalgo | FM 1924 | 4 | 1802-01-035 | 9 |
| Hunt | US 380 | 1 | 0135-07-037 | 53 |
| Hunt | US 380 | 2 | 0135-07-037 | 79E |
| Hunt | US 380 | 3 | 0135-07-037 | 77E |
| Tarrant | SH 26 | 6 | 0363-01-126 | 9 |
| Tarrant | SH 26 | 9 | 0363-01-126 | 81 |
| Tarrant | SH 26 | 5 | 0363-01-126 | 89 |
| Tarrant | US 377 | 7 | 0081-02-061 | 8E, 8TE |

CONTROLLED ACCESS

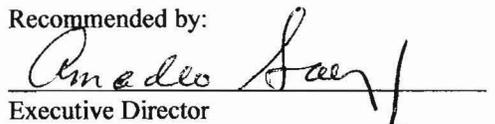
| COUNTY | HIGHWAY | EXHIBIT | ROW CSJ NO. | PARCEL |
|-------------|----------------|---------|-------------|---------|
| Collin | US 75 | U | 0047-14-057 | 45 |
| Dallas | IH 635 | T | 2374-01-151 | 19 |
| Erath | US 67 | J | 0079-08-002 | 18 |
| Henderson | US 175 | V | 0198-02-028 | 92 |
| Midland | SH 349 | N | 0380-18-002 | 22 |
| Montgomery | IH 45 | O | 0675-08-089 | 131 |
| Montgomery | IH 45 | F | 0675-08-089 | 125 |
| Montgomery | IH 45 | E | 0675-08-089 | 123 |
| Montgomery | IH 45 | Q | 0675-08-089 | 154 |
| Montgomery | IH 45 | R | 0675-08-089 | 166 |
| Montgomery | IH 45 | A | 0675-08-089 | 133 |
| Montgomery | IH 45 | B | 0675-08-089 | 146 |
| Montgomery | IH 45 | C | 0675-08-089 | 124 |
| Montgomery | IH 45 | P | 0675-08-089 | 12 |
| Montgomery | IH 45 | G | 0675-08-089 | 165 |
| Montgomery | IH 45 | H | 0675-08-089 | 126 |
| Montgomery | IH 45 | D | 0675-08-089 | 127 |
| San Jacinto | US 59 | K | 0177-02-072 | 42 |
| San Jacinto | US 59 | L | 0177-02-072 | 18 |
| San Jacinto | US 59 | I | 0177-02-072 | 40 |
| Webb | Cuatro Vientos | S | 0922-33-109 | 3 |
| Williamson | SH 195 | M | 0440-01-037 | 41, 41E |

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

111188 DEC1307

Minute
Number

Date
Passed

County: HUNT Page 1 of 4
Highway: US 380 D-15-14
Project Limits: From: Collin/Hunt County Line Feb. 16, 2000
To: US 69 Rev. Dec. 18, 2006
CSJ 0135-07-037
Account: 8001-1-62

Legal Land Description for Parcel 53

BEING a 2.5321 acre (110,300 square foot) tract of land situated in the Hiram Thompson Survey, Abstract No. 1030, Hunt County, Texas, being a portion of Tract No. 8 of Russwood Estates, an addition to Hunt County, Texas as dedicated by the Final Plat dated November 8, 1995 and recorded in Volume 400, Page 1415 of the Plat Records of Hunt County, Texas, said Tract No. 8 being conveyed to Ricky D. Williams, et ux, by the deed dated January 14, 1997 and recorded in Volume 428, Page 378, Deed Records, Hunt County, Texas, said 2.5321 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the common southeast corner of said Tract No. 8 and the southwest corner of Tract No. 7 of said Russwood Estates, same being conveyed to Karen Louise Nora Parsons by the deed dated April 21, 1999 and recorded in Volume 595, Page 531 of the Deed Records of Hunt County, Texas;

THENCE, NORTH 02°34'14" WEST, (called South 07°14'47" East), along the common east line of said Tract No. 8 and the west line of said Tract No. 7, a distance of 427.10 feet to a 5/8 inch iron rod with TxDOT aluminum cap set in the Proposed South right-of-way line of US Highway 380, the **POINT OF BEGINNING**;

- (1) THENCE, NORTH 89°50'19" WEST, departing said common line and along the said Proposed South right-of-way line of US Highway 380, a distance of 567.89 feet to a point in the centerline of East Caddo Creek, the common west line of said called Tract No. 8 and the east line of the remainder of a called 161.3 acre tract of land as conveyed to Chapman A. Norman, Jr. and Sandra Rainey, Co-Trustees by the deed dated March 13, 1995 and recorded in Volume 353, Page 801 of said Deed Records;

County: HUNT Page 2 of 4
Highway: US 380 D-15-14
Project Limits: From: Collin/Hunt County Line Feb. 16, 2000
To: US 69 Rev. Dec. 18, 2006
CSJ 0135-07-037
Account: 8001-1-62

Legal Land Description for Parcel 53

- (2) THENCE, NORTH 28°29'51" WEST, (called North 33°24'32" West), departing said Proposed South right-of-way line, along said common line and said centerline of East Caddo Creek, a distance of 205.13 feet to a point in the existing south right-of-way line of US Highway 380 (a 100 foot right-of-way), being the common northwest corner of said Tract No. 8 and the northeast corner of said remainder of a called 161.3 acre tract, the southwest corner of a called 0.95 acre tract of land as conveyed to the State of Texas by the deed dated July 19, 1933 and recorded in Volume 345, Page 569 of the Deed Records of Hunt County, Texas, and the southeast corner of a called 2.93 acre tract of land conveyed to the State of Texas by the deed dated July 19, 1933 and recorded in Volume 345, Page 583 of said Deed Records;
- (3) THENCE, SOUTH 89°50'19" EAST (called North 85°15'00" East), departing said common line and said centerline, along the common north line of said Tract No. 8, the south line of said called 0.95 acre tract and the existing south right-of-way line of said US Highway 380, a distance of 657.68 feet to the common northeast corner of said Tract No. 8 and the northwest corner of said Tract No. 7;
- (4) THENCE, SOUTH 02°34'14" EAST, (called South 07°14'47" East), departing said common line and along the common east line of said Tract No. 8 and the west line of said Tract No. 7, a distance of 180.20 feet to the **POINT OF BEGINNING** and containing 2.5321 acres (110,300 square feet) of land, more or less.

County: HUNT
Highway: US 380
Project Limits: From: Collin/Hunt County Line
To: US 69
CSJ 0135-07-037
Account: 8001-1-62

Page 3 of 4
D-15-14
Feb. 16, 2000
Rev. Dec. 18, 2006

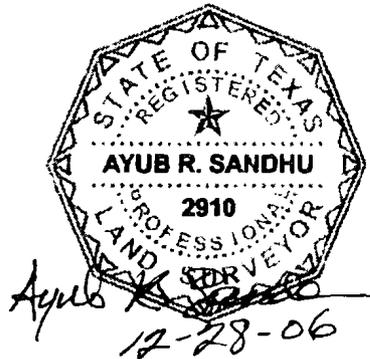
Legal Land Description for Parcel 53

Note: All bearings are based on the Texas State Plane Coordinate System, North Central Zone (NAD 83).

Note: A plat survey of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910



County: HUNT Page 1 of 3
Highway: US 380 D-15-14
Project Limits: From: Collin/Hunt County Line Feb. 10, 2005
To: US 69
CSJ 0135-07-037
Account: 8001-1-62

Legal Land Description for Parcel 79E

BEING a 0.0445 acre (1,940 square feet) tract of land situated in the James Blythe Survey, Abstract No. 61, Hunt County, Texas, being a portion of Tract One, a called 138.477 acre tract conveyed to Lotus Oil Tool Co., Inc., by the deed dated September 1, 1992 and recorded in Volume 248, Page 83, Real Property Records, Hunt County, Texas, said 0.0445 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the northeast corner of Lot 6, Walraven Addition, Section One, an addition to the City of Greenville, Texas, filed March 2, 1956 and recorded in Volume 400, Page 96, said Real Property Records, as conveyed to A.C. Causey and wife Audrey Mae Causey, by deed dated April 11, 1959 and recorded in Volume 578, Page 312, said Real Property Records, being in the easterly west line of said called 138.477 acre tract;

THENCE, SOUTH 00°19'09" EAST, along the common east line of said Lot 6 and the easterly west line of said called 138.477 acre tract, a distance of 121.77 feet to the **POINT OF BEGINNING**;

- (1) THENCE, NORTH 89°44'23" EAST, departing said common line, a distance of 50.00 feet to a point for corner;
- (2) THENCE, SOUTH 00°15'37" EAST, a distance of 20.00 feet to a point for corner;
- (3) THENCE, NORTH 89°44'23" EAST, a distance of 44.00 feet to a point for corner;
- (4) THENCE, SOUTH 00°15'37" EAST, a distance of 10.00 feet to a point in the existing north right-of-way line of US Highway 380 (a 100 foot right-of-way);
- (5) THENCE, SOUTH 89°44'23" WEST, along said existing north right-of-way line of US Highway 380, a distance of 93.97 feet, to the southeast corner of said Lot 6 and the southerly southwest corner of said called 138.477 acre tract;

County: HUNT
Highway: US 380
Project Limits: From: Collin/Hunt County Line
To: US 69
CSJ 0135-07-037
Account: 8001-1-62

Page 2 of 3
D-15-14
Feb. 10, 2005

Legal Land Description for Parcel 79E

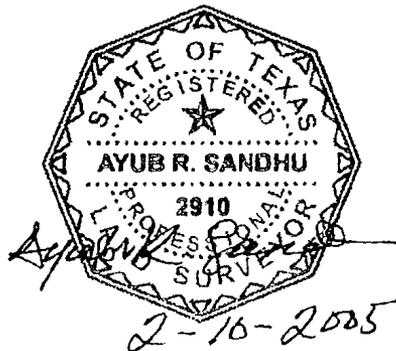
- (6) THENCE, NORTH 00°19'09" WEST, along the common line of said Lot 6 and said called 138.447 acre tract, a distance of 30.00 feet to the **POINT OF BEGINNING** and containing 0.0445 acres (1,940 square feet) of land more or less.

Note: All bearings are based on the Texas State Plane Coordinate System, North Central Zone (NAD 83).

Note: A plat survey of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910



County: HUNT Page 1 of 3
Highway: US 380 D-15-14
Project Limits: From: Collin/Hunt County Line Feb. 10, 2005
To: US 69
CSJ 0135-07-037
Account: 8001-1-62

Legal Land Description for Parcel 77E

BEING a 0.0459 acre (2,000 square feet) tract of land situated in the John Hart Survey, Abstract No. 504, Hunt County, Texas, being a portion of a called 13.08 acre tract conveyed to Russell Parks Spivy and wife Rebecca Spencer Spivy, by the deed dated October 3, 1997 and recorded in Volume 463, Page 312, Real Property Records, Hunt County, Texas, said 0.0459 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the northeast corner of said called 13.08 acre tract and the northwest corner of a called 8.41 acre tract of land conveyed to Russell P. Spivy by the deed dated October 10, 1997 and recorded in Volume 463, Page 121 of said Real Property Records, said corner being in the existing southerly right-of-way line of US Highway 380 (a 100 foot right-of-way);

THENCE, SOUTH 89°44'23" WEST, along said existing southerly right-of-way line of US Highway 380 and along the north line of said called 13.08 acre tract, a distance of 282.08 feet to the **POINT OF BEGINNING**;

THENCE over and across the said 13.08 acre tract the following courses and distance:

- (1) SOUTH 00°15'37" EAST, departing said existing southerly right-of-way line of US Highway 380, a distance of 20.00 feet to a point for corner;
- (2) SOUTH 89°44'23" WEST, a distance of 100.00 feet to a point for corner;
- (3) NORTH 00°15'37" WEST, a distance of 20.00 feet to a point for corner being in said existing southerly right-of-way line of US Highway 380 and the north line of said called 13.08 acre tract;

County: HUNT
Highway: US 380
Project Limits: From: Collin/Hunt County Line
To: US 69
CSJ 0135-07-037
Account: 8001-1-62

Page 2 of 3
D-15-14
Feb. 10, 2005

Legal Land Description for Parcel 77E

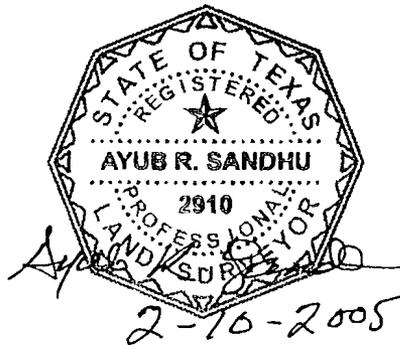
THENCE, NORTH 89°44'23" EAST, along said southerly right-of-way line of US Highway 380 and the north line of said called 13.08 acre tract, a distance of 100.00 feet to the **POINT OF BEGINNING** and containing 0.0459 acres (2,000 square feet) of land more or less.

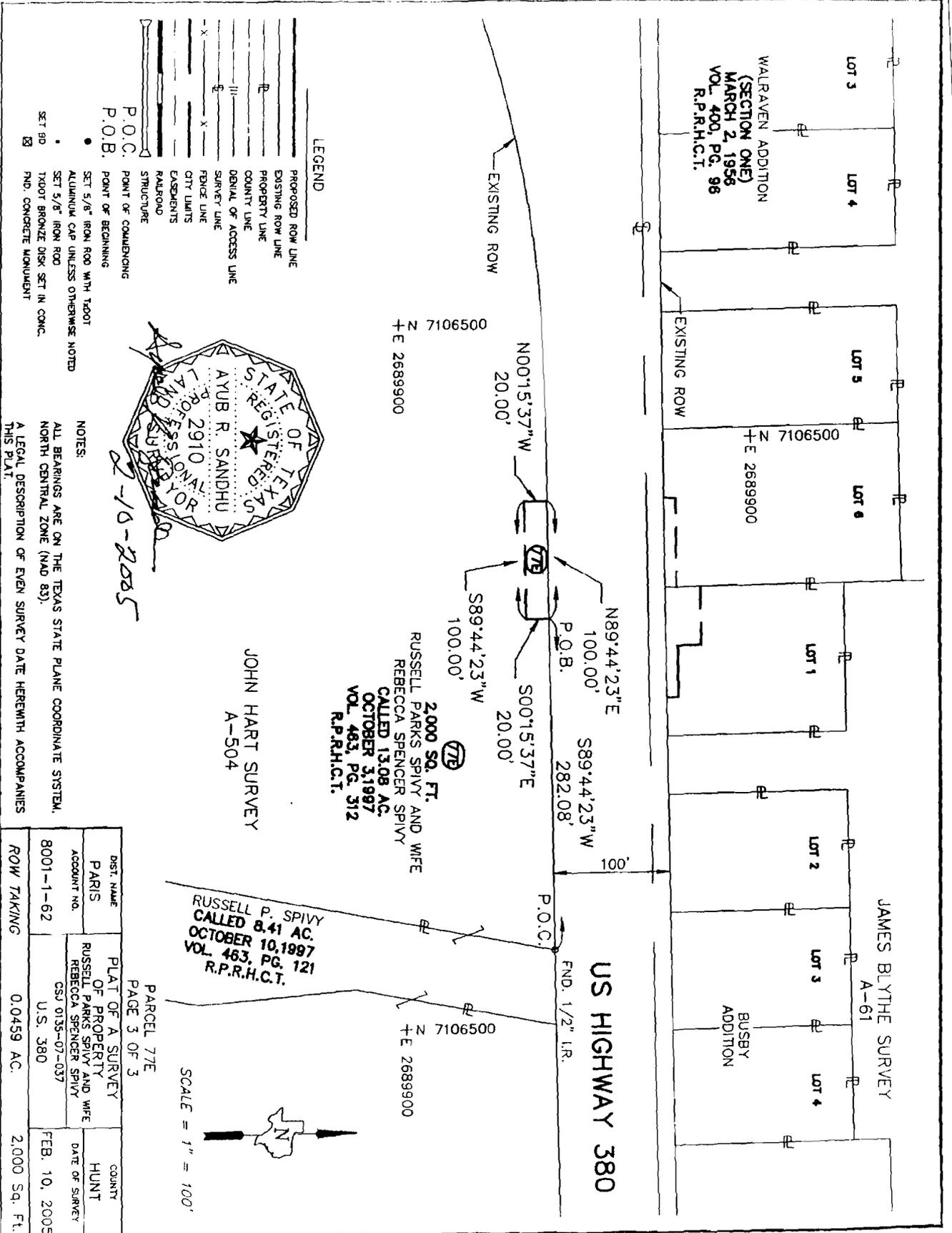
Note: All bearings are based on the Texas State Plane Coordinate System, North Central Zone (NAD 83).

Note: A plat survey of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910





December, 2004
Parcel 9
Page 1 of 4

County: Hidalgo
Highway: FM 1924
RCSJ: 1802-01-035
CCSJ: 1802-01-031

Property Description
Parcel 9

DESCRIPTION of a 0.1247 of an acre or 5,431 square feet parcel of land situated in Porcion 49, granted to Toribio Zamora, Abstract Number 78, Hidalgo County, Texas, being out of and a part of Lots 17, 18 and 19 of the Munoz Estates Subdivision, (plat recorded in Volume 23 at Page 104-B of the Map Records of Hidalgo County, Texas), conveyed to Olivia Ramirez by Oscar Ramirez by deed dated November 27, 1996, and recorded in Document Number 566041 of the Official Records of Hidalgo County, Texas. This 0.1247 of an acre or 5,431 square feet parcel of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 DATUM, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.00004. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a 5/8 inch iron rod with a plastic cap marked "RODS Surveying, Inc." set for Southwest corner of said Lot 17, and the Southeast corner of Lot 16 of said Munoz Estates Subdivision conveyed to Reycarlo Enterprises, Inc. by Reynaldo Garcia, et al, by deed dated February 11, 2000, and recorded in Document Number 852691 of the Official Records of Hidalgo County, Texas;

THENCE North 08 deg. 55 min. 11 sec. East, with the East line of said Lot 16 and the West line of said Lot 17, a distance of 110.00 feet to a 5/8 inch iron rod with a Texas Department of Transportation aluminum disk set in the proposed South right of way line of FM 1924 for the Southwest corner and POINT OF BEGINNING of this parcel, this corner has a State Plane Coordinate value of X = 1,023,559.79 and Y = 16,623,017.08 and is located 60.00 feet right of and at a right angle to Baseline Station 0+95.24;

1. THENCE North 08 deg. 55 min. 11 sec. East, with the West line of this parcel, the East line of said Lot 16 and the West line of said Lot 17, a distance of 20.00 feet to a point for the Northwest corner of this parcel, the Northeast corner of Lot 16, the Northwest corner of Lot 17, and in the existing South right of way line of FM 1924, 80.00 feet wide right of way;

December, 2004
Parcel 9
Page 2 of 4

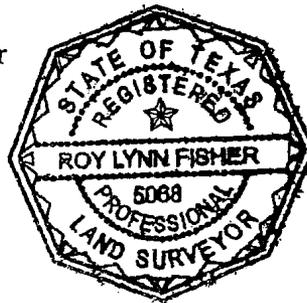
2. THENCE South 81 deg. 03 min. 34 sec. East, with the North line of this parcel, the North line of said Lots 17, 18, and 19, and the existing South right of way line of FM 1924, a distance of 209.05 feet to a point for the Northeast corner of this parcel, the Northeast corner of Lot 19, and in the West right of way line of Goodwin Road East, 50.00 feet wide right of way, from which a found ½ inch iron rod bears South 08 deg. 55 min 11 sec. West, 0.25 feet;
3. THENCE South 08 deg. 55 min. 11 sec. West, with the East line of this parcel, the East line of Lot 19, and the West right of way line of Goodwin Road East, a distance of 70.00 feet to a 5/8 inch iron rod with a plastic cap marked "RODS Surveying, Inc." set for the Southeast corner of this parcel in the proposed right of way cut back line;
4. THENCE North 36 deg. 04 min. 12 sec. West, with the Southwest line of this parcel, and the proposed right of way cut back line of FM 1924, a distance of 70.72 feet to a 5/8 inch iron rod with a plastic cap marked "RODS Surveying, Inc." set for an interior corner of this parcel;
5. THENCE North 81 deg. 03 min. 34 sec. West, with said proposed South right of way line of FM 1924, and the South line of this parcel, a distance of 159.05 feet to the PLACE OF BEGINNING, containing within said boundaries 5,431 square feet or 0.1247 of an acre of land, more or less.

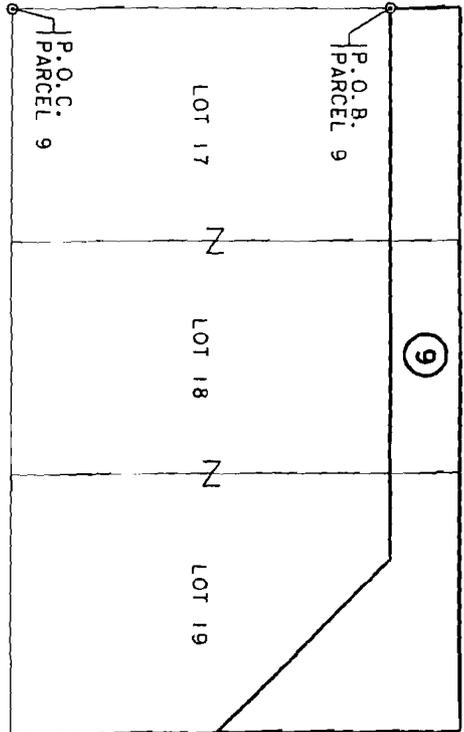
SURVEYED: December, 2004.

I, Roy Lynn Fisher, Registered Professional Land Surveyor No. 5068, do hereby certify that the foregoing description was prepared from a survey made on the ground under my supervision on the dates shown and that all boundary lines and landmarks are accurately described therein.

WITNESS my hand and seal at Spring, Texas, this 12th., day of May, A. D., 2005.


Registered Professional Land Surveyor
No. 5068





FM 1924

GOODWIN ROAD EAST

I, Roy Lynn Fisher, Registered Professional Land Surveyor No. 5068 in the State of Texas, do hereby certify that this plot delineates the results of a survey made on the ground under my supervision in June, July, and August, 2003, and June, 2004, and that all boundary lines and landmarks are accurately shown hereon.

WITNESS my hand and seal at Spring, Texas, this 12th day of May, A. D., 2005.

Roy Lynn Fisher
Registered Professional Land Surveyor
No. 5068



Notes:

1. All bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, North American Datum of 1983, 1993 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00004.
2. Set 1 indicates Texas Department of Transportation aluminum disk on a 5/8 inch iron rod.
3. Set 2 indicates a 5/8 inch iron rod with a plastic cap marked *RODS Surveying, Inc.
4. Abstract Information provided by Right of Way Service, Inc., Alice, Texas.

EXISTING ACREAGE WITHIN R.O.W.

| --- | | AC. |
|------------|--------------|------------|
| EXISTING | TAKING | REMAINING |
| 0.6239 AC. | 0.1247 AC. | 0.4992 AC. |
| | 5.431 SO.FT. | |

RIGHT OF WAY SKETCH

SHOWING PROPERTY OF

PARCEL 9

FM 1924 HIDALGO COUNTY
RODS SURVEYING, INC. DECEMBER, 2004
CCSJ# 1802 01 031 RCSJ# 1802 01 035

Sheet 3 of 4

Parcel 9

County: Hidalgo
Highway: FM 1924
RCSJ: 1802-01-035
CCSJ: 1802-01-031

SPECIAL CLAUSE EXHIBIT

AND IN ADDITION THERETO:

Title to all of that underground storage tank located partially on the remainder of the herein described parcel, said improvement being bisected by the proposed north right of way line, with the result that the portion of the said improvement lying adjacent to the said right of way line would be in such a condition that it could not be adequately reconstructed at such location, plus temporary right of enter upon said remaining property for the sole purpose of removing all of the said improvements.

Parcel 9

County: Hidalgo
Highway: FM 1924
RCSJ: 1802-01-035
CCSJ: 1802-01-031

Access Clause

Access will be permitted to the South remainder abutting the highway facility along Call 2 of the foregoing property description.

Parcel 89
State Highway 26
ROW CSJ: 0363-01-126
12\17\04

Being 2,283 square feet of land, more or less, situated in the William T. Jones Survey, Abstract No. 865, Tarrant County, Texas and being part of Lot 1, Block 3, Woodbridge Plaza, an addition to the City of Hurst, Texas according to the plat recorded in Volume 388-184, Page 69 of the Plat Records, Tarrant County, Texas, and being part of the same tract of land conveyed to McDonald's Corporation on July 1, 1985 by instrument recorded in Volume 8231, Page 69 of the Deed Records of Tarrant County, Texas, said 2,283 square feet of land, more or less, are more particularly described by metes and bounds as follows:

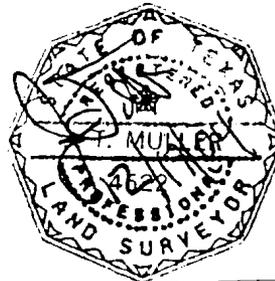
BEGINNING at a 5/8-inch smooth iron rod with a TxDOT aluminum cap set at the intersection of the proposed westerly right-of-way line of State Highway 26 and the common corner of Lot 1 and Lot 2 of said addition said 5/8-inch smooth iron rod being South 44°40'54" East, a distance of 242.34 feet from a 1/2 inch iron rod found for the common corner of said Lot 1 and Lot 2;

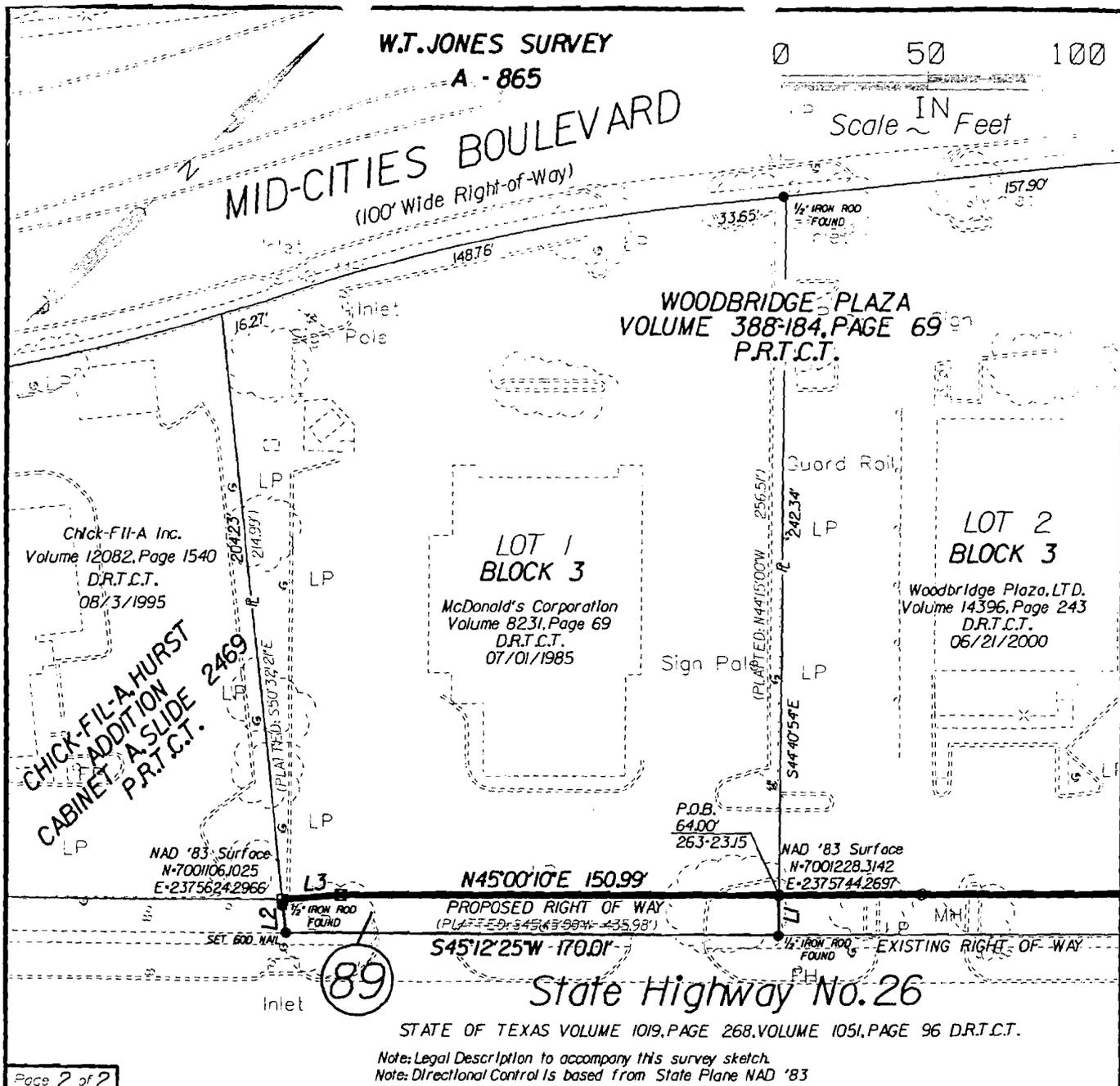
- (1) THENCE South 44°40'54" East along the common line of said Lot 1 and Lot 2, 13.78 feet to a 1/2-inch iron rod found for the common corner of Lot 1 and Lot 2 and on the existing westerly right-of-way line of State Highway 26;
- (2) THENCE South 45°12'25" West along said existing westerly right-of-way line of State Highway 26, 170.01 feet to a 60d nail set for the common corner of Lot 1 and the Chick-fil-A Hurst Addition, an addition to the City of Hurst according to the plat recorded in Cabinet A, Slide 2469 of the Plat Records, Tarrant County, Texas;
- (3) THENCE North 50°58'15" West along said common line of Lot 1 and Chick-Fil-A, Hurst Addition, 11.64 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set* on the aforesaid proposed westerly right-of-way line of State Highway 26;
- (4) THENCE North 40°31'17" East along said proposed westerly right-of-way line of State Highway 26, 20.37 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set*;
- (5) THENCE North 45°00'10" East along said proposed westerly right-of-way line of State Highway 26, 150.99 feet to the POINT OF BEGINNING.

NOTE: Survey sketch to accompany this legal description.

NOTE: Directional control is based from the State Plane NAD 1983 data.

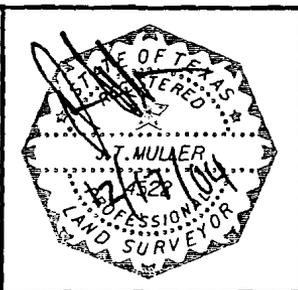
* May be replaced with a TxDOT type II monument at the end of construction under the supervision of a R.P.L.S. either employed or retained by TxDOT.





Page 2 of 2

- - Marker Found "as noted"
 - - 3/8" smooth Iron rod w/ aluminum cap stamped "xDOT"
 - - Type II monument to be set at the end of construction
 - - 3/8" smooth Iron rod w/ aluminum cap stamped "xDOT" may be replaced with Type II monument at the end of construction
- P.O.B. - Point Of Beginning
- R - Property Line
 - S - Survey Line
 - Z - Fee Hook
 - C - Proposed Centerline
- D.R.T.C.T. - Deed Records, Tarrant County, Texas
P.R.T.C.T. - Plat Records, Tarrant County, Texas
- [] - Record Information
→ - Control of Access



Parcel 89

McDONALD'S CORPORATION

2,283 sq.ft.

| ENGLISH DISTANCES (FEET) | | | | STATE | DIST. | COUNTY | |
|--------------------------|-------------|-------|---|-------|-------|---------|-------------|
| ① | S44°40'54"E | 13.78 | ⑤ | TEXAS | FTW | Tarrant | |
| ② | N50°58'15"W | 11.64 | ⑥ | CONT. | SECT. | JOB | HIGHWAY NO. |
| ③ | N40°31'17"E | 20.37 | ⑦ | 0363 | 01 | 126 | SH 26 |
| ④ | | | ⑧ | | | | |

Parcel 9
State Highway 26
ROW CSJ: 0363-01-126
12\17\04

Being 695 square feet of land, more or less, situated in the William W. Wallace Survey, Abstract 1606, Tarrant County, Texas and being part of Lot 8-R, Block 8, A Revision of Blocks 1, 2, 3, 6 and 7 and Parts of Block 5 and 8 of Richaven Subdivision, an addition to the City of Richland Hills now North Richland Hills, Tarrant County, Texas according to the plat thereof recorded in Volume 388-02, Page 31 of the Plat Records, Tarrant County, Texas and being the same tract of land conveyed to James O. Rexroat on March 13, 1995 by instrument recorded in Volume 11903, Page 1777 of the Deed Records of Tarrant County, Texas, said 695 square feet of land, more or less, are more particularly described by metes and bounds as follows:

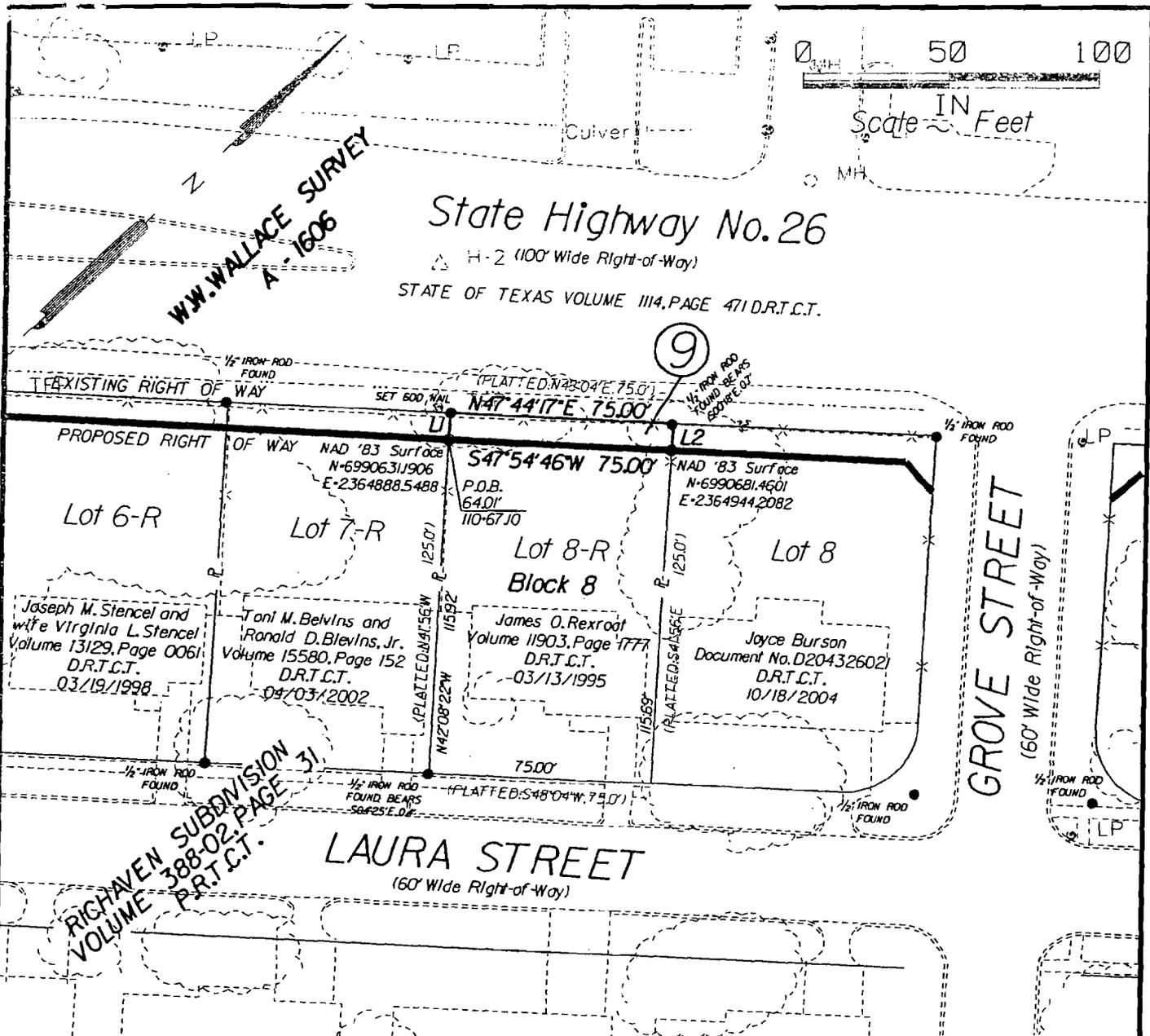
BEGINNING at a 5/8-inch smooth iron rod with a TxDOT aluminum cap set at the intersection of the proposed easterly right-of-way line of State Highway 26 and the common line of Lot 8-R and Lot 7-R of said addition, said 5/8-inch smooth iron rod being North $42^{\circ}08'22''$ West, a distance of 115.92 feet from the common corner of Lot 8-R and Lot 7-R from which a 1/2-inch iron found bears South $04^{\circ}25'$ East 0.4 feet;

- (1) THENCE North $42^{\circ}08'22''$ West along the common line of said Lot 8-R and Lot 7-R, 9.15 feet to a 60d nail set for the common corner of said Lot 8-R and Lot 7-R and on the existing right-of-way line of said State Highway 26;
- (2) THENCE North $47^{\circ}44'17''$ East along said existing right-of-way line of State Highway 26, 75.00 feet to the common corner of Lot 8-R and Lot 8 of the aforesaid addition from which a 1/2-inch iron rod found bears South $00^{\circ}18'$ East 0.7 feet;
- (3) THENCE South $42^{\circ}08'22''$ East along the common line of said Lot 8-R and Lot 8, 9.37 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set on the aforesaid proposed right-of-way line of State Highway 26;
- (4) THENCE South $47^{\circ}54'46''$ West along said proposed right-of-way line of State Highway 26, 75.00 feet to the POINT OF BEGINNING.

NOTE: Survey sketch to accompany this legal description.

NOTE: Directional control is based from the State Plane NAD 1983 data.





Note: Legal Description to accompany this survey sketch.
Note: Directional Control is based from State Plane NAD '83

Page 2 of 2

- Marker found "as noted"
 - 5/8" smooth iron rod w/ aluminum cap stamped "TxDOT"
 - Type II monument to be set at the end of construction
 - 5/8" smooth iron rod w/ aluminum cap stamped "TxDOT" may be replaced with Type II monument at the end of construction
- P.O.B. - Point Of Beginning
 P - Property Line
 S - Survey Line
 Z - Fee Hook
 C - Proposed Centerline
- D.R.T.C.T. - Deed Records, Tarrant County, Texas
 P.R.T.C.T. - Plat Records, Tarrant County, Texas
 [] - Record Information
 ———> - Control of Access

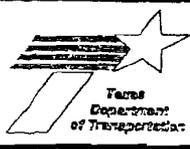


Parcel 9

JAMES O. REXROAT

695 sq.ft.

| ENGLISH DISTANCES (FEET) | | | | STATE | DIST. | COUNTY | |
|--------------------------|-------------|-----|---|-------|-------|---------|-------------|
| ① | N42°08'22"W | 915 | ⑤ | TEXAS | FTW | Tarrant | |
| ② | S42°08'22"E | 937 | ⑥ | CONT. | SECT. | JOB | HIGHWAY NO. |
| ③ | | | ⑦ | 0363 | 01 | 126 | SH 26 |
| ④ | | | ⑧ | | | | |
| | | | ⑨ | | | | |
| | | | ⑩ | | | | |
| | | | A | | | | |
| | | | B | | | | |



COUNTY: TARRANT
HIGHWAY: US 377
PROJECT LIMITS: from 1.0 mi. S. of Denton C/L
to Keller-Hicks Rd.

DISTRICT: FORT WORTH
PARCEL: 8E
CSJ: 0081-02-061

An easement for the purpose of opening, constructing and maintaining a permanent channel/drainage easement in, along, upon and across the premises described in the *following* property description, together with the right and privilege at all times of egress and ingress to and from said premises for the purpose of making any additions, improvements, modifications or repairs which the State deems necessary.

Parcel 8E
U.S. Highway 377
ROW CSJ: 0081-02-061
04-13-07
Revised CSJ 05-03-07

Being 0.391 acres (17,011 square feet) of land, more or less, situated in the County of Tarrant, State of Texas, and being out of the Richard F. Allen Survey, Abstract Number 29, Tarrant County, Texas, and being a portion of the remainder of a called 1.50 acre tract of land conveyed to Gerald F. Hollingsworth and Wanda Hollingsworth by deed recorded in Volume 4209, Page 501, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and being a portion of the remainder of a called 16.00 acre tract of land conveyed to Gerald F. Hollingsworth and Wanda Hollingsworth by deed recorded in Volume 4551, Page 252, D.R.T.C.T., which 0.391 acres of land, more or less, is more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped Texas Department of Transportation (TxDOT) set in the existing easterly right-of-way line of U.S. Highway 377 and being in the westerly line the remainder of said 1.50 acre tract, said 5/8 inch iron rod being a chord bearing South 03° 54' 54" East and long chord distance of 193.75 feet from a TxDOT right-of-way monument found in said easterly right-of-way line of U.S. Highway 377, said beginning point being at 66.28 feet easterly of and at a right angle to centerline survey station 46+48.42 of said U.S. Highway 377;

1. THENCE, North 86° 37' 35" East, across the remainder of said 1.50 acre tract and the remainder of said 16.00 acre tract a distance of 850.97 feet to a 1/2 inch iron rod with plastic cap stamped TxDOT set in the easterly line of the remainder of said 16.00 acre tract and the westerly line of Lot 6, Block G, Harmonson Farms Addition, recorded in Cabinet A, Slide 9256, Plat Records, Tarrant County, Texas (P.R.T.C.T.) conveyed to Eric Emil Boyer and Stacy Peterson Boyer by deed recorded in Instrument # D206242926, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.);

2. THENCE, South 00° 18' 59" East, along said westerly line of Lot 6, at 8.50 feet passing a 1/2 inch iron rod found for the Northwest corner of said Lot 6 and the North corner of Lot 10, Block G, Harmonson Farms Addition, recorded in Cabinet A, Slide 9256, P.R.T.C.T. conveyed to Harmonson Farms, Ltd. by deed recorded in Instrument # D206234376, O.P.R.T.C.T., a total distance of 20.03 feet to a 5/8 inch iron rod with plastic cap stamped Transystems set for the Southeast corner of the remainder of said 16.00 acre tract and the Northeast corner of Lot 1-D, Block 1, Sutton Industrial Addition, recorded in Volume 388-188, Page 44, Map Records, Tarrant County, Texas (M.R.T.C.T.) conveyed to Joseph E. McCombs, dba JEM Properties by deed recoded in Instrument # D205373273, O.P.R.T.C.T.;

3. THENCE, South 86° 37' 35" West, departing said common line and along the common South line of the remainder of said 16.00 acre tract and the North line of said Lot 1-D, a distance of 850.11 feet to a TxDOT right-of-way monument found in the said existing easterly right-of-way line of U.S. Highway 377 for the Southeast corner of said 1.50 acre tract, the North corner of Lot 1, Block A, Keller Church of God Addition, recorded in Cabinet A, Slide 5443, P.R.T.C.T. conveyed to L.D. Pickens, Archie McCord and Lee Roland, Trustees for Keller Church of God by deed recorded in Volume 5248, Page 918, D.R.T.C.T. and the beginning of a curve to the left whose center bears 87° 20' 33", a distance of 5,807.58 feet;

Parcel 8E
U.S. Highway 377
ROW CSJ: 0081-02-061
04-13-07
Revised CSJ 05-03-07

4. THENCE, in a northerly direction along the common said easterly right-of-way line of U.S. Highway 377, said westerly line of the remainder of said 1.50 acre tract and said curve to the left through a central angle of 00° 11' 50", a distance of 20.00 feet to the POINT OF BEGINNING.

NOTE: Survey sketch to accompany this legal description.

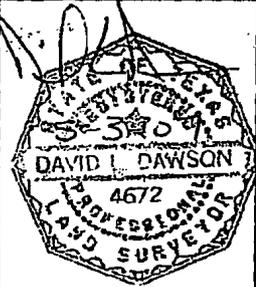
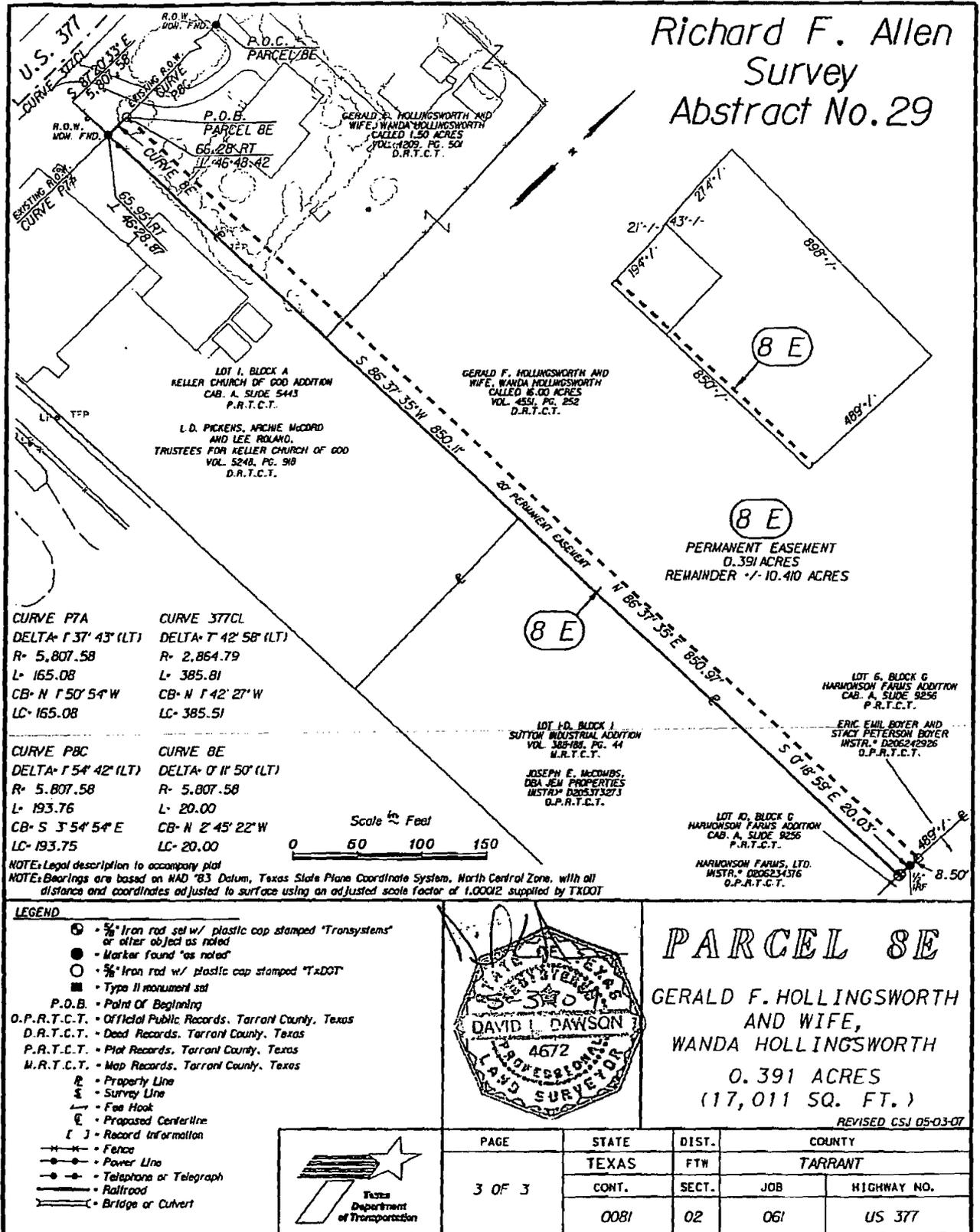
NOTE: Bearings are based on NAD '83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface using an adjusted scale factor of 1.00012.

That I, David L. Dawson, a Registered Professional Land Surveyor in the State of Texas, hereby states that this survey was made from an actual on the ground survey made in April, 2007 under my supervision, that all monuments exist as shown hereon and this survey substantially conforms with the current professional and technical standards as set forth by the Texas Board of Professional Land Surveying.

 5-3-07

David L. Dawson
Registered Professional Land Surveyor
Texas Registration No. 4672





| | | | | | |
|--|--------|-------|-------|---------|-------------|
| | PAGE | STATE | DIST. | COUNTY | |
| | 3 OF 3 | TEXAS | FTW | TARRANT | |
| | | CONT. | SECT. | JOB | HIGHWAY NO. |
| | 0081 | 02 | 061 | US 377 | |

COUNTY: Tarrant

HIGHWAY: US 377

**PROJECT LIMITS: from 1.0 mi. S. of Denton C/L
to Keller-Hicks Rd.**

DISTRICT: FORT WORTH

PARCEL: 8TE

CSJ: 0081-02-061

Exhibit C, Page 1 of 1

AND IN ADDITION THERETO:

A TEMPORARY EASEMENT for the duration of (18) eighteen months from the date of possession of said easement for the purpose of constructing a permanent drainage easement, in, along, upon, and across the premises described in the attached property description, with the temporary right and privilege of having ingress, egress, and regress in, along, upon, and across said tract of land for the purpose of constructing a permanent drainage easement.

Parcel 8TE
U.S. Highway 377
ROW CSJ: 0081-02-061
04-13-07
Revised CSJ 05-03-07

Being 0.195 acres (8,511 square feet) of land, more or less, situated in the County of Tarrant, State of Texas, and being out of the Richard F. Allen Survey, Abstract Number 29, Tarrant County, Texas, and being a portion of the remainder of a called 1.50 acre tract of land conveyed to Gerald F. Hollingsworth and Wanda Hollingsworth by deed recorded in Volume 4209, Page 501, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and a portion of the remainder of a called 16.00 acre tract of land conveyed to Gerald F. Hollingsworth and Wanda Hollingsworth by deed recorded in Volume 4551, Page 252, D.R.T.C.T., which 0.195 acres of land, more or less, is more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped Texas Department of Transportation set in the existing easterly right-of-way line of U.S. Highway 377 and being in the westerly line of said 1.50 acre tract, said 5/8 inch iron rod being a chord bearing South 03° 54' 54" East and long chord distance of 193.75 feet from a TxDOT right-of-way monument found in said easterly right-of-way line of U.S. Highway 377, said beginning point being at 66.28 feet easterly of and at a right angle to centerline survey station 46+48.42 of said U.S. Highway 377;

1. THENCE, in a northerly direction along the common said easterly right-of-way line of U.S. Highway 377, said westerly line of the remainder of said 1.50 acre tract and said curve to the left through a central angle of 00° 05' 55", a distance of 10.00 feet to a 5/8 inch iron rod with plastic cap stamped Texas Department of Transportation set;

2. THENCE, North 86° 37' 35" East, across the remainder of said 1.50 acre tract and the remainder of said 16.00 acre a distance of 851.42 feet, to a 5/8 inch iron rod with plastic cap stamped Texas Department of Transportation set in the easterly line of said 16.00 acre tract and the westerly line of Lot 6, Block G, Harmonson Farms Addition, recorded in Cabinet A, Slide 9256, Plat Records, Tarrant County, Texas (P.R.T.C.T.) conveyed to Eric Emil Boyer and Stacy Peterson Boyer by deed recorded in Instrument # D206242926, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.),

3. THENCE, South 00° 18' 59" East, said westerly line of Lot 6 a distance of 10.01 feet to a 1/2 inch iron rod with plastic cap stamped TxDOT found, from which a 1/2 inch iron rod found for the Southwest corner of said Lot 6 bears South 00° 18' 59" East, a distance of 8 50 feet;

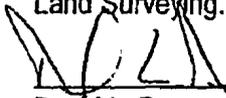
4. THENCE, South 86° 37' 35" West, departing said common line and across the remainder of said 1-50 acre tract and said the remainder of 16.00 acre tract a distance of 850.97 feet to the POINT OF BEGINNING.

Parcel 8TE
U.S. Highway 377
ROW CSJ: 0081-02-061
04-13-07
Revised CSJ 05-03-07

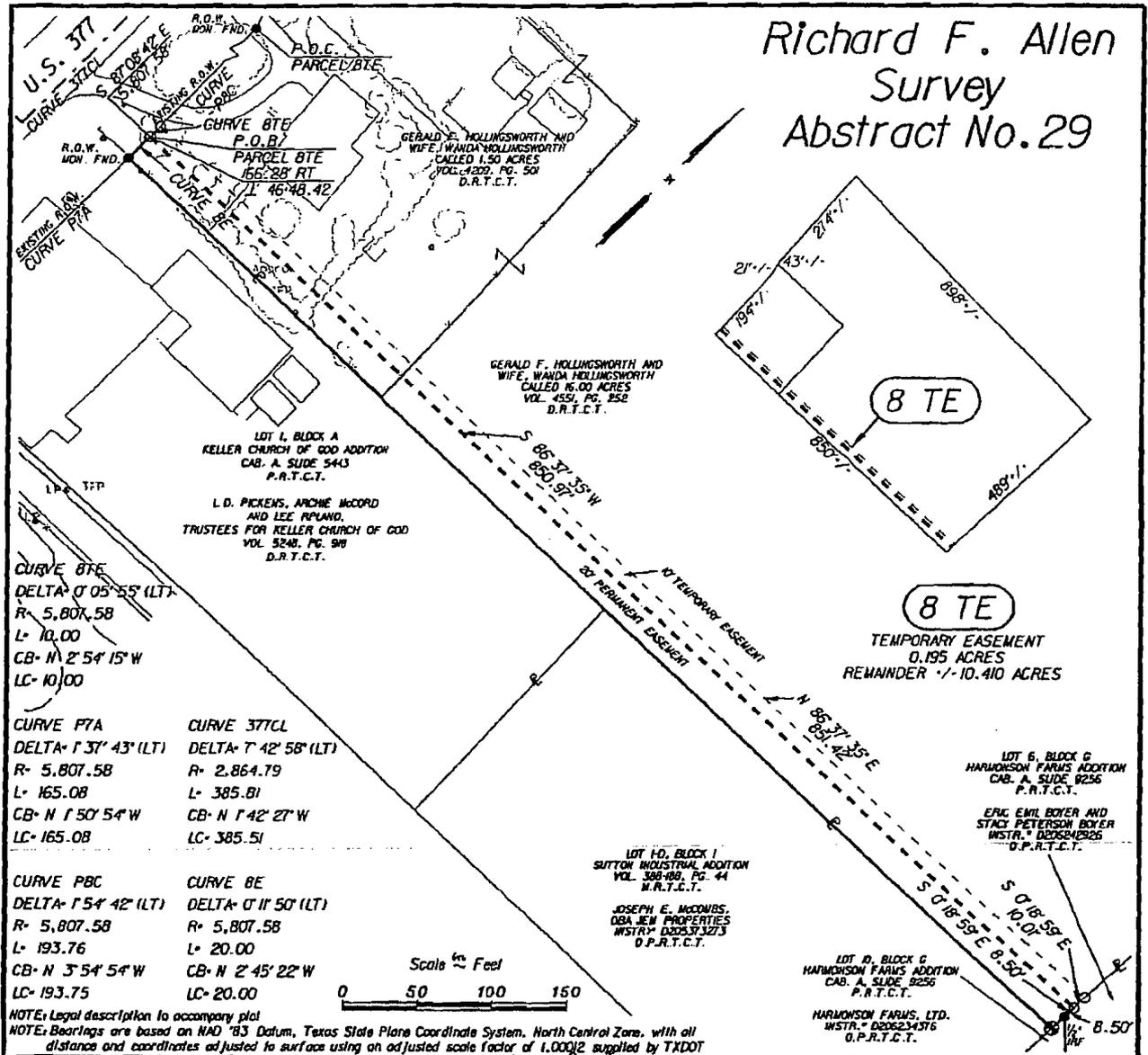
NOTE: Survey sketch to accompany this legal description.

NOTE: Bearings are based on NAD '83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface using an adjusted scale factor of 1.00012.

That I, David L. Dawson, a Registered Professional Land Surveyor in the State of Texas, hereby states that this survey was made from an actual on the ground survey made in April 2007 under my supervision, that all monuments exist as shown hereon and this survey substantially conforms with the current professional and technical standards as set forth by the Texas Board of Professional Land Surveying.

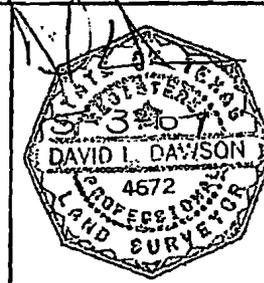

5-3-07
David L. Dawson
Registered Professional Land Surveyor
Texas Registration No. 4672





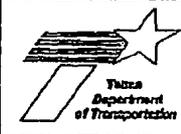
LEGEND

- - 3/8" Iron rod set w/ plastic cap stamped "Transystems" or other object as noted
- - Marker found "as noted"
- - 3/8" Iron rod w/ plastic cap stamped "TXDOT"
- - Type II monument set
- P.O.B. - Point Of Beginning
- O.P.R.T.C.T. - Official Public Records, Tarrant County, Texas
- D.R.T.C.T. - Deed Records, Tarrant County, Texas
- P.R.T.C.T. - Plat Records, Tarrant County, Texas
- M.R.T.C.T. - Map Records, Tarrant County, Texas
- - Property Line
- - Survey Line
- - Fee Hook
- - Proposed Centerline
- () - Record Information
- - Fence
- - Power Line
- - Telephone or Telegraph
- - Railroad
- - Bridge or Culvert



PARCEL 8 TE
GERALD F. HOLLINGSWORTH AND WIFE,
WANDA HOLLINGSWORTH
0.195 ACRES
(8,511 SQ. FT.)
REVISED CSJ 05-03-07

| | | | | |
|----------------|-------|-------|---------|-------------|
| PAGE 3 OF 3 | STATE | DIST. | COUNTY | |
| | TEXAS | FTW | TARRANT | |
| | CONT. | SECT. | JOB | HIGHWAY NO. |
| | 0081 | 02 | 061 | US 377 |



May 10, 2006

County: Coryell
Highway: US 84
Limits: From F.M. 932 to Hamilton County Line
ROW CSJ: 0055-03-025

Property Description
for Parcel 53

BEING A 1.996 ACRE TRACT OF LAND, OUT OF THE HUGH McVAY SURVEY, ABSTRACT NO. 737, IN CORYELL COUNTY, TEXAS. BEING A PORTION OF THE REMAINDER OF THAT CALLED 160 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO THE ESTATE OF A. H. WILLIAMS AND MARY WILLIAMS (A.K.A. MARY WILLIAMS DANLEY) RECORDED IN VOLUME E, PAGE 285 OF THE DEED RECORDS OF CORYELL COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN TWO PARTS BY METES AND BOUNDS AS FOLLOWS:

PART 1

POINT OF COMMENCING at a 3-inch iron pipe fence post in the westerly line of that called 12.380 acre tract of land, described in a deed to H. T. Wall and wife Naomi Fay Wall, recorded in Volume 605, Page 650 of the Deed Records of Coryell County, Texas, and an interior line of the remainder of said 160 acre tract, from which a calculated point for the southwesterly corner of said 12.380 acre tract and an interior corner of the remainder of said 160 acre tract, bears South 17 degrees 25 minutes 41 seconds West 1.42 feet;

THENCE North 17 degrees 25 minutes 41 seconds East 1273.24 feet, along the westerly line of said 12.380 acre tract and an interior line of the remainder of said 160 acre tract, to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap in the proposed south right-of-way line of US 84, for the southeast corner and **POINT OF BEGINNING** hereof;

1. **THENCE** North 83 degrees 03 minutes 46 seconds West 737.72 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to a set TxDOT Type II monument for an angle point in the proposed south right-of-way line of US 84;
2. **THENCE** South 88 degrees 24 minutes 23 seconds West 101.12 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to a set TxDOT Type II monument for an angle point in the proposed south right-of-way line of US 84;

3. **THENCE** North 83 degrees 03 minutes 46 seconds West 400.00 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to a set TxDOT Type II monument for an angle point in the proposed south right-of-way line of US 84;
4. **THENCE** North 85 degrees 06 minutes 29 seconds West 700.45 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to a set TxDOT Type II monument for an angle point in the proposed south right-of-way line of US 84;
5. **THENCE** North 83 degrees 03 minutes 46 seconds West 129.91 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to a set 60D nail at the point of intersection of the proposed south right-of-way line of US 84 and the approximate easterly City Limit Line of Evant, Texas, for the southwest corner hereof;
6. **THENCE** North 06 degrees 56 minutes 14 seconds East 60.35 feet, along the approximate easterly City Limit Line of Evant, Texas, to a set 60D nail at the point of intersection of the approximate easterly City Limit Line of Evant, Texas, the northerly line of the remainder of said 160 acre tract lying south of US 84, and the existing south right-of-way line of US 84, described as a 6.304 acre tract of land in a deed to the State of Texas, recorded in Volume 128, Page 624 of the Deed Records of Coryell County, Texas, for the northwest corner hereof;
7. **THENCE** South 83 degrees 03 minutes 20 seconds East 2071.35 feet, along the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, passing at a distance of 486.14 feet, a calculated point, from which a found TxDOT Type I monument bears North 06 degrees 56 minutes 40 seconds East 1.31 feet, continuing for a distance of 608.41 feet, pass a calculated point, from which a found TxDOT Type I monument bears North 06 degrees 56 minutes 40 seconds East 1.61 feet, continuing for a distance of 976.80 feet, to a calculated point for the northerly northeast corner of the remainder of said 160 acre tract lying south of US 84, the northwesterly corner of said 12.380 acre tract, and the northeast corner hereof from which a found 80D nail bears North 27 degrees 55 minutes 18 seconds West 1.29 feet;
8. **THENCE** South 17 degrees 25 minutes 41 seconds West 20.44 feet, along the westerly line of said 12.380 acre tract and an interior line of the remainder of said 160 acre tract, to the **POINT OF BEGINNING** and containing 1.676 acres or 73,043 square feet of land, more or less.

PART 2

POINT OF COMMENCING at a found 3/8-inch iron rod in the westerly line of the Hugh McVay Survey, the westerly line of the remainder of said 160 acre tract, and the easterly line of the Zack Griffith Survey, Abstract No. 446 in Coryell County, Texas;

THENCE North 16 degrees 20 minutes 42 seconds East 2133.43 feet, along the westerly line of the Hugh McVay Survey, the westerly line of the remainder of said 160 acre tract, and the easterly line of the Zack Griffith Survey, to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap at the point of intersection of the westerly line of the Hugh McVay Survey, the westerly line of the remainder of said 160 acre tract, the easterly line of the Zack Griffith Survey, the easterly line of the remainder of that called 71-1/2 acre tract of land, described in a deed to Annie Sawyer, recorded in Volume 136, Page 394 of the Deed Records of Coryell County, Texas, and the proposed south right-of-way line of US 84, for the southwest corner and **POINT OF BEGINNING** hereof;

1. **THENCE** North 16 degrees 20 minutes 42 seconds East 40.93 feet, along the westerly line of the Hugh McVay Survey, the westerly line of the remainder of said 160 acre tract, the easterly line of the Zack Griffith Survey, and the easterly line of the remainder of said 71-1/2 acre tract, to a calculated point in the existing south right-of-way line of US 84, described as a 6.304 acre tract of land in a deed to the State of Texas, recorded in Volume 128, Page 624 of the Deed Records of Coryell County, Texas, for the northwesterly corner of the remainder of said 160 acre tract lying south of US 84, the northeasterly corner of the remainder of said 71-1/2 acre tract, and the northwest corner hereof, from which a fence corner post bears South 67 degrees 35 minutes 21 seconds East 0.95 feet;
2. **THENCE** South 83 degrees 03 minutes 20 seconds East 59.48 feet, along the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, to a calculated point for an angle point in the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, from which a found TxDOT Type I monument bears North 06 degrees 56 minutes 40 seconds East 1.08 feet;
3. **THENCE** North 85 degrees 38 minutes 29 seconds East 102.04 feet, along the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, to a calculated point for an angle point in the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, from which a found TxDOT Type I monument bears North 06 degrees 56 minutes 38 seconds East 0.57 feet;

4. **THENCE** South 83 degrees 03 minutes 20 seconds East 105.42 feet, along the existing south right-of-way line of US 84 and the northerly line of the remainder of said 160 acre tract lying south of US 84, to a set 60D nail at the point of intersection of the existing south right-of-way line of US 84, the northerly line of the remainder of said 160 acre tract lying south of US 84, and the approximate easterly City Limit Line of Evant, Texas, for the northeast corner hereof;
5. **THENCE** South 06 degrees 56 minutes 14 seconds West 60.35 feet, along the approximate easterly City Limit Line of Evant, Texas, and crossing through the remainder of said 160 acre tract, to a set 60D nail at the point of intersection of the approximate easterly City Limit Line of Evant, Texas, and the proposed south right-of-way line of US 84, for the southeast corner hereof;
6. **THENCE** North 83 degrees 03 minutes 46 seconds West 271.65 feet, along the proposed south right-of-way line of US 84 and crossing through the remainder of said 160 acre tract, to the **POINT OF BEGINNING** and containing 0.320 acres or 13,940 square feet of land, more or less.

Summary

Part 1 = 1.676 Acres (73,043 ± square feet)

Part 2 = 0.320 Acres (13,940 ± square feet)

Total = 1.996 Acres (86,983 ± square feet)

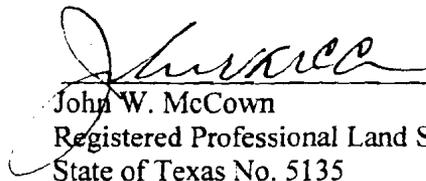
All bearings are based on the Texas State Plane Coordinate System, Central Zone, with all distances and coordinates being NAD 83 Datum and adjusted to surface by project surface factor of 1.00012.

✓ Access is permitted to highway facility from the remainder of the abutting property.

A plat of even survey date herewith accompanies this description.

I hereby certify that this survey was made on the ground under my direction and supervision.

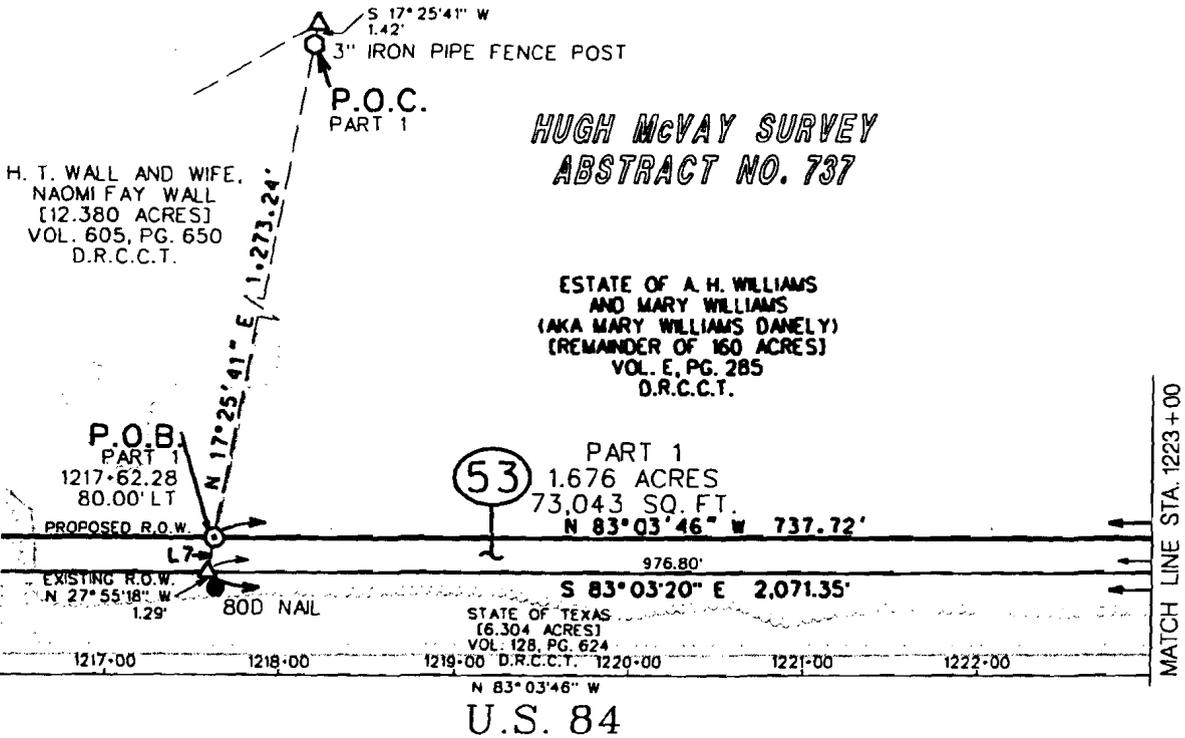
5-10-06
Date


John W. McCown
Registered Professional Land Surveyor
State of Texas No. 5135

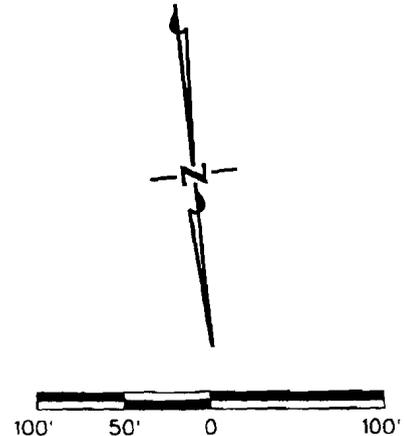
SURVTEX, LLC
505-B Cypress Creek Road
Cedar Park, Tx 78613
(512) 249-8875 Fax (512) 249-5040



| LINE TABLE | | |
|------------|-----------------|----------|
| NO. | BEARING | DISTANCE |
| L7 | S 17° 25' 41" W | 20.44' |



- LEGEND**
- ⊙ TxDOT TYPE II MONUMENT SET
 - ⊠ TxDOT TYPE II MONUMENT FOUND
 - ⊡ TxDOT TYPE I MONUMENT FOUND
 - ⊛ 1/2" IRON ROD SET WITH SURVTX CAP
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - △ CALCULATED POINT
 - ⊙ 5/8" IRON ROD SET W/TxDOT ALUMINUM CAP
 - FENCE CORNER POST
 - RECORD INFORMATION
 - WIRE FENCE
- D.R.C.C.T. DEED RECORDS OF CORYELL COUNTY, TEXAS
 C.C.R.C.C.T. COMMISSIONERS COURT RECORDS OF CORYELL COUNTY, TEXAS
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 ▲ 60D NAIL SET



PARCEL 53
 ACRES: 1.996
 HIGHWAY: U.S. 84
 ROW CSJ: 0055-03-025
 COUNTY: CORYELL
 SCALE: 1" = 100'
 SHEET 5 OF 8
 FILE: WILLIAMS-S1.SHT

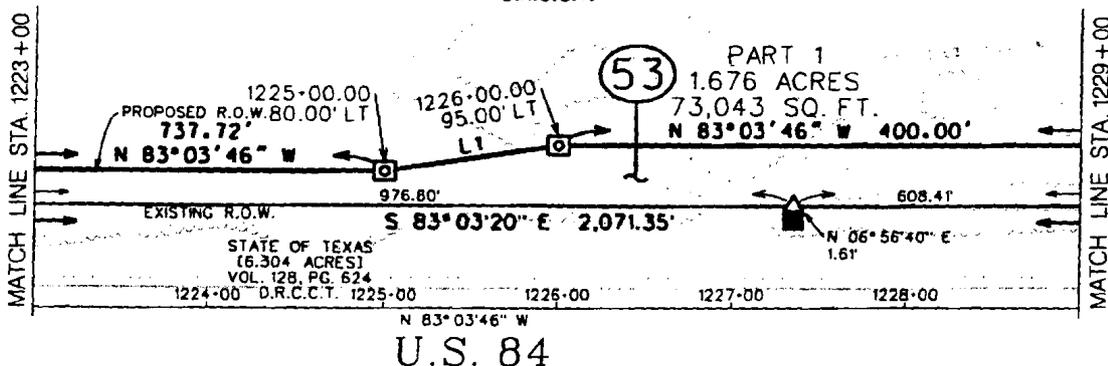
QUIDVICA LLC
 PROFESSIONAL SURVEYING AND MAPPING SERVICES

505-B Cypress Creek Road
 Cedar Park, Texas 78613
 Phone: (512) 249-8875
 Fax (512) 249-5040

| LINE TABLE | | |
|------------|-----------------|----------|
| NO. | BEARING | DISTANCE |
| L1 | S 88° 24' 23" W | 101.12' |

HUGH McVAY SURVEY
ABSTRACT NO. 737

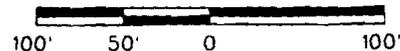
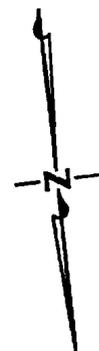
ESTATE OF A. H. WILLIAMS
AND MARY WILLIAMS
(AKA MARY WILLIAMS DANELY)
(REMAINDER OF 160 ACRES)
VOL. E, PG. 285
D.R.C.C.T.



U.S. 84

LEGEND

- TxDOT TYPE MONUMENT SET
- TxDOT TYPE MONUMENT FOUND
- TxDOT TYPE MONUMENT FOUND
- 1/2" IRON ROD SET WITH SURVTEX CAP
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- CALCULATED POINT
- 3/8" IRON ROD SET W/TxDOT ALUMINUM CAP
- FENCE CORNER POST
- RECORD INFORMATION
- WIRE FENCE
- D.R.C.C.T. DEED RECORDS OF CORYELL COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS OF CORYELL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- 60D NAIL SET



PARCEL 53
ACRES: 1.996
HIGHWAY: U.S. 84
ROW CSJ: 0055-03-025
COUNTY: CORYELL
SCALE: 1" = 100'
SHEET 6 OF 8



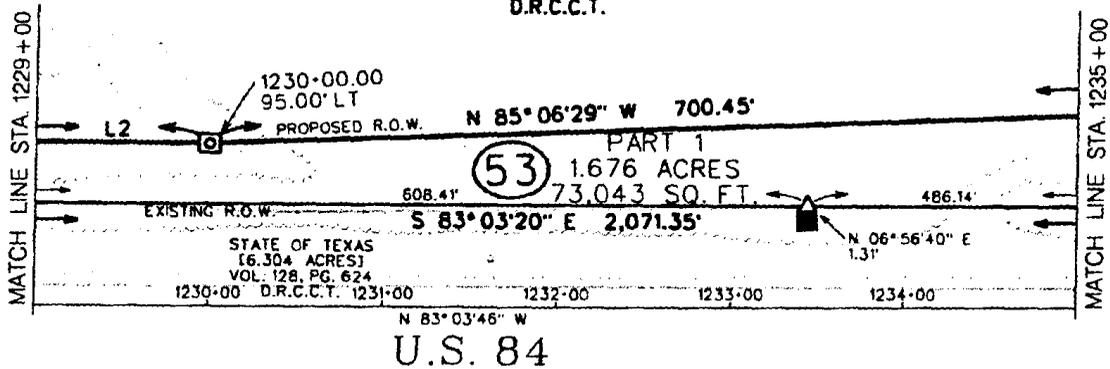
505-B Cypress Creek Road
Cedar Park, Texas 78613
Phone: (512) 249-8875
Fax (512) 249-5040

FILE: WILLIAMS-S2.SHT

| LINE TABLE | | |
|------------|---------------|----------|
| NO. | BEARING | DISTANCE |
| L2 | N 83°03'46" W | 400.00' |

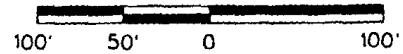
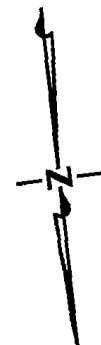
**HUGH McVAY SURVEY
ABSTRACT NO. 737**

ESTATE OF A. H. WILLIAMS
AND MARY WILLIAMS
(AKA MARY WILLIAMS DANELY)
[REMAINDER OF 160 ACRES]
VOL. E, PG. 285
D.R.C.C.T.



LEGEND

- ⊗ TxDOT TYPE MONUMENT SET
 - ⊠ TxDOT TYPE MONUMENT FOUND
 - TxDOT TYPE MONUMENT FOUND
 - 1/2" IRON ROD SET WITH SURVTEX CAP
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - △ CALCULATED POINT
 - ⊙ 3/8" IRON ROD SET W/TxDOT ALUMINUM CAP
 - ⊠ FENCE CORNER POST
 - [] RECORD INFORMATION
 - WIRE FENCE
- D.R.C.C.T. DEED RECORDS OF CORYELL COUNTY, TEXAS
 P.R.C.C.T. PLAT RECORDS OF CORYELL COUNTY, TEXAS
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 ▲ 60D NAIL SET

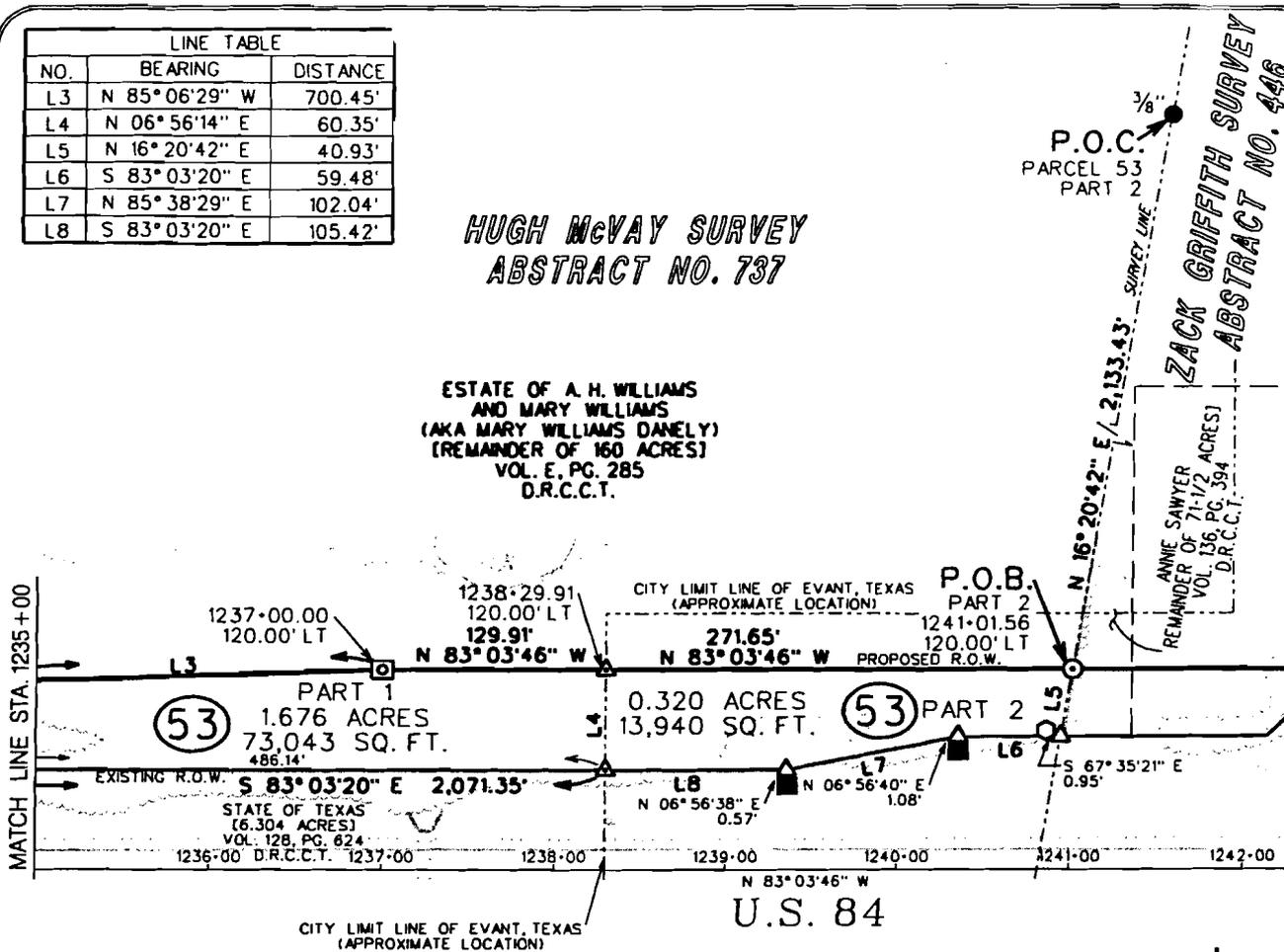


PARCEL 53
 ACRES: 1.996
 HIGHWAY: U.S. 84
 ROW CSJ: 0055-03-025
 COUNTY: CORYELL
 SCALE: 1" = 100'
 SHEET 7 OF 8

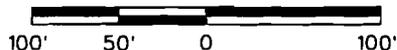
| LINE TABLE | | |
|------------|-----------------|----------|
| NO. | BEARING | DISTANCE |
| L3 | N 85° 06' 29" W | 700.45' |
| L4 | N 06° 56' 14" E | 60.35' |
| L5 | N 16° 20' 42" E | 40.93' |
| L6 | S 83° 03' 20" E | 59.48' |
| L7 | N 85° 38' 29" E | 102.04' |
| L8 | S 83° 03' 20" E | 105.42' |

**HUGH McVAY SURVEY
ABSTRACT NO. 737**

ESTATE OF A. H. WILLIAMS
AND MARY WILLIAMS
(AKA MARY WILLIAMS DANELY)
(REMAINDER OF 160 ACRES)
VOL. E, PG. 285
D.R.C.C.T.



NOTES:



- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. RECORD INFORMATION ON THIS SKETCH IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
 - ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM AND ADJUSTED TO SURFACE BY PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00012.
 - IMPROVEMENTS SHOWN HEREON ARE BASED UPON MAPS PROVIDED TO THE SURVEYOR BY TxDOT.
 - PROPERTY DESCRIPTION WITH SAME DATE WAS PREPARED WITH THIS PLAT.
 - ACCESS IS PERMITTED TO HIGHWAY FACILITY FROM THE REMAINDER OF THE ADJUTING PROPERTY.
- I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEGEND

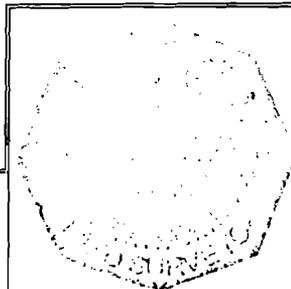
- TxDOT TYPE MONUMENT SET
 - TxDOT TYPE MONUMENT FOUND
 - TxDOT TYPE MONUMENT FOUND
 - 1/2" IRON ROD SET WITH SURVTX CAP
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - CALCULATED POINT
 - 60D NAIL SET
 - 3/8" IRON ROD SET W/TxDOT ALUMINUM CAP
 - FENCE CORNER POST
 - RECORD INFORMATION
 - WIRE FENCE
- D.R.C.C.T. DEED RECORDS OF CORYELL COUNTY, TEXAS
P.R.C.C.T. PLAT RECORDS OF CORYELL COUNTY, TEXAS
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

5-10-06
DATE

John W. McCown
JOHN W. McCOWN
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5135, STATE OF TEXAS

QUIDVIA LLC
PROFESSIONAL SURVEYING AND MAPPING SERVICES

505-B Cypress Creek Road
Cedar Park, Texas 78613
Phone: (512) 249-8875
Fax (512) 249-5040



PARCEL 53
ACRES: 1.996
HIGHWAY: U.S. 84
ROW CSJ: 0055-03-025
COUNTY: CORYELL
SCALE: 1" = 100'
SHEET 8 OF 8

FILE: WILLIAMS-S4.SHT

Parcel 81
State Highway 26
ROW CSJ: 0363-01-126
05\06\05

Being 3,856 square feet of land, more or less, situated in the William T. Jones Survey, Abstract No. 865, Tarrant County, Texas and being part of Tract A1, Block 1, Norwood North Addition, an addition to the City of Hurst, Texas according to the plat recorded in Cabinet A, Slide 1354 of the Plat Records, Tarrant County, Texas, and being part of the same tract of land conveyed to Rainier Metroplex Partners, LP on July 24, 2003 by instrument recorded in Volume 16970, Page 328 of the Deed Records of Tarrant County, Texas, said 3, 568 square feet of land, more or less, are more particularly described by metes and bounds as follows:

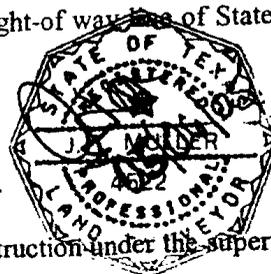
BEGINNING at a 1/2-inch iron rod found on the proposed westerly right-of-way line of State Highway 26 and the northeasterly line of said Tract A1 and being the southerly corner of said Tract B-1 of said addition, said 1/2-inch iron rod being South 44°50'51" East, 174.05 feet from a "PK" nail for a common corner of said Tract A1 and Tract B2 of said addition;

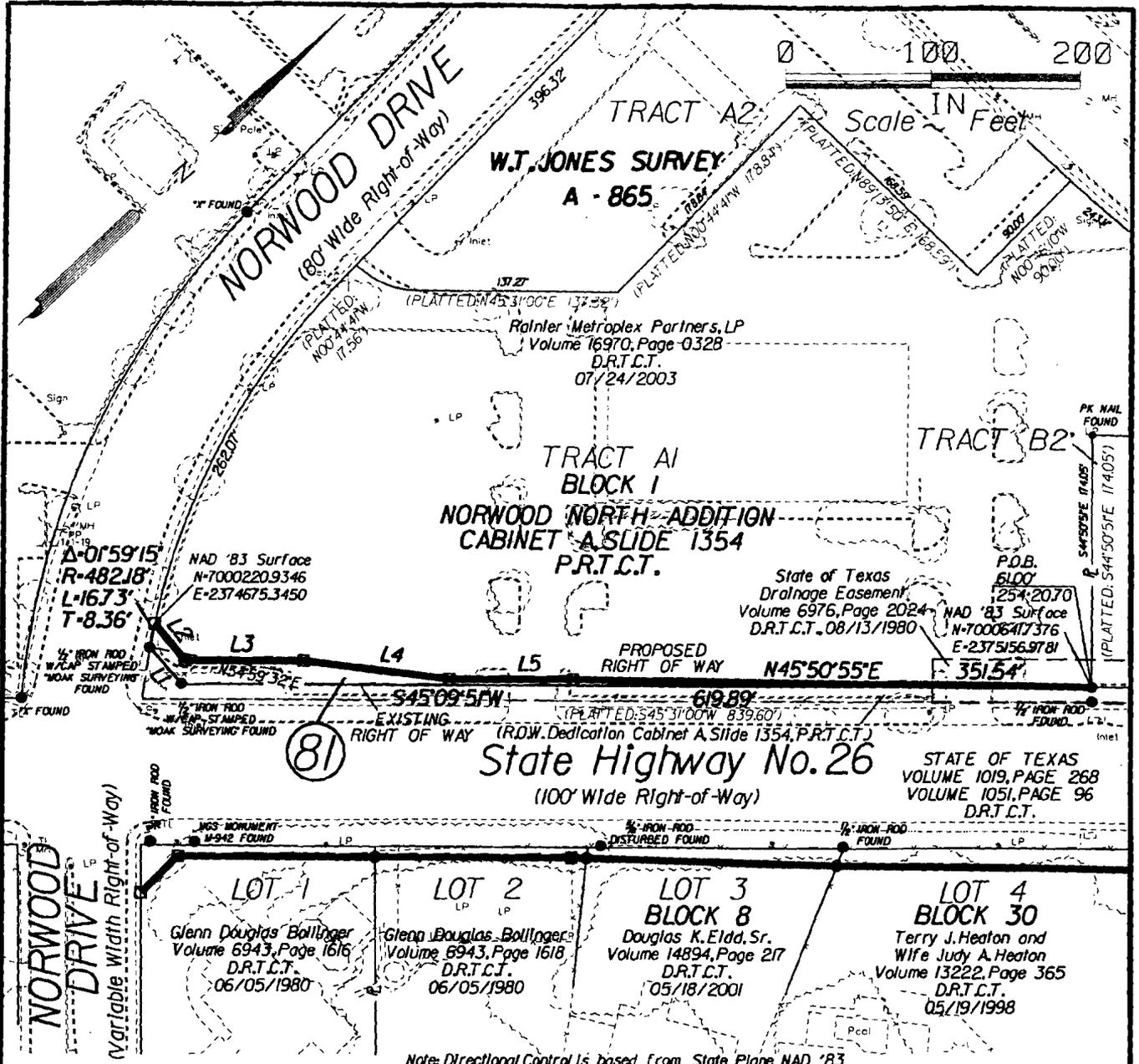
- (1) THENCE South 45°09'51" West along said existing westerly right-of-way line of State Highway 26, 619.89 feet to a 1/2-inch iron rod with cap stamped "MOAK SURVEYING" found on the northeasterly corner clip of Norwood Drive (a 80 foot right-of-way);
- (2) THENCE North 85°47'33" West along the northeasterly right-of-way line of Norwood Drive, 32.78 feet to a 1/2-inch iron rod with cap stamped "MOAK SURVEYING" found being the beginning of a curve to the right whose center bears North 54°59'32" East;
- (3) THENCE northwesterly along said northeasterly right-of-way line of Norwood Drive and said curve to the right having a radius of 482.18 feet and a central angle of 1°59'15", an arc length of 16.73 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set* on the aforesaid proposed westerly right-of-way line of State Highway 26;
- (4) THENCE South 84°33'17" East along said proposed westerly right-of-way line of State Highway 26, 32.50 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set*;
- (5) THENCE North 45°09'40" East along said proposed westerly right-of-way line of State Highway 26, 80.99 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set*;
- (6) THENCE North 52°02'39" East along said proposed westerly right-of-way line of State Highway 26, 100.15 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set*;
- (7) THENCE North 45°09'38" East along said proposed westerly right-of way line of State Highway 26, 85.54 feet to a 5/8-inch smooth iron rod with a TxDOT aluminum cap set*;
- (8) THENCE North 45°50'55" East along said proposed westerly right-of way line of State Highway 26, 351.54 feet to the POINT OF BEGINNING.

NOTE: Survey sketch to accompany this legal description.

NOTE: Directional control is based from the State Plane NAD 1983 data.

* May be replaced with a TxDOT type II monument at the end of construction under the supervision of a L.P.L.S. either employed or retained by TxDOT.





Page 2 of 2

Note: Directional Control is based from State Plane NAD '83
Note: Legal Description to accompany this survey sketch.

- Marker found "as noted"
 - 5/8" smooth iron rod w/ aluminum cap stamped "TxDOT"
 - Type II monument to be set at the end of construction
 - 5/8" smooth iron rod w/ aluminum cap stamped "TxDOT" may be replaced with Type II monument at the end of construction
- P.O.B. - Point Of Beginning
- Property Line
 - Survey Line
 - Fee Road
 - Proposed Centerline
- D.R.T.C.T. - Dead Records, Tarrant County, Texas
P.R.T.C.T. - Plat Records, Tarrant County, Texas
[] - Record Information
— Control of Access



Parcel (81)
RAINIER METROPLEX PARTNERS, LP.
3,856 sq.ft.

| ENGLISH DISTANCES (FEET) | | | | STATE | DIST. | COUNTY | |
|--------------------------|-------------|--------|---|-------|-------|---------|-------------|
| ① | N85°47'33"W | 32.78 | ⑤ | TEXAS | FTW | Tarrant | |
| ② | S84°33'17"E | 32.50 | ⑥ | CONT. | SECT. | JOB | HIGHWAY NO. |
| ③ | N45°09'40"E | 80.99 | ⑦ | 0363 | 01 | 126 | SH 26 |
| ④ | N52°02'39"E | 100.15 | ⑧ | | | | |



County: Austin
Highway: SH 36
ROW CSJ: 0187-02-059

Page 1 of 8

Field Notes for Parcel 55 (Fee Title)

Being 11.150 acres of land, more or less, situated in the James Cummins Hacienda Survey (Abstract No. 31) in Austin County, Texas and being out of and a part of that 14.582 acre tract and out of and a part of that 107.81 acre tract, said 14.582 acre tract being all of that 14.16 acre tract described in a Special Warranty Deed from Texas Genco Services, LP to Eddie A. Svinky, et ux, dated November 18, 2004, recorded in File No. 047446 of the Austin County Official Records, said 107.81 acre tract described in a Warranty Deed from Margaret Bock Poage, et al to Eddie A. Svinky, et ux, dated February 7, 2001, recorded in File No. 010970 of said Austin County Official Records. All deed references herein are to said Austin County Official Records unless otherwise noted. Metes and bounds description of said 11.150 acre parcel is as follows:

COMMENCING at a ½" steel rod found as a reference to the West corner of said Svinky 107.81 acre tract, same being a reference to the South corner of the Robert William Abel 198 acre tract (File No. 911206), from which said South corner of Abel 198 acre tract and said West corner of Svinky 107.81 acre tract bears South 18 deg. 38 min. 44 sec. West a called distance of 68.98 feet, thence as follows:

North 18 deg. 38 min. 44 sec. East (called North 21 deg. 34 min. 23 sec. East) along the line common to said Svinky 107.81 acre tract and said Abel 198 acre tract, a distance of 2,049.34 feet to a 5/8" steel rod with TxDOT aluminum cap set for the westerly northwest corner of said 11.150 acre parcel, same being in the proposed westerly right-of-way line of SH 36 and 145.36 feet left Engineer's SH 36 Centerline Station 417 + 97.09, same also having State Plane Coordinates of $x = 2,850,677.15$ and $y = 13,884,230.27$ and being the **POINT OF BEGINNING**; **

- 1) **THENCE** North 18 deg. 38 min. 44 sec. East continuing along said line common to Svinky 107.81 acre tract and Abel 198 acre tract, a distance of 169.20 feet to a point for the northwest corner of said Svinky 107.81 acre tract, said point being the northerly northwest corner of said 11.150 acre parcel and in the existing westerly right-of-way line of SH 36, said point also being the southerly southeast corner of the State of Texas 0.877 of an acre tract (Volume 242, Page 357 of the Austin County Deed Records);

Parcel 55
Page 2 of 8

- 2) **THENCE** South 37 deg. 55 min. 10 sec. East along said existing westerly right-of-way line of SH 36 and along a northeast line of said Svinky 107.81 acre tract, a distance of 367.74 feet to a point of curvature in said existing right-of-way line, said point being a point of curvature in a northeast line of said 11.150 acre tract and a point of curvature in said northeast line of Svinky 107.81 acre tract;
- 3) **THENCE** along said existing westerly right-of-way line of SH 36 and along said northeast line of said Svinky 107.81 acre tract with a circular curve to the right, whose radius is 22,853.31 feet, whose long chord bears South 37 deg. 05 min. 12 sec. East 664.75 feet, an arc distance of 664.78 feet to a point of tangency in said existing right-of-way line, said point being a point of tangency in said northeast line of 11.150 acre parcel and a point of tangency in said northeast line of Svinky 107.81 acre tract;
- 4) **THENCE** South 36 deg. 15 min. 10 sec. East along said existing westerly right-of-way line of SH 36 and along said northeast line of Svinky 107.81 acre tract, distance of 266.70 feet to a TxDOT Type I right-of-way marker found for a chamfer corner in said existing right-of-way line, same being a chamfer corner in said northeast line of Svinky 107.81 acre tract and a chamfer corner in said northeast line of 11.150 acre parcel;
- 5) **THENCE** South 53 deg. 44 min. 52 sec. West along a chamfered, existing westerly right-of-way line of SH 36 and along a second northeast line of said Svinky 107.81 acre tract, a distance of 110.00 feet to a point for a second chamfer corner in said existing right-of-way line, said point being an angle point in said northeast line of Svinky 107.81 acre tract and an angle point in said northeast line of 11.150 acre parcel;
- 6) **THENCE** South 38 deg. 00 min. 06 sec. East along said existing westerly right-of-way line of SH 36 and along a third northeast line of said Svinky 107.81 acre tract, a distance of 793.75 feet to another angle point in said existing right-of-way line, same being another angle point in said northeast line of Svinky 107.81 acre tract and an angle point in said northeast line of 11.150 acre parcel;
- 7) **THENCE** South 38 deg. 46 min. 47 sec. East along said existing westerly right-of-way line of SH 36 and along said third northeast line of Svinky 107.81 acre tract, a distance of 2,300.20 feet to another angle point in said existing right-of-way line, said point being another angle point in said northeast line of Svinky 107.81 acre tract and another angle point in said northeast line of 11.150 acre parcel;

Parcel 55
Page 3 of 8

- 8) **THENCE** South 37 deg. 55 min. 51 sec. East along said existing westerly right-of-way line of SH 36 and along said third northeast line of Svinky 107.81 acre tract, at 703.85 feet pass a point for the easterly southeast corner of said Svinky 107.81 acre tract, said point being a northeasterly corner of said Svinky 14.582 acre tract, and then continuing along the northeast line of said Svinky 14.582 acre tract, for a total distance of 1,395.40 feet to point in the center of Mill Creek for the East corner of said Svinky 14.582 acre tract, said point being the easterly southeast corner of said 11.150 acre parcel and the most northerly corner of the Donald R. Gann, et ux 48.108 acre tract (File No. 033709);
- 9) **THENCE** South 77 deg. 35 min. 35 sec. West along a line common to said Svinky 14.582 acre tract and said Gann 48.108 acre tract and along the center of said Mill Creek, a distance of 22.44 feet to a meander point in the center of said creek, said point being an angle point in the southeast line of said 11.150 acre parcel;
- 10) **THENCE** North 85 deg. 28 min. 53 sec. West along a second line common to said Svinky 14.582 acre tract and said Gann 48.108 acre tract and along the center of said Mill Creek, a distance of 88.67 feet to a point in said creek for another southeasterly corner of said 11.150 acre parcel, said point being in said proposed westerly right-of-way line of SH 36 and 150.00 feet left of Engineer's SH 36 Centerline Station 361 + 74.72, from which a 5/8" steel rod set for reference bears North 37 deg. 54 min. 50 sec. West 65.00 feet;
- 11) **THENCE** North 37 deg. 54 min. 50 sec. West along said proposed westerly right-of-way line of SH 36 and severing said Svinky 14.582 acre tract, at 65.00 feet pass said reference rod, same being 150.00 feet left of Engineer's SH 36 Centerline Station 362 + 39.72, at 734.81 feet pass a point in a line common to said Svinky 14.582 and 107.81 acre tracts, and then severing said 107.81 acre tract, at 1,098.00 feet pass a 5/8" steel rod with TxDOT aluminum cap set** 150.00 feet left of Engineer's SH 36 Centerline Station 372 + 72.72, at 2,388.00 feet pass another 5/8" steel rod with TxDOT aluminum cap set** 150.00 feet left of Engineer's SH 36 Centerline Station 385 + 62.72, for a total distance of 3,655.39 feet to a 5/8" steel rod with TxDOT aluminum cap set for a point of curvature in said proposed right-of-way line, same being a point of curvature in the southwest line of said 11.150 acre parcel and 150.00 feet left of Engineer's SH 36 Centerline Station 398 + 30.11; **
- 12) **THENCE** along said proposed westerly right-of-way line of SH 36 with a circular curve to the right, whose radius is 10,950.00 feet, whose long chord bears North 37 deg. 18 min. 41 sec. West 230.28 feet, an arc distance of 230.29 feet to a 5/8" steel rod with TxDOT aluminum cap set for a point of

Parcel 55
Page 4 of 8

tangency in said proposed right-of-way line, same being a point of tangency in said southwest line of 11.150 acre parcel and 150.00 feet left of Engineer's SH 36 Centerline Station 400 + 57.24; **

- 13) **THENCE** North 36 deg. 42 min. 32 sec. West along said proposed westerly right-of-way line of SH 36, a distance of 642.76 feet to a 5/8" steel rod with TxDOT aluminum cap set for an angle corner in said proposed right-of-way line, same being an angle corner in said southwest line of 11.150 acre parcel and 150.00 feet left of Engineer's SH 36 Centerline Station 407 + 00.00; **
- 14) **THENCE** North 34 deg. 47 min. 59 sec. West along said proposed westerly right-of-way line of SH 36, a distance of 300.17 feet to a 5/8" steel rod with TxDOT aluminum cap set for another angle corner in said proposed right-of-way line, same being another angle corner in said southwest line of 11.150 acre parcel and 140.00 feet left of Engineer's SH 36 Centerline Station 410 + 00.00; **
- 15) **THENCE** North 37 deg. 41 min. 20 sec. West along said proposed westerly right-of-way line of SH 36, a distance of 794.18 feet to the **POINT OF BEGINNING**, containing 11.150 acres of land, more or less.

** The monument described and set in this call may be replaced by a TxDOT Type II right-of-way marker upon the acquisition of the parcel under the supervision of a registered professional land surveyor either employed or retained by TxDOT.

All bearings are based on the Texas Coordinate System, South Central Zone and x, y coordinates are NAD 83 State Plane Coordinates adjusted to the surface by a factor of 1.00010.

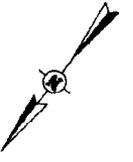
I hereby certify the foregoing legal description was prepared from a survey performed on the ground and that it correctly represents the facts found at the time of the survey. A survey plat of even date herewith accompanies this legal description.



Patrick C. Matusek

Patrick C. Matusek
Registered Professional Land Surveyor
License No. 4518, State of Texas
Surveyed April 15, 2006

SCALE: 1" = 200'



DONALD R. GANN,
ET UX
WARRANTY DEED
(FILE NO. 033709)

POINT IN THE CENTER
OF MILL CREEK FROM
WHICH A 5/8" STEEL
ROD SET FOR REFERENCE
BEARS N37°54'50"W 65.00'

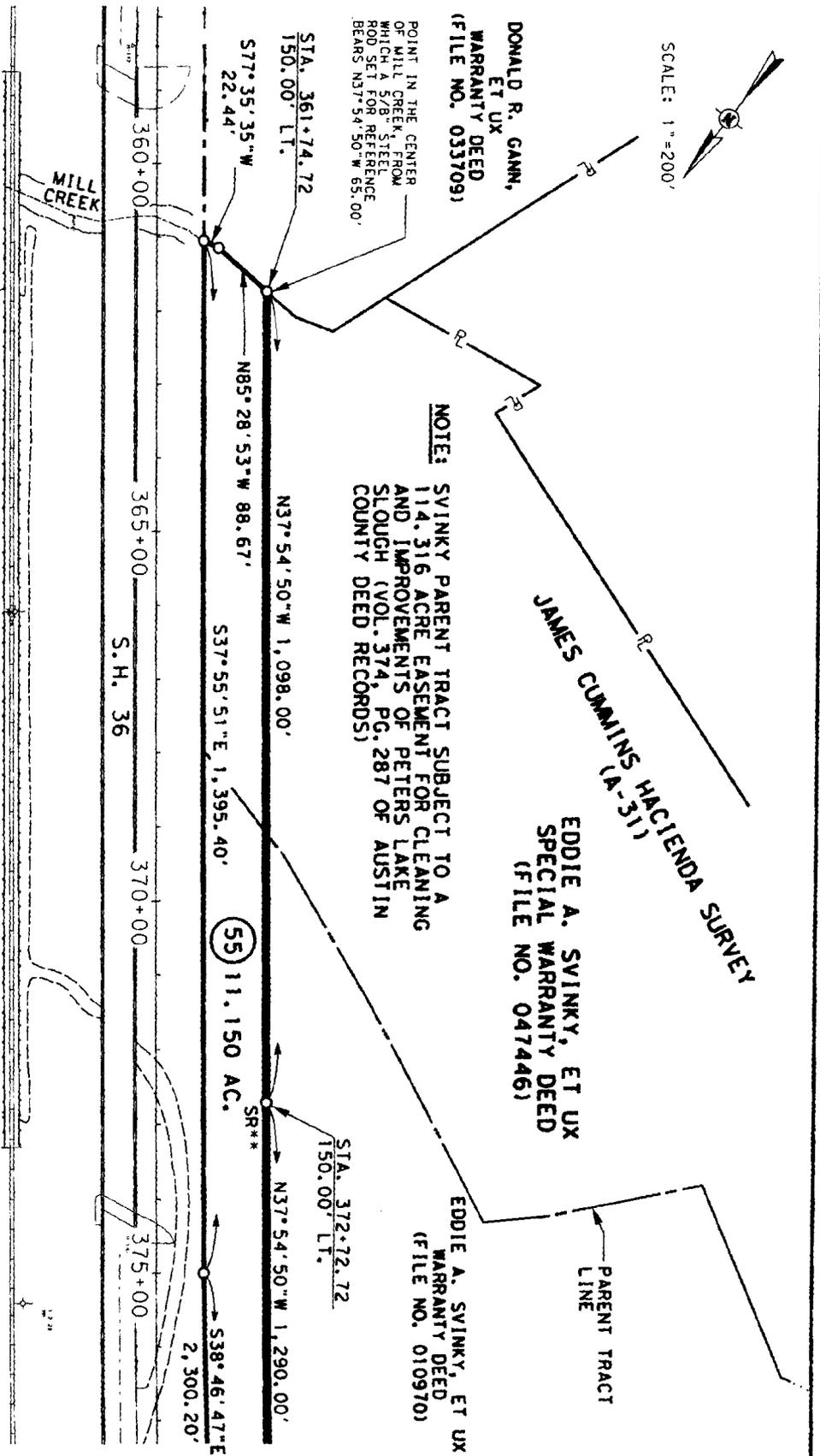
JAMES CUMINS HACIENDA SURVEY

EDDIE A. SVINKY, ET UX
SPECIAL WARRANTY DEED
(FILE NO. 047446)

EDDIE A. SVINKY, ET UX
WARRANTY DEED
(FILE NO. 010970)

NOTE: SVINKY PARENT TRACT SUBJECT TO A
114.316 ACRE EASEMENT FOR CLEANING
AND IMPROVEMENTS OF PETERS LAKE
SLOUGH (VOL. 374, PG. 287 OF AUSTIN
COUNTY DEED RECORDS)

55 11.150 AC.

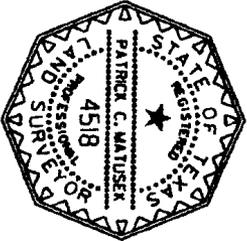


** THE MONUMENT DESCRIBED AND SET
IN THIS CALL MAY BE REPLACED BY A
TXDOT TYPE 1) RIGHT-OF-WAY MARKER
UPON THE ACQUISITION OF THE PARCEL
UNDER THE SUPERVISION OF A
REGISTERED PROFESSIONAL LAND
SURVEYOR EITHER EMPLOYED OR
RETAINED BY TXDOT.

I HEREBY CERTIFY THIS SURVEY WAS
PERFORMED ON THE GROUND, AND THAT
THIS PLAT CORRECTLY REPRESENTS THE
FACTS FOUND AT THE TIME OF THE SURVEY.
A LEGAL DESCRIPTION OF EVEN SURVEY
DATE HEREWITH ACCOMPANIES THIS PLAT.

Patrick C. Matusek

PATRICK C. MATUSEK
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 4518, STATE OF TEXAS
SURVEYED APRIL 15, 2006



- GENERAL NOTES
1. ALL DEED REFERENCES ARE TO AUSTIN COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.
 2. BEARINGS BASED ON TEXAS COORDINATE SYSTEM-SOUTH CENTRAL ZONE.
 3. CURVE LENGTHS SHOWN ARE ARC LENGTHS.

- LEGEND
- SR * SET 5/8" STEEL ROD
 - LINE NOT TO SCALE
 - EXISTING FENCE
 - PROPOSED R.O.W. LINE
 - PROPERTY LINE
 - ① * PARCEL NUMBER

- SR * FOUND 1/2" STEEL ROD
- CM * FOUND TYPE 1 R.O.W. MARKER
- P.O.B. * POINT OF BEGINNING
- P.O.C. * POINT OF COMMENCING

MFT MAVERICK
ENGINEERING, INC.
ONE OF COMMON PLAZA, EIGHTH FLOOR, VICTORIA, TX
PHONE (361) 576-0180 FAX (361) 576-2933

| | | | |
|-------------|-------------------------|----------------|----------|
| DIST. NAME | YOAKUM | SURVEY PLAT OF | COUNTY |
| ACCOUNT NO. | 8013-01-090 | PARCEL 55 | AUSTIN |
| ROW TAKING | CSJ 0187-02-059 | | HTY. NO. |
| | 11.150 AC. SHEET 5 OF 8 | | S.H. 36 |

SCALE: 1" = 200'



JAMES CUMMINS HACIENDA SURVEY
(A-31)

NOTE: SVINKY PARENT TRACT SUBJECT TO A
114.316 ACRE EASEMENT FOR CLEANING
AND IMPROVEMENTS OF PETERS LAKE
SLOUGH (VOL. 374, PG. 287 OF AUSTIN
COUNTY DEED RECORDS)

EDDIE A. SVINKY, ET UX
WARRANTY DEED
(FILE NO. 010970)

55 11.150 AC.

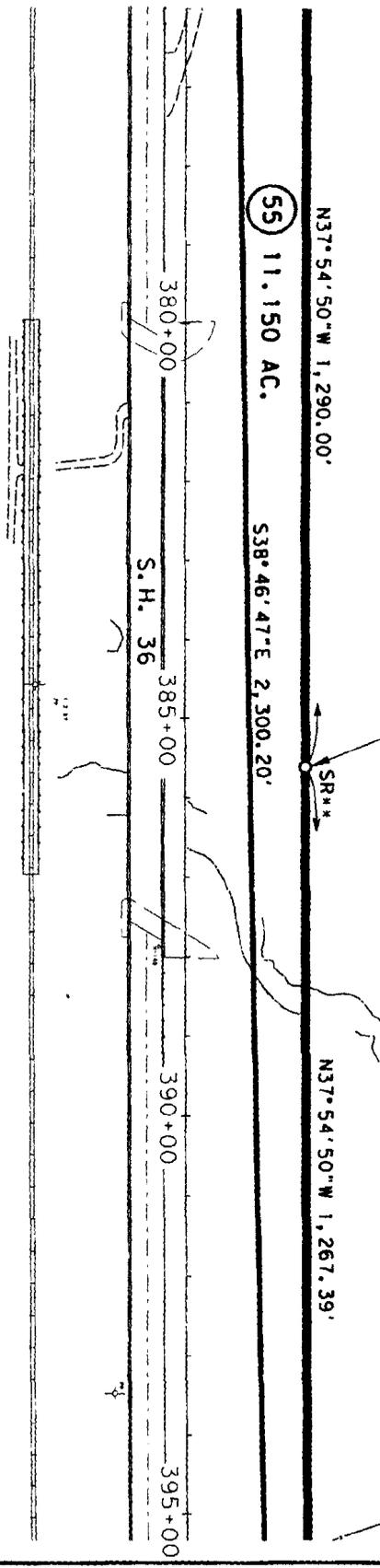
N37°54'50"W 1,290.00'

S38°46'47"E 2,300.20'

N37°54'50"W 1,267.39'

STA. 385+62.72
150.00' LT.

SR**



** THE MONUMENT DESCRIBED AND SET
IN THIS CALL MAY BE REPLACED BY A
1X60T TYPE 11 RIGHT-OF-WAY MARKER
UPON THE ACQUISITION OF THE PARCEL
UNDER THE SUPERVISION OF A
REGISTERED PROFESSIONAL LAND
SURVEYOR EITHER EMPLOYED OR
RETAINED BY TXDOT.

I HEREBY CERTIFY THIS SURVEY WAS
PERFORMED ON THE GROUND, AND THAT
THIS PLAT CORRECTLY REPRESENTS THE
FACTS FOUND AT THE TIME OF THE SURVEY.
A LEGAL DESCRIPTION OF EVEN SURVEY
DATE HERewith ACCOMPANIES THIS PLAT.

Patrick C. Matusek

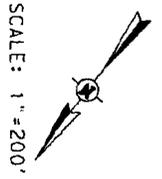
PATRICK C. MATUSEK
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 4518, STATE OF TEXAS
SURVEYED APRIL 15, 2006



- GENERAL NOTES
1. ALL DEED REFERENCES ARE TO AUSTIN COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.
 2. BEARINGS BASED ON TEXAS COORDINATE SYSTEM-SOUTH CENTRAL ZONE.
 3. CURVE LENGTHS SHOWN ARE ARC LENGTHS.

| LEGEND | |
|--------|--|
| | PARENT TRACT LINE |
| | LINE NOT TO SCALE |
| | EXISTING R.O.W. LINE |
| | PROPOSED R.O.W. LINE |
| | PROPERTY LINE |
| | PARCEL NUMBER |
| | SR = SET 5/8" STEEL ROD W/ 1X60T ALUMINUM CAP |
| | CM = FOUND 1/2" STEEL ROD |
| | R.O.W. = RIGHT-OF-WAY |
| | P.O.B. = POINT OF BEGINNING |
| | P.O.C. = POINT OF COMMENCING |

| | |
|--|-------------------------|
| <p>MAVERICK ENGINEERING, INC. ONE O'CONNOR PLAZA, EIGHTH FLOOR, VICTORIA, TX PHONE: (361) 576-0180 FAX: (361) 576-2933</p> | |
| DIST. NAME | YOAKUM |
| ACCOUNT NO. | 8013-01-090 |
| SURVEY PLAT OF | PARCEL 55 |
| COUNTY | AUSTIN |
| ROW TAKING | 11.150 AC. SHEET 6 OF 8 |
| | CSJ 0187-02-059 |
| | S.H. 36 |

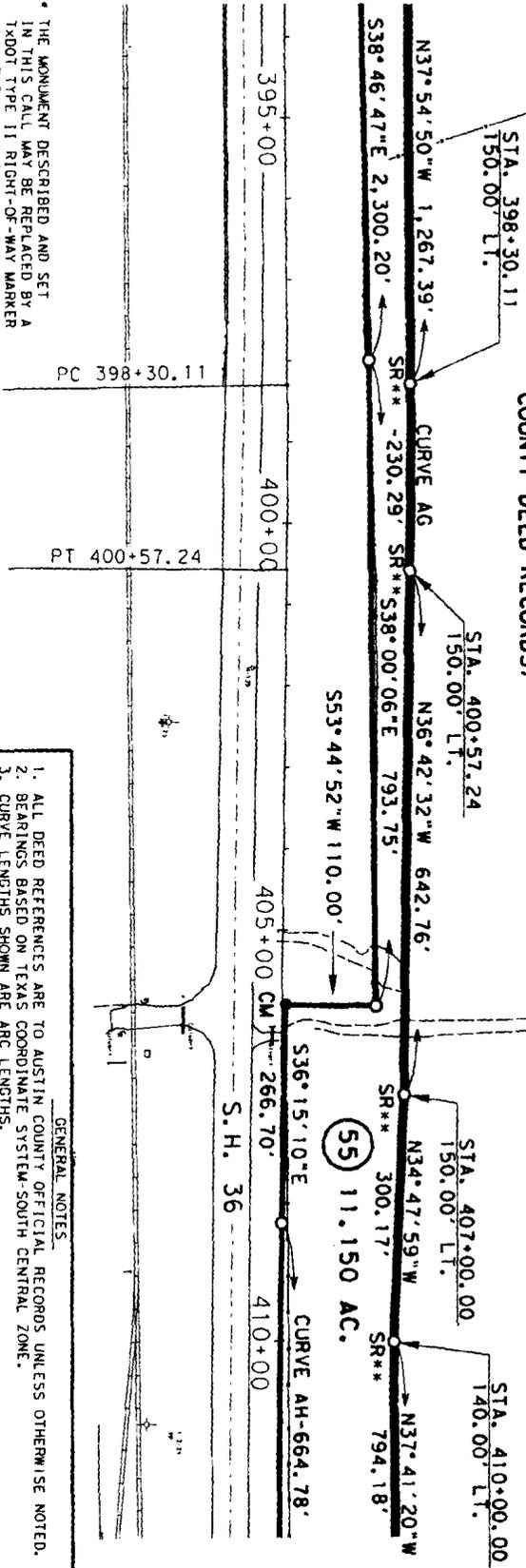


| CURVE DATA | |
|------------|------------------------|
| CURVE DATA | CURVE AG |
| R | 10,950.00' |
| Δ | 1°12'18" RT. |
| LC | N37°18'41"W 230.28' |
| L | 230.29' |

JAMES CUMMINS HACIENDA SURVEY
(A-31)
EDDIE A. SVINKY, ET UX
WARRANTY DEED
(FILE NO. 010970)

| CURVE DATA | |
|------------|------------------------|
| CURVE DATA | CURVE AH |
| R | 22,853.31' |
| Δ | 1°40'00" RT. |
| LC | S37°05'12"E 664.75' |
| L | 664.78' |

NOTE: SVINKY PARENT TRACT SUBJECT TO A 114.316 ACRE EASEMENT FOR CLEANING AND IMPROVEMENTS OF PETERS LAKE SLOUGH (VOL. 374, PG. 287 OF AUSTIN COUNTY DEED RECORDS)



** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED BY A TxDOT TYPE II RIGHT-OF-WAY MARKER UPON THE ACQUISITION OF THE PARCEL UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TxDOT.

I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

Patrick C. Matusek

PATRICK C. MATUSEK
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 4518, STATE OF TEXAS
SURVEYED APRIL 15, 2006



- GENERAL NOTES
- ALL DEED REFERENCES ARE TO AUSTIN COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.
 - BEARINGS BASED ON TEXAS COORDINATE SYSTEM-SOUTH CENTRAL ZONE.
 - CURVE LENGTHS SHOWN ARE ARC LENGTHS.

| LEGEND | |
|----------|----------------------------|
| — | PARENT TRACT LINE |
| --- | LINE NOT TO SCALE |
| - - - | EXISTING FENCE |
| - - - | PROPOSED R.O.W. LINE |
| - - - | PROPERTY LINE |
| ○ | PARCEL NUMBER |
| ○ SR | SET 5/8" STEEL ROD |
| W/ | TxDOT ALUMINUM CAP |
| ● SR | FOUND 1/2" STEEL ROD |
| ● | FOUND TYPE I R.O.W. MARKER |
| ○ R.O.W. | RIGHT-OF-WAY |
| ○ P.O.B. | POINT OF BEGINNING |
| ○ P.O.C. | POINT OF COMMENCING |

Maverick Engineering, Inc.
ONE G COMMON PLAZA, EIGHTH FLOOR, VICTORIA, TX
PHONE (361) 576-0180 FAX (361) 576-2933

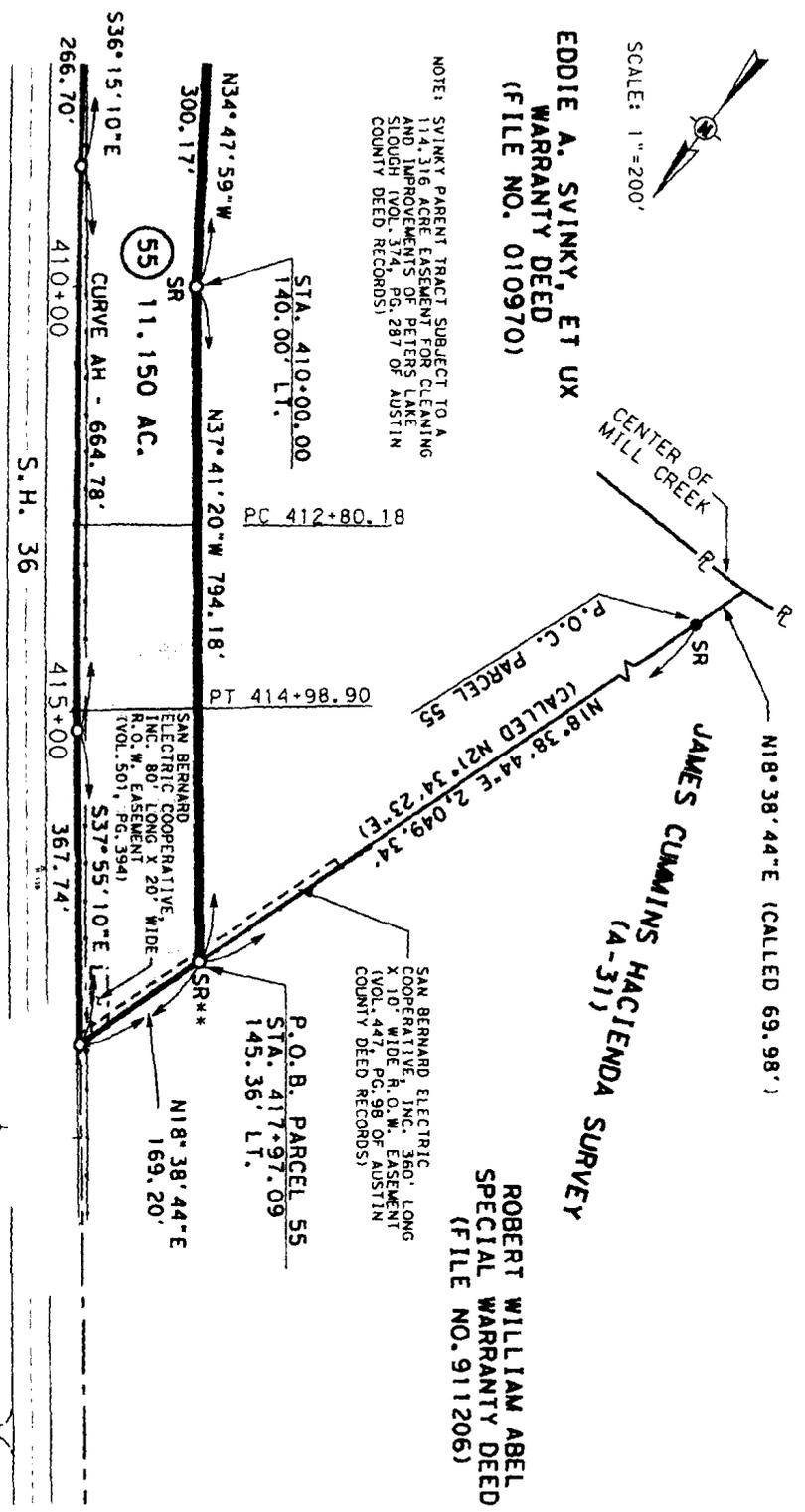
| | | | |
|-------------|-----------------|----------------|------------------|
| DIST. NAME | YORKUM | SURVEY PLAT OF | AUSTIN COUNTY |
| ACCOUNT NO. | 8013-01-090 | PARCEL 55 | |
| ROW TAKING | 11.150 AC. | SHEET 7 OF 8 | |
| | CSJ 0187-02-059 | | |
| | | | HWY. NO. S.H. 36 |



SCALE: 1"=200'

**EDDIE A. SVINKY, ET UX
WARRANTY DEED
(FILE NO. 010970)**

NOTE: SVINKY PARENT TRACT SUBJECT TO A 114.316 ACRE EASEMENT FOR CLEANING AND IMPROVEMENTS OF PETERS LAKE SLOUGH (VOL. 374, PG. 287 OF AUSTIN COUNTY DEED RECORDS)



**ROBERT WILLIAM ABEL
SPECIAL WARRANTY DEED
(FILE NO. 911206)**

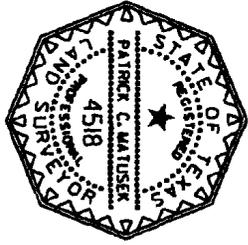
CURVE DATA

| CURVE DATA | CURVE AH |
|------------|------------------------|
| R | 22,853.31' |
| Δ | 1°40'00" RT. |
| LC | S37°05'12"E 664.75' |
| L | 664.78' |

** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED BY A TDDOT TYPE II RIGHT-OF-WAY MARKER UNDER THE ACQUISITION OF THE PARCEL UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TDDOT.

I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

Patrick C. Matusek
PATRICK C. MATUSEK
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 4518, STATE OF TEXAS
SURVEYED APRIL 15, 2006



GENERAL NOTES

1. ALL DEED REFERENCES ARE TO AUSTIN COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.
2. BEARINGS BASED ON TEXAS COORDINATE SYSTEM-SOUTH CENTRAL ZONE.
3. CURVE LENGTHS SHOWN ARE ARC LENGTHS.

LEGEND

| | |
|--------------------------|-----------------------------------|
| --- EASEMENT LINE | ○ SR = SET 5/8" STEEL ROD |
| --- LINE NOT TO SCALE | W/ TDDOT ALUMINUM CAP |
| --- EXISTING FENCE | ● SR = FOUND 1/2" STEEL ROD |
| --- EXISTING R.O.W. LINE | ● CM = FOUND TYPE I R.O.W. MARKER |
| --- PROPOSED R.O.W. LINE | ● R.O.W. = RIGHT-OF-WAY |
| --- PROPERTY LINE | ○ P.O.B. = POINT OF BEGINNING |
| ○ = PARCEL NUMBER | ○ P.O.C. = POINT OF COMMENCING |

MET MAVERICK ENGINEERING, INC.
ONE OF COMMON PLATA, EIGHTH FLOOR, VICTORIA, TX
PHONE (361)576-0180 FAX (361) 576-2833

| | | | | | |
|-------------|-------------|----------------|-------------|----------|---------|
| DIST. NAME | YOAKUM | SURVEY PLAT OF | PARCEL 55 | COUNTY | AUSTIN |
| ACCOUNT NO. | 8013-01-090 | CSJ | 0187-02-059 | HWY. NO. | S.H. 36 |
| ROW TAKING | 11.150 AC. | SHEET 8 OF 8 | | | |

County: Dallas
Highway: Loop 12
Project Limits: From Stemmons Trail
 To East of Midway
CSJ: 0353-05-105
Account: 9118-01-013

Page 1 of 3
November 15, 2006

Description for Parcel 5

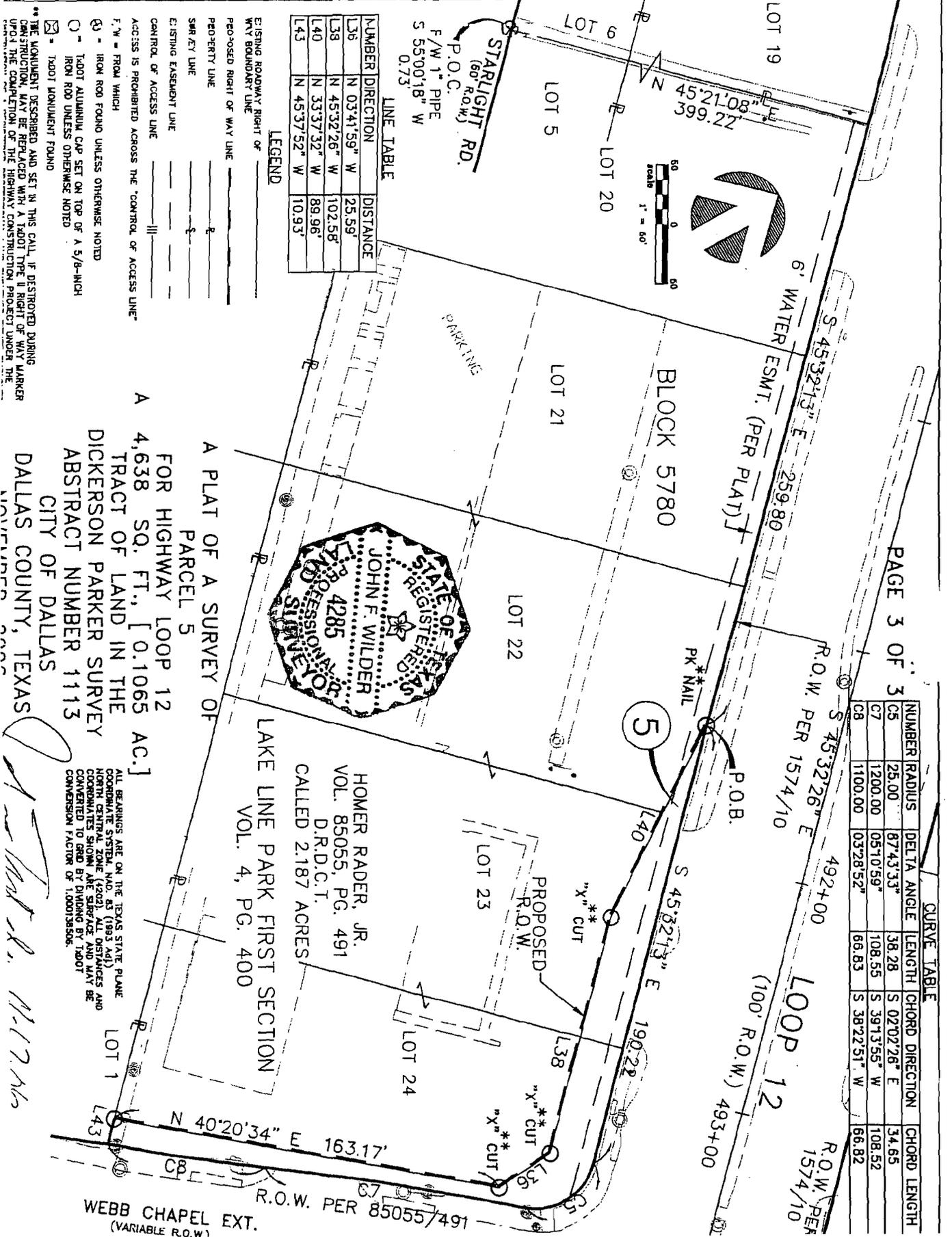
BEING 4,638 SQUARE FEET PARCEL OF LAND OUT OF THE DICKERSON PARKER SURVEY, ABSTRACT NO. 1113, DALLAS COUNTY, TEXAS, BEING PART OF LOTS 22 THROUGH 24 OF LAKE LINE PARK, FIRST SECTION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 4, PAGE 400, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS (DRDCT), BEING PART OF CITY OF DALLAS BLOCK NO. 5780, AS DEEDED TO HOMER RADER, JR. AND RECORDED IN VOLUME 85055, PAGE 491, DRDCT, AS SHOWN ON THE ATTACHED EXHIBIT "A" AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE at the southwest corner of Lot 5 of said Lake Line Park, being the southeast corner of Lot 6 of said Lake Line Park, and being on the north line of the Right of Way for Starlight Road (60' R.O.W.), from which point, a 1 inch iron pipe bears South 55°00'18" West, a distance of 0.73 feet;

THENCE North 45°21'08" East, with the west line of Lots 5 and 20, being the east line of Lots 6 and 19, a distance of 399.22 feet to a point being the northwest corner of Lot 20, being the northeast corner of Lot 19, and being on the south line of the Right of Way for Loop 12;

THENCE South 45°32'13" East, with said Right of Way, a distance of 259.80 feet to a PK nail set to mark the POINT OF BEGINNING;

1. THENCE South 45°32'13" East, continue with said Right of Way, a distance of 190.22 feet to a point at the beginning of a curve to the right;
2. THENCE along said curve, having a radius of 25.00 feet, through a central angle of 87°43'33", an arc distance of 38.28 feet, and having a chord which bears South 02°02'26" East, a distance of 34.65 feet to a point of reverse curve on the west line of the Right of Way for Webb Chapel Extension (variable R.O.W.);
3. THENCE along said curve to the left, having a radius of 1200.00 feet, through a central angle of 05°10'59", an arc distance of 108.55 feet, and having a chord which bears South 39°13'55" West, a distance of 108.52 feet to a point of reverse curve on the west Right of Way for Webb Chapel Extension (variable R.O.W.);



LINE TABLE

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L36 | N 03°41'59" W | 25.55' |
| L38 | N 45°32'26" W | 102.58' |
| L40 | N 33°37'32" W | 89.96' |
| L43 | N 45°37'52" W | 10.93' |

PAGE 3 OF 3

CURVE TABLE

| NUMBER | RADIUS | DELTA ANGLE | CHORD LENGTH | DIRECTION | CHORD LENGTH |
|--------|---------|-------------|--------------|---------------|--------------|
| C5 | 25.00 | 87°43'33" | 38.28 | S 02°02'26" E | 34.65 |
| C7 | 1200.00 | 05°10'59" | 108.55 | S 39°13'55" W | 108.52 |
| C8 | 1100.00 | 03°28'52" | 66.83 | S 38°22'51" W | 66.82 |

LEGEND

EXISTING ROADWAY RIGHT OF WAY BOUNDARY LINE

PROPOSED RIGHT OF WAY LINE

PROPERTY LINE

SMILEY LINE

EXISTING EASEMENT LINE

CONTROL OF ACCESS LINE

ACCESS IS PROHIBITED ACROSS THE CONTROL OF ACCESS LINE

F.W. = FROD WHICH

☉ = IRON ROD FOUND UNLESS OTHERWISE NOTED

○ = TADPOLE ALUMINUM CAP SET ON TOP OF A 5/8-INCH IRON ROD UNLESS OTHERWISE NOTED

☒ = TADPOLE MONUMENT FOUND

A PLAT OF A SURVEY OF PARCEL 5 FOR HIGHWAY LOOP 12 TRACT OF LAND IN THE DICKERSON PARKER SURVEY ABSTRACT NUMBER 1113 CITY OF DALLAS DALLAS COUNTY, TEXAS

LAKE LINE PARK FIRST SECTION VOL. 4, PG. 400

HOMER RADER, JR. VOL. 85055, PG. 491 D.R.D.C.T. CALLED 2.187 ACRES

ALL BEARINGS ARE ON THE TEXAS STATE PLUMB COORDINATE SYSTEM, NAD 83 (1983 AD) NORTH CENTRAL ZONE (4203). ALL DISTANCES AND CONVENTIONS SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE CONVERSION FACTOR OF 1.00015826.

11/17/16

WEBB CHAPEL EXT. (VARIABLE R.O.W.)

ROW CSJ 0353-05-105
Parcel 5
Loop 12
Dallas County

ACCESS ADDENDUM TO PROPERTY DESCRIPTION FOR PARCEL 5

Notwithstanding the surveyor's statement on foregoing page 2 of the property description for parcel 5, that "Access is prohibited across the 'Control of Access Line' to the transportation facility from the adjacent property", there is no "Control of Access" line described in said property description and, therefore, access will be permitted to the remaining property abutting the highway facility.

ROW CSJ 0353-05-105
Parcel 5 & 5TE
Temporary Easement

“A TEMPORARY EASEMENT for the duration of three (3) years from the date of possession of said easement for the purpose of laying out, opening, constructing, operating, maintaining and reconstructing a highway facility thereon, together with necessary incidentals and appurtenances thereto, in, along, upon and across the tract or parcel, in, along, upon, and across the premises described in the following property description, with the temporary right and privilege of having ingress, egress, and regress in, along, upon, and across said tract of land for the purpose of laying out, opening, constructing, operating, maintaining and reconstructing a highway facility thereon.”

County: Dallas
Highway: Loop 12
Project Limits: From Stemmons Trail
 To East of Midway
CSJ: 0353-05-105
Account: 9118-01-013

Page 1 of 3
June 25, 2004

Description for Parcel 5TE

BEING A 2393 SQUARE FEET PARCEL OF LAND OUT OF THE DICKERSON PARKER SURVEY, ABSTRACT NO. 1113, DALLAS COUNTY, TEXAS, BEING PART OF LOTS 20 THROUGH 24 OF LAKE LINE PARK, FIRST SECTION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 4, PAGE 400, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS (DRDCT), BEING PART OF CITY OF DALLAS BLOCK NO. 5780, AS DEEDED TO HOMER RADER, JR., RECORDED IN VOLUME 85055, PAGE 491 (DRDCT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE at the southwest corner of Lot 5 of said Lake Line Park, being the southeast corner of Lot 6 of said Lake Line Park, and being on the north line of the Right of Way for Starlight Road (60' R.O.W.), from which point, a 1 inch iron pipe bears South 55°00'18" West, a distance of 0.73 feet;

THENCE North 45°21'08" East, with the west line of Lots 5 and 20, being the east line of Lots 6 and 19, a distance of 394.22 feet to a hub set to mark the POINT OF BEGINNING;

1. THENCE North 45°21'08" East, continue with said common line, a distance of 5.00 feet to a point being the northwest corner of Lot 20, the northeast corner of Lot 19 and being on the south R.O.W. of Loop 12 (100' R.O.W.);
2. THENCE South 45°32'13" East with said south R.O.W. line a distance of 259.80 feet to a PK nail set to mark the point;
3. THENCE South 33°37'32" East departing R.O.W. line and crossing said Rader tract a distance of 89.96 feet to an "X" cut set;
4. THENCE South 45°32'26" East crossing said Rader tract a distance of 102.58 feet to an "X" cut set;
5. THENCE South 03°41'59" East crossing said Rader tract a distance of 25.59 feet to an "X" cut set on the west R.O.W. of Webb Chapel Extension (variable R.O.W.)
6. THENCE South 40°20'34" West, departing said Right of Way and crossing said Rader tract with the new Right of Way for parcel 5 Part 2, a distance of 7.19 feet to a paint dot set to mark the point;
7. THENCE North 03°41'59" West, crossing said Rader tract, a distance of 28.85 feet to a paint dot set to mark the point;

County: Dallas
Highway: Loop 12
Project Limits: From Stemmons Trail
 To East of Midway
CSJ: 0353-05-105
Account: 9118-01-013

Page 2 of 3
June 25, 2004

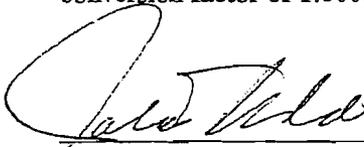
Description for Parcel 5TE

8. THENCE North 45°32'26" West, crossing said Rader tract, a distance of 101.19 feet to a paint dot set to mark the point;
9. THENCE North 33°37'32" West, crossing said Rader tract, a distance of 89.96 feet to a paint dot set to mark the point;
10. THENCE North 45°32'13" West, crossing said Rader tract, a distance of 259.35 feet to the POINT OF BEGINNING, and containing 2393 square feet (0.0549 acre) of land.

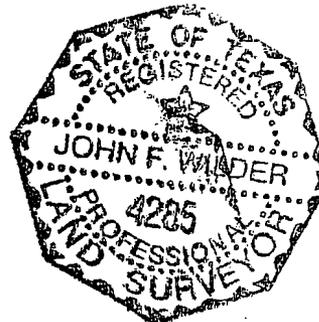
**The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional surveyor, either employed or retained by TxDOT.

Access is allowed to the highway facility from the adjacent property.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83 (1993 Adj.), North Central Zone. All coordinates shown are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.000136506

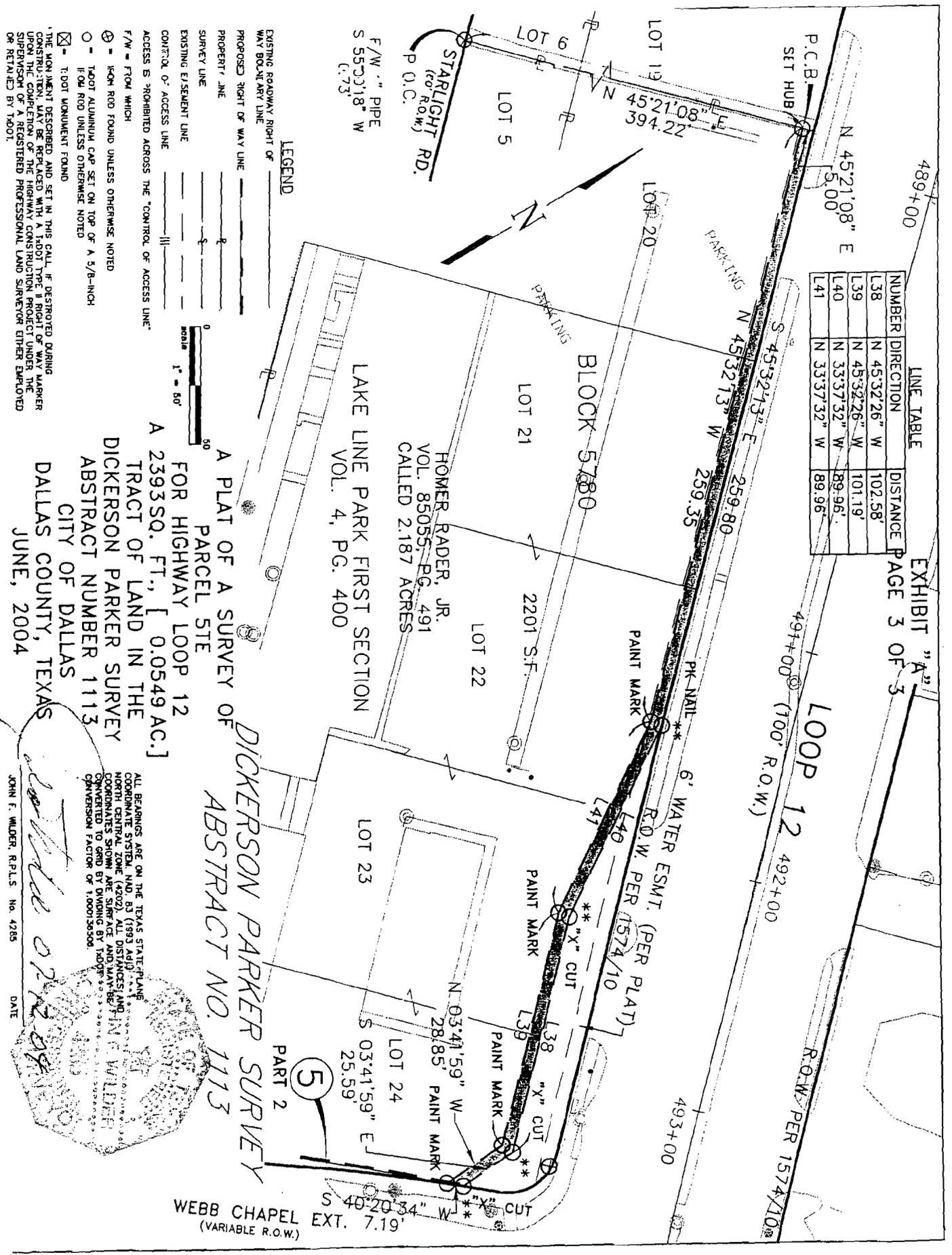
 07-12-04
John F. Wilder, R.P.L.S. Date
Texas Registration No. 4285

BW2 Engineers, Inc.
1919 South Shiloh Road, Suite 500
Garland, TX 75042



| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L38 | N 45°32'26" W | 102.58' |
| L39 | N 45°32'26" W | 101.19' |
| L40 | N 33°37'32" W | 89.96' |
| L41 | N 33°37'32" W | 89.96' |

EXHIBIT "A"
PAGE 3 OF 3



EXISTING ROADWAY RIGHT OF WAY BOUNDARY LINE
PROPOSED RIGHT OF WAY LINE
PROPERTY LINE
SURVEY LINE
EXISTING EASEMENT LINE
CONTROL OF ACCESS LINE
ACCESS IS PROHIBITED ACROSS THE "CONTROL OF ACCESS LINE"
F/W = FROM WHICH
⊕ - IRON ROD FOUND UNLESS OTHERWISE NOTED
○ - TADOT ALUMINUM CAP SET ON TOP OF A 5/8-INCH IRON ROD UNLESS OTHERWISE NOTED
⊗ - TADOT MONUMENT FOUND

THE MONUMENT DESCRIBED AND SET IN THIS CALL, IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TADOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETIRED BY TADOT.

A PLAT OF A SURVEY OF PARCEL SITE FOR HIGHWAY LOOP 12 TRACT OF LAND IN THE DICKERSON PARKER SURVEY ABSTRACT NUMBER 1113 CITY OF DALLAS DALLAS COUNTY, TEXAS JUNE, 2004

DICKERSON PARKER SURVEY ABSTRACT NO. 1113 PART 2
ALL BEARINGS ARE ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 (1983 EPOCH) AND NORTH CENTER POINTS ARE IN THE DICKERSON PARKER SURVEY AND HAVE BEEN CONVERTED TO GRID BY DIVISION BY TADOT. CONVERSION FACTOR OF 1.000136506.
JOHN F. WILDER, R.P.L.S. NO. 4285 DATE

WEBB CHAPEL EXT. 7.19' (VARIABLE R.O.W.)

January, 2005
Parcel 133
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 133

Being a 0.1062 acre (4,625 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in deed dated July 28, 1986 from Motel 6 Inc. to Motel 6 Operating L.P. recorded under County Clerk's File No. 8639971 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.1062 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the southwest corner of a certain tract of land described in deed dated April 30, 1998 to M-Six Penvest I Business Trust recorded under County Clerk's File No. 9839511 of the Official Public Records of Real Property of Montgomery County, Texas; thence as follows:

North 71 deg. 20 min. 13 sec. East, along the south line of said M-Six Penvest I Business Trust tract and said Motel 6 Operating, L.P. tract, a distance of 841.72 feet to a 5/8 inch iron rod with aluminum cap set at the intersection of the proposed west right-of-way line of Interstate Highway 45 and the north line of a certain tract of land described in deed dated January 14, 1994 to George A. Demontrond, III, Trust recorded under County Clerk's File No. 9409223 of the Official Public Records of Real Property of Montgomery County, Texas for the southwest corner and the POINT OF BEGINNING of the herein described parcel, said point also being in a non-tangent curve to the right whose center bears North 71 deg. 40 min. 56 sec. East;

- 1.) THENCE, in a northwesterly direction, along the proposed west right-of-way line of Interstate Highway 45, with said non-tangent curve to the right, having a radius of 11,499.66 feet, an arc length of 41.15 feet, a central angle of 00 deg. 12 min. 18 sec., and a chord which bears North 18 deg. 12 min. 55 sec. West, 41.15 feet to an "X" in concrete set for the point of tangency;
- 2.) THENCE, North 18 deg. 06 min. 46 sec. West, continuing along the proposed west right-of-way line of Interstate Highway 45, a distance of 151.30 feet to a 5/8 iron rod with aluminum cap set in the north line of said Motel 6 Operating L.P. tract and the most north south line of said M-Six Penvest I Business Trust tract for the northwest corner of the herein described parcel;

January, 2005
Parcel 133
Page 2 of 3 Pages

- 3.) THENCE, North 71 deg. 28 min. 58 sec. East, along the north line of said Motel 6 Operating L.P. tract and the most north south line of said M-Six Penvest I Business Trust tract, a distance of 24.18 feet to a point in the existing west right-of-way line of Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the most east southeast corner of said M-Six Penvest I Business Trust tract, the northeast corner of said Motel 6 Operating L.P. tract, and the northeast corner of the herein described parcel, from which a found 5/8 inch iron rod (bent) bears South 70 deg. East, 0.86 feet;
- 4.) THENCE, South 18 deg. 01 min. 46 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said Motel 6 Operating L.P. tract, a distance of 192.39 feet to a point for the northeast corner of the above mentioned Demontrond tract, the southeast corner of said Motel 6 Operating L.P. tract, and the southeast corner of the herein described parcel, from which a found 5/8 inch iron rod bears North 71 deg. 20 min. 13 sec. East, 0.56 feet;
- 5.) THENCE, South 71 deg. 20 min. 13 sec. West, along the south line of said Motel 6 Operating L.P. tract and the north line of said Demontrond tract, a distance of 23.83 feet to the POINT OF BEGINNING and containing 0.1062 acre (4,625 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,832,239.94 and Y=10,105,718.00. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 133" of even survey date herewith accompanies this description.
3. Access is permitted to the highway facility from the remainder of the abutting property.

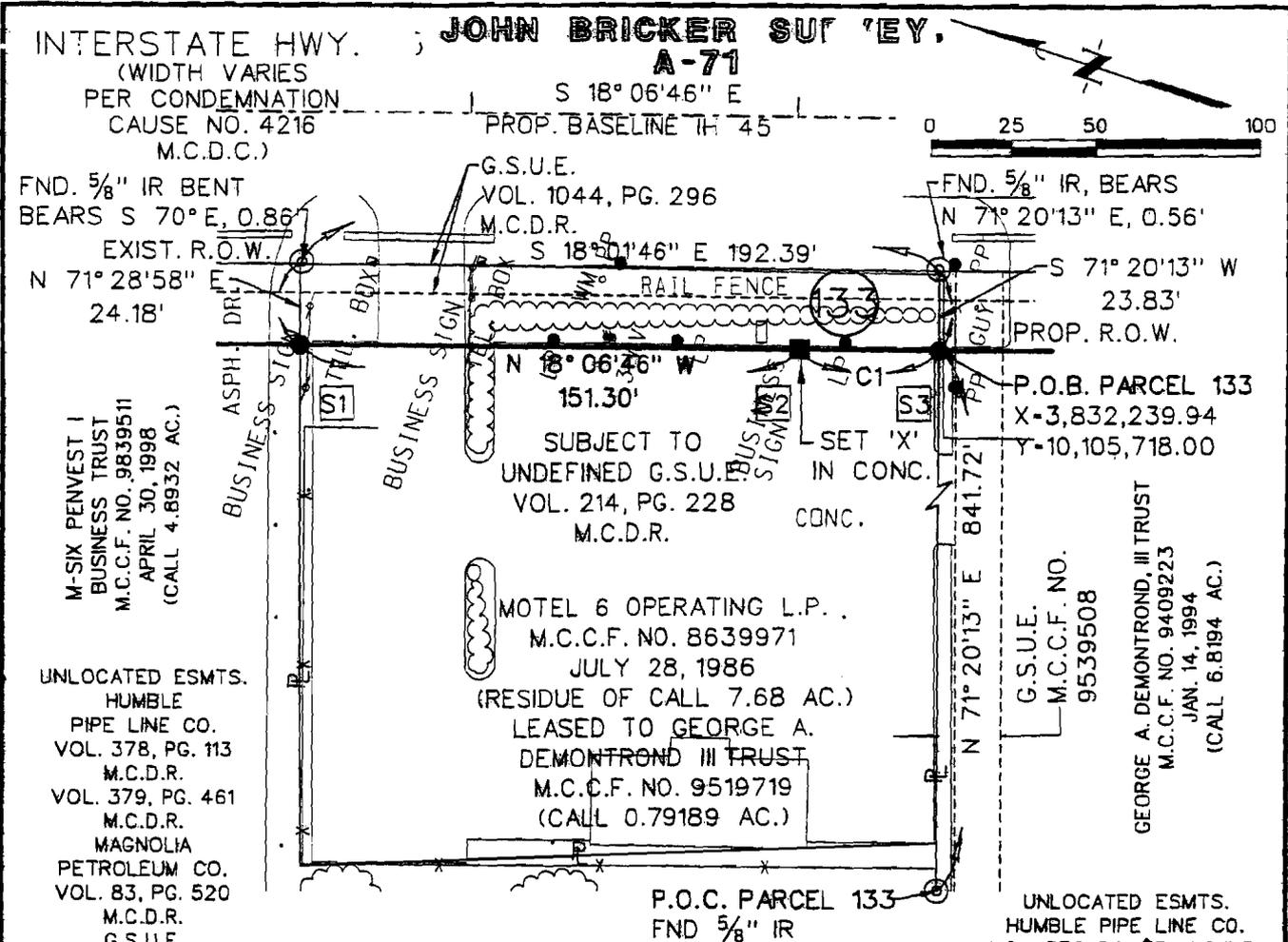
I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002


William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 133 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



M-SIX PENVEST I
BUSINESS TRUST
M.C.C.F. NO. 9839511
APRIL 30, 1998
(CALL 4.8932 AC.)

UNLOCATED ESMTS.
HUMBLE
PIPE LINE CO.
VOL. 378, PG. 113
M.C.D.R.
VOL. 379, PG. 461
M.C.D.R.
MAGNOLIA
PETROLEUM CO.
VOL. 83, PG. 520
M.C.D.R.
G.S.U.E.
VOL. 282, PG. 287
M.C.D.R.

SUBJECT TO
UNDEFINED G.S.U.E.
VOL. 214, PG. 228
M.C.D.R. CONC.

MOTEL 6 OPERATING L.P.
M.C.C.F. NO. 8639971
JULY 28, 1986
(RESIDUE OF CALL 7.68 AC.)
LEASED TO GEORGE A.
DEMONTROND III TRUST
M.C.C.F. NO. 9519719
(CALL 0.79189 AC.)

UNLOCATED ESMTS.
HUMBLE PIPE LINE CO.
VOL. 378, PG. 113, M.C.D.R.
VOL. 379, PG. 461, M.C.D.R.
MAGNOLIA PETROLEUM CO.
VOL. 83, PG. 520, M.C.D.R.
G.S.U.E.
VOL. 282, PG. 287, M.C.D.R.

| CURVE DATA | | | | |
|------------|------------|-------------|------------|------------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C1 | 11,499.66' | 00° 12' 18" | 41.15' | N 18° 12' 55" W 41.15' |

LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- Property Line
- "ACCESS DENIAL LINE"
- x-x- Existing Fence
- (N) Parcel Number
- ⊙ PROPERTY CORNER (FOUND AS NOTED)
- FOUND TYPE I CONC. MON.
- SET TYPE II CONC. MON. (UNLESS OTHERWISE NOTED)
- SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
- SET 5/8" I.R. W/ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
- M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
- M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
- M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
- G.S.U.E. - GULF STATES UTILITIES EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.L. - BUILDING LINE
- D.E. - DRAINAGE EASEMENT

AREA TABLE (ACRES)

| EXISTING | TAKING AC./S.F. | REMAINDER | |
|----------|-----------------|-----------|--------|
| | | LEFT | RIGHT |
| 0.79189 | 0.1062 4,625 | | 0.6857 |

**STATION & OFFSETS
IH 45 BASELINE**

| | |
|----|-----------------------|
| S1 | 811+50.08, 175.00' RT |
| S2 | 813+01.38, 175.00' RT |
| S3 | 813+42.53, 174.93' RT |

- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983. 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002



PARCEL PLAT SHOWING
PARCEL 133

William J. Masse 1/9/05

January, 2005
Parcel 146
Page 1 of 6 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 146

Being a 0.3924 acre (17,094 square foot) parcel of land in the Kenneth Hyman Survey, Abstract No. 249, Montgomery County, Texas, and being out of Reserve "G" and Reserve "H" of Rivershire, Section 1 recorded in Cabinet A, Sheet 65A, Montgomery County Map Records and out of a residue of Lot 9 of O. Etheridge Subdivision recorded in Volume 4, Page 8, Montgomery County Map Records, said 0.3924 acre of land also being out of a certain tract of land described in deeds dated April 2, 1974 from Glenn McMillan Developing Company, August 2, 1983 from Robert L. Waters and May 25, 1994 from Robert L. Waters, Trustee to Rivershire Investors, Ltd. recorded in Volume 850, Page 594, Montgomery County Deed Records and under County Clerk's File Nos. 8338429 and 9429984 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.3924 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at an axle found in the north line of a certain tract of land described in deed dated November 19, 1979 to Montgomery County Hospital District recorded in Volume 1168, Page 512, Montgomery County Deed Records for the southwest corner of Reserve "H" of said Rivershire, Section 1, said point also being in the north survey line of the Ransom House Survey, Abstract No. 245, and the south survey line of said Kenneth Hyman Survey; thence as follows:

North 72 deg. 08 min. 30 sec. East, along the north line of said Montgomery County Hospital District tract, the north survey line of said Ransom House Survey, the south line of Reserve "H" of said Rivershire, Section 1, and the south survey line of said Kenneth Hyman Survey, a distance of 348.04 feet to a 5/8 inch iron rod with aluminum cap set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner and the POINT OF BEGINNING of the herein described parcel, said point also being in a non-tangent curve to the right whose center bears North 64 deg. 54 min. 34 sec. East;

- 1.) THENCE, in a northwesterly direction, along the proposed west right-of-way line of Interstate Highway 45, with said non-tangent curve to the right, having a radius of 7,853.56 feet, at an arc length of 101.72 feet passing a 5/8-inch iron rod with aluminum TxDOT cap stamped "COA" set for the beginning of an Access Denial Line, at an arc length of 608.58 feet passing a 5/8-inch iron rod with aluminum TxDOT cap stamped "COA" set for the end of said Access Denial Line, and continuing a total arc length of 728.92 feet, a central angle of 05 deg. 19 min. 04 sec., and a chord which bears North 22 deg. 25 min. 54 sec. West, 728.65 feet to a 10-inch oak tree for an angle point of the herein described parcel;

January, 2005
Parcel 146
Page 2 of 6 Pages

- 2.) THENCE, North 62 deg. 46 min. 59 sec. West, continuing along the proposed west right-of-way line of Interstate Highway 45, a distance of 13.86 feet to a Type II concrete monument set in the south right-of-way line of North Rivershire Drive (width varies per Cabinet A, Sheet 65A, Montgomery County Map Records) and the north line of Reserve "G" of said Rivershire, Section 1 for the northwest corner of the herein described parcel, said point also being in a non-tangent curve to the left whose center bears North 15 deg. 54 min. 31 sec. West;
- 3.) THENCE, in a northeasterly direction, along the south right-of-way line of said North Rivershire Drive, with said non-tangent curve to the left, having a radius of 389.50 feet, an arc length of 32.23 feet, a central angle of 04 deg. 44 min. 28 sec., and a chord which bears North 71 deg. 43 min. 14 sec. East, 32.22 feet to a 5/8 inch iron rod found in the existing west right-of-way line of Interstate Highway 45 (width varies per Volume 468, Page 288, Volume 467, Page 345, and Volume 468, Page 180, Montgomery County Deed Records) for the northeast corner of Reserve "G" of said Rivershire, Section 1, and the northeast corner of the herein described parcel;
- 4.) THENCE, South 20 deg. 40 min. 12 sec. East, along the existing west right-of-way line of Interstate Highway 45, a distance of 24.62 feet to a Type I concrete monument found for the beginning point of a non-tangent curve to the left whose center bears North 70 deg. 07 min. 52 sec. East;
- 5.) THENCE, in a southeasterly direction, along the existing west right-of-way line of Interstate Highway 45, with said non-tangent curve to the left, having a radius of 7,789.53 feet, an arc length of 714.38 feet, a central angle of 05 deg. 15 min. 17 sec., and a chord which bears South 22 deg. 29 min. 47 sec. East, 714.13 feet to a 5/8 inch iron rod with cap found in the north survey line of said Ransom House Survey and the south survey line of said Kenneth Hyman Survey for the northeast corner of said Montgomery County Hospital District tract and the southeast corner of the herein described parcel;
- 6.) THENCE, South 72 deg. 08 min. 30 sec. West, along the north line of said Montgomery County Hospital District tract, the north survey line of said Ransom House Survey, and the south survey line of said Kenneth Hyman Survey, a distance of 23.29 feet to the POINT OF BEGINNING and containing 0.3924 acre (17,094 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,833,394.89 and Y=10,102,437.57. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
 2. A survey plat titled "Parcel 146" of even survey date herewith accompanies this description.
-

January, 2005
Parcel 146
Page 3 of 6 Pages

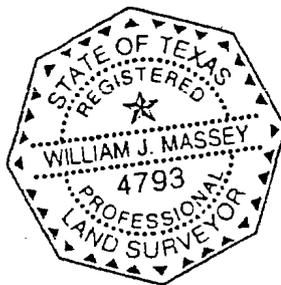
- ✓ 3. Access is prohibited across the "Access Denial Line" to the highway facility from the abutting property.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

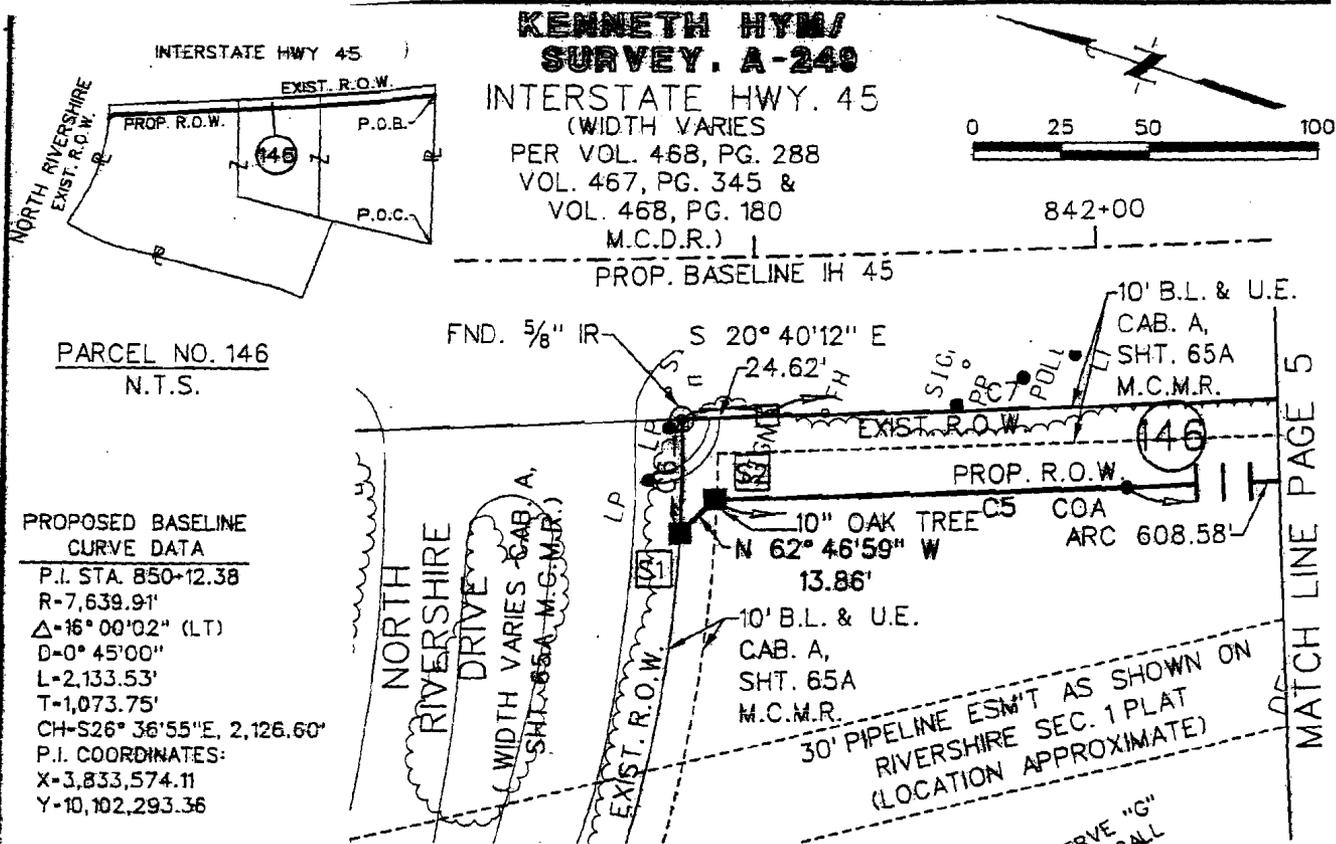
Survey date: October 18, 2002



William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 146 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
|-------|-----------|------------|------------|-------------------------|
| C5 | 7,853.56' | 5° 19' 04" | 728.92' | N 22° 25' 54" W 728.65' |
| C6 | 389.50' | 4° 44' 28" | 32.23' | N 71° 43' 14" E 32.22' |
| C7 | 7,789.53' | 5° 15' 17" | 714.38' | S 22° 29' 47" E 714.13' |

- LEGEND**
- Existing R.O.W. Line
 - Proposed R.O.W. Line
 - Property Line
 - "ACCESS DENIAL LINE"
 - Existing Fence
 - Parcel Number
- ⊙ PROPERTY CORNER (FOUND AS NOTED)
 □ FOUND TYPE (CONC. MON.)
 ■ SET TYPE (CONC. MON.) (UNLESS OTHERWISE NOTED)
 ● SET 5/8" IR W/ TNDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
 ● SET 5/8" I.R. W/ ALUM. CAP (EXCEPT AS NOTED)
 M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
 M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
 M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
 M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
 G.S.U.E. - GULF STATES UTILITIES EASEMENT
 S.S.E. - SANITARY SEWER EASEMENT
 U.E. - UTILITY EASEMENT
 A.E. - AERIAL EASEMENT
 B.L. - BUILDING LINE
 D.E. - DRAINAGE EASEMENT

AREA TABLE (ACRES)

| EXISTING | TAKING AC./S.F. | REMAINDER | |
|----------|------------------|-----------|-------|
| | | LEFT | RIGHT |
| 6.546 | 0.3924 17,094 | | 6.154 |

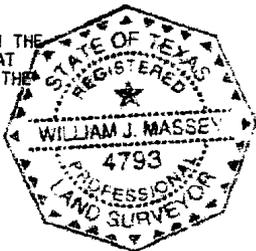
**STATION & OFFSETS
IH 45 BASELINE**

| | |
|----|------------------------|
| S1 | 840+78.18, 183.27' RT. |
| S2 | 840+88.07, 173.80' RT. |

- NOTES:**
- All coordinates and bearings shown herein are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983. 1993 adjustment as provided by TNDOT-Houston District. All distances and coordinates shown herein are surface feet and may be converted to grid by dividing by the TNDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey data accompanies this plat.
 - Offsets to proposed baseline IH 45 shown herein are not to scale.
 - Survey line locations are approximate.
 - Access is prohibited across the "Access Denial Line" to the highway facility from the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



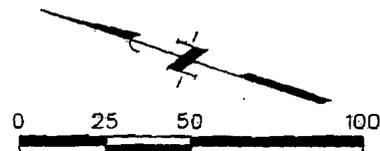
PARCEL PLAT SHOWING
PARCEL 146

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005
PAGE 4 OF 6

PROPOSED BASELINE
CURVE DATA

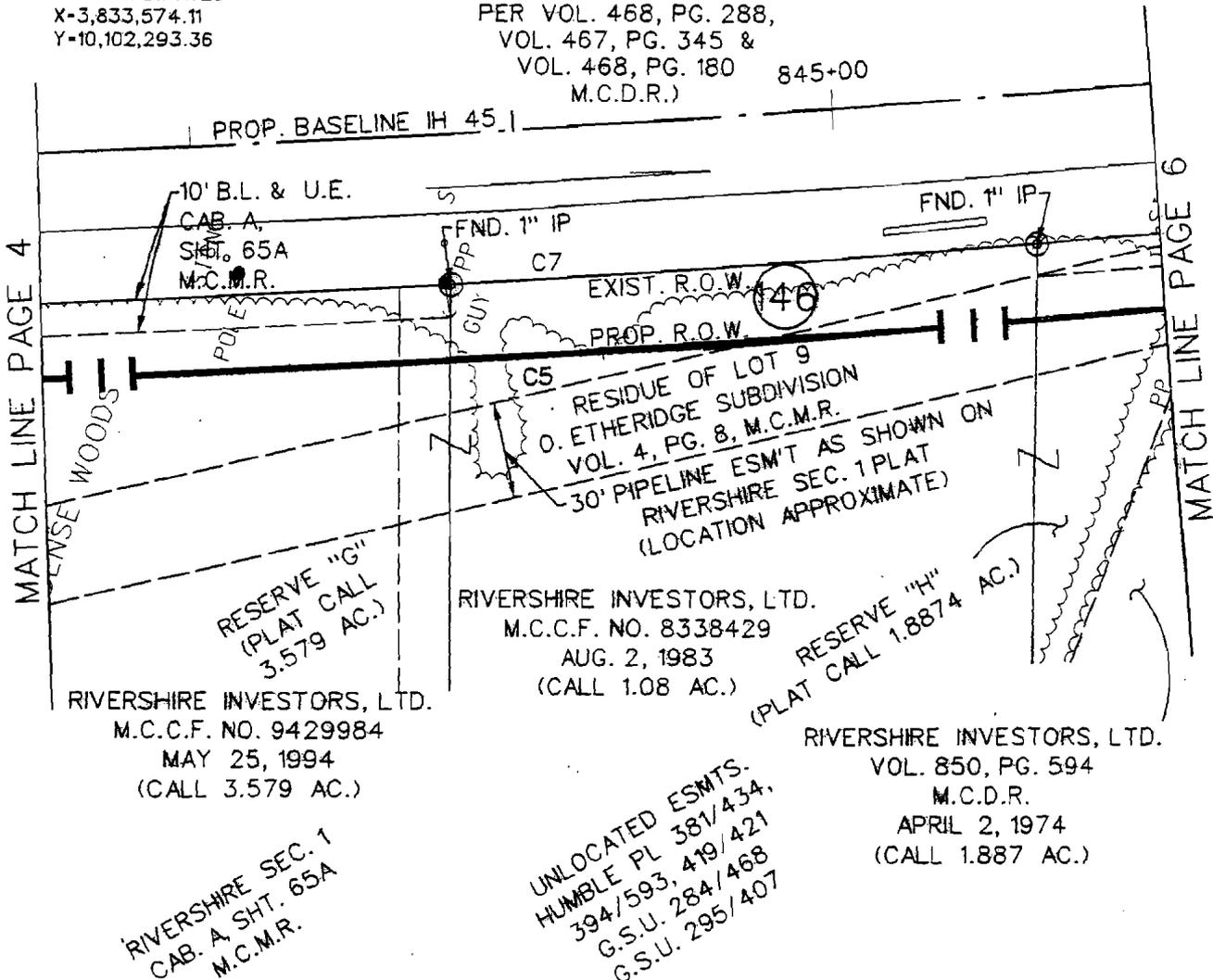
P.I. STA. 850+12.38
R=7,639.91'
 $\Delta=16^{\circ}00'02''$ (LT)
D=0° 45'00"
L=2,133.53'
T=1,073.75'
CH=S26° 36'55"E, 2,126.60'
P.I. COORDINATES:
X=3,833,574.11
Y=10,102,293.36

KENNETH HYMAN
SURVEY, A-249



INTERSTATE HWY. 45

(WIDTH VARIES
PER VOL. 468, PG. 288,
VOL. 467, PG. 345 &
VOL. 468, PG. 180
M.C.D.R.) 845+00



CURVE DATA

| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
|-------|-----------|------------|------------|-------------------------|
| C5 | 7,853.56' | 5° 19' 04" | 728.92' | N 22° 25' 54" W 728.65' |
| C7 | 7,789.53' | 5° 15' 17" | 714.38' | S 22° 29' 47" E 714.13' |

NOTE:

LOCATIONS AND WIDTHS OF 150' G.S.U.E. AND OVERLAPPING DIAMOND SHAMROCK, MOBIL PIPELINE CO., AND SANTA FE PIPELINE CO. EASEMENTS ARE AS SHOWN ON THE PLAT OF RIVERSHIRE SEC. ONE AND ARE APPROXIMATE.

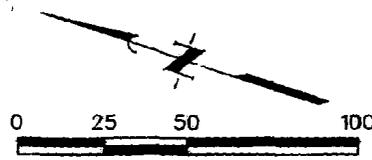
PARCEL PLAT SHOWING
PARCEL 146

PROPOSED BASELINE
CURVE DATA

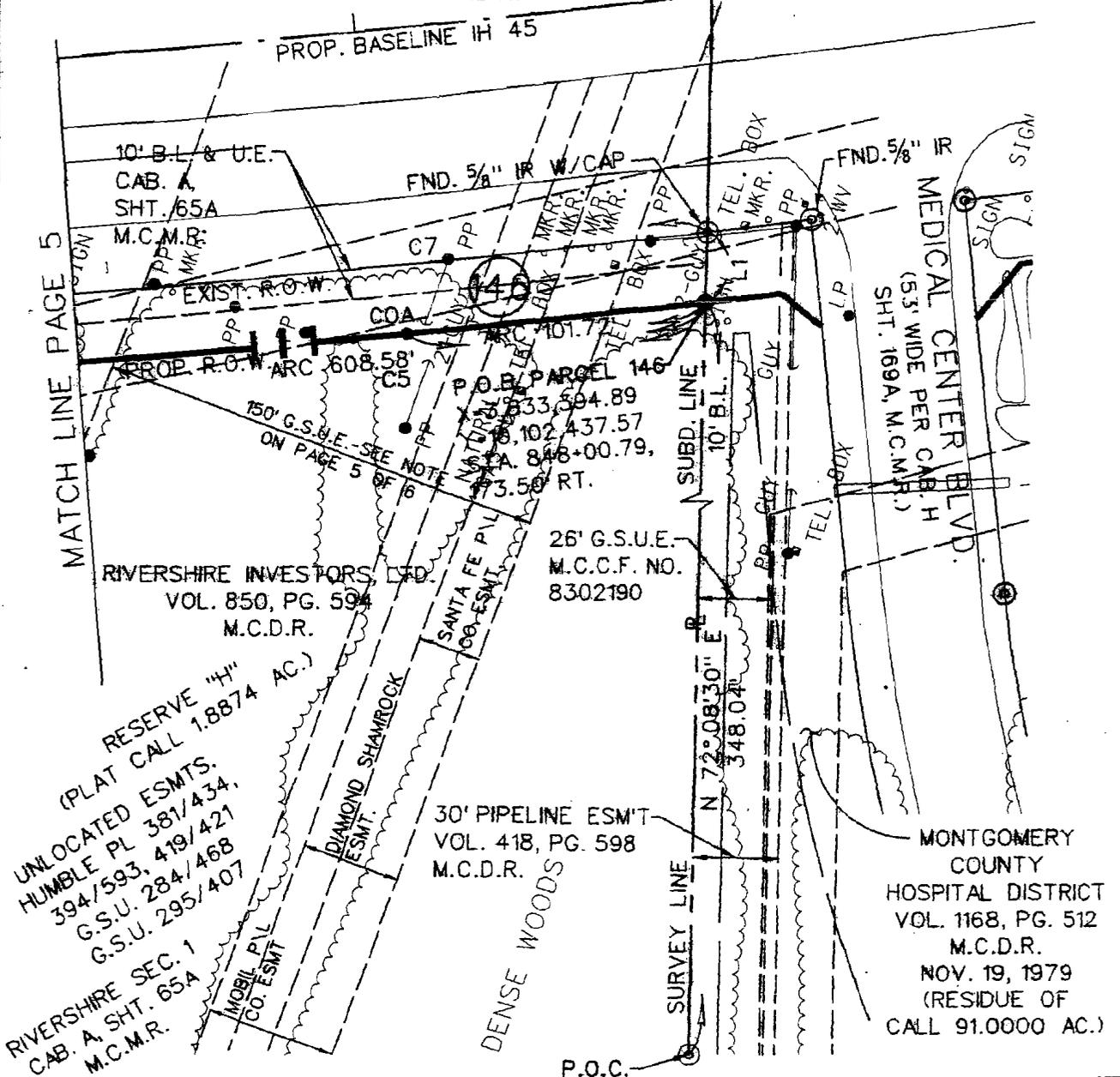
P.I. STA. 850+12.38
R=7,639.91'
Δ=16°00'02" (LT)
D=0°45'00"
L=2,133.53'
T=1,073.75'
CH-S26°36'55"E, 2,126.60'
P.I. COORDINATES:
X=3,833,574.11
Y=10,102,293.36

**KENNETH HYMAN
SURVEY, A-249**

INTERSTATE HWY. 45
(WIDTH VARIES
PER VOL. 468, PG. 288
VOL. 467, PG. 345 &
VOL. 468, PG. 180
M.C.D.R.)



**RANSOM HOUSE
SURVEY, A-245**



| LINE DATA | | |
|-----------|---------------|--------|
| LINE | BEARING | LENGTH |
| L1 | S 72°08'30" W | 23.29' |

| CURVE DATA | | | | |
|------------|-----------|----------|------------|-----------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C5 | 7,853.56' | 5°19'04" | 728.92' | N 22°25'54" W 728.65' |
| C7 | 7,789.53' | 5°15'17" | 714.38' | S 22°29'47" E 714.13' |

P.O.C.
PARCEL 146
FND. AXLE

PARCEL PLAT SHOWING
PARCEL 146

January, 2005
Parcel 124
Page 1 of 4 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 124

Being a 0.2301 acre (10,022 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in deed dated September 22, 1993 from J. Sam Hunt, et al to Anthony R. Gullo recorded under County Clerk's File Nos. 9351383 and 9351384 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.2301 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the northwest corner of a certain tract of land described in deed dated February 12, 1996 to 750 I-45 South, Inc. recorded under County Clerk's File No. 9609650 of the Official Public Records of Real Property of Montgomery County, Texas and the southwest corner of said Gullo tract; thence as follows:

North 71 deg. 11 min. 23 sec. East, along the south line of said Gullo tract and the north line of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 9609650, a distance of 605.62 feet to an "X" in concrete set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 387.20 feet to a 60D nail set in the south line of a certain tract of land described in deed dated May 9, 1999 to 750 I-45 South, Inc. recorded under County Clerk's File No. 99037165 of the Official Public Records of Real Property of Montgomery County, Texas for the northwest corner of the herein described parcel;
- 2.) THENCE, North 71 deg. 31 min. 58 sec. East, along the north line of said Gullo tract and the south line of said 750 I-45 South, Inc. recorded under County Clerk's File No. 99037165, a distance of 25.71 feet to a point (from which a found 5/8 inch iron rod bears South 71 deg. 31 min. 58 sec. West, 1.2 feet) in the existing west right-of-way line of said Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 99037165, the northeast corner of said Gullo tract, and the northeast corner of herein described parcel; said point also being in a non-tangent curve to the right whose center bears South 71 deg. 34 min. 49 sec. West;
- 3.) THENCE, in a southeasterly direction, along the existing west right-of-way line of said Interstate Highway 45 and the east line of said Gullo tract, with said non-tangent curve to the right, having a radius of 22,768.60 feet, an arc length of 155.15 feet, a central angle of 00 deg. 23 min. 26 sec., and a chord which bears South 18 deg. 13 min. 29 sec. East, 155.15 feet to the point of tangency;

January, 2005
Parcel 124
Page 2 of 4 Pages

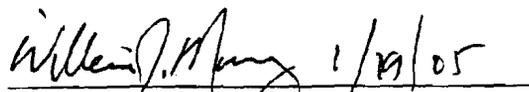
- 4.) THENCE, South 18 deg. 01 min. 46 sec. East, continuing along the existing west right-of-way line of said Interstate Highway 45 and the east line of said Gullo tract, a distance of 231.90 feet to a point for the northeast corner of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 9609650, the southeast corner of said Gullo tract, and the southeast corner of the herein described parcel;
- 5.) THENCE, South 71 deg. 11 min. 23 sec. West, along the south line of said Gullo tract and the north line of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 9609650, a distance of 25.68 feet to the POINT OF BEGINNING and containing 0.2301 acre (10,022 square feet) of land.

Notes:

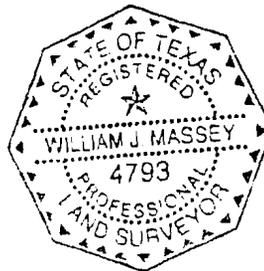
1. The POINT OF BEGINNING of this description has coordinate values of X=3,831,860.30 and Y=10,106,878.39. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 124" of even survey date herewith accompanies this description.
- ✓ 3. Access is permitted to the highway facility from the remainder of the abutting property.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002



William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 124 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068

JOHN BRICKER SURVEY, A 1

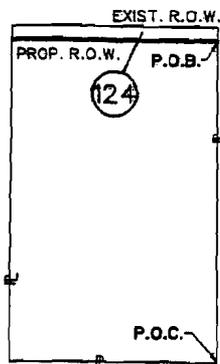
INTERSTATE HWY. 45

(WIDTH VARIES

PER CONDEMNATION CAUSE NO. 4216
M.C.D.C.)

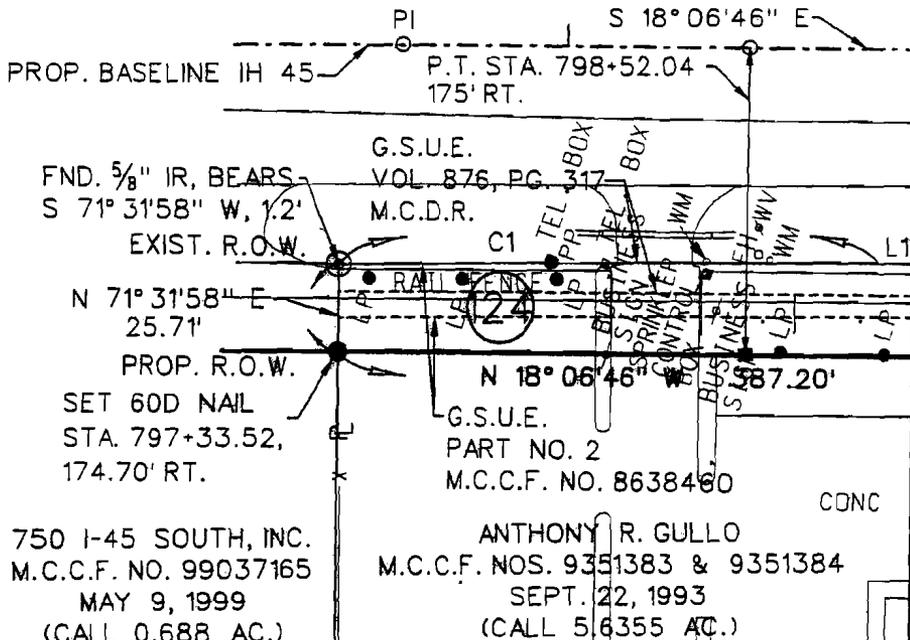
INTERSTATE HWY 45

0 25 50 100



PARCEL NO. 124

N.T.S.



MATCH LINE PAGE 4

750 I-45 SOUTH, INC.
M.C.C.F. NO. 99037165
MAY 9, 1999
(CALL 0.688 AC.)

ANTHONY R. GULLO
M.C.C.F. NOS. 9351383 & 9351384
SEPT. 22, 1993
(CALL 5.6355 AC.)

SUBJECT TO UNDEFINED
G.S.U.E.
VOL. 214, PG. 228
M.C.D.R.

| LINE DATA | | |
|-----------|-----------------|---------|
| LINE | BEARING | LENGTH |
| L1 | S 18° 01' 46" E | 231.90' |

| CURVE DATA | | | | |
|------------|------------|------------|------------|-------------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C1 | 22,768.60' | 0° 23' 26" | 155.15' | S 18° 13' 29" E 155.15' |

PROPOSED BASELINE
CURVE DATA

P.I. STA. 797+51.61
R=22,918.60'
Δ=0° 30' 08" (RT)
D=0° 15' 00"
L=200.86'
T=100.43'
CH=S18° 21' 50"E, 200.86'
P.I. COORDINATES
X=3,831,911.60
Y=10,107,284.47

LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- Property Line
- "ACCESS DENIAL LINE"
- Existing Fence
- Parcel Number

⊙ PROPERTY CORNER (FOUND AS NOTED)
 □ FOUND TYPE I CONC. MON.
 ■ SET TYPE I CONC. MON. (UNLESS OTHERWISE NOTED)
 ● SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
 ● SET 5/8" I.R. W/ALUM. CAP (EXCEPT AS NOTED)

M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
 M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
 M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
 M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
 G.S.U.E. - GULF STATES UTILITIES EASEMENT
 S.S.E. - SANITARY SEWER EASEMENT
 U.E. - UTILITY EASEMENT
 A.E. - AERIAL EASEMENT
 B.L. - BUILDING LINE
 D.E. - DRAINAGE EASEMENT

| AREA TABLE (ACRES) | | | |
|--------------------|------------------|-----------|-------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 5.6355 | 0.2301 10,022 | | 5.405 |

- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

THEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

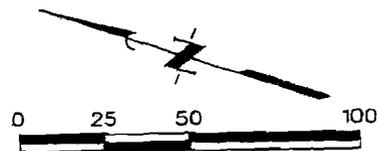
William J. Massey 1/19/05
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR



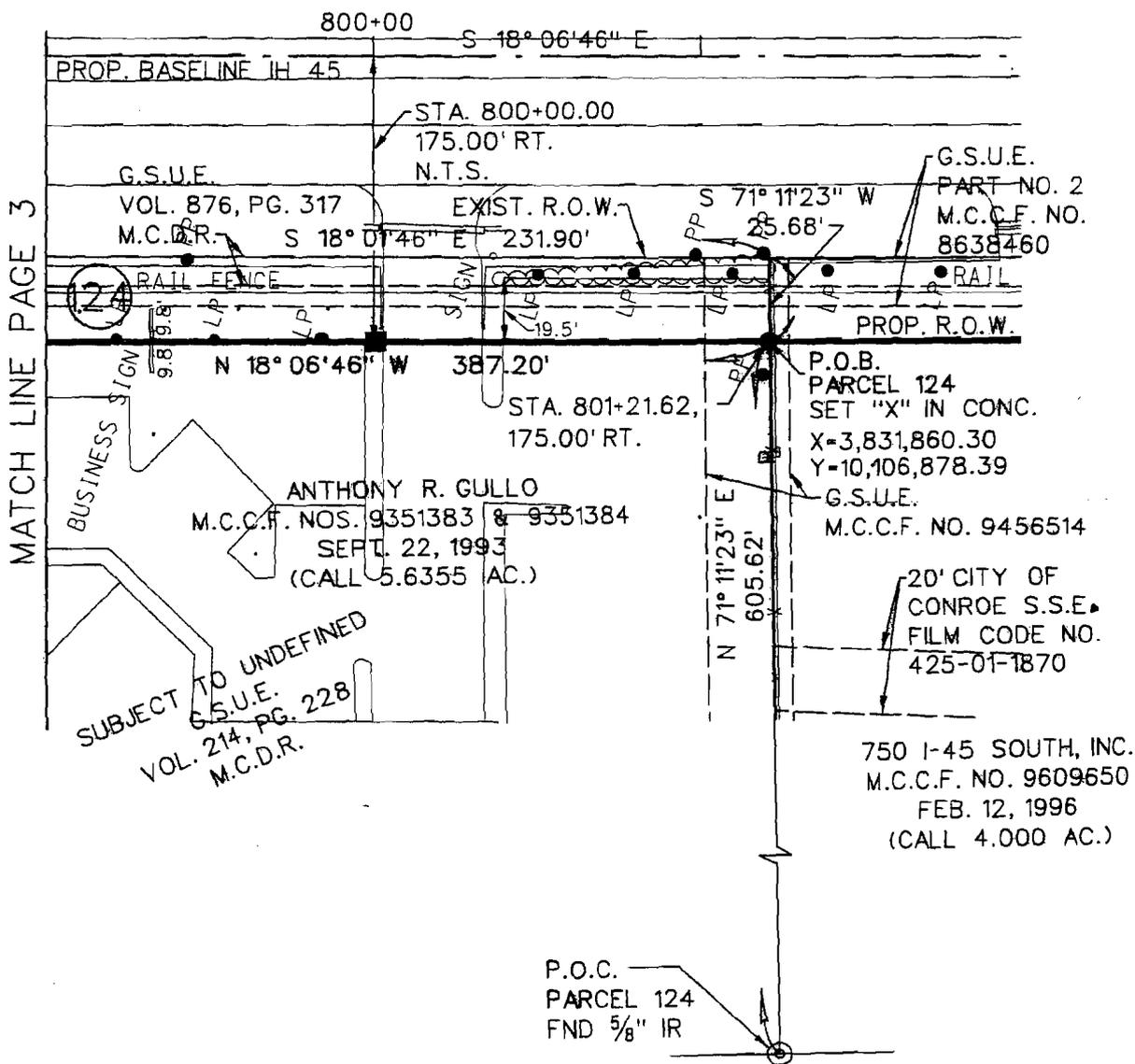
PARCEL PLAT SHOWING
PARCEL 124

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005

JOHN F. WICKER SURVEY, A-7



INTERSTATE HWY. 45
(WIDTH VARIES
PER CONDEMNATION CAUSE NO. 4216
M.C.D.C.)



MATCH LINE PAGE 3

SUBJECT TO UNDEFINED
G.S.U.E.
VOL. 214, PG. 228
M.C.D.R.

ANTHONY R. GULLO
M.C.C.F. NOS. 9351383 & 9351384
SEPT. 22, 1993
(CALL 5.6355 AC.)

P.O.B.
PARCEL 124
SET "X" IN CONC.
X=3,831,860.30
Y=10,106,878.39
G.S.U.E.
M.C.C.F. NO. 9456514
20' CITY OF
CONROE S.S.E.
FILM CODE NO.
425-01-1870

750 I-45 SOUTH, INC.
M.C.C.F. NO. 9609650
FEB. 12, 1996
(CALL 4.000 AC.)

P.O.C.
PARCEL 124
FND 5/8" IR

PARCEL PLAT SHOWING
PARCEL 124

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY, 2005
PAGE 4 OF 4 SCALE: 1"=50'

January, 2005
Parcel 127
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 127

Being a 0.0575 acre (2,507 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described as "Tract 1" in deed dated September 18, 2002 from Rampart Ventures Corporation, L.L.C., et al to 750 I-45 South, Inc. recorded under County Clerk's File No. 2002-098476 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.0575 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the southwest corner of a certain tract of land described in Redemption Receipt dated June 25, 1997 to Sandra Floyd Bann recorded under County Clerk's File No. 9737930 of the Official Public Records of Real Property of Montgomery County, Texas and the northwest corner of said 750 I-45 South, Inc. tract; thence as follows:

North 71 deg. 14 min. 26 sec. East, along the south line of said Sandra Floyd Bann tract and the north line of said 750 I-45 South, Inc. tract, a distance of 603.67 feet to a 60D nail set in the proposed west right-of-way line of Interstate Highway 45 for the northwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 71 deg. 14 min. 26 sec. East, continuing along the south line of said Sandra Floyd Bann tract and the north line of said 750 I-45 South, Inc. tract, a distance of 25.13 feet to an "X" cut in concrete found in existing west right-of-way line of Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said Sandra Floyd Bann tract, the northeast corner of said 750 I-45 South, Inc. tract, and the northeast corner of the herein described parcel;
- 2.) THENCE, South 18 deg. 01 min. 46 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said 750 I-45 South, Inc. tract, a distance of 100.02 feet to a point for the northeast corner of a certain tract of land described in deed dated June 24, 1976 to the State of Texas recorded under County Clerk's File No. 7618241 of the Official Public Records of Real Property of Montgomery County, Texas, the southeast corner of said 750 I-45 South, Inc. tract, and the southeast corner of the herein described parcel, from which a found 1/2 iron pipe bears North 71 deg. 09 min. 55 sec. East, 0.26 feet;
- 3.) THENCE, South 71 deg. 09 min. 55 sec. West, along the south line of said 750 I-45 South, Inc. tract and the north line of said State of Texas tract, a distance of 24.99 feet to a 5/8 inch iron rod with aluminum cap set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner of the herein described parcel;

January, 2005
Parcel 127
Page 2 of 3 Pages

- 4.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 100.06 feet to the POINT OF BEGINNING and containing 0.0575 acre (2,507 square feet) of land.

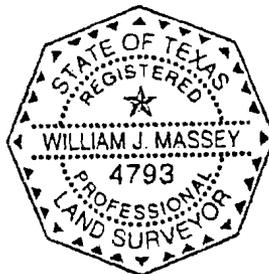
Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,831,977.37 and Y=10,106,520.50. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 127" of even survey date herewith accompanies this description.
3. Access is permitted to the highway facility from the remainder of the abutting property.

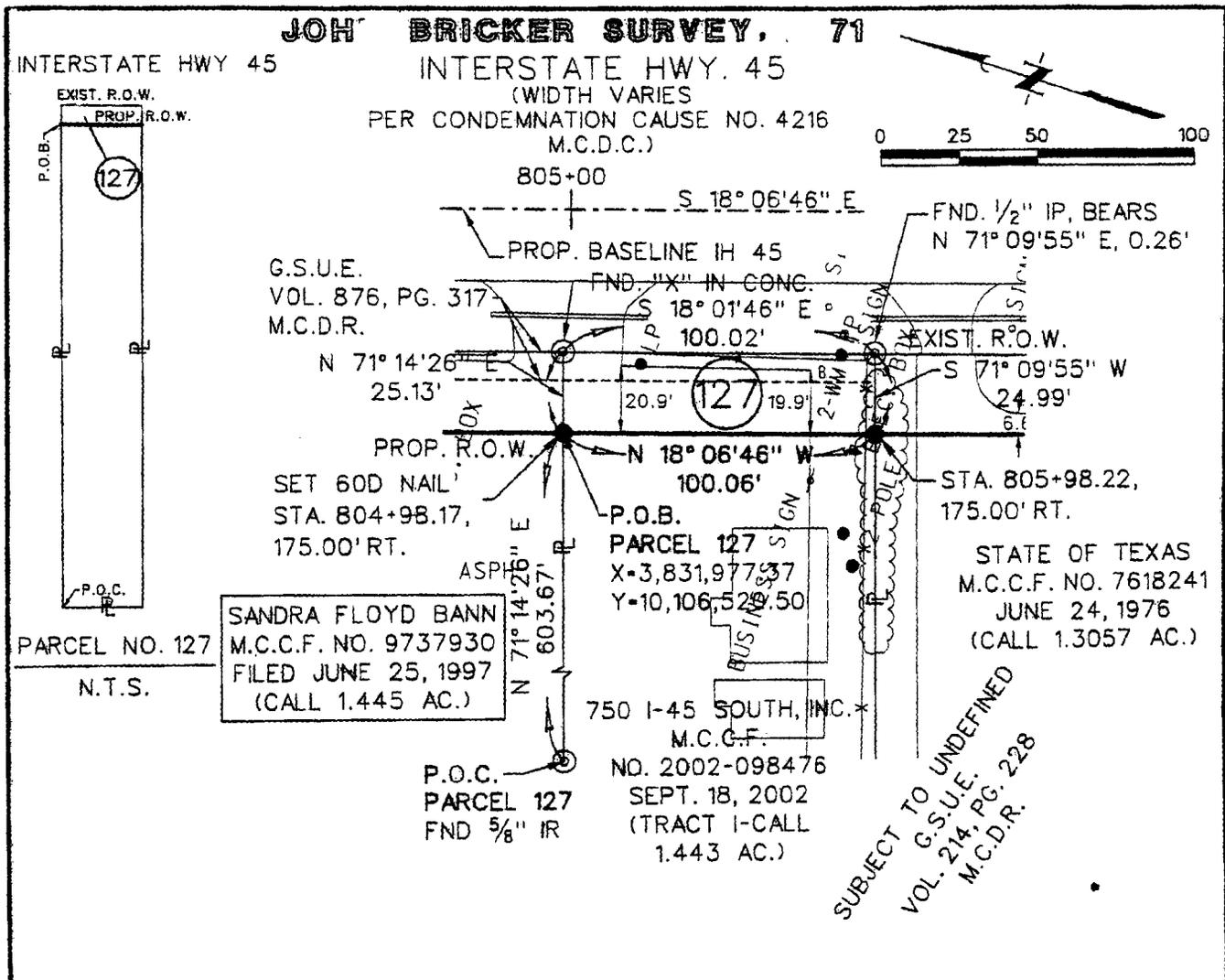
I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002

William J. Massey 1/19/05
Date
William J. Massey
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 127 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



LEGEND

Existing R.O.W. Line
Proposed R.O.W. Line
Property Line
"ACCESS DENIAL LINE"
Existing Fence
Parcel Number

⊙ PROPERTY CORNER (FOUND AS NOTED)
□ FOUND TYPE I CONC. MON.
■ SET TYPE I CONC. MON. (UNLESS OTHERWISE NOTED)
● SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
● SET 3/4" I.R. W/ ALUM. CAP (EXCEPT AS NOTED)

M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
G.S.U.E. - GULF STATES UTILITIES EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
U.E. - UTILITY EASEMENT
A.E. - AERIAL EASEMENT
B.L. - BUILDING LINE
D.E. - DRAINAGE EASEMENT

AREA TABLE (ACRES)

| EXISTING | TAKING AC./S.F. | REMAINDER | |
|----------|-----------------|-----------|-------|
| | | LEFT | RIGHT |
| 1.443 | 0.0575 | | 1.386 |
| | 2,507 | | |

- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey 1/19/05
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



PARCEL PLAT SHOWING
PARCEL 127

IH 45
MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005
PAGE 3 OF 3

January, 2005
Parcel 123
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 123

Being a 0.0867 acre (3,776 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in deed dated May 9, 1999 from Trinity Life Church, Incorporated to 750 I-45 South, Inc. recorded under County Clerk's File No. 99037165 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.0867 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for the northwest corner of said 750 I-45 South, Inc. tract, said point also being an interior corner of a residue of a certain tract of land described in deed dated January 27, 1940 to J.S. Hunt, Trustee recorded in Volume 212, Page 372, Montgomery County Deed Records and an interior corner of a certain tract of land described in deed dated September 23, 1993 to Sandra J. Floyd recorded under County Clerk's File No. 9350958 of the Official Public Records of Real Property of Montgomery County, Texas; thence as follows:

North 71 deg. 29 min. 32 sec. East, along the common line of said 750 I-45 South, Inc. tract and said Hunt and Floyd tract, a distance of 175.77 feet to an "X" in concrete set in the proposed west right-of-way line of Interstate Highway 45 and the south line of a certain tract of land described in deed dated May 3, 2001 to Mohammad Iftikhar d/b/a Interstate Texaco recorded under County Clerk's File No. 2001-040553 of the Official Public Records of Real Property of Montgomery County, Texas for the northwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 71 deg. 29 min. 32 sec. East, along the north line of said 750 I-45 South, Inc. tract and the south line of said Iftikhar tract, a distance of 24.54 feet to an "X" cut in concrete found in the existing west right-of-way line of Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said Iftikhar tract, the northeast corner of said 750 I-45 South, Inc. tract, and the northeast corner of the herein described parcel;
- 2.) THENCE, South 18 deg. 36 min. 23 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said 750 I-45 South, Inc. tract, a distance of 66.77 feet to the beginning point of a non-tangent curve to the right whose center bears South 71 deg. 22 min. 14 sec. West;

January, 2005
Parcel 123
Page 2 of 3 Pages

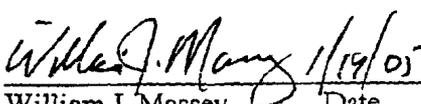
- 3.) THENCE, in a southeasterly direction, continuing along the existing west right-of-way line of Interstate Highway 45, with said non-tangent curve to the right, having a radius of 22,768.60 feet, an arc length of 83.28 feet, a central angle of 00 deg. 12 min. 34 sec., and a chord which bears South 18 deg. 31 min. 29 sec. East, 83.28 feet to a point for the northeast corner of a certain tract of land described in deed dated September 22, 1993 to Anthony R. Gullo recorded under County Clerk's File Nos. 9351383 and 9351384 of the Official Public Records of Real Property of Montgomery County, Texas, the southeast corner of said 750 I-45 South, Inc. tract, and the southeast corner of the herein described parcel, from which a found 5/8 inch iron rod bears South 71 deg. 31 min. 58 sec. West, 1.2 feet;
- 4.) THENCE, South 71 deg. 31 min. 58 sec. West, along south line of said 750 I-45 South, Inc. tract and the north line of said Gullo tract, a distance of 25.71 feet to a 60D nail set in the proposed west right-of-way line of Interstate Highway 45 marking the end of an Access Denial Line for the southwest corner of the herein described parcel;
- 5.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45 and said Access Denial Line, a distance of 150.04 feet to the POINT OF BEGINNING and containing 0.0867 acre (3,776 square feet) of land.

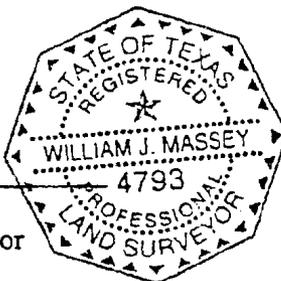
Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,831,693.28 and Y=10,107,389.00. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 123" of even survey date herewith accompanies this description.
3. Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

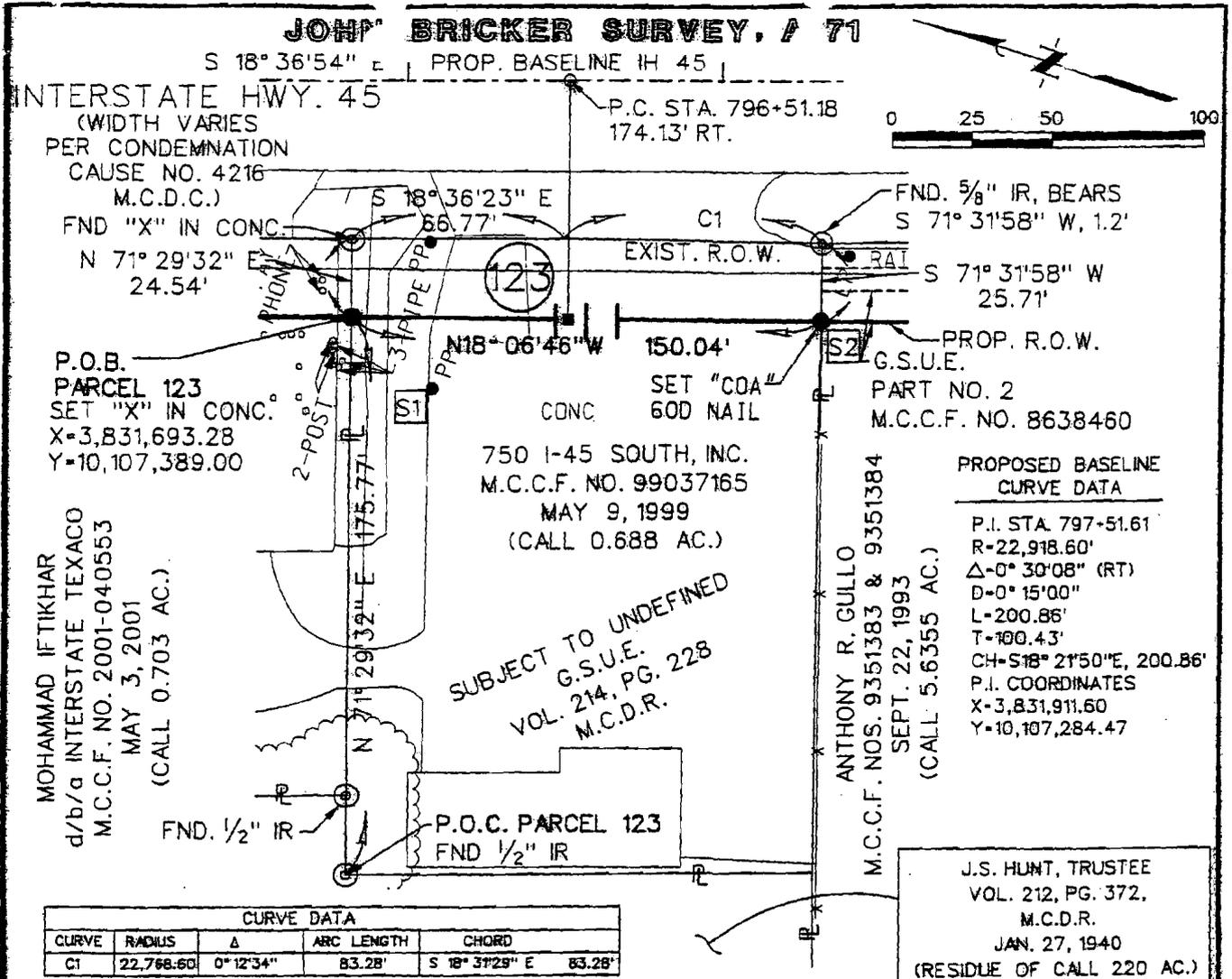
I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002


Date
William J. Massey
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 123 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008



| CURVE DATA | | | | |
|------------|------------|------------|------------|------------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C1 | 22,768.60' | 0° 12' 34" | 83.28' | S 18° 31' 29" E 83.28' |

| LEGEND | |
|--------|----------------------|
| | Existing R.O.W. Line |
| | Proposed R.O.W. Line |
| | Property Line |
| | "ACCESS DENIAL LINE" |
| | Existing Fence |
| | Parcel Number |

| AREA TABLE (ACRES) | | | |
|--------------------|-----------------|-----------|--------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 0.688 | 0.0867 3,776 | | 0.6013 |

- ⊙ PROPERTY CORNER (FOUND AS NOTED)
- FOUND TYPE I CONC. MON.
- SET TYPE II CONC. MON. (UNLESS OTHERWISE NOTED)
- SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
- SET 1/2" IR W/ ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
- M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
- M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
- M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
- G.S.U.E. - GULF STATES UTILITIES EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.L. - BUILDING LINE
- D.E. - DRAINAGE EASEMENT

| STATION & OFFSETS IH 45 BASELINE | | |
|-------------------------------------|-----------|-------------|
| S1 | 795+82.86 | 173.53' RT. |
| S2 | 797+33.52 | 174.70' RT. |

- NOTES:**
- All coordinates and bearings shown herein are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983. 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown herein are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown herein are not to scale.
 - Survey line locations are approximate.
 - Access is prohibited across the "Access Denial Line" to the highway facility from the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey 1/19/05
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR



PARCEL PLAT SHOWING
PARCEL 123

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005

January, 2005
Parcel 125
Page 1 of 4 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 125

Being a 0.1618 acre (7,046 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in deed dated February 12, 1996 from Kenneth R. Havis to 750 I-45 South, Inc. recorded under County Clerk's File No. 9609650 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.1618 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the southwest corner of a certain tract of land described in deed dated September 22, 1993 to Anthony R. Gullo recorded under County Clerk's File Nos. 9351383 and 9351384 of the Official Public Records of Real Property of Montgomery County, Texas, and the northwest corner of said 750 I-45 South, Inc. tract; thence as follows:

North 71 deg. 11 min. 23 sec. East, along the north line of said 750 I-45 South, Inc. tract and the south line of said Gullo tract, a distance of 605.62 feet to an "X" in concrete set in the proposed west right-of-way line of Interstate Highway 45 for the northwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 71 deg. 11 min. 23 sec. East, continuing along the north line of said 750 I-45 South, Inc. tract and the south line of said Gullo tract, a distance of 25.68 feet to a point in the existing west right-of-way line of Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said Gullo tract, the northeast corner of said 750 I-45 South, Inc. tract, and the northeast corner of the herein described parcel;
- 2.) THENCE, South 18 deg. 01 min. 46 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said 750 I-45 South, Inc. tract, a distance of 276.58 feet to a point for the northeast corner of a certain tract of land described in Redemption Receipt dated June 25, 1997 to Sandra Floyd Bann recorded under County Clerk's File No. 9737930 of the Official Public Records of Real Property of Montgomery County, Texas, the southeast corner of said 750 I-45 South, Inc. tract, and the southeast corner of the herein described parcel;
- 3.) THENCE, South 71 deg. 14 min. 29 sec. West, along the south line of said 750 I-45 South, Inc. tract and the north line of said Sandra Floyd Bann tract, a distance of 25.28 feet to a concrete nail set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner of the herein described parcel;

January, 2005
Parcel 125
Page 2 of 4 Pages

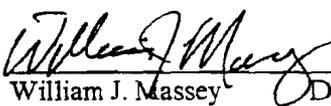
- 4.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 276.55 feet to the POINT OF BEGINNING and containing 0.1618 acre (7,046 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,831,860.30 and Y=10,106,878.39. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 125" of even survey date herewith accompanies this description.
3. Access is permitted to the highway facility from the remainder of the abutting property.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002

 1/19/05

William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



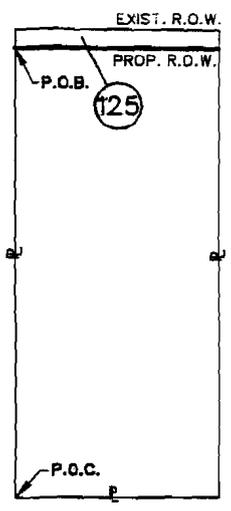
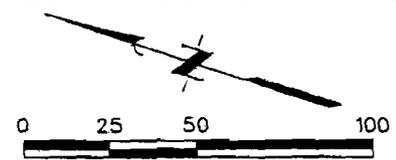
Parcel No. 125 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068

JOHN BRICKER SURVEY, A 1

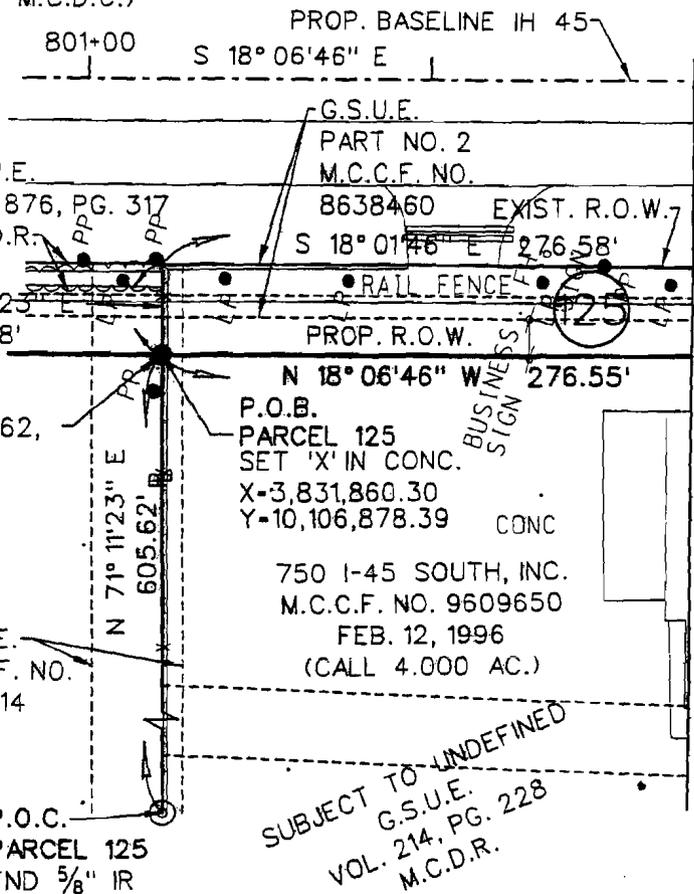
INTERSTATE HWY 45

INTERSTATE HWY. 45

(WIDTH VARIES
PER CONDEMNATION CAUSE NO. 4216
M.C.D.C.)



PARCEL NO. 125
N.T.S.



STA. 801+21.62,
175.00' RT.

P.O.B.
PARCEL 125
SET 'X' IN CONC.
X-3,831,860.30
Y-10,106,878.39 CONC

750 I-45 SOUTH, INC.
M.C.C.F. NO. 9609650
FEB. 12, 1996
(CALL 4.000 AC.)

G.S.U.E.
M.C.C.F. NO.
9456514

P.O.C.
PARCEL 125
FND 5/8" IR

SUBJECT TO UNDEFINED
G.S.U.E.
VOL. 214, PG. 228
M.C.D.R.

ANTHONY R. GULLO
M.C.C.F. NOS. 9351383 & 9351384
SEPT. 22, 1993
(CALL 5.6355 AC.)

MATCH LINE PAGE 4

| LEGEND | |
|--------|--|
| | Existing R.O.W. Line |
| | Proposed R.O.W. Line |
| | Property Line |
| | "ACCESS DENIAL LINE" |
| | Existing Fence |
| | Parcel Number |
| | PROPERTY CORNER (FOUND AS NOTED) |
| | FOUND TYPE I CONC. MON. |
| | FOUND TYPE II CONC. MON. |
| | SET TYPE I CONC. MON. |
| | SET TYPE II CONC. MON. |
| | SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED) |
| | SET 5/8" I.R. W/ ALUM. CAP (EXCEPT AS NOTED) |
| | M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT |
| | M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS |
| | M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE |
| | M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS |
| | G.S.U.E. - GULF STATES UTILITIES EASEMENT |
| | S.S.E. - SANITARY SEWER EASEMENT |
| | U.E. - UTILITY EASEMENT |
| | A.E. - AERIAL EASEMENT |
| | B.L. - BUILDING LINE |
| | D.E. - DRAINAGE EASEMENT |

| AREA TABLE (ACRES) | | | |
|--------------------|--------------------|-----------|-------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 4.000 | 0.1618 7,046 | | 3.838 |

- NOTES:
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



PARCEL PLAT SHOWING
PARCEL 125

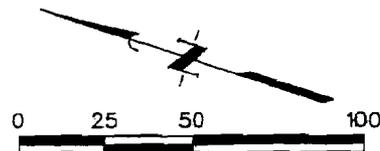
IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005
PAGE 3 OF 4

JOHN B. BAKER SURVEY, A-71

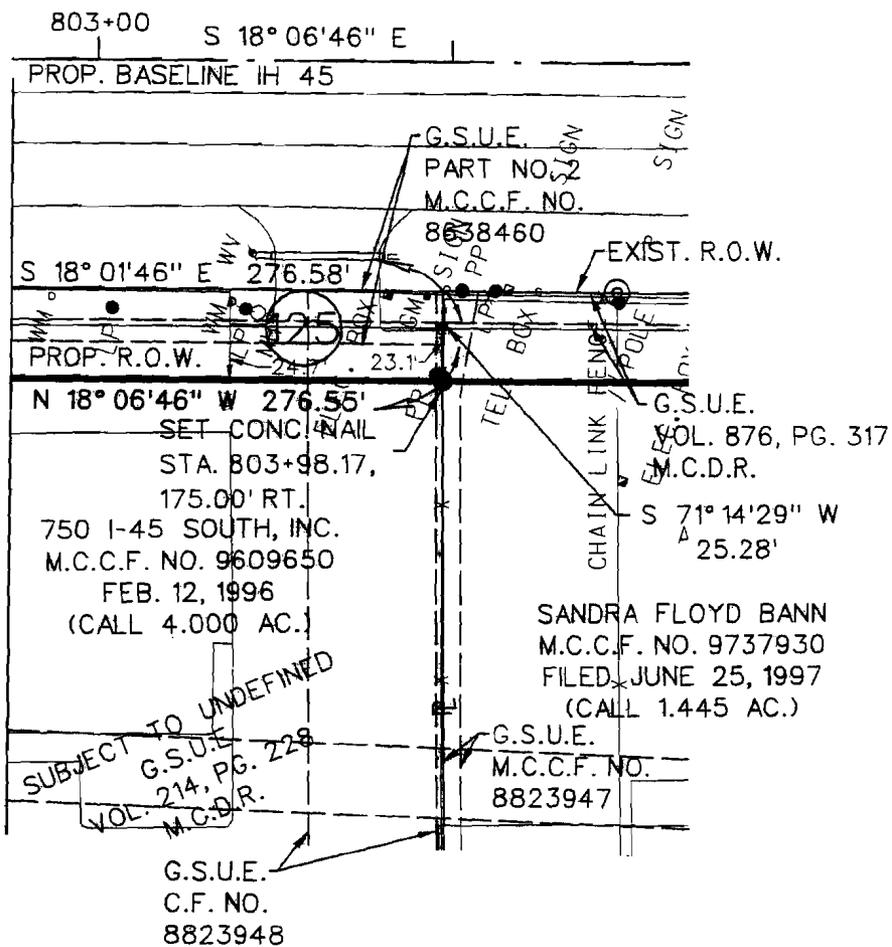
INTERSTATE HWY. 45

(WIDTH VARIES

PER CONDEMNATION CAUSE NO. 4216
M.C.D.C.)



MATCH LINE PAGE 3



PARCEL PLAT SHOWING
PARCEL 125

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY, 2005
PAGE 4 OF 4 SCALE: 1"=50'

Revised July, 2006
January, 2005
Parcel 165
Page 1 of 4

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 165

Being a 0.1277 acre (5,564 square foot) parcel of land in the Ransom House Survey, Abstract No. 245, Montgomery County, Texas, and being out of a certain tract of land described in deed dated March 3, 1992 from Mainland Savings Association to Weingarten Realty Investors recorded under County Clerk's File No. 9211077 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.1277 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found in the south right-of-way line of River Pointe Drive (width varies per Cabinet D, Sheet 119B, Montgomery County Map Records) for the most northerly northwest corner of said Weingarten Realty Investors tract, said point also being in a non-tangent curve to the left whose center bears North 13 deg. 23 min. 46 sec. East; thence as follows:

In a northeasterly direction, along the south right-of-way line of said River Pointe Drive and the north line of said Weingarten Realty Investors tract, with said non-tangent curve to the left, having a radius of 474.00 feet, an arc length of 397.37 feet, a central angle of 48 deg. 01 min. 57 sec., and a chord which bears North 79 deg. 22 min. 48 sec. East, 385.83 feet to the point for tangency;

North 55 deg. 21 min. 45 sec. East, continuing along the south right-of-way line of said River Pointe Drive and the north line of said Weingarten Realty Investors tract, a distance of 12.12 feet to a Type II concrete monument stamped "COA" set in the proposed west right-of-way line of Interstate Highway 45 for the beginning of an "Access Denial Line", said point also being the northwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 55 deg. 21 min. 45 sec. East, continuing along the south right-of-way line of said River Pointe Drive and the north line of said Weingarten Realty Investors tract, a distance of 28.54 feet to a point in the existing west right-of-way line of Interstate Highway 45 (width varies per Volume 409, Page 302, Montgomery County Deed Records) for the northeast corner of said Weingarten Realty Investors tract and the northeast corner of the herein described parcel;
- 2.) THENCE, South 34 deg. 38 min. 15 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said Weingarten Realty Investors tract, a distance of 7.65 feet to a 5/8 inch iron rod found for the point of curvature of a curve to the right;

Revised July, 2006
January, 2005
Parcel 165
Page 2 of 4

- 3.) THENCE, in a southeasterly direction, continuing along the existing west right-of-way line of Interstate Highway 45 and the east line of said Weingarten Realty Investors tract, with said curve to the right, having a radius of 5,691.00 feet, an arc length of 242.39 feet, a central angle of 02 deg. 26 min. 25 sec., and a chord which bears South 33 deg. 25 min. 02 sec. East, 242.37 feet to a 5/8 inch iron rod found for the northeast corner of a residue of a certain tract of land described in deed dated November 29, 1982 to River Pointe Venture I recorded under County Clerk's File No. 8254155 of the Official Public Records of Real Property of Montgomery County, Texas, the southeast corner of said Weingarten Realty Investors tract, and the southeast corner of the herein described parcel;
- 4.) THENCE, South 56 deg. 42 min. 47 sec. West, along the south line of said Weingarten Realty Investors tract and the north line of said River Pointe Venture I residue tract, a distance of 23.63 feet to a 5/8 inch iron rod with aluminum cap stamped "COA" set in the proposed west right-of-way line of Interstate Highway 45 for the end of said "Access Denial Line" for the southwest corner of the herein described parcel;
- 5.) THENCE, North 32 deg. 09 min. 21 sec. West, along the proposed west right-of-way line of Interstate Highway 45 and said "Access Denial Line", a distance of 97.73 feet to a Type II concrete monument set for the point of curvature of a curve to the left;
- 6.) THENCE, in a northwesterly direction, continuing along the proposed west right-of-way line of Interstate Highway 45 and said "Access Denial Line", with said curve to the left, having a radius of 5,689.08 feet, an arc length of 143.09 feet, a central angle of 01 deg. 26 min. 28 sec., and a chord which bears North 32 deg. 52 min. 36 sec. West, 143.08 feet to a Type II concrete monument set for an angle point of the herein described parcel;
- 7.) THENCE, North 78 deg. 25 min. 43 sec. West, continuing along the proposed west right-of-way line of Interstate Highway 45 and said "Access Denial Line", a distance of 12.12 feet to the POINT OF BEGINNING of the herein described parcel and containing 0.1277 acre (5,564 square feet) of land.

Notes:

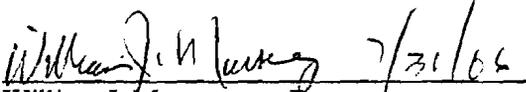
1. The POINT OF BEGINNING of this description has coordinate values of X=3,834,298.64 and Y=10,100,929.84. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 165" of even survey date herewith accompanies this description.
3. Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

Revised July, 2006
January, 2005
Parcel 165
Page 3 of 4

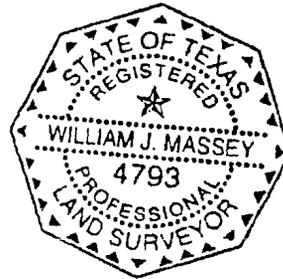
4. Revision performed on July, 2006 consists of updating the "Access Denial Line" along the proposed west right-of-way line of Interstate Highway 45.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002



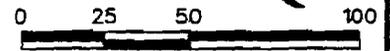
William J. Massey Date 7/31/06
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 165 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068

| LINE DATA | | |
|-----------|-----------------|--------|
| LINE | BEARING | LENGTH |
| L3 | N 55° 21' 45" E | 12.12' |
| L4 | N 55° 21' 45" E | 28.54' |
| L5 | S 34° 38' 15" E | 7.85' |
| L6 | S 56° 42' 47" W | 23.63' |
| L7 | N 32° 08' 21" W | 97.73' |
| L8 | N 78° 25' 43" W | 12.12' |

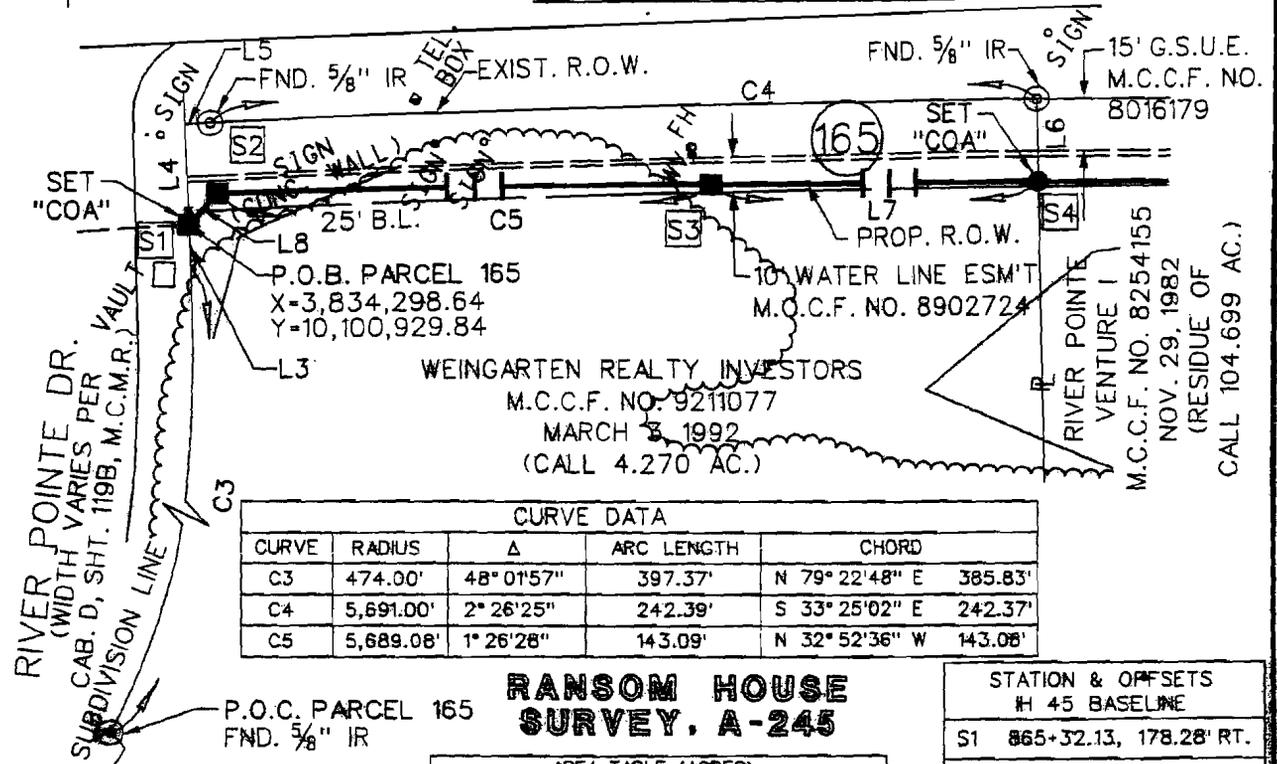
INTERSTATE HWY. 45
(WIDTH VARIES
PER VOL. 409, PG. 302
M.C.D.R.)



865+00

S 34° 36' 56" E

PROP. BASELINE I.H. 45



| CURVE DATA | | | | |
|------------|-----------|-------------|------------|-------------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C3 | 474.00' | 48° 01' 57" | 397.37' | N 79° 22' 48" E 385.83' |
| C4 | 5,691.00' | 2° 26' 25" | 242.39' | S 33° 25' 02" E 242.37' |
| C5 | 5,689.08' | 1° 26' 28" | 143.09' | N 32° 52' 36" W 143.08' |

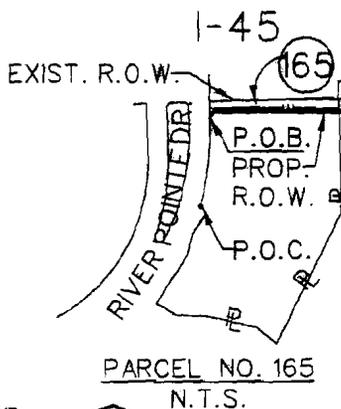
RANSOM HOUSE SURVEY, A-245

| AREA TABLE (ACRES) | | | |
|--------------------|-----------------|-----------|-------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 4.270 | 0.1277 5,564 | | 4.142 |

| STATION & OFFSETS I.H. 45 BASELINE | |
|---------------------------------------|------------------------|
| S1 | 865+32.13, 178.28' RT. |
| S2 | 865+40.88, 169.89' RT. |
| S3 | 866+83.89, 174.23' RT. |
| S4 | 867+81.54, 178.43' RT. |

LEGEND

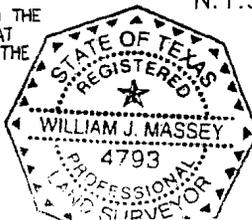
- Existing R.O.W. Line
- Proposed R.O.W. Line
- Property Line
- "ACCESS DENIAL LINE"
- x-x- Existing Fence
- (N) Parcel Number
- ⊙ PROPERTY CORNER (FOUND AS NOTED)
- ▣ FOUND TYPE I CONC. MON.
- ▣ SET TYPE I CONC. MON. (UNLESS OTHERWISE NOTED)
- SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
- SET 5/8" I.R. W/ ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
- M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
- M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
- M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
- G.S.U.E. - GULF STATES UTILITIES EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.L. - BUILDING LINE
- D.E. - DRAINAGE EASEMENT



- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline I.H. 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is prohibited across the "Access Denial Line" to the highway facility from the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey 7/31/06
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



Revised: July, 2006 - Update Access Denial Line

PARCEL PLAT SHOWING
PARCEL 165

I.H. 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005

January, 2005
Parcel 126
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 126

Being a 0.0579 acre (2,520 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in Redemption Receipt dated June 25, 1997 to Sandra Floyd Bann recorded under County Clerk's File No. 9737930 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.0579 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the northwest corner of a certain tract of land described as "Tract 1" in deed dated September 18, 2002 to 750 I-45 South, Inc. recorded under County Clerk's File No. 2002-098476 of the Official Public Records of Real Property of Montgomery County, Texas and the southwest corner of said Sandra Floyd Bann tract; thence as follows:

North 71 deg. 14 min. 26 sec. East, along the south line of said Sandra Floyd Bann tract and the north line of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 2002-098476, a distance of 603.67 feet to a 60D nail set in the proposed west right-of-way line of Interstate Highway 45 (width varies) for the southwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 100.00 feet to a concrete nail set in the south line of a certain tract of land described in deed dated February 12, 1996 to 750 I-45 South, Inc. recorded under County Clerk's File No. 9609650 of the Official Public Records of Real Property of Montgomery County, Texas for the northwest corner of the herein described parcel;
- 2.) THENCE, North 71 deg. 14 min. 29 sec. East, along the south line of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 9609650 and the north line of said Sandra Floyd Bann tract, a distance of 25.28 feet to a point in the existing west right-of-way line of said Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 9609650, the northeast corner of said Sandra Floyd Bann tract, and the northeast corner of the herein described parcel;
- 3.) THENCE, South 18 deg. 01 min. 46 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said Sandra Floyd Bann tract, a distance of 100.00 feet to an "X" cut in concrete found for the northeast corner of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 2002-098476, the southeast corner of said Sandra Floyd Bann tract, and the southeast corner of the herein described parcel;

January, 2005
Parcel 126
Page 2 of 3 Pages

- 4.) THENCE, South 71 deg. 14 min. 26 sec. West, along the south line of said Sandra Floyd Bann tract and the north line of said 750 I-45 South, Inc. tract recorded under County Clerk's File No. 2002-098476, a distance of 25.13 feet to the POINT OF BEGINNING and containing 0.0579 acre (2,520 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X=3,831,977.37 and Y=10,106,520.50. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 126" of even survey date herewith accompanies this description.
3. Access is permitted to the highway facility from the remainder of the abutting property.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

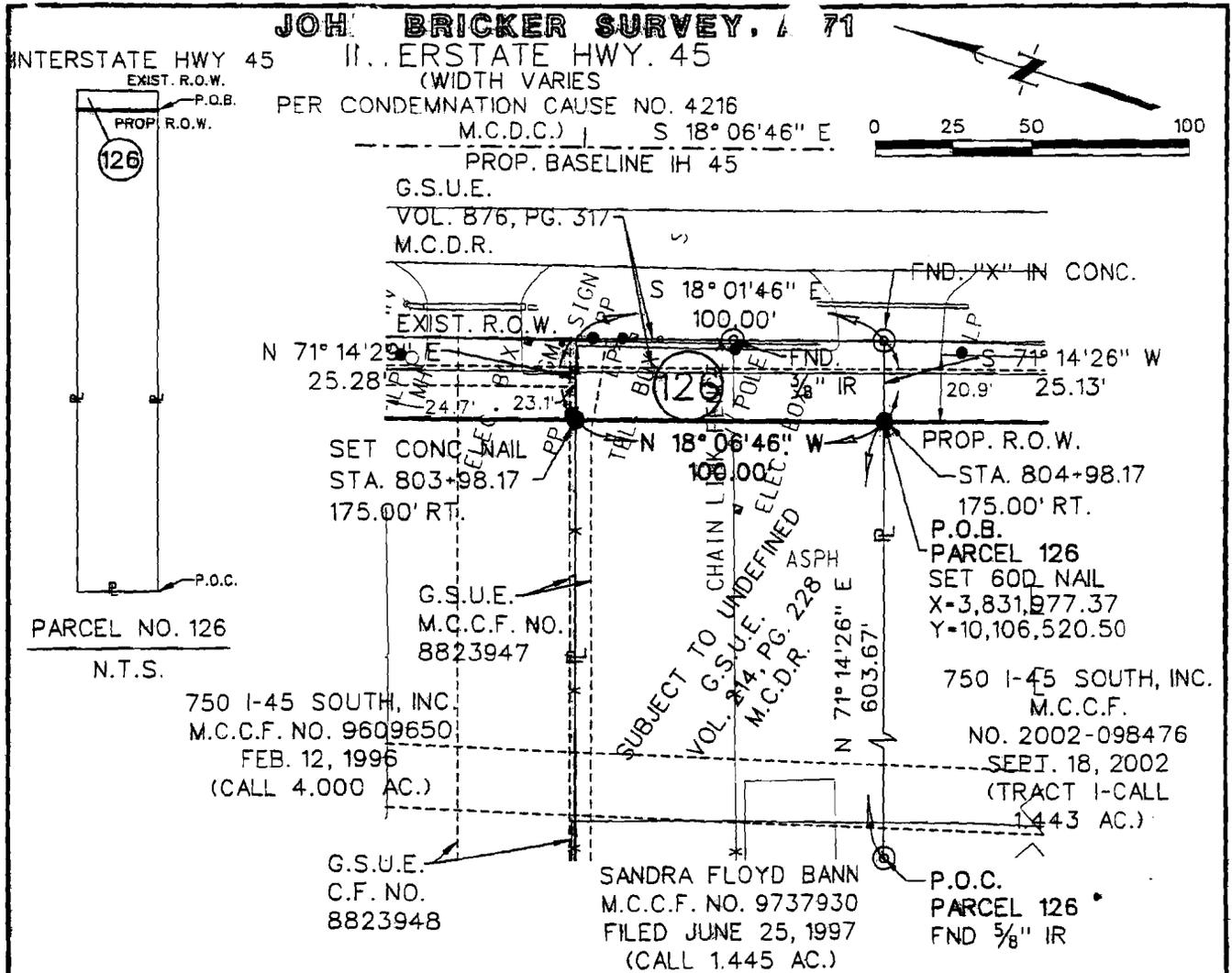
Survey date: October 18, 2002



William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 126 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



PARCEL NO. 126
N.T.S.

750 I-45 SOUTH, INC.
M.C.C.F. NO. 9609650
FEB. 12, 1996
(CALL 4.000 AC.)

G.S.U.E.
C.F. NO.
8823948

SANDRA FLOYD BANN
M.C.C.F. NO. 9737930
FILED JUNE 25, 1997
(CALL 1.445 AC.)

750 I-45 SOUTH, INC.
M.C.C.F.
NO. 2002-098476
SEPT. 18, 2002
(TRACT I-CALL
1.443 AC.)

P.O.B.
PARCEL 126
SET 60D NAIL
X=3,831,977.37
Y=10,106,520.50
FND 5/8" IR

- LEGEND**
- Existing R.O.W. Line
 - Proposed R.O.W. Line
 - Property Line
 - "ACCESS DENIAL LINE"
 - x-x- Existing Fence
 - Parcel Number
- (N) PROPERTY CORNER (FOUND AS NOTED)
- FOUND TYPE I CONC. MON.
 - SET TYPE II CONC. MON. (UNLESS OTHERWISE NOTED)
 - SET 3/4" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
 - SET 3/8" I.R. W/ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
G.S.U.E. - GULF STATES UTILITIES EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
U.E. - UTILITY EASEMENT
A.E. - AERIAL EASEMENT
B.L. - BUILDING LINE
D.E. - DRAINAGE EASEMENT

| EXISTING | TAKING AC./S.F. | REMAINDER | |
|----------|-----------------|-----------|-------|
| | | LEFT | RIGHT |
| 1.445 | 0.0579 | | 1.387 |
| | 2.520 | | |

- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



PARCEL PLAT SHOWING
PARCEL 126

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005
PAGE 3 OF 3 SCALE: 1"=50'

September 2005
Revised October 2006
Page 1 of 4

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits: From: 179+93.32 474.37' Left
To: 182+74.45 430.74' Left

FIELD NOTES FOR PARCEL 40

Being 0.1387 of an acre of land situated in the Solomon Cole Survey, Abstract No. 84, San Jacinto County, Texas and being a part of and out of a calculated 0.6879 of an acre tract and being the remainder tract of Lots 7, 8, 9, 10, 11 and 12 of Block 4 of the Tiberia Subdivision as recorded in Volume 15, Page 412, of the Deed Records, San Jacinto County, Texas, and being a part of and out of a called 100 acre tract described in deed from William A. Elmore, to Mattie Kirby Elmore, dated September 27, 1947, and recorded in Volume 51, Page 246, of the Deed Records of San Jacinto County, Texas, said 0.1387 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod found for the North corner of a called 4.33171 acre tract described in deed from Bridges Browder and Richard B. Foretich, to Jimmie C. Edwards, dated February 5, 1969, and recorded in Volume 113, Page 153, in the Deed Records of San Jacinto County, Texas;

THENCE S 65°18'07" E, with the Northeasterly line of said called 4.33171 acre tract, passing at a distance of 583.96 feet, the West corner of said calculated 0.6879 of an acre tract and continuing with said Northeasterly line of the called 4.33171 acre tract and the Southwesterly line of said calculated 0.6879 of an acre tract, a total distance of 603.23 feet to a 5/8" iron rod with Texas Department of Transportation (TX DOT) aluminum cap set** at its intersection with the proposed Northwesterly right-of-way line of U.S. 59 (width varies), being the "POINT OF BEGINNING" of the parcel herein described, and being 472.26 feet left of centerline station 180+42.33, having surface coordinates of X = 3,974,273.23, Y = 10,178,207.18, (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, 93 adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.)

September 2005
Revised October 2006
Parcel 40
Page 2 of 4

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits: From: 179+93.32 474.37' Left
To: 182+74.45 430.74' Left

1. THENCE N 55°28'39" E, with said proposed Northwesterly right-of-way line of U.S. 59 and with an Access Denial Line, a distance of 235.81 feet to a 5/8" iron rod with TX DOT aluminum cap set at its intersection with the Northeasterly line of said calculated 0.6879 of an acre tract and being in the Northwesterly right-of-way line of a 20 foot alley in Block 4 of the Tiberia Subdivision as recorded in Volume 15, Page 412, of the Deed Records, San Jacinto County, Texas;
2. THENCE S 24°40'50" W, with said Northeasterly line of the calculated 0.6879 of an acre tract and said Northwesterly right-of-way line of the 20 foot alley, a distance of 73.56 feet to a 5/8" iron rod with cap set at a Southeasterly corner of said calculated 0.6879 of an acre tract and being in the existing Northwesterly right-of-way line of U.S. 59 (width varies);
3. THENCE S 61°06'22" W, with said existing Northwesterly right-of-way line of U.S. 59, a distance of 130.55 feet to a 5/8" iron rod with cap set at an angle point;
4. THENCE S 66°49'00" W, continuing with said existing Northwesterly right-of-way line of U.S. 59, a distance of 32.31 feet to a 5/8" iron rod found at the South corner of said calculated 0.6879 of an acre tract and the East corner of said called 4.33171 acre tract;
5. THENCE N 65°18'07" W, with said Southwesterly line of the calculated 0.6879 of an acre tract and said Northeasterly line of the called 4.33171 acre tract, a distance of 21.54 feet to the "POINT OF BEGINNING" and containing within these calls 0.1387 of an acre of land.

September 2005
Revised October 2006
Parcel 40
Page 3 of 4

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits: From: 179+93.32 474.37' Left
To: 182+74.45 430.74' Left

✓ **NOTE:** Access is prohibited across the "Access Denial Line" to the Transportation Facility from the adjacent property.

** "This monument may be replaced with a TXDOT Type II Right of Way marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, whether employed or retained by TXDOT".

(A parcel sketch was prepared in conjunction with this field note description.)

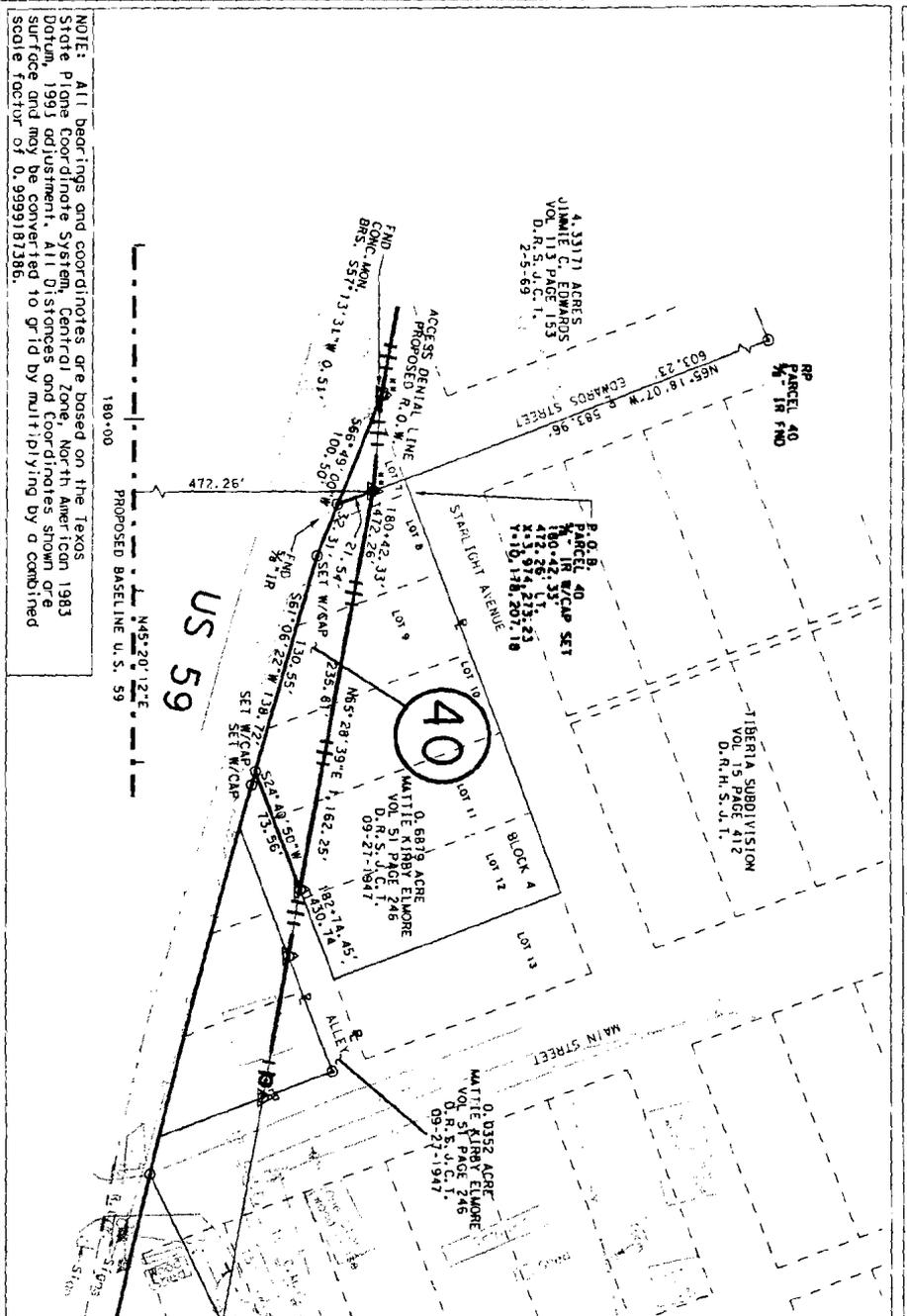

10-11-2006



SOLOMON COLE
SURVEY A-84

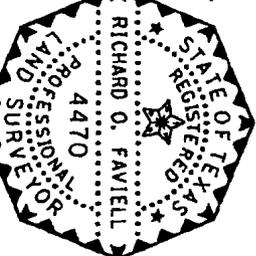
THE TEXAS DEPARTMENT
OF TRANSPORTATION

SAN JACINTO
COUNTY, TEXAS



NOTE: All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American 1983 Datum, 1993 adjustment. All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999181386.

I, RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4470 DO HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT REPRESENTS THE FACTS AS FOUND BY AN ON THE GROUND SURVEY.



LEGEND

- IRON ROD AS NOTED
- ◉ IRON PIPE AS NOTED
- ◊ CONC MON AS NOTED
- ⊙ 3/4" IRON ROD WITH 3 1/2" ALUMINUM DISK MARKED "TEXAS DEPT. OF TRANSPORTATION R.O.W. MONUMENT"
- SURVEY RIGHT-OF-WAY EXISTING RIGHT-OF-WAY (APPROX.)
- - - SURVEY LINE (APPROX.)
- PROPOSED RIGHT-OF-WAY PROPERTY LINE
- - - PROPOSED CENTERLINE

| | | | |
|--------------------|--|--|--|
| COUNTY: | SAN JACINTO | | |
| CONSTRUCTION CSJ: | 0177-02-053 | | |
| ROW ACCOUNT NO.: | 8011-02-020 | | |
| ROW CSJ NO.: | 0177-02-072 | | |
| PARCEL NO.: | 40 | | |
| GRANTOR: | MATTIE KIRBY ELMORE | | |
| HIGHWAY NO.: | US 59 | | |
| PROJECT LIMITS: | FROM 180+42.33 | | |
| PARCEL LIMITS: | FROM 182+74.45 | | |
| BARWIN CONSULTANTS | 300 E. MAIN STREET, SUITE 300 NACODOCHESS, TEXAS 75961 PHONE: (936) 569-0668 | | |

REVISOR: SEPTEMBER 2006
REVISED: OCTOBER 2006

3/4" IRON ROD WITH 3 1/2" ALUMINUM DISK MARKED "TEXAS DEPT. OF TRANSPORTATION CONTROL OF ACCESS" DENIAL LINE - ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE TRANSPORTATION FACILITY FROM THE ADJACENT PROPERTY

TAKING: 0.1387 REMAINING: 0.5492
SCALE: 1"=100' SHEET: 4 OF 4
SEE PROPERTY DESCRIPTION AND RIGHT OF WAY MAP

County: Erath
Highway: U.S. Highway 67
R.O.W. CSJ: 0079-08-002

Page 1 of 8
02/01/05

Description for Parcel 18

BEING 23.601 acres of land, more or less, out of the William Thomas Survey, Abstract No. 753, County of Erath, State of Texas, and being a part of that certain 120 acre tract of land conveyed by Jack Barnes et ux Dorothy Barnes, and L.N. McKinney et ux Marguerite to Aztex Dairy, Inc., dated March 30, 1990, as recorded in Volume 788, Page 377, of the Deed Records, Erath County, Texas, and being a part of that certain 158.45 acre tract of land conveyed by William L. Shingleton and Marguerite Shingleton to Aztex Dairy, Inc., dated November 1, 1989, as described in Volume 780, Page 29, of the Deed Records, Erath County, Texas, said 23.601 acres of land being more particularly described, by metes and bounds, as follows;

BEGINNING at a 5/8" iron rod with aluminum cap stamped "TxDOT" set in the South line of the said 120 acre Aztex Dairy, Inc. tract, same being the North line of that certain tract of land conveyed to John D. Stevens and Darla C. Stevens, as recorded in Volume 926, Page 206, of the Deed Records, Erath County, Texas; said iron rod being in the proposed East right-of-way line of U.S. Highway 67; said iron rod being North 71° 12' 35" West, a distance of 2911.22 feet from a 3/8" iron rod found for the Southeast corner of said Aztex tract, said iron being 200.00 feet East of and at right angles to the proposed centerline survey station 271+64.18 of said U.S. Highway 67;

1) THENCE North 71° 12' 35" West, with the common line between said Aztex and Stevens tracts, a distance of 307.48 feet to a 1/2" iron rod found at the Northwest corner of said Stevens tract and the Northeast corner of that certain tract of land conveyed to Fred R. Lueck et ux Judy A. Lueck, as recorded in Volume 788, Page 370, of the Deed Records, Erath County, Texas;

2) THENCE North 71° 12' 35" West, with the common line between said Aztex and Lueck tracts, a distance of 92.65 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set in the proposed West right-of-way of U.S. Highway 67 and the beginning of a Access Denial Line;

3) THENCE North 20° 14' 55" East, with said proposed West right-of-way of U.S. Highway 67 and Access Denial Line, a distance of 546.88 feet to 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set for an angle point; (**)

4) THENCE North 32° 42' 34" East, with said proposed West right-of-way of U.S. Highway 67 and Access Denial Line, a distance of 635.07 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set for the beginning of a non-tangent curve to the right whose center point bears South 60° 25' 24" East, a distance of 3934.72 feet; (**)

5) THENCE Northeasterly, with said curve to the right and Access Denial Line, through a central angle of 03° 55' 01", at an arc distance of 269.00 feet pass a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set in the North line of Aztex Dairy Inc. tract as described in Volume 788, Page 377 and the South line of Aztex Dairy, Inc. tract as described in Volume 780, Page 29, of the Deed Records, Erath County, Texas, continuing with said curve to the right through a central angle is 34° 22' 02", for an arc distance of 2360.13 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set in the Easterly North line of said Aztex Dairy, Inc. tract for the end of said Access Denial Line; same being the South line of that certain tract of land conveyed to Stephen D. Howell, as recorded in Volume 1023, Page 222, of the Deed Records, Erath County, Texas;

County: Erath
Highway: U.S. Highway 67
R.O.W. CSJ: 0079-08-002

Page 2 of 8
02/01/05

6) **THENCE** South $71^{\circ} 40' 47''$ East, with the common line between said Aztex and Howell tracts, a distance of 371.04 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set in the proposed Southeast right-of-way line of U.S. Highway 67 and the beginning of a Access Denial Line; said proposed right-of-way line is curving to the left and whose center point bears South $17^{\circ} 46' 07''$ East, a distance of 3704.72 feet;

7) **THENCE** Southwesterly, with said curve to the left and Access Denial Line, through a central angle of $37^{\circ} 47' 08''$, for an arc distance of 2443.19 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set in the South Line of the Aztex Dairy Inc. tract in Volume 780, Page 29, and the North line of the Aztex Dairy Inc. tract as described in Volume 788, Page 377, and continue with said curve to the left through a central angle of $04^{\circ} 09' 02''$, for an arc distance of 268.38 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set for the end of said curve; (**)

8) **THENCE** South $17^{\circ} 45' 03''$ West, continuing with said proposed East right-of-way line of U.S. Highway 67 and a Access Denial Line, a distance of 646.91 feet to a 5/8" smooth iron rod with aluminum cap stamped "TxDOT" set for an angle point; (**)

9) **THENCE** South $20^{\circ} 14' 55''$ West with said proposed East right-of-way line of U.S. Highway 67 and Access Denial Line, a distance of 519.04 feet to the Point of Beginning and the end of said Access Denial Line, and containing 23.601 acres of land.

NOTES:

Survey sketch to accompany this legal description.

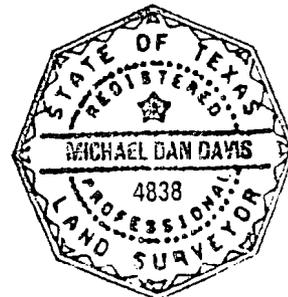
Bearings are based on NAD 83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00006.

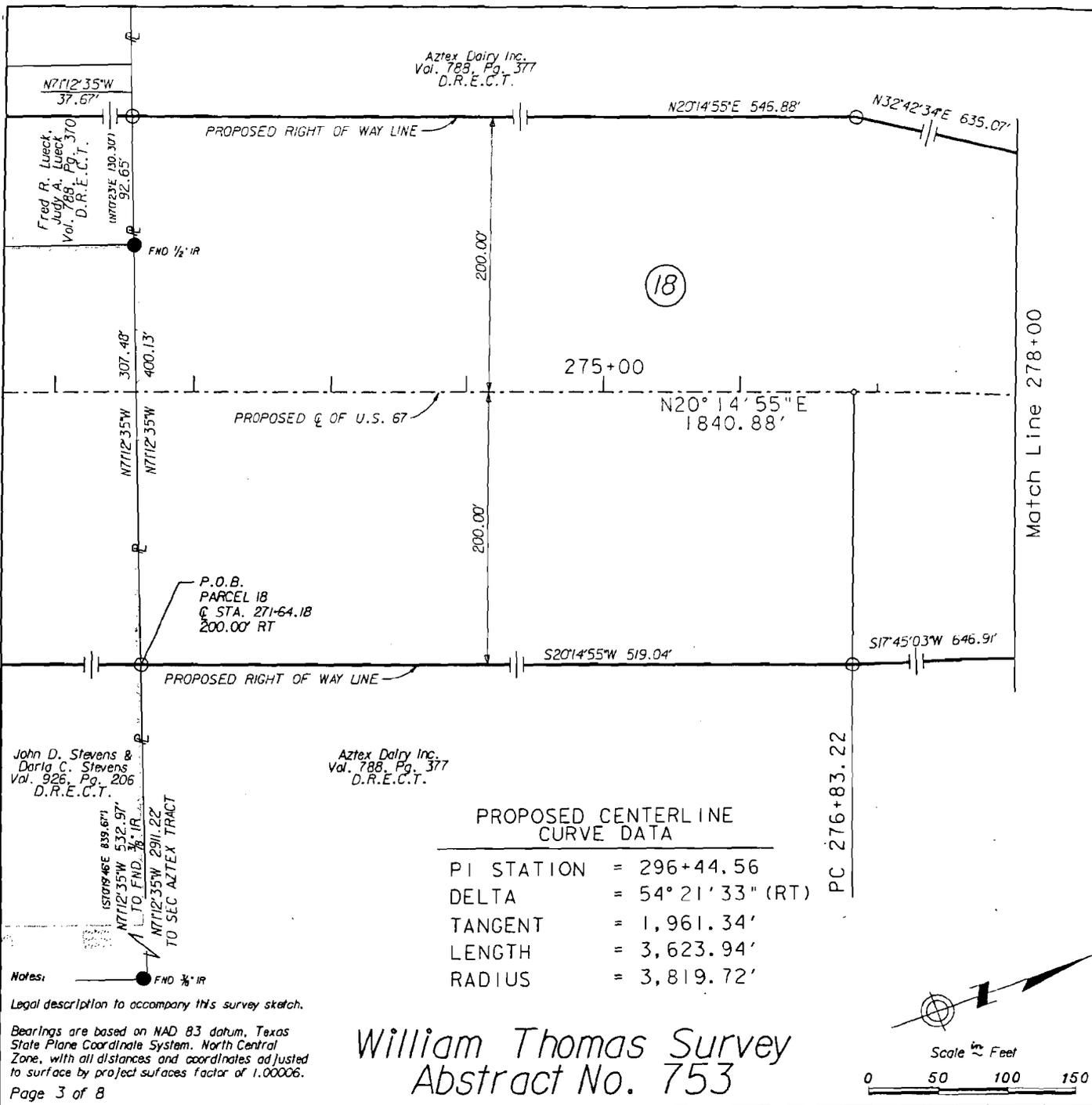
(**) The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TxDOT.

✓ Access is prohibited across the "Access Denial Line" to the transportation facility from the adjacent property.

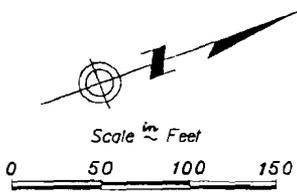
The remainder property South of this parcel is currently land locked.


Michael Dan Davis
Registered Professional Land Surveyor No. 4838
Dannenbaum Engineering Corporation
6421 Camp Bowie Boulevard, Suite 400
Fort Worth, Texas 76116
OFFICE (817) 763-8883 FAX (817) 377-2956

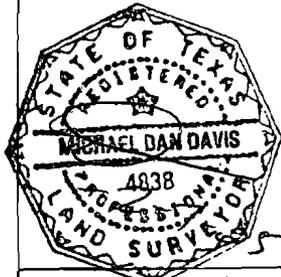




William Thomas Survey
Abstract No. 753



- - 5/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
- - Marker found "as noted"
- - 5/8" smooth Iron rod w/ aluminum cap stamped "TxDOT"
- - Type II monument to be set at the end of construction
- P.O.B. - Point Of Beginning
- ℙ - Property Line
- £ - Survey Line
- ≡ - Fee Hook
- ⊕ - Proposed Centerline
- D.R.E.C.T. - Deed Records, Erath County, Texas
- [] - Record Information
- - Access Denial Line

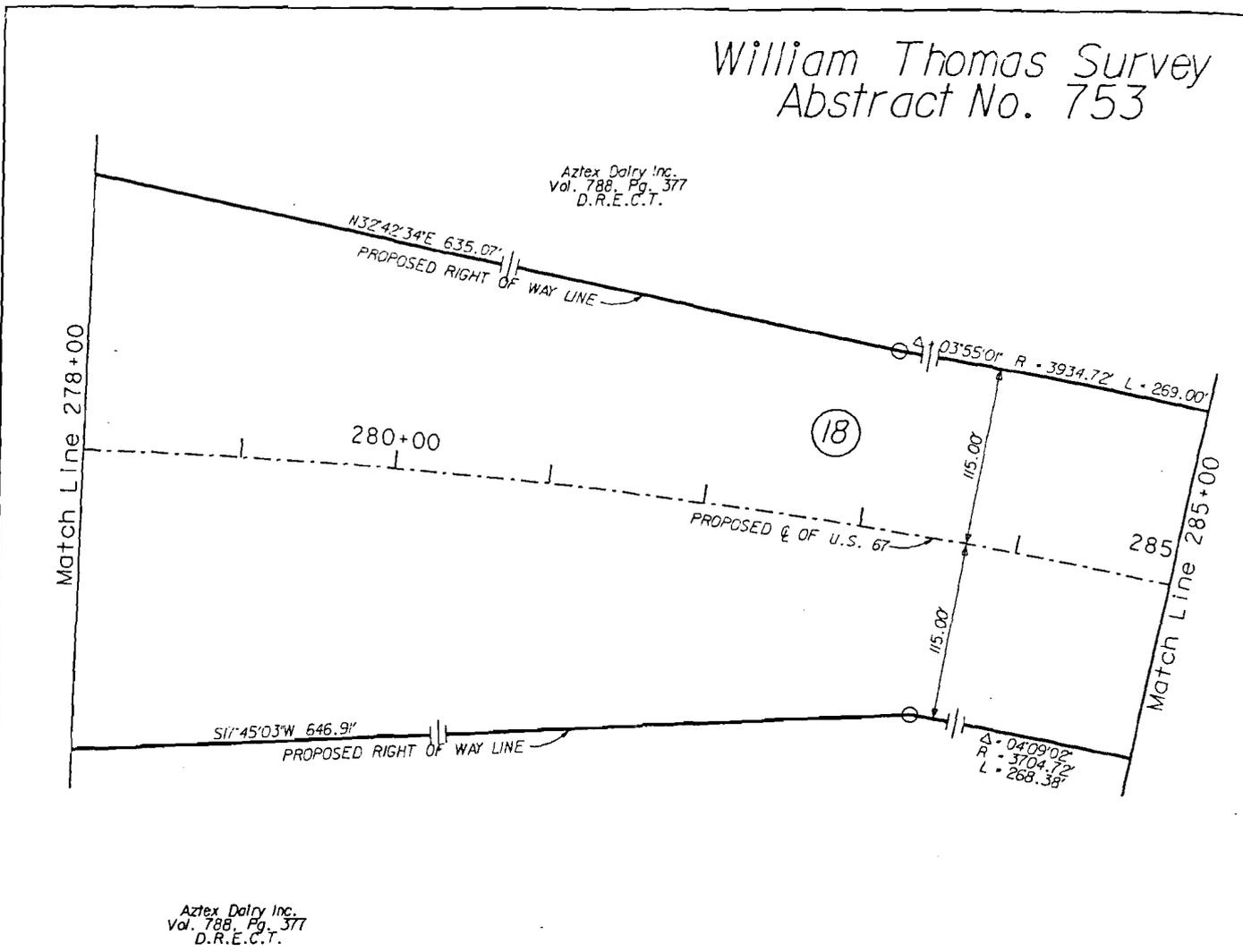


PARCEL 18

Aztex Dairy Inc.
23.601 acres

| | | | |
|-------|-------|--------------|-------------|
| STATE | DIST. | COUNTY | |
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |

William Thomas Survey
Abstract No. 753



PROPOSED CENTERLINE
CURVE DATA

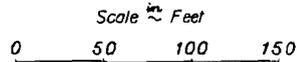
| | |
|------------|------------------|
| PI STATION | = 296+44.56 |
| DELTA | = 54°21'33" (RT) |
| TANGENT | = 1,961.34' |
| LENGTH | = 3,623.94' |
| RADIUS | = 3,819.72' |

Notes:

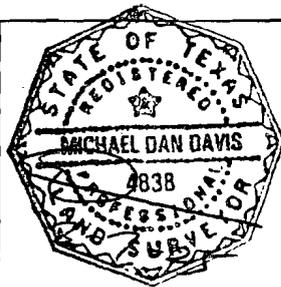
Legal description to accompany this survey sketch.

Bearings are based on NAD 83 datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface by project surfaces factor of 1.00006.

Page 4 of 8



- - 5/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
- - Marker found "as noted"
- - 5/8" smooth Iron rod w/ aluminum cap stamped "TxDOT"
- - Type II monument to be set at the end of construction
- P.O.B. - Point Of Beginning
- R - Property Line
- ⊥ - Survey Line
- Z - Fee Hook
- ⊕ - Proposed Centerline
- D.R.E.C.T. - Deed Records, Erath County, Texas
- [] - Record Information
- - Access Dental Line



PARCEL 18

Aztex Dairy Inc.
23.601 acres

| | | | |
|-------|-------|--------------|-------------|
| STATE | DIST. | COUNTY | |
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |

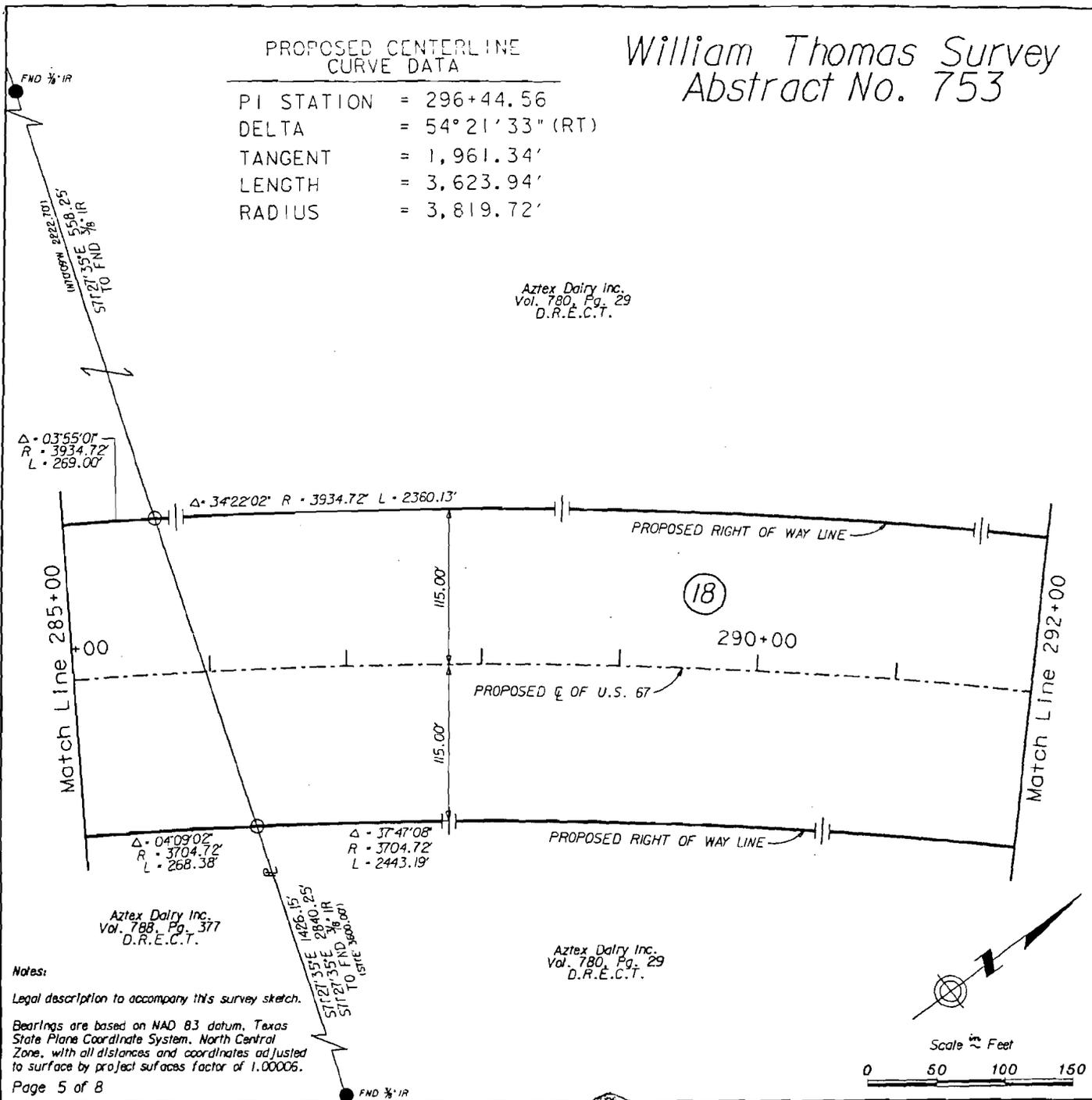


William Thomas Survey
Abstract No. 753

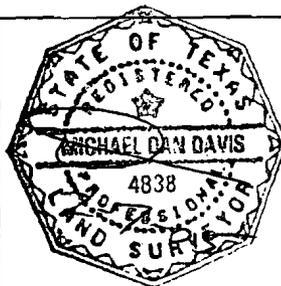
PROPOSED CENTERLINE
CURVE DATA

PI STATION = 296+44.56
DELTA = 54° 21' 33" (RT)
TANGENT = 1,961.34'
LENGTH = 3,623.94'
RADIUS = 3,819.72'

Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.



- - 3/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
 - - Marker found "as noted"
 - - 3/8" smooth Iron rod w/ aluminum cap stamped "TxDOT"
 - - Type II monument to be set at the end of construction
- P.O.B. - Point Of Beginning
 R - Property Line
 S - Survey Line
 Z - Fee Hook
 C - Proposed Centerline
 D.R.E.C.T. - Deed Records, Erath County, Texas
 [] - Record Information
 ——— Access Dental Line



PARCEL 18

Aztex Dairy Inc.
23.601 acres

| | | | |
|-------|-------|--------------|-------------|
| STATE | DIST. | COUNTY | |
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |

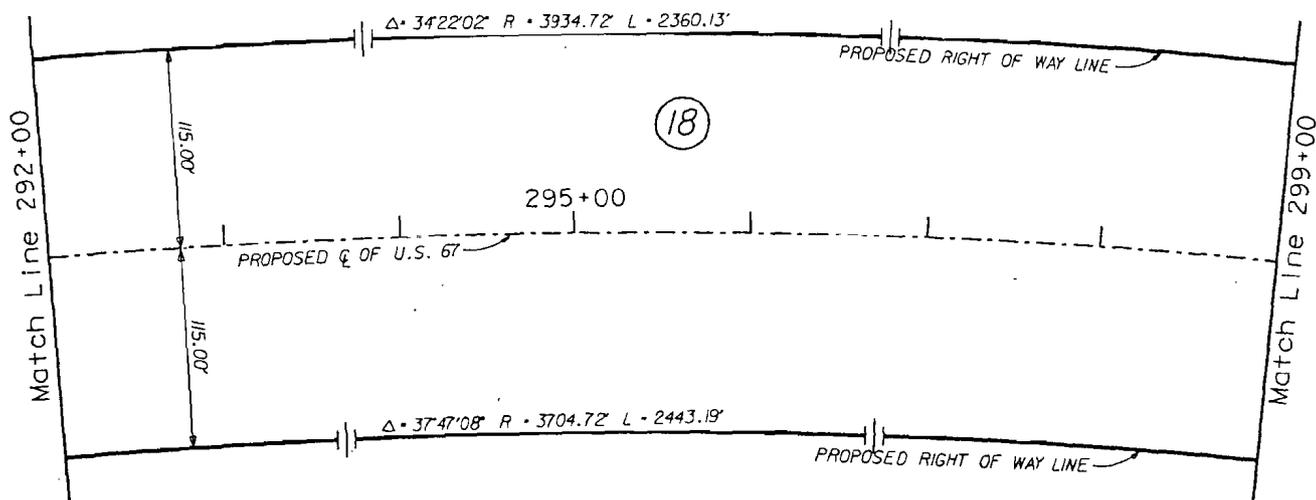


William Thomas Survey
Abstract No. 753

PROPOSED CENTERLINE
CURVE DATA

PI STATION = 296+44.56
DELTA = 54° 21' 33" (RT)
TANGENT = 1,961.34'
LENGTH = 3,623.94'
RADIUS = 3,819.72'

Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.



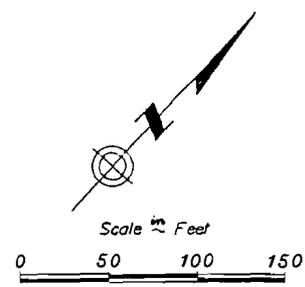
Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.

Notes:

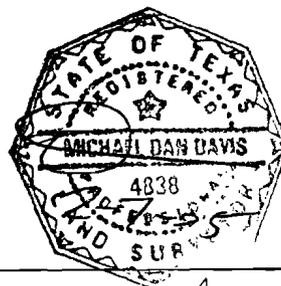
Legal description to accompany this survey sketch.

Bearings are based on NAD 83 datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface by project surfaces factor of 1.00006.

Page 6 of 8



- - 5/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
 - - Marker found "as noted"
 - - 5/8" smooth Iron rod w/ aluminum cap stamped "TxDOT"
 - - Type II monument to be set at the end of construction
- P.O.B. - Point Of Beginning
P - Property Line
S - Survey Line
Z - Fee Hook
C - Proposed Centerline
 D.R.E.C.T. - Deed Records, Erath County, Texas
 [] - Record Information
 —•— Access Dental Line



PARCEL 18

Aztex Dairy Inc.
23.601 acres

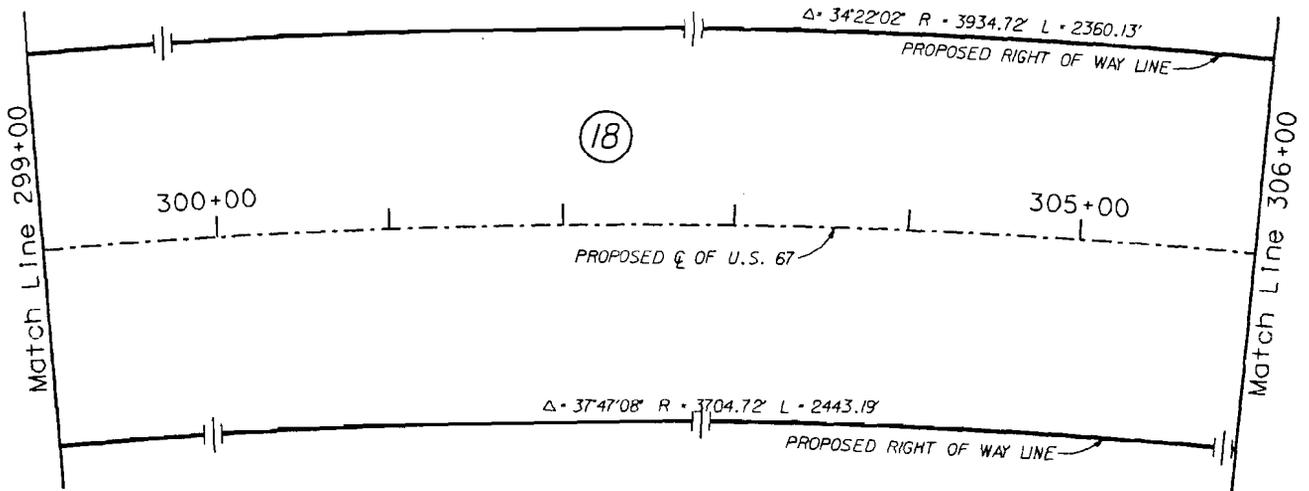
| | | | |
|-------|-------|--------------|-------------|
| STATE | DIST. | COUNTY | |
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |

William Thomas Survey
Abstract No. 753

PROPOSED CENTERLINE
CURVE DATA

PI STATION = 296+44.56
DELTA = 54° 21' 33" (RT)
TANGENT = 1,961.34'
LENGTH = 3,623.94'
RADIUS = 3,819.72'

Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.



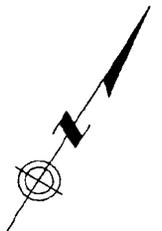
Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.

Notes:

Legal description to accompany this survey sketch.

Bearings are based on NAD 83 datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface by project surfaces factor of 1.00006.

Page 7 of 8



Scale in Feet
0 50 100 150

- - 5/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
- - Marker found "as noted"
- - 5/8" smooth iron rod w/ aluminum cap stamped "TxDOT"
- - Type II monument to be set at the end of construction

P.O.B. - Point Of Beginning

ℙ - Property Line

⊥ - Survey Line

Z - Fee Hook

⊖ - Proposed Centerline

D.R.E.C.T. - Dead Records, Erath County, Texas

[] - Record Information

—+— Access Denial Line

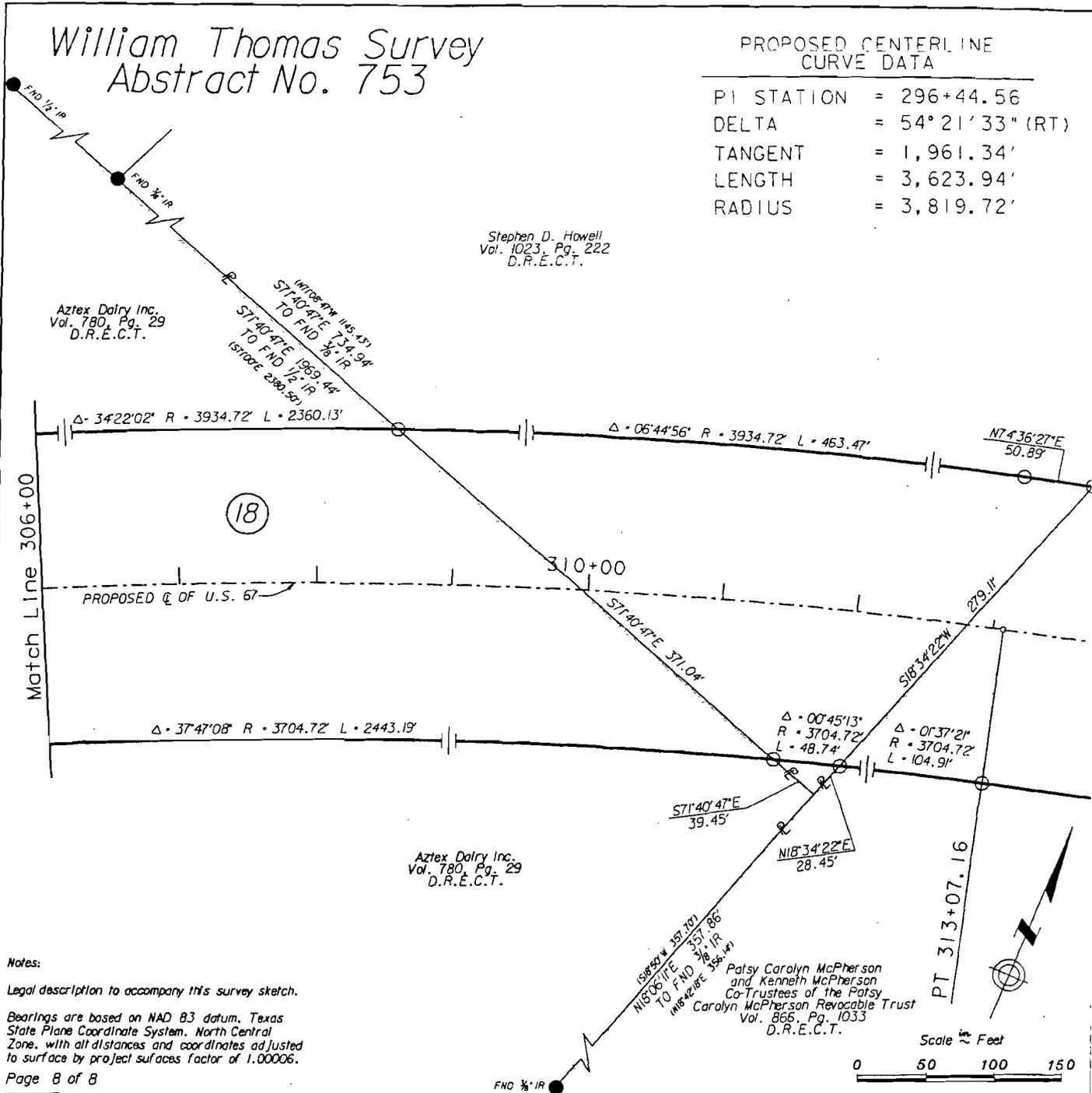


PARCEL 18

Aztex Dairy Inc.
23.601 acres



| STATE | DIST. | COUNTY | |
|-------|-------|--------------|-------------|
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |
| 0079 | 08 | 002 | U.S. 67 |



William Thomas Survey
Abstract No. 753

PROPOSED CENTERLINE CURVE DATA

| | |
|------------|--------------------|
| PI STATION | = 296+44.56 |
| DELTA | = 54° 21' 33" (RT) |
| TANGENT | = 1,961.34' |
| LENGTH | = 3,623.94' |
| RADIUS | = 3,819.72' |

Stephen D. Howell
Vol. 1023, Pg. 222
D.R.E.C.T.

Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.

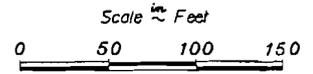
Aztex Dairy Inc.
Vol. 780, Pg. 29
D.R.E.C.T.

Patsy Carolyn McPherson
and Kenneth McPherson
Co-Trustees of the Patsy
Carolyn McPherson Revocable Trust
Vol. 865, Pg. 1033
D.R.E.C.T.

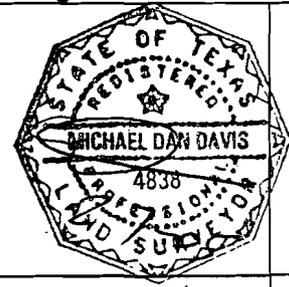
Notes:
Legal description to accompany this survey sketch.

Bearings are based on NAD 83 datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to surface by project surfaces factor of 1.00006.

Page 8 of 8



- - 5/8" Iron Rod set w/ plastic cap stamped Dannenbaum Engineering Corp.
 - - Marker found "as noted"
 - - 5/8" smooth Iron rod w/ aluminum cap stamped "TxDOT"
 - - Type II monument to be set at the end of construction
- P.O.B. - Point Of Beginning
 P - Property Line
 S - Survey Line
 Z - Fee Hook
 C - Proposed Centerline
 D.R.E.C.T. - Deed Records, Erath County, Texas
 [] - Record Information
 - - - - - Access Denial Line



PARCEL 18
Aztex Dairy Inc.
23.601 acres

| | | | |
|-------|-------|--------------|-------------|
| STATE | DIST. | COUNTY | |
| TEXAS | FTW | ERATH COUNTY | |
| CONT. | SECT. | JOB | HIGHWAY NO. |

September 2005
Revised September 2006
Page 1 of 6

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits:
Part 1 From: 182+74.45 430.74' Left
To: 183+12.91 423.86' Left
Part 2 From: 183+95.26 409.13' Left
To: 185+26.89 385.59' Left

FIELD NOTES FOR PARCEL 42

Being 0.1357 of an acre of land situated in the Solomon Cole Survey, Abstract No. 84, San Jacinto County, Texas and being a part of and out of a called 100 acre tract described in deed from William A. Elmore, to Mattie Kirby Elmore, dated September 27, 1947, and recorded in Volume 51, Page 246, of the Deed Records of San Jacinto County, Texas, and also being part of a 20 foot alley and a 60 foot road called Galilee Street in Block 4 as shown on the map or plat of the Tiberia Subdivision as recorded in Volume 15, Page 412, of the Deed Records, San Jacinto County, Texas, said 0.1357 of an acre tract being more particularly described by metes and bounds as follows:

Part 1

COMMENCING at a 5/8" iron rod found for the North corner of a called 0.1768 of an acre tract described in deed from Avery Williams to Rajesh C Dalwadi and Harish C. Dalwadi, dated May, 2004, and recorded in Volume 04-3808, Page 16073, in the Official Public Records of San Jacinto County, Texas, and being at the intersection of the Easterly line of said 20 foot alley and the Southwesterly right-of-way line of Galilee Street;

THENCE S 24°40'50" W, with the Easterly line of said 20 foot alley and the Westerly line of said called 0.1768 of an acre tract, a distance of 71.94 feet to a 5/8" iron rod with Texas Department of Transportation (TX DOT) aluminum cap set at its intersection with the proposed Northwesterly right-of-way line of U.S. 59 (width varies). being the "POINT OF BEGINNING" of the parcel herein described. and being 423.86 feet left of centerline station 183+12.91, having surface coordinates of X = 3,974,490.70, Y = 10,178,362.96, (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, 93 adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.)

September 2005
Revised September 2006
Parcel 42
Page 2 of 6

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits:
Part 1 From: 182+74.45 430.74' Left
To: 183+12.91 423.86' Left
Part 2 From: 183+95.26 409.13' Left
To: 185+26.89 385.59' Left

1. THENCE S 24°40'50" W, continuing with said Easterly line of the 20 foot and said Westerly line of the called 0.1768 of an acre tract, a distance of 79.91 feet to the existing Northwesterly right-of-way line of U.S. 59 (width varies), in a curve to the right and being the South corner of said called 0.1768 of an acre tract, from which a 5/8" iron rod bears N24°40'50"E, 9.96';
2. THENCE in a Southwesterly direction continuing with said existing Northwesterly right-of-way line of U.S. 59, along said curve to the right having a radius of 5,589.56 feet, a central angle of 00°15'44", an arc length of 25.59 feet, and a chord bearing of S 60°58'29" W, and distance of 25.59 feet to a 5/8" iron rod with cap set at the end of said curve to the right;
3. THENCE S 61°06'22" W, continuing with said existing Northwesterly right-of-way line of U.S. 59, a distance of 8.17 feet to a 5/8" iron rod with cap set at a Southeasterly corner of the 0.7090 of an acre tract and being the remainder tract of Lots 7, 8, 9, 10, 11 and 12 of Block 4 of the Tiberia Subdivision as recorded in Volume 15, Page 412, of the Deed Records, San Jacinto County, Texas;
4. THENCE N 24°40'50" E, with the Easterly line of said calculated 0.7090 of an acre tract and the Westerly line of said 20 foot alley, a distance of 73.56 feet to a 5/8" iron rod with TX DOT aluminum cap set at its intersection with said proposed Northwesterly right-of-way line of U.S. 59;
5. THENCE N 55°28'39" E, with said proposed Northwesterly right-of-way line of U.S. 59 and with an Access Denial Line, a distance of 39.06 feet to the "POINT OF BEGINNING" and containing within these calls 0.0352 of an acre of land in Part 1.

September 2005
Revised September 2006
Parcel 42
Page 3 of 6

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits:
Part 1 From: 182+74.45 430.74' Left
To: 183+12.91 423.86' Left
Part 2 From: 183+95.26 409.13' Left
To: 185+26.89 385.59' Left

Part 2

COMMENCING at a 5/8" iron rod found for the North corner of a called 0.1768 of an acre tract described in deed from Avery Williams to Rajesh C Dalwadi and Harish C. Dalwadi, dated May, 2004, and recorded in Volume 04-3808, Page 16073, in the Official Public Records of San Jacinto County, Texas, and being at the intersection of the Easterly line of said 20 foot alley and the Southwesterly right-of-way line of Galilee Street, and being at the intersection of the Easterly line of said 20 foot alley and the Southwesterly right-of-way line of Galilee Street;

THENCE S 65°12'32" E, with the Southwesterly right-of-way line of said Galilee Street and the Northeasterly line of said called 0.1768 of an acre tract, a distance of 42.83 feet to a 5/8" iron rod with Texas Department of Transportation (TX DOT) aluminum cap set at its intersection with the proposed Northwesterly right-of-way line of U.S. 59 (width varies), being the "POINT OF BEGINNING" of the parcel herein described, and being 409.13 feet left of centerline station 183+95.26, having surface coordinates of X = 3,974,568.63, Y = 10,178,410.37, (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, 93 adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.);

1. THENCE N 55°28'39" E, with said proposed Northwesterly right-of-way line of U.S. 59, a distance of 133.72 feet to a 5/8" iron rod with TX DOT aluminum cap set at its intersection with the Southeasterly right-of-way line of Starlight Avenue and the Northeasterly line of a the 0.2178 of an acre remainder of a called 2 acre tract described in deed from E.W. Dirden, to Charlie Youngblood and wife, Love Anna

September 2005
Revised September 2006
Parcel 42
Page 4 of 6

| | |
|-------------------|------------------------------|
| County: | San Jacinto |
| Construction CSJ: | 0177-02-053 |
| ROW Account No: | 8011-02-020 |
| ROW CSJ: | 0177-02-072 |
| Highway: | U.S. 59 |
| Project Limits: | At UPRR in Shepherd |
| Parcel Limits: | |
| Part 1 | From: 182+74.45 430.74' Left |
| | To: 183+12.91 423.86' Left |
| Part 2 | From: 183+95.26 409.13' Left |
| | To: 185+26.89 385.59' Left |

Youngblood, dated October 24, 1935, and recorded in Volume 34, Page 351, in the Deed Records of San Jacinto County, Texas;

2. THENCE S 19°43'36" W. with said Northeasterly line of the 0.2178 of an acre remainder tract, a distance of 96.73 feet to a 5/8" iron rod with cap set at the South corner of said 0.2178 of an acre remainder tract and being in the existing Northwesterly right-of-way line of U.S. 59 (width varies), in a curve to the right;
3. THENCE in a Southwesterly direction with said existing Northwesterly right-of-way line of U.S. 59, along said curve to the right having a radius of 5,589.56 feet, a central angle of 00°13'50", an arc length of 22.49 feet, and a chord bearing of S 58°49'32" W. and distance of 22.49 feet to the East corner of said called 0.1768 of an acre tract and being in the said Southwesterly right-of-way line of Galilee Street, from which a 5/8" iron rod found bears S 65°12'32" E. 1.72';
4. THENCE N 65°12'32" W. with said Northeasterly line of the called 0.1768 of an acre tract and said Southwesterly right-of-way line of Galilee Street, a distance of 64.19 feet to the "POINT OF BEGINNING" and containing within these calls 0.1005 of an acre of land in Part 2.

✓ **NOTE:** Access is prohibited across the "Access Denial Line" to the Transportation Facility from the adjacent property.

(A parcel sketch was prepared in conjunction with this field note description.)

[Handwritten signature]
9-8-2005

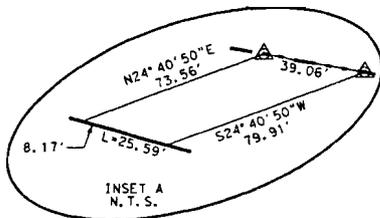


SOLOMON COLE
SURVEY A-84

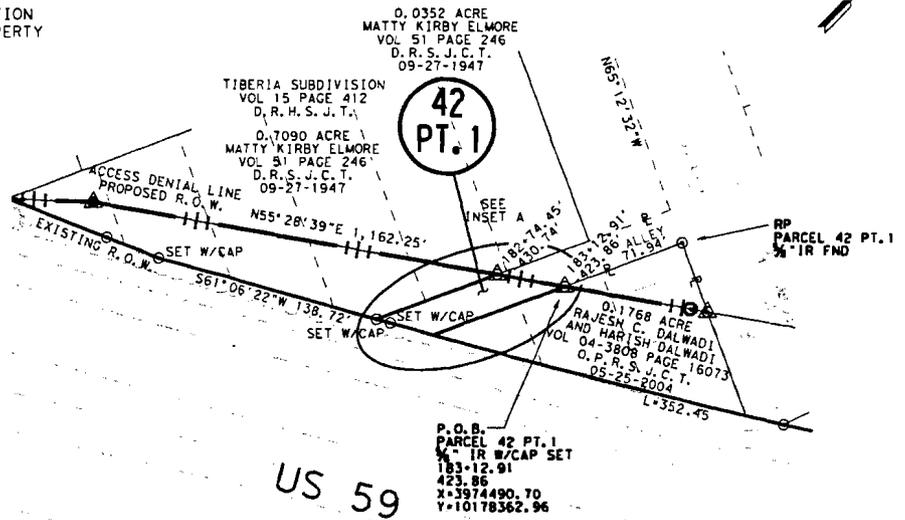
THE TEXAS DEPARTMENT
OF TRANSPORTATION

SAN JACINTO
COUNTY, TEXAS

- ⊙ 3/8" IRON ROD WITH 3 1/4" ALUMINUM DISK MARKED "TEXAS DEPT. OF TRANSPORTATION CONTROL OF ACCESS"
- ||— ACCESS DENIAL LINE - ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE TRANSPORTATION FACILITY FROM THE ADJACENT PROPERTY



DELTA=00°15'44" RT.
DOC=01°01'30"
T= 12.80'
L=25.59'
R= 5,589.56'
CHB= S60°58'29"W
CHL= 25.59'



- LEGEND**
- ⊙ IRON ROD AS NOTED
 - ⊙ IRON PIPE AS NOTED
 - ⊙ CONC MON AS NOTED
 - ⊙ 3/8" IRON ROD WITH 3 1/4" ALUMINUM DISK MARKED "TEXAS DEPT. OF TRANSPORTATION R.O.W. MONUMENT"
 - ||— EXISTING RIGHT-OF-WAY
 - - - SURVEY LINE (APPROX.)
 - - - PROPOSED RIGHT-OF-WAY
 - P — PROPERTY LINE
 - - - PROPOSED CENTERLINE

NOTE: All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American 1983 Datum, 1993 adjustment. All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.

REVISED SEPTEMBER 2006

| | |
|---|---------------|
| TAKING=0.0352 | REMAINING= |
| SCALE: 1"=100' | SHEET: 5 OF 6 |
| SEE PROPERTY DESCRIPTION AND RIGHT OF WAY MAP | |

I, RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4470 DO HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT REPRESENTS THE FACTS AS FOUND BY AN ON THE GROUND SURVEY.

Richard O. Faviell
RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4470 SEPTEMBER, 2006

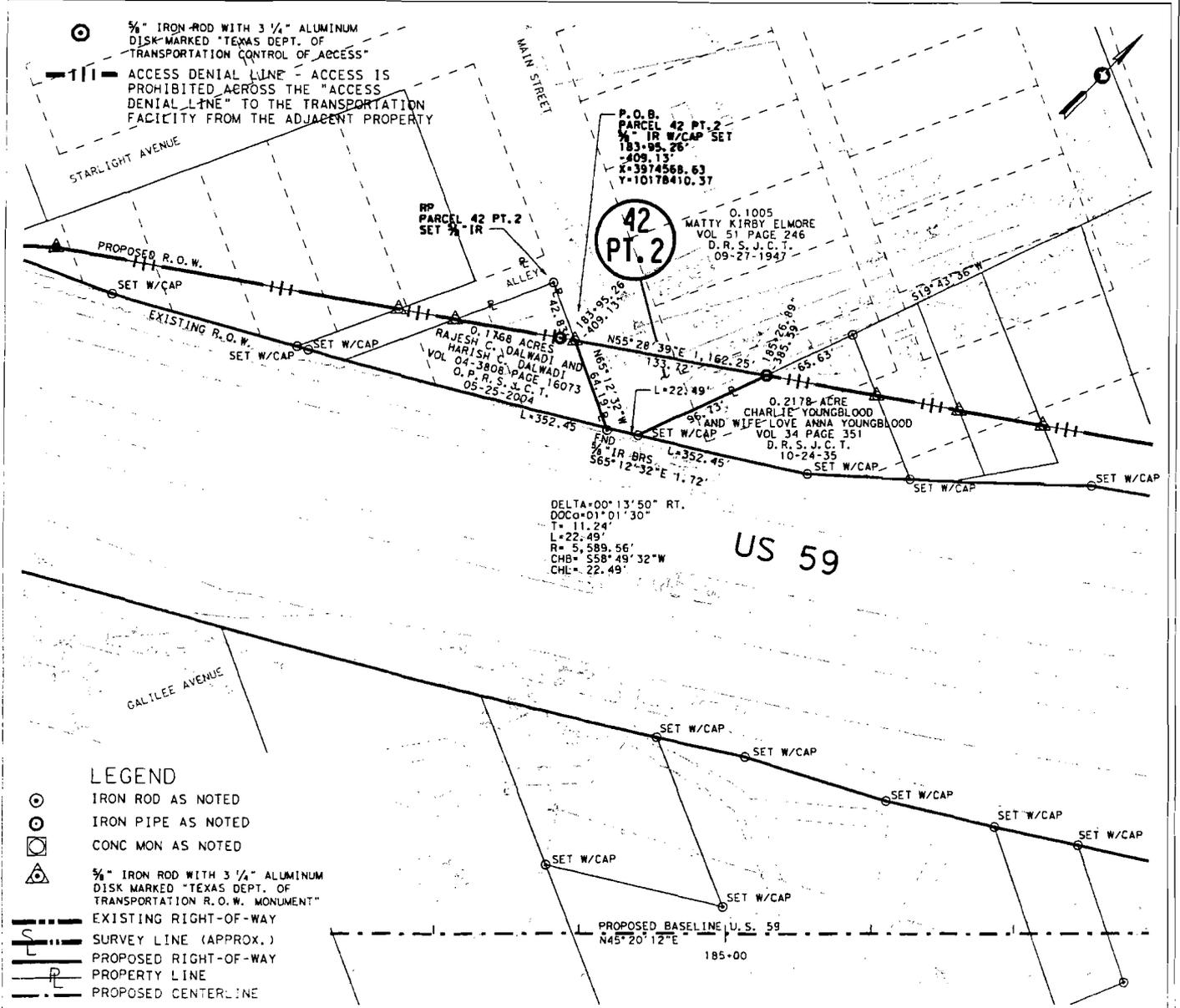


| | |
|--|--------------------|
| COUNTY: | SAN JACINTO |
| CONSTRUCTION CSJ: | 0177-02-053 |
| ROW ACCOUNT NO.: | 8011-02-020 |
| ROW CSJ NO.: | 0177-02-072 |
| PARCEL NO.: | 42 PT. 1 |
| GRANTOR: | MATTY KIRBY ELMORE |
| HIGHWAY NO. | US 59 |
| PROJECT LIMITS: | |
| PARCEL LIMITS: FROM: | 182-74.45 |
| TO: | 183-12.91 |
| BARWIN CONSULTANTS 300 E. MAIN STREET, SUITE 300 NACOGDOCHES, TEXAS 75961 PHONE: (936) 569-0668 | |

SOLOMON COLE
SURVEY A-84

THE TEXAS DEPARTMENT
OF TRANSPORTATION

SAN JACINTO
COUNTY, TEXAS



NOTE: All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American 1983 Datum, 1993 adjustment. All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.

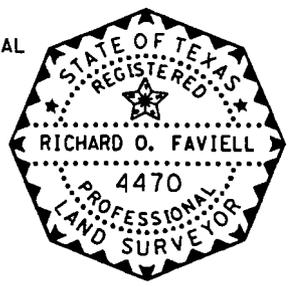
REVISED SEPTEMBER 2006

| | |
|---|---------------|
| TAKING= 0.1005 | REMAINING= |
| SCALE: 1"=100' | SHEET: 6 OF 6 |
| SEE PROPERTY DESCRIPTION AND RIGHT OF WAY MAP | |

I, RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4470 DO HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT REPRESENTS THE FACTS AS FOUND BY AN ON THE GROUND SURVEY.

[Signature]

RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4470 SEPTEMBER, 2006



| | |
|----------------------|--------------------|
| COUNTY: | SAN JACINTO |
| CONSTRUCTION CSJ: | 0177-02-053 |
| ROW ACCOUNT NO.: | 8011-02-020 |
| ROW CSJ NO.: | 0177-02-072 |
| PARCEL NO.: | 42 PT.2 |
| GRANTOR: | MATTY KIRBY ELMORE |
| HIGHWAY NO. | US 59 |
| PROJECT LIMITS: | |
| PARCEL LIMITS: FROM: | 183-95.26 |
| TO: | 185-26.89 |

BARWIN CONSULTANTS
300 E. MAIN STREET, SUITE 300
NACOGDOCHES, TEXAS 75961
PHONE: (936) 569-0668

September 2005
Revised September 2006
Page 1 of 3

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits: From: 162+67.69 268.20' Left
To: 165+07.96 389.77' Left

FIELD NOTES FOR PARCEL 18

Being 0.1555 of an acre of land situated in the Solomon Cole Survey, Abstract No. 84, San Jacinto County, Texas, and being all of a 0.1555 of an acre residue of a called 100 acre tract referenced in deed from William A. Elmore to Mattie Kirby Elmore, dated September 25, 1947, and recorded in Volume 51, Page 246, in the Deed Records of San Jacinto County, said calculated 0.1555 of an acre tract being more particularly described by metes and bounds as follows:

BEGINNING at 1/2" iron rod found in the Southwesterly line of said called 100 acre tract, at the North corner of a called 2.50517 acre tract described in a Substitute Trustee's Deed to R. J. Gunter, dated October 5, 1999, and recorded in Volume 318, Page 76, in the Official Public Records of San Jacinto County, Texas, the West corner of a 5.004 acre tract (called five acres) described in deed from Frankie Fuller Jenness, C. W. Hall, James L. Hall, C. E. Mauk, Ralph R. Wallace III, Kathleen Wallace Dunaway and Frank E. Wallace, to Ben R. Ogletree, Jr., Barry G. Ogletree, Gregory R. Ogletree, and Kelton L. Ogletree, dated November 28, 1980, and recorded in Volume 198, Page 605, in the Deed Records of San Jacinto County, and the East corner of a 50 foot wide easement described in easement from W.S. Dixon to Gulf States Utilities Company, dated February 12, 1930, and recorded in Volume 25, Page 282, in the Deed Records of San Jacinto County, Texas, and being the South corner of a 50 foot wide easement described in easement from the Christian Advocate to the Church to Gulf States Utilities Company, dated February 23, 1934, and recorded in Volume 31, Page 309, in the Deed Records of San Jacinto County, Texas, and being 238.26 feet left of centerline station 119+54.32, having surface coordinates of X = 3,973,124.47, Y = 10,177,049.48, (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, 93 adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.9999187386.)

1. THENCE N 67°51'59" W, with the Southwesterly line of said 100 acre tract, a distance of 39.84 feet to a 5/8" iron rod with cap set at its intersection with the existing Southeasterly right-of-way line of FM 3460 (100 foot width);

September 2005
Revised September 2006
Parcel 18
Page 2 of 3

County: San Jacinto
Construction CSJ: 0177-02-053
ROW Account No: 8011-02-020
ROW CSJ: 0177-02-072
Highway: U.S. 59
Project Limits: At UPRR in Shepherd
Parcel Limits: From: 162+67.69 268.20' Left
To: 165+07.96 389.77' Left

2. THENCE N 24°10'30" E, with said existing Southeasterly right-of-way line of FM 3460, a distance of 140.25 feet to a 5/8" iron rod with cap set at its intersection with the existing Southeasterly right-of-way line of U.S. 59 (width varies);
3. THENCE S 65°49'30" E, with said existing Southeasterly right-of-way line of U.S. 59, a distance of 25.00 feet to a 5/8" iron rod with cap set at the beginning of a curve to the right;
4. THENCE in a Northeasterly direction continuing with said existing Southeasterly right-of-way line of U.S. 59, along said curve to the right having a radius of 384.18 feet, a central angle of 16°41'35", an arc length of 111.93 feet, and a chord bearing of N 32°31'18" E, and distance of 111.54 feet to a 5/8" iron rod with cap set at its intersection with said Southeasterly line of the 50 foot wide Gulf States Utilities Company easement;
5. THENCE S 24°29'25" W, with said Southeasterly line of the 50 foot wide Gulf States Utilities Company easement, a distance of 249.19 feet to the "POINT OF BEGINNING" and containing within these calls 0.1555 of an acre of land.

(A parcel sketch was prepared in conjunction with this field note description.)

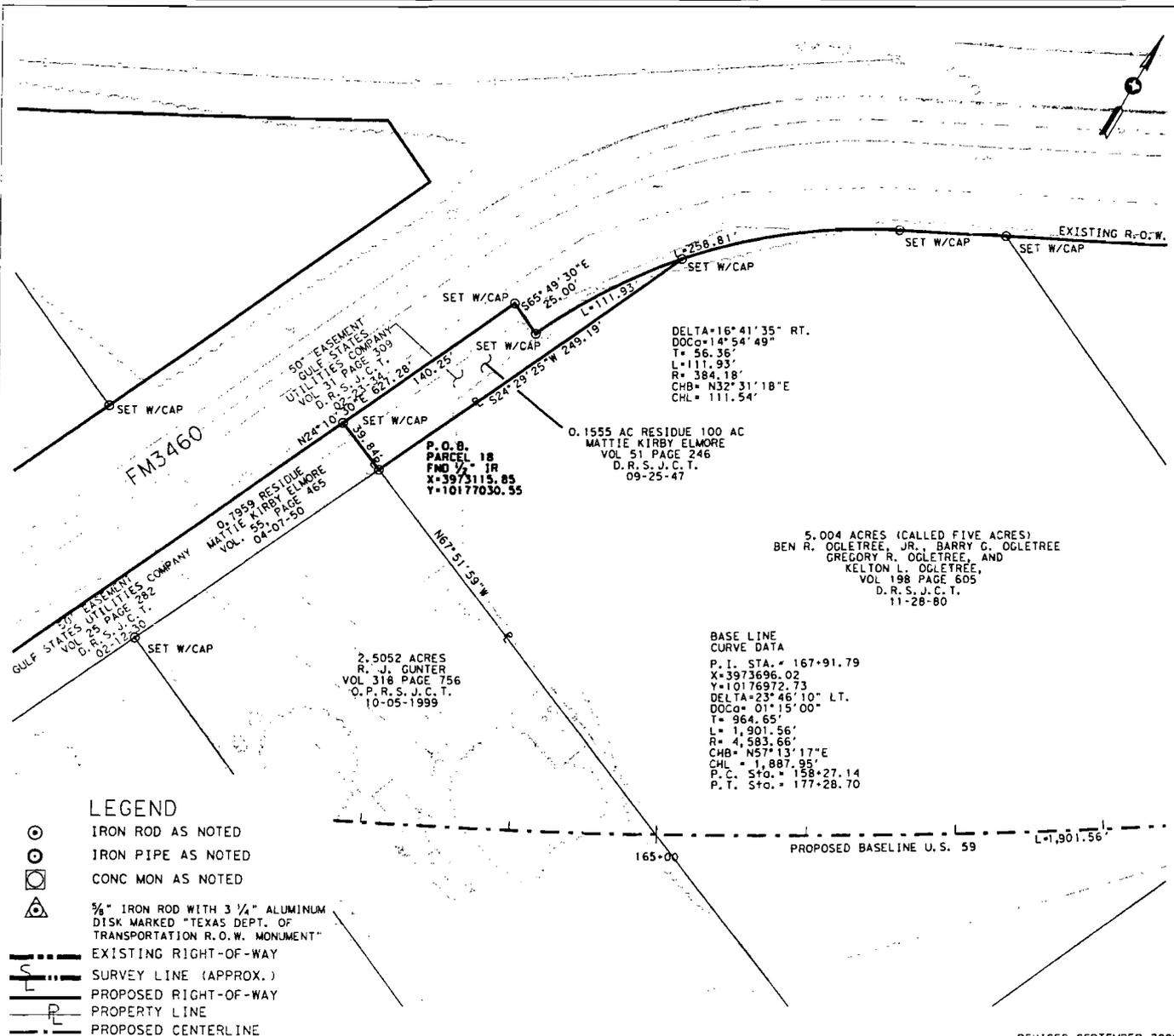

9-8-2006



SOLOMON COLE
SURVEY A-84

TH TEXAS DEPARTMENT
OF TRANSPORTATION

SAN JACINTO
COUNTY, TEXAS



REVISED SEPTEMBER 2006

| | |
|---|--------------------|
| TAKING = 0.1555 | REMAINING = 0.0000 |
| SCALE: 1" = 100' | SHEET: 3 OF 3 |
| SEE PROPERTY DESCRIPTION AND RIGHT OF WAY MAP | |

I, RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4470 DO HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT REPRESENTS THE FACTS AS FOUND BY AN ON THE GROUND SURVEY.

Richard O. Faviell
 RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4470 SEPTEMBER 2006



| | |
|----------------------|---------------------|
| COUNTY: | SAN JACINTO |
| CONSTRUCTION CSJ: | 0177-02-053 |
| ROW ACCOUNT NO.: | 8011-02-020 |
| ROW CSJ NO.: | 0177-02-072 |
| PARCEL NO.: | 18 |
| GRANTOR: | MATTIE KIRBY ELMORE |
| HIGHWAY NO. | US 59 |
| PROJECT LIMITS: | |
| PARCEL LIMITS: FROM: | 162+67.69 |
| TO: | 165+07.96 |

BARWIN CONSULTANTS
 300 E. MAIN STREET, SUITE 300
 NACOGDOCHES, TEXAS 75961
 PHONE: (936) 569-0668

County: Williamson
Highway: SH 195
Limits: From 0.830 mile south of Bell County Line to 6.903 miles south of Bell County
Line
ROW CSJ: 0440-01-037

Property Description
for Parcel 41

BEING a 18.898 acre parcel of land located in Williamson County, Texas, situated in the Washington Reese Survey, Abstract 523 and the C.C. Wyatt Survey, Abstract 644, and being part of a tract of land described as 277.03 acres conveyed from PFAU Tire Incorporated to Robert W. Liu and wife, Mimi W. Liu, by deed dated August 29, 1988 and recorded in Volume 1728, Page 371 of the Williamson County Deed Records.

COMMENCING at a fence post, being 235.28 feet left of Proposed Baseline Station 1150+53.26, for an interior corner of said 277.03 acre tract on the south line of a tract of land described as 40.00 acres conveyed from Marsha G. Kocurek, Trustee for the Bankruptcy Estate of Thurman Enterprises Inc., to Eugene Haydon and wife, Barbara K. Haydon, by deed dated September 23, 1993 and recorded in Volume 2383, Page 868 of the Williamson County Deed Records;

THENCE South $87^{\circ} 15' 05''$ West a distance of 84.23 feet, along the south line of said 40.00 acre tract and the north line of said 277.03 acre tract, to a set $5/8$ inch iron rod with a Texas Department of Transportation aluminum cap, being 151.32 feet left of Proposed Baseline Station 1150+46.14, for the POINT OF BEGINNING;

- (1) THENCE South $07^{\circ} 30' 29''$ East a distance of 360.07 feet, along the proposed east right-of-way line of State Highway 195 and a Control of Access line, crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 135.00 feet left of Proposed Baseline Station 1154+20.00;
- (2) THENCE South $44^{\circ} 11' 46''$ East, passing at a distance of 948.65 feet a set $5/8$ inch iron rod with a Texas Department of Transportation aluminum cap, being 526.36 feet left of Proposed Baseline Station 1163+70.00, and continuing for a total distance of 1,051.44 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 555.00 feet left of Proposed Baseline Station 1164+85.00;

Parcel 41
Page 2 of 5 Pages
October 28, 2004

- (3) THENCE South $13^{\circ} 28' 21''$ East a distance of 347.64 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 445.94 feet left of Proposed Baseline Station 1168+65.07;
- (4) THENCE South $74^{\circ} 49' 49''$ East, passing at a distance of 102.05 feet a set Texas Department of Transportation Type II concrete monument, being 511.44 feet left of Proposed Baseline Station 1169+55.69, for the end of said Control of Access line, and continuing for a total distance of 371.73 feet, along the proposed east right-of-way line of said State Highway 195 and crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 680.26 feet left of Proposed Baseline Station 1171+65.00;
- (5) THENCE North $88^{\circ} 08' 47''$ East a distance of 253.26 feet, along the proposed east right-of-way line of said State Highway 195 and crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 890.00 feet left of Proposed Baseline Station 1173+06.94, on the existing north right-of-way line of Williamson County Road No. 233;
- (6) THENCE South $68^{\circ} 14' 49''$ West a distance of 731.22 feet, along the south line of said 277.03 acre tract and the existing north right-of-way line of said Williamson County Road No. 233, to a fence post;
- (7) THENCE North $74^{\circ} 19' 50''$ West a distance of 81.01 feet, along the south line of said 277.03 acre tract, and the existing north right-of-way line of said Williamson County Road No. 233, to a point on the existing east right-of-way line of said State Highway 195;
- (8) THENCE North $35^{\circ} 56' 52''$ West, passing at a distance of 425.88 feet a found Type I concrete monument, and continuing for a total distance of 1,925.06 feet, along the west line of said 277.03 acre tract and the existing east right-of-way line of said State Highway 195, to an angle point;
- (9) THENCE North $14^{\circ} 08' 46''$ West a distance of 107.70 feet, along the west line of said 277.03 acre tract and the existing east right-of-way line of said State Highway 195, to an angle point;
- (10) THENCE North $35^{\circ} 56' 52''$ West a distance of 293.82 feet, along the west line of said 277.03 acre tract and the existing east right-of-way line of said State Highway 195, to a set Texas Department of Transportation Type II concrete monument, being 446.68 feet right of Proposed Baseline Station 1148+75.42;
- (11) THENCE South $44^{\circ} 53' 43''$ East a distance of 443.62 feet, along the proposed west right-of-way line of said State Highway 195 and a Control of Access line, crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.00 feet right of Proposed Baseline Station 1152+00.00;

Parcel 41
Page 3 of 5 Pages
October 28, 2004

- (12) THENCE North $80^{\circ} 23' 13''$ East a distance of 40.00 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 135.00 feet right of Proposed Baseline Station 1152+00.00, for the beginning of a curve to the right;
- (13) THENCE northwesterly a distance of 182.08 feet, crossing said 277.03 acre tract, along the proposed west right-of-way line of said State Highway 195, said Control of Access line, and the arc of said curve to the right, having a central angle of $02^{\circ} 38' 17''$, a radius of 3,954.72 feet, a chord bearing of North $08^{\circ} 17' 16''$ West, and a chord distance of 182.06 feet, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 135.00 feet right of Proposed Baseline Station 1150+24.14, on the north line of said 277.03 acre tract and the south line of said 40.00 acre tract;
- (14) THENCE North $87^{\circ} 15' 05''$ East a distance of 287.16 feet, along the north line of said 277.03 acre tract and the south line of said 40.00 acre tract, to the POINT OF BEGINNING and containing 18.898 acres of land.

All bearings and distances are based on the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All distances are adjusted to surface using a surface adjustment factor of 1.000120.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388

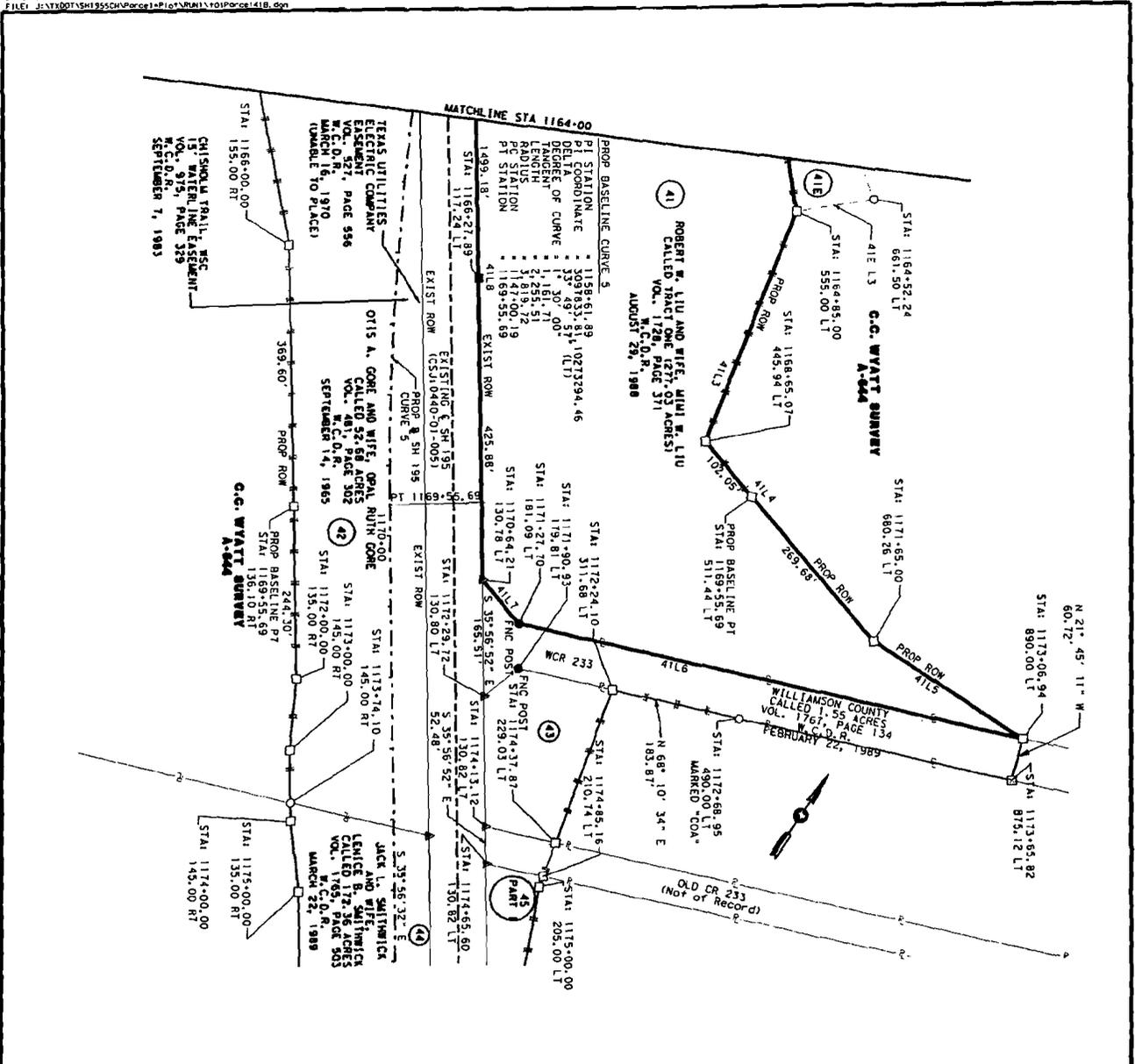


10/28/04

Arthur M. Story, Registered Professional Land Surveyor, No. 4034

Date

DATE: 29-Oct-04 14:01
FILE: J:\TXDOT\SH1955CH\Parcel1\Plot\RN1\101P06141B.dwg



LEGEND

- FOUND CORNER (AS DESCRIBED)
- 1/4" FROM ROD W/ ALUMINUM CAP SET
- ⊙ 1/4" FROM ROD W/ PLASTIC CAP SET
- ⊙ FOUND CORNER (AS DESCRIBED)
- ⊙ FOUND CONCRETE MONUMENT (TYPE 1)
- ⊙ CALCULATED POINT
- ▲ SINKING POINT
- △ POINT OF BEGINNING
- △ POINT OF COMMENCEMENT
- △ BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- PROP ROW
- CON'T EXTENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- EASEMENT OR CURVE NUMBER
- EASEMENT (C-CURVE)
- EASEMENT (S-EASEMENT OF TRACT 51)

NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF 1.000120.



RIGHT OF WAY PLAT
SHOWING PROPERTY OF
PARCEL 41
SHEET 5 OF 5

STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1" = 200'
OCTOBER 28, 2004

SPECIAL CLAUSE EXHIBIT

Williamson County
Parcel No. 41E
CSJ No. 0440-01-037
From: SH 138
To: 3.4 Miles South of SH 138

AND IN ADDITION THERTO:

An easement for the purpose of opening, constructing and maintaining a permanent drainage easement in, along upon and across the premises described in the following property description, together with the right and privilege at all times of ingress and egress to and from said premises for the purpose of making any additions, improvements, modifications or repairs which the State deems necessary.

County: Williamson
Highway: SH 195
Limits: From 0.830 mile south of Bell County Line to 6.903 miles south of Bell County
Line
ROW CSJ: 0440-01-037

Property Description
for Easement 41E

BEING a 0.236 acre (10,277 square feet) of land located in Williamson County, Texas, situated in the C.C. Wyatt Survey, Abstract 644, and being part of a tract of land described as 277.03 acres conveyed from PFAU Tire Incorporated to Robert W. Liu and wife, Mimi W. Liu, by deed dated August 29, 1988 and recorded in Volume 1728, Page 371 of the Williamson County Deed Records.

COMMENCING at a set Texas Department of Transportation Type II concrete monument, being 135.00 feet left of Proposed Baseline Station 1154+20.00, on the proposed east right-of-way line of State Highway 195;

THENCE South 44° 11' 46" East a distance of 948.65 feet, along the proposed east right-of-way line of said State Highway 195, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 526.36 feet left of Proposed Baseline Station 1163+70.00, for the POINT OF BEGINNING;

- (1) THENCE North 46° 51' 10" East a distance of 90.00 feet, along the proposed north line of a drainage easement and crossing said 277.03 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 612.78 feet left of Proposed Baseline Station 1163+40.47;
- (2) THENCE South 55° 10' 01" East a distance of 105.08 feet, along the proposed east line of said drainage easement and crossing said 277.03 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 661.49 feet left of Proposed Baseline Station 1164+52.22;
- (3) THENCE South 46° 51' 10" West a distance of 110.00 feet, along the proposed south line of said drainage easement and crossing said 277.03 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 555.00 feet left of Proposed Baseline Station 1164+85.00;

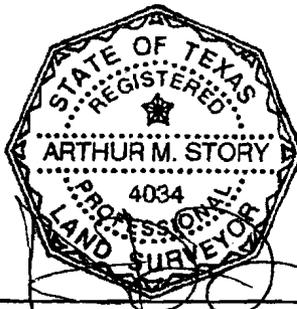
Easement 41E
Page 2 of 3 Pages
October 28, 2004

- (4) THENCE North 44° 11' 46" West a distance of 102.79 feet, along the proposed west line of said drainage easement and the proposed east line of said State Highway 195, to the POINT OF BEGINNING and containing 0.236 acres (10,277 square feet) of land.

All bearings and distances are based on the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All distances are adjusted to surface using a surface adjustment factor of 1.000120.

A plat of even survey date herewith accompanies this property description.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring, Texas 77379
Phone (281) 379-6388

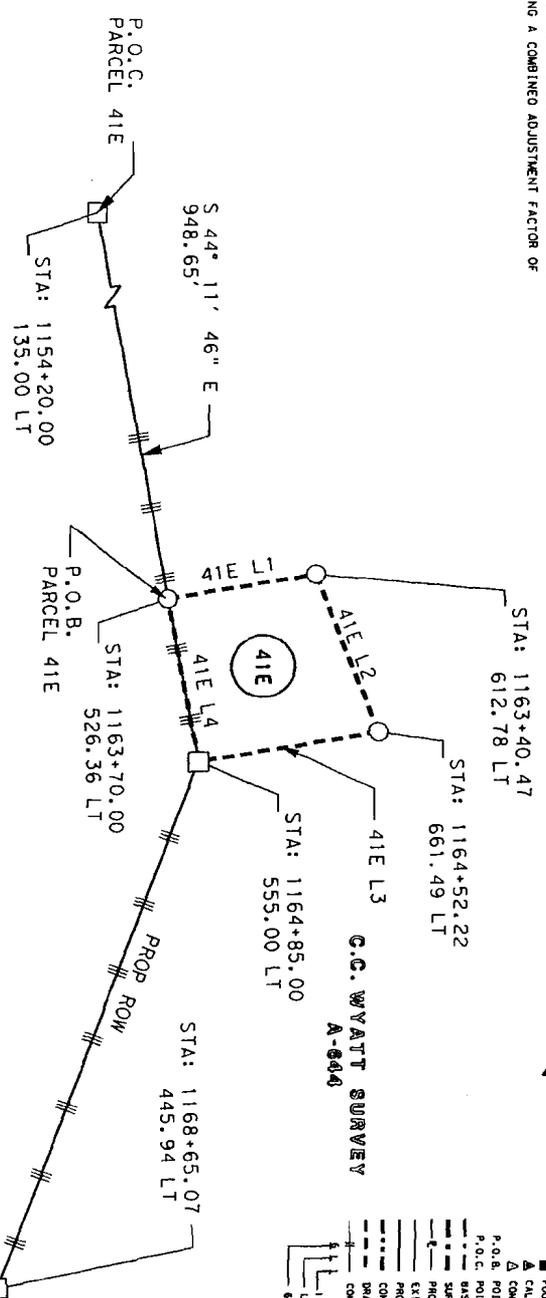


Arthur M. Story, Registered Professional Land Surveyor, No. 4034

10/28/04
Date

FILE: J:\TXDOT\SH195SCH\Parcel\PLOT\RUN1\701Parcel141E.dgn
DATE: 21-Oct-04 08:15

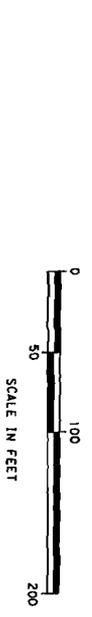
NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF 1.000120.



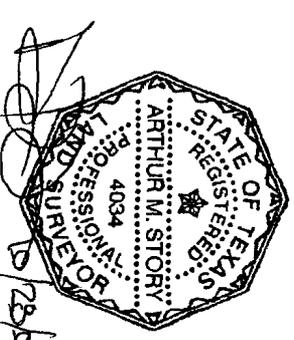
ROBERT W. LIU AND WIFE, MIMI W. LIU
CALLED TRACT ONE (277.03 ACRES)
VOL. 1728, PAGE 371
W.C.D.R.
AUGUST 29, 1988

| PARCEL | LINE NO. | BEARING | DISTANCE |
|--------|----------|-----------------|----------|
| 41E | 41E L1 | N 46° 51' 10" E | 792.00 |
| | 41E L2 | S 55° 51' 01" E | 109.08 |
| | 41E L3 | S 46° 51' 10" W | 110.00 |
| | 41E L4 | N 44° 11' 46" W | 102.19 |

| EXISTING ACRES | TAKING ACRES | APPROX. REMAINDER ACRES | LEFT | RIGHT |
|----------------|--------------|-------------------------|------|-------|
| Approx. 270.80 | 0.236 | | | |
| | 10.217 sq ft | | | |



STATE HIGHWAY 195
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
October 28, 2004



RIGHT OF WAY PLAT
SHOWING PROPERTY OF
PARCEL 41E
SHEET 3 OF 3

- LEGEND
- FOUND CORNER (AS DESCRIBED)
 - "X" IRON ROD W/ ALUMINUM CAP SET
 - ⊗ "X" IRON ROD W/ PLASTIC CAP SET
 - ⊙ CONCRETE MONUMENT SET 1796 (11)
 - ⊙ CONCRETE MONUMENT SET 1796 (11)
 - ⊙ FOUND CONCRETE MONUMENT (TYPE 11)
 - △ CALCULATED POINT
 - CONTROL POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - MARK LINE / CENTERLINE
 - PROPERTY LINE
 - EXIST. ROW
 - PROP. ROW
 - CONVEYANCE (TEMPORARY)
 - DRAINAGE EXISTENT (PERMANENT)
 - CONTROL OF ACCESS
 - I-LINE OR CORNER NUMBER
 - LINE (CONTROL)
 - TRACT (RE-ASSIGNMENT OF TRACT 81)

County of: Midland
Highway: SH 349
CCSJ: 0380-18-001
RCSJ: 0380-18-002

Page 1 of 4
July 9, 2007

Property Description for Parcel 22

Being a 77.63 acre parcel situated in Section 6, Block 39, T-1-S, T. & P. RR. Co. Survey, Midland County, Texas, being a portion of the tract of land described in deed to Autry C. Stephens recorded in Vol. 1732 at Page 722, Midland County Official Records, being described more particularly by metes and bounds as follows:

BEGINNING at (N= 6,727,963.45' E= 829,824.21') a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the intersection of the West boundary line of said Section 6 and proposed South ROW line of State Highway No. 349 at the Southwest corner of this parcel, from whence a 5/8" iron rod with a 2" aluminum cap marked "PLS 1974 1-6-7-12" in a ring of rocks on the West side of a corner fence post set in the perpetuated position of a 1" iron pipe marked "NE 12" as set by R. E. Estes now obliterated, this position is based on a previous survey by me dated May 30, 1996, at Southwest corner of said Section 6, Block 39, T-1-S, bears, South 13°16'43" East, a distance of 329.02 feet;

- 1) THENCE North 13°16'43" West with the West boundary line of said Section 6 crossing SH 349 ROW, a distance of 1723.40 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the Northwest corner of this tract;
- 2) THENCE North 76°43'17" East, a distance of 60.00 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an exterior corner of this parcel and the beginning of the denial of access line;
- 3) THENCE South 13°16'43" East with SH 349 proposed ROW line and said denial of access line, a distance of 267.57 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an interior corner of this parcel;
- 4) THENCE South 65°22'28" East with SH 349 proposed ROW line and said denial of access line, a distance of 122.86 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an interior corner of this parcel;
- 5) THENCE with SH 349 proposed ROW line and said denial of access line, around a curve to the left in a Northeasterly direction, with a radius of 2236.00 feet, a delta angle of 16°41'04", an arc length of 651.12 feet, and a chord distance of 648.82 feet which bears North 52°54'01" East to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an exterior corner of this parcel;
- 6) THENCE South 45°26'31" East with said ROW line and said denial of access line, a distance of 14.00 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an interior corner of this parcel;
- 7) THENCE North 44°33'29" East with said ROW line and said denial of access line, at 776.53 feet pass the end of said denial of access line and at 808.53 feet pass the beginning of and at 1000.58 feet pass the end of a denial of access line, and at 1080.58 feet pass the beginning of a denial of access line, a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the terminus of each denial of access line described above, continuing for a total distance of 1931.94 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at point of curvature of this parcel;
- 8) THENCE with SH 349 proposed ROW line and said denial of access line, around a curve to the right in a Northeasterly direction, with a radius of 6250.00 feet, at 270.32 feet pass the end of said denial of access line, at 350.32 feet pass the beginning of and at 1077.58 feet pass the end of a denial of a access line, at 1157.58 feet pass the beginning of and at 1678.01 feet pass the end of a denial of access line, at 1708.01 feet pass the beginning of and at 2085.64 feet pass the end of a denial of a access line at 2165.64 feet pass the beginning of and at 3091.04 feet pass the end of a denial of access line, a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the terminus of each denial of access line as described above, continuing for a total delta angle of 28°53'16", an arc length of 3151.17 feet, and a chord distance of 3117.90 feet which bears N59°00'07"E feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the Northeast corner of this parcel, from whence a 5/8" iron rod with a 2" aluminum cap marked "PLS 1974 5-6" set at the common North corner of Sections 5 and 6, Block 39, T-1-S, bears North 13°16'35" West, a distance of 1349.74 feet;
- 9) THENCE South 13°16'35" East with the common line of said Sections 5 and 6 crossing SH 349 ROW, a distance of 500.89 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the most Easterly Southeast corner of this parcel, from whence a 5/8" iron rod with a 2" aluminum cap marked "PLS 1974 5-6-8" set at the common South corner of Sections 5 and 6, Block 39, T-1-S, bears South 13°16'35" East, a distance of 3437.47 feet;
- 10) THENCE with the Southeasterly SH 349 proposed ROW line, around a curve to the left in a Southwesterly direction, with a radius of 5750.00 feet, at 60.65 feet pass the beginning of and at 989.84 feet pass the end of a denial of access line, at 1019.84 feet pass the beginning of and at 1173.97 feet pass the end of a denial of access line at 1253.97 feet pass the beginning of and at 2352.62 feet pass the end of a denial of access line, and at 2432.62 feet pass the beginning of a denial of an access line, a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" being set at the terminus of each denial of access line described above, at 2529.60 and 2618.74 feet pass 5/8" iron rods with 2" aluminum cap marked "TX-DOT set at the North and West

Parcel 22

Page 2 of 4

corners respectively of Parcel 22E, continuing for a total delta angle of 28°36'09", an arc length of 2870.44 feet, and a chord distance of 2840.72 feet which bears South 58°51'34" West to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at point of tangency of this parcel;

- 11) THENCE South 44°33'29" West with SH 349 proposed ROW line and said denial of access line, at 678.03 feet pass the end of said denial of access line, at 758.03 feet pass the beginning of and at 970.83 feet pass the end of a denial of access line, and at 1000.83 feet pass the beginning of a denial of access line, a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the terminus of each denial of access line as described above, continuing for a total distance of 1378.25 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at point of curvature of this parcel;
- 12) THENCE with SH 349 proposed ROW line and said denial of access line, around a curve to the left in a Southwesterly direction, with a radius of 2250.00 feet, at 624.41 feet pass a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the end of said denial of access line, continuing for a total delta angle of 17°56'17", an arc length of 704.43 feet and a chord distance of 701.55 feet which bears South 35°35'21" West to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at the beginning of a denial of access line and an exterior corner of this parcel;
- 13) THENCE South 63°22'48" East with SH 349 proposed ROW line and said denial of access line, a distance of 14.00 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an exterior corner of this parcel;
- 14) THENCE South 26°37'12" West with SH 349 ROW line and said denial of access line, a distance of 277.08 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at a point of curvature of this parcel;
- 15) THENCE with SH 349 proposed ROW line and said denial of access line, around a curve to the right in a Southwesterly direction with a radius of 1164.00 feet, delta angle of 37°34'59", an arc length of 763.53 feet and a chord distance of 749.91 feet which bears South 45°24'42" West to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an exterior corner of this parcel;
- 16) THENCE South 26°41'08" West with SH 349 proposed ROW line and said denial of access line, a distance of 153.25 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at an exterior corner of this parcel;
- 17) THENCE South 13°16'43" East with SH 349 proposed ROW line and said denial of access line, a distance of 312.92 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT ROW" set at most Southerly Southeast corner of this parcel and the end of the said denial of access line;
- 18) THENCE South 76°43'17" West, a distance of 60.00 feet to the Place of Beginning, containing an area of 3,381,775 square feet or 77.63 acres of land.

Notes: This property description is accompanied by a separate plat.

Bearings and Coordinates are relative to Texas Coordinate System of 1983/93, North Central Zone. The Theta Angle at Control Point "31" near the center of the project equals -2°00'51". All lengths are horizontal surface distances. To obtain grid distances multiply the surface distances by 0.99989004.

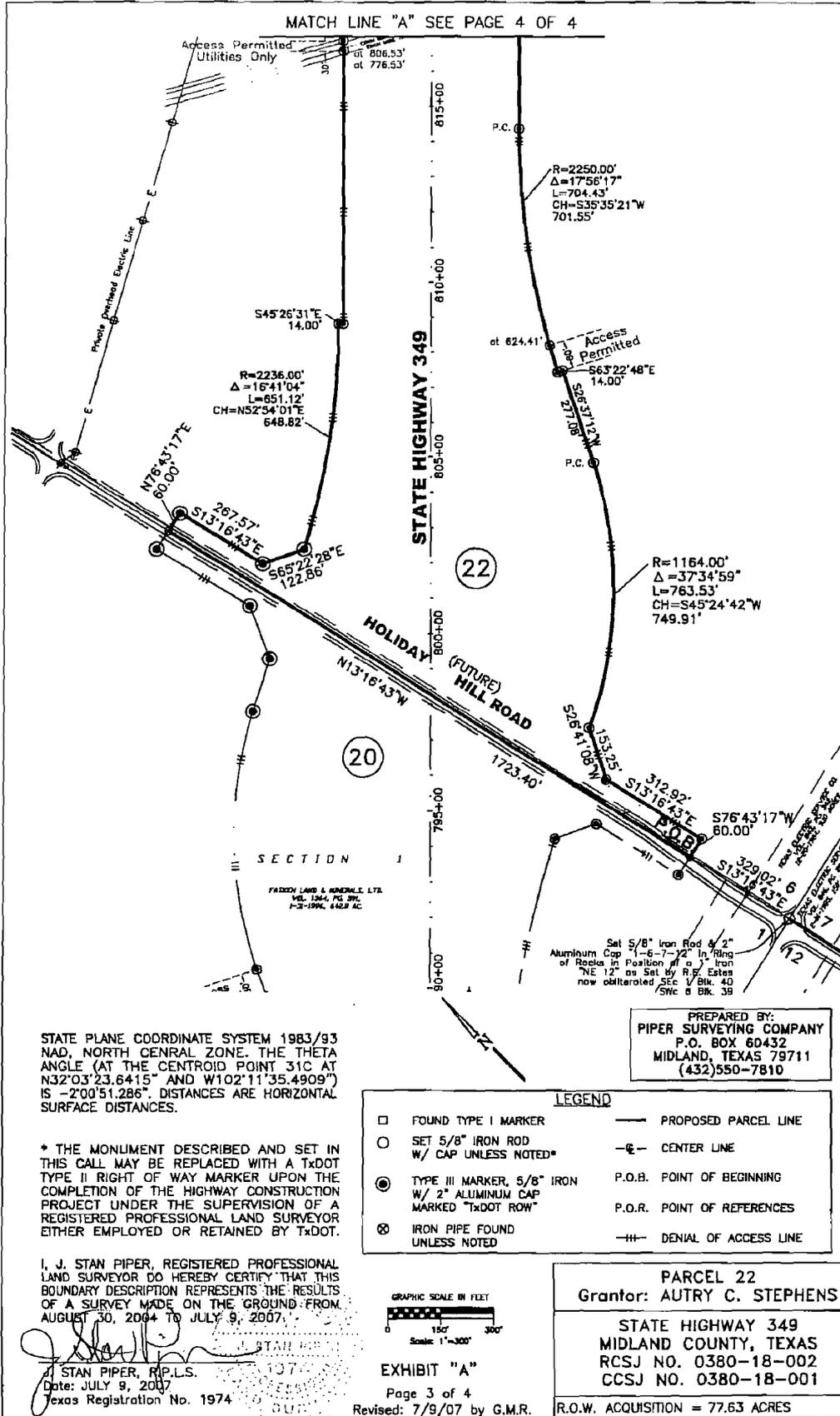
* = "This monument may be replaced by a TX DOT Type II right-of-way marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TX DOT."

Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

I, J. Stan Piper, a Registered Professional Land Surveyor, do hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision from August 30, 2004 to July 9, 2007.


 J. Stan Piper, R.P.L.S. No. 1974
 Date: July 9, 2007





STATE PLANE COORDINATE SYSTEM 1983/93 NAD, NORTH CENTRAL ZONE. THE THETA ANGLE (AT THE CENTROID POINT 31C AT N32°03'23.6415" AND W102°11'35.4909") IS -2°00'51.286". DISTANCES ARE HORIZONTAL SURFACE DISTANCES.

* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TxDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TxDOT.

I, J. STAN PIPER, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND FROM AUGUST 30, 2004 TO JULY 9, 2007.

J. STAN PIPER, R.P.L.S.
Date: JULY 9, 2007
Texas Registration No. 1974

PREPARED BY:
PIPER SURVEYING COMPANY
P.O. BOX 60432
MIDLAND, TEXAS 79711
(432)550-7810

| LEGEND | |
|--------|--|
| □ | FOUND TYPE I MARKER |
| ○ | SET 5/8" IRON ROD W/ CAP UNLESS NOTED* |
| ⊙ | TYPE III MARKER, 5/8" IRON W/ 2" ALUMINUM CAP MARKED "TxDOT ROW" |
| ⊗ | IRON PIPE FOUND UNLESS NOTED |
| — | PROPOSED PARCEL LINE |
| — — | CENTER LINE |
| ○ | P.O.B. POINT OF BEGINNING |
| ○ | P.O.R. POINT OF REFERENCES |
| — — | DENIAL OF ACCESS LINE |

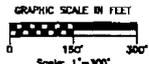
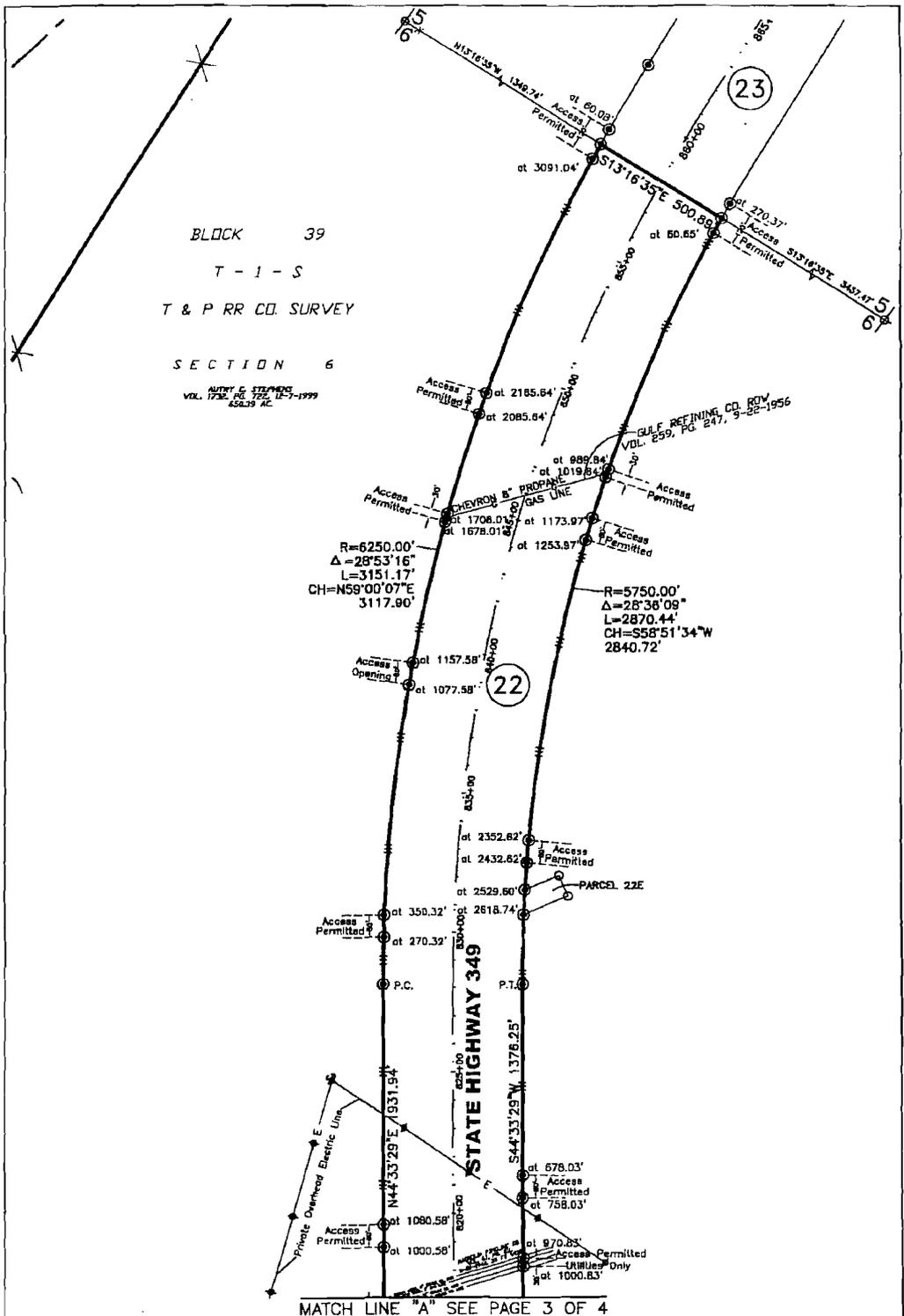


EXHIBIT "A"
Page 3 of 4
Revised: 7/9/07 by G.M.R.

PARCEL 22
Grantor: AUTRY C. STEPHENS
STATE HIGHWAY 349
MIDLAND COUNTY, TEXAS
RCSJ NO. 0380-18-002
CCSJ NO. 0380-18-001
R.O.W. ACQUISITION = 77.63 ACRES



BLOCK 39
T - 1 - S
T & P RR CO. SURVEY
SECTION 6

AUTRY C. STEPHENS
VOL. 1732, PG. 722, 12-7-1999
456.29 AC

R=6250.00'
Δ=28°53'16"
L=3151.17'
CH=N59°00'07"E
3117.90'

R=5750.00'
Δ=28°38'09"
L=2870.44'
CH=S58°51'34"W
2840.72'

STATE HIGHWAY 349

MATCH LINE "A" SEE PAGE 3 OF 4



PREPARED BY:
PIPER SURVEYING COMPANY
P.O. BOX 60432
MIDLAND, TEXAS 79711
(432)550-7810

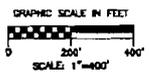


EXHIBIT "A"
PAGE 4 OF 4

PARCEL 22
Grantor: AUTRY C. STEPHENS
STATE HIGHWAY 349
MIDLAND COUNTY, TEXAS
RCSJ NO. 0380-18-002
CCSJ NO. 0380-18-001
R.O.W. ACQUISITION = 77.63 ACRES

County: Midland
Highway: SH 349
CSJ: 0380-18-002
Parcel: 22E

AND IN ADDITION THERETO:

An EASEMENT for the purpose of opening, constructing and maintaining a permanent drainage channel in, along, upon, and across the following described property with the right and privilege at all times of having ingress, egress, and regress in, along, upon and across such property for the purpose of making additions to, improvements on, and repairs to the said drainage channel or any part thereof, said property being described as follows:

County: Midland
Highway: SH 349
RCSJ: 0380-18-002
CCSJ: 0380-18-001

Page 1 of 2
February 19, 2007

Property Description for Parcel 22E

Being 0.275 acres of land situated in Section 6, Block 39, T-1-S, T. & P. RR. Co. Survey, Midland County, Texas, being a portion of the tract of land described in a deed to Autry C. Stephens, dated December 7, 1999, recorded in Volume 1732, Page 722, Midland County Official Records, and being more particularly described by metes and bounds as follows:

BEGINNING at (N= 6,730,925.32' and E= 832,079.47') a 5/8" iron rod with a 2" aluminum cap marked "TXDOT" set on the proposed 500 foot Southeasterly ROW line of State Highway 349 at the West corner of this parcel, from whence a 5/8" iron rod with a 2" aluminum cap marked "PLS 1974" set at the patented location of the Southeast corner of said Section 6, Block 39, T-1-S, bears SOUTH 13°15'49" EAST, a distance of 2694.78 feet and NORTH 76°44'11" EAST, a distance of 2488.44 feet;

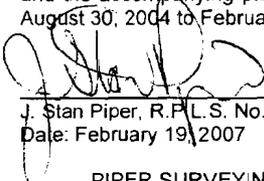
- 1) THENCE around a curve to the right in a Northeasterly direction, with a radius of 5750.00 feet, delta angle of 0°53'18", an arc length of 89.14 feet and a chord distance of 89.14 feet, which bears North 47°30'37" East to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT" set on the Southeasterly SH 349 ROW line of an at the North corner of this parcel;
- 2) THENCE South 68°40'00" East, a distance of 130.15 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT" set at the East corner of this parcel;
- 3) THENCE South 21°20'00" West, a distance of 80.00 feet to a 5/8" iron rod with a 2" aluminum cap marked "TXDOT" set at the South corner of this parcel;
- 4) THENCE North 68°40'00" West, a distance of 169.47 feet to the **Point of Beginning**. Parcel contains an area of 11,995 square feet or 0.275 acres of land.

Notes: (1) This property description is accompanied by a separate plat.

(2) Bearings and Coordinates are relative to Texas Coordinate System of 1983/93, North Central Zone. The Theta Angle at Control Point "31" near the center of the project equals -2°00'51". All lengths are horizontal surface distances. To obtain grid distances multiply the surface distances by 0.99989004.

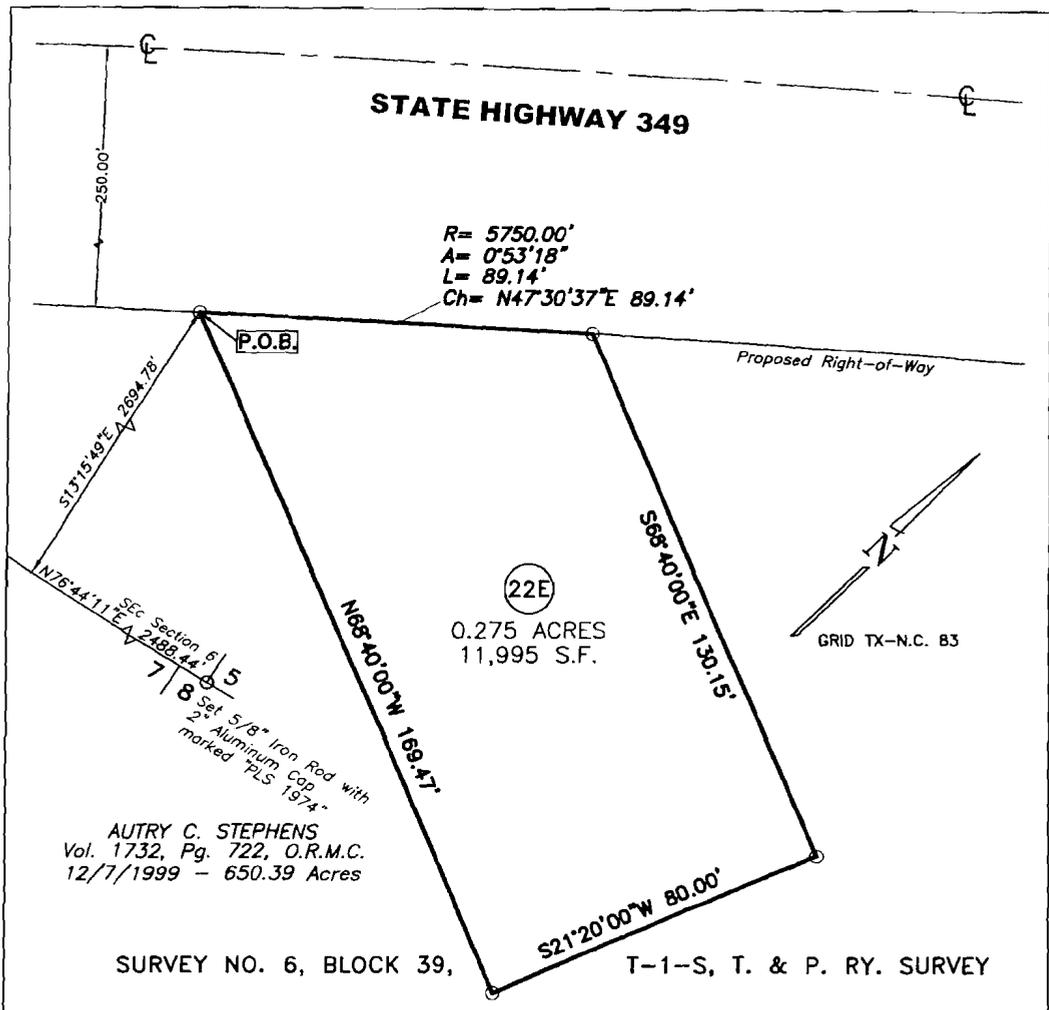
(3) * = "This monument may be replaced by a TxDOT Type II right-of-way marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TxDOT."

I, J. Stan Piper, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision from August 30, 2004 to February 19, 2007.



J. Stan Piper, R.P.L.S. No. 1974
Date: February 19, 2007

PIPER SURVEYING COMPANY, P.O. Box 60432, Midland, Texas 79711, (432) 550-7810



AUTRY C. STEPHENS
Vol. 1732, Pg. 722, O.R.M.C.
12/7/1999 - 650.39 Acres

SURVEY NO. 6, BLOCK 39, T-1-S, T. & P. RY. SURVEY

BEARINGS AND COORDINATES ARE RELATIVE TO STATE PLANE COORDINATE SYSTEM 1983/93 NAD, NORTH CENTRAL ZONE. THE THETA ANGLE (AT THE CENTROID POINT 31C AT N32°03'23.6415\" AND W102°11'35.4909\") IS -2°00'51.286\". DISTANCES ARE HORIZONTAL SURFACE DISTANCES.

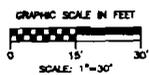
* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TxDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TxDOT.

I, J. STAN PIPER, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND FROM AUGUST 30, 2004 TO FEBRUARY 19, 2007.

J. STAN PIPER, R.L.S.
Date: February 19, 2007
Texas Registration No. 1974

PREPARED BY:
PIPER SURVEYING COMPANY
P.O. BOX 60432
MIDLAND, TEXAS 79711
(432)550-7810

| LEGEND | | | |
|--------|---|--------|-----------------------|
| □ | FOUND TYPE I MARKER | — | PROPOSED PARCEL LINE |
| ○ | SET 5/8\" IRON ROD W/ CAP UNLESS NOTED | —C— | CENTER LINE |
| ⊙ | TYPE III MARKER, 5/8\" IRON W/ 2\" ALUMINUM CAP MARKED \"TxDOT ROW\"* | P.O.B. | POINT OF BEGINNING |
| ⊗ | IRON PIPE FOUND UNLESS NOTED | P.O.R. | POINT OF REFERENCES |
| | | —H— | DENIAL OF ACCESS LINE |



PARCEL NO. 22E
AUTRY C. STEPHENS
STATE HIGHWAY 349
MIDLAND COUNTY, TEXAS
RCSJ NO. 0380-18-002
CCSJ NO. 0380-18-001
R.O.W. ACQUISITION = 0.275 ACRES

January, 2005
Parcel 131
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 131

Being a 0.0402 acre (1,753 square foot) parcel of land in the John Bricker Survey, Abstract No. 71, Montgomery County, Texas, and being out of a certain tract of land described in deed dated April 30, 1998 from Motel 6 Operating L.P. to M-Six Penvest I Business Trust recorded under County Clerk's File No. 9839511 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.0402 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for the southwest corner of a certain tract of land described in deeds dated July 5, 2000 and July 10, 2000 to George A. Demontrond III, Trustee recorded under County Clerk's File Nos. 2000-060148 and 2000-060150 of the Official Public Records of Real Property of Montgomery County, Texas and for an interior corner of said M-Six Penvest I Business Trust tract; thence as follows:

North 71 deg. 28 min. 58 sec. East, along the south line of said Demontrond tract and the north line of said M-Six Penvest I Business Trust tract, a distance of 600.29 feet to a 5/8 inch iron rod with aluminum cap set in the proposed west right-of-way line of Interstate Highway 45 for the northwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 71 deg. 28 min. 58 sec. East, along the south line of said Demontrond tract and the north line of said M-Six Penvest I Business Trust tract, a distance of 24.29 feet to a point in the existing west right-of-way line of Interstate Highway 45 (width varies per Condemnation Cause No. 4216, Montgomery County District Court) for the southeast corner of said Demontrond tract, the northeast corner of said M-Six Penvest I Business Trust tract, and the northeast corner of the herein described parcel;
- 2.) THENCE, South 18 deg. 01 min. 46 sec. East, along the existing west right-of-way line of Interstate Highway 45 and the east line of said M-Six Penvest I Business Trust tract, a distance of 72.34 feet to a point for the northeast corner of a certain tract of land described in deed dated July 28, 1986 to Motel 6 Operating L.P. recorded under County Clerk's File No. 8639971 of the Official Public Records of Real Property of Montgomery County, Texas, the southeast corner of said M-Six Penvest I Business Trust tract, and the southeast corner of the herein described parcel, from which a found 5/8 iron rod (bent) bears South 70 deg. East, 0.86 feet;
- 3.) THENCE, South 71 deg. 28 min. 58 sec. West, along the south line of said M-Six Penvest I Business Trust tract and the north line of said Motel 6 Operating L.P. tract, a distance of 24.18 feet to a 5/8 inch iron rod with aluminum cap set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner of the herein described parcel;

January, 2005
Parcel 131
Page 2 of 3 Pages

- 4.) THENCE, North 18 deg. 06 min. 46 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 72.34 feet to the POINT OF BEGINNING and containing 0.0402 acre (1,753 square feet) of land.

Notes:

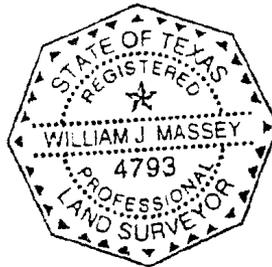
1. The POINT OF BEGINNING of this description has coordinate values of X=3,832,157.55 and Y=10,105,969.64. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 131" of even survey date herewith accompanies this description.
3. Access is permitted to the highway facility from the remainder of the abutting property..

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey date: October 18, 2002

William J. Massey 1/19/05
Date

William J. Massey
Registered Professional Land Surveyor
Texas Registration No. 4793

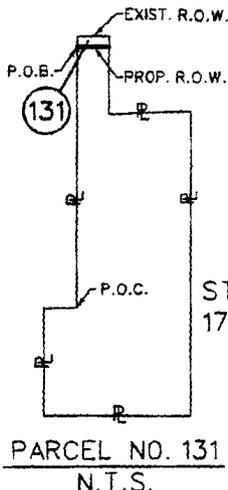
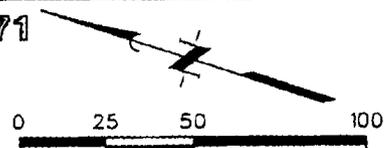


Parcel No. 131 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068

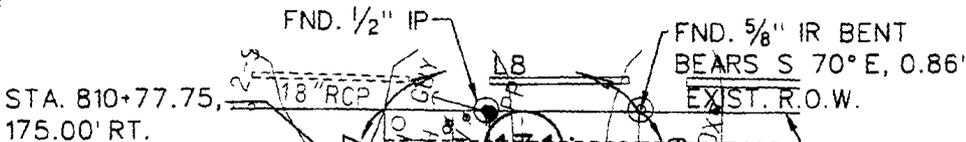
INTERSTATE HWY 45 JOY BRICKER SURVEY 1-71

INTERSTATE HWY. 45

(WIDTH VARIES
PER CONDEMNATION
CAUSE NO. 4216
M.C.D.C.)



PROP. BASELINE IH 45 S 18° 06' 46" E



PARCEL NO. 131
N.T.S.

P.O.B. PARCEL 131
X=3,832,157.55
Y=10,105,969.64

30' CITY OF
CONROE S.S.E.
M.C.C.F. NO. 9365307

P.O.C. PARCEL 131
FND 5/8" IR

M-SIX PENVEST BUSINESS
TRUST
M.C.C.F. NO. 9839511
APRIL 30, 1998
(CALL 4.8932 AC.)

UNLOCATED ESMTS.
HUMBLE PIPE LINE CO. VOL. 378, PG. 113 M.C.D.R.
VOL. 379, PG. 461 M.C.D.R.
MAGNOLIA PETROLEUM CO.
VOL. 83, PG. 520 M.C.D.R.
G.S.U.E.
VOL. 282, PG. 287 M.C.D.R.

G.S.U.E.
VOL. 1044,
PG. 296
M.C.D.R.
SUBJECT TO
UNDEFINED G.S.U.E.
VOL. 214, PG. 228
M.C.D.R.

20' G.S.U.E.
M.C.C.F. NO. 9539508
MOTEL 6 OPERATING L.P.
M.C.C.F. NO. 8639971
JULY 28, 1986
(RESIDUE OF CALL 7.68 AC.)
LEASED TO GEORGE A.
DEMONTROND III TRUST
M.C.C.F. NO. 9519719
(CALL 0.79189 AC.)

GEORGE A. DEMONTROND III, TRUSTEE
M.C.C.F. NO. 2000-060148
JULY 5, 2000
(CALL 3.3062 AC.)
M.C.C.F. NO. 2000-060150
JULY 10, 2000
(CALL 2.2664 AC.)

LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- Property Line
- "ACCESS DENIAL LINE"
- Existing Fence
- Parcel Number

⊙ PROPERTY CORNER (FOUND AS NOTED)
 □ FOUND TYPE I CONC. MON.
 ■ SET TYPE II CONC. MON.
 (UNLESS OTHERWISE NOTED)

- SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
- SET 5/8" I.R. W/ALUM. CAP (EXCEPT AS NOTED)

M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
 M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
 M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
 M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
 G.S.U.E. - GULF STATES UTILITIES EASEMENT
 S.S.E. - SANITARY SEWER EASEMENT
 U.E. - UTILITY EASEMENT
 A.E. - AERIAL EASEMENT
 B.L. - BUILDING LINE
 D.E. - DRAINAGE EASEMENT

AREA TABLE (ACRES)

| EXISTING | TAKING AC./S.F. | REMAINDER | |
|----------|-----------------|-----------|-------|
| | | LEFT | RIGHT |
| 4.8932 | 0.0402 1,753 | | 4.853 |

LINE DATA

| LINE | BEARING | LENGTH |
|------|-----------------|--------|
| L7 | N 71° 28' 58" E | 24.29' |
| L8 | S 18° 01' 46" E | 72.34' |
| L9 | S 71° 28' 58" W | 24.18' |
| L10 | N 18° 06' 46" W | 72.34' |

- NOTES:**
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey data accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



PARCEL PLAT SHOWING
PARCEL 131

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005
PAGE 3 OF 3 SCALE: 1"=50'

June, 2005
Parcel 12
Page 1 of 4

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 miles North of Loop 336 North to 0.043 miles South of Loop 336 South
ROW CSJ: 0675-08-089

PROPERTY DESCRIPTION FOR PARCEL 12

Being a 0.0098 acre (428 square feet) parcel of land out of the William S. Allen Survey, Abstract No. 2, Montgomery County, Texas, being out of a 0.983 acre tract conveyed to Motiva Enterprises, L.L.C. by deed dated September 4, 1998, as recorded under Clerk's File No. 9881962 of the Official Public Records of Real Property of Montgomery County (O.P.R.R.P.M.C.), said 0.0098 acre parcel being more particularly described as follows: (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment), all distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.999970).

COMMENCING at a 5/8-inch iron rod with plastic cap found at the southeast corner of said 0.983 acre tract, and a north interior corner of a 8.9938 acre tract conveyed to Amcap Acadia Conroe, LP by deed dated January 16, 2003, as recorded under Clerk's File No. 2003-009949 of the O.P.R.R.P.M.C.; thence as follows:

- NORTH 17 degrees 10 minutes 31 seconds WEST, a distance of 186.97 feet along the common line of said 0.983 acre tract, and said 8.9938 acre tract to a Texas Department of Transportation (TxDOT) aluminum disk set on a 5/8-inch iron rod at the POINT OF BEGINNING of the herein described parcel, lying in the proposed south right-of-way line of Loop 336 (width varies), having a Texas State Plane Coordinate Value of X = 3,828,544.48, Y = 10,118,946.99; **
- 1.) THENCE, SOUTH 68 degrees 23 minutes 05 seconds WEST, a distance of 104.44 feet along said proposed south right-of-way line of Loop 336 to a TxDOT aluminum disk set on a 5/8-inch iron rod at the west corner of the herein described parcel, lying in the north line of said 0.983 acre tract, and the existing north right-of-way line of Loop 336 (width varies); **
 - 2.) THENCE, NORTH 58 degrees 52 minutes 43 seconds EAST, a distance of 33.32 feet along said north line of 0.983 acre tract, and said existing north right-of-way line of Loop 336 to a north corner of the herein described parcel;

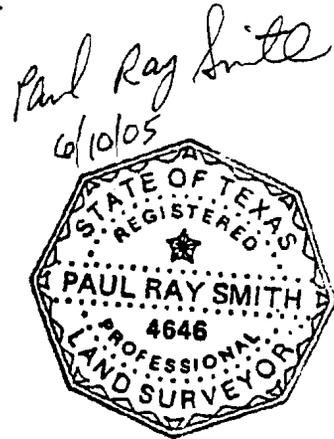
June, 2005
Parcel 12
Page 2 of 4

- 3.) THENCE, NORTHEASTERLY along a curve to the right, said north line of 0.983 acre tract, and said north right-of-way line of Loop 336 through a central angle of 01 degrees 28 minutes 04 seconds having a radius of 2,805.82 feet, an arc length of 71.88 feet, and a long chord bearing NORTH 69 degrees 53 minutes 27 seconds EAST, a distance of 71.88 feet to the northeast corner of said 0.983 acre tract, the northwest corner of said 8.9938 acre tract, and the northeast corner of the herein described parcel;
- 4.) THENCE, SOUTH 17 degrees 10 minutes 31 seconds EAST, a distance of 3.62 feet along the common line of said 0.983 acre tract, and said 8.9938 acre tract to the POINT OF BEGINNING, containing 0.0098 acre (428 square feet) of land.

A parcel plat of even date was prepared to accompany this property description.

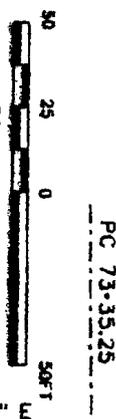
✓ Access will be permitted to the southerly remainder abutting the highway facility along Call 1 of the foregoing property description.

**The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.



STATION
DELTA
DEGREE OF CURVE
TANGENT
LENGTH
RADIUS
PC STATION
PCC STATION

74°21'14"
03°26'00" (RT)
2°00'00"
85.89'
171.73'
2,865.82'
73+35.25
75+06.98



| EXISTING | TAKING | REMAINDER |
|----------|-----------|-----------|
| 0.983 AC | 0.0098 AC | 0.9732 AC |
| | 428 S.F. | |

HEREBY CERTIFY THAT THIS PLAT & ACCOMPANYING LEGAL DESCRIPTION IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE IS TRUE AND CORRECT.

Paul R. Smith
6/10/05

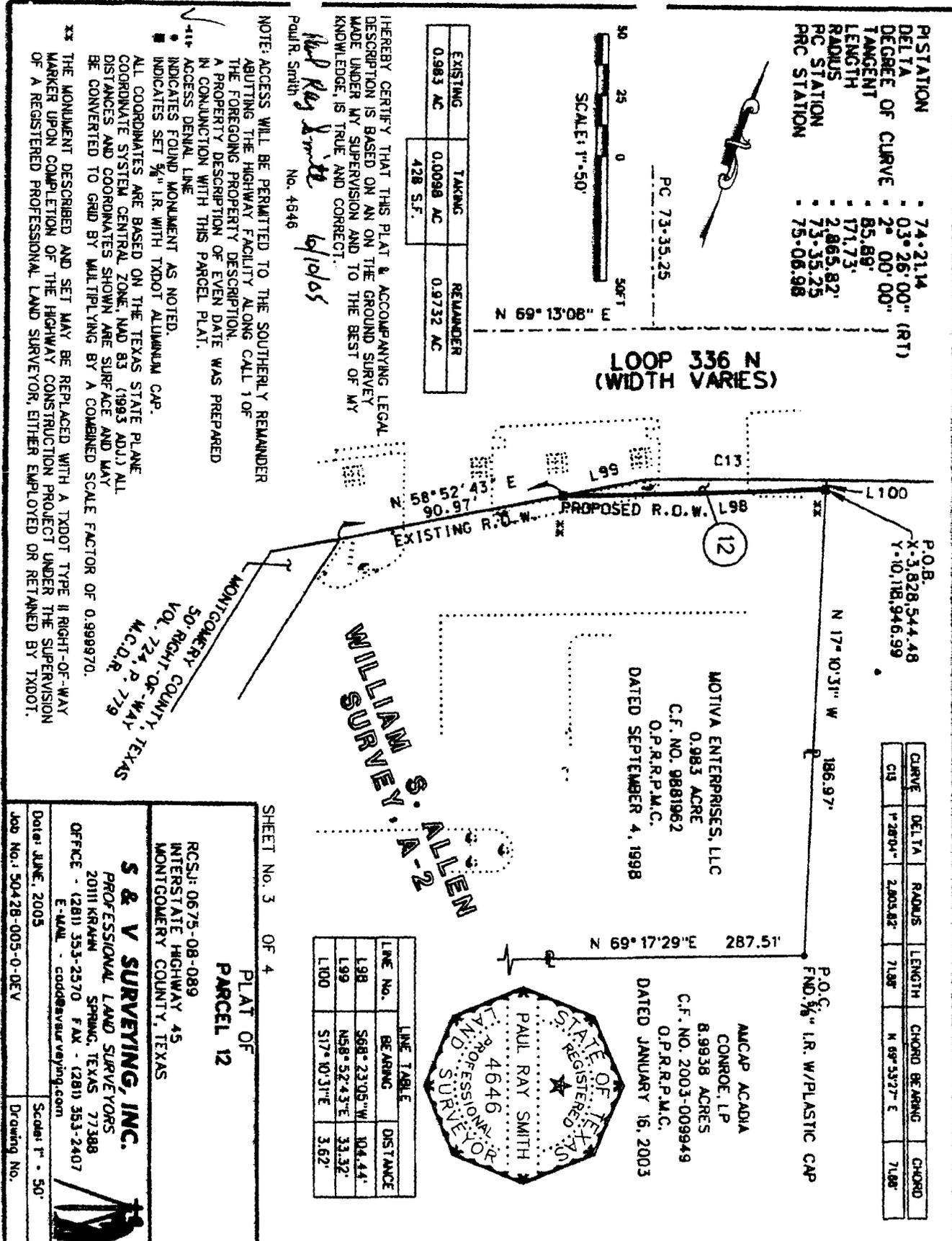
Paul R. Smith No. 4646

NOTE: ACCESS WILL BE PERMITTED TO THE SOUTHERLY REMAINDER ABUTTING THE HIGHWAY FACILITY ALONG CALL 1 OF THE FOREGOING PROPERTY DESCRIPTION. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT. ACCESS DENIAL LINE

ALL COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, NAD 83 (1993 ADJ.) ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999970.

THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

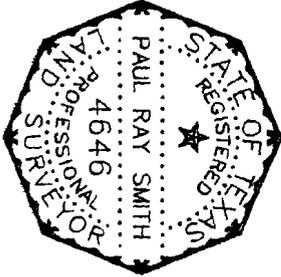
LOOP 336 N
(WIDTH VARIES)



| CURVE | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD |
|-------|-------|-----------|--------|---------------|--------|
| C13 | 2°00' | 2,865.82' | 71.88' | N 69°53'27" E | 71.88' |

MOTIVA ENTERPRISES, LLC
0.983 ACRE
C.F. NO. 9881962
O.P.R.P.M.C.
DATED SEPTEMBER 4, 1998

AMCAP ACADEMY
CONROE, LP
8,9938 ACRES
C.F. NO. 2003-009949
O.P.R.P.M.C.
DATED JANUARY 16, 2003



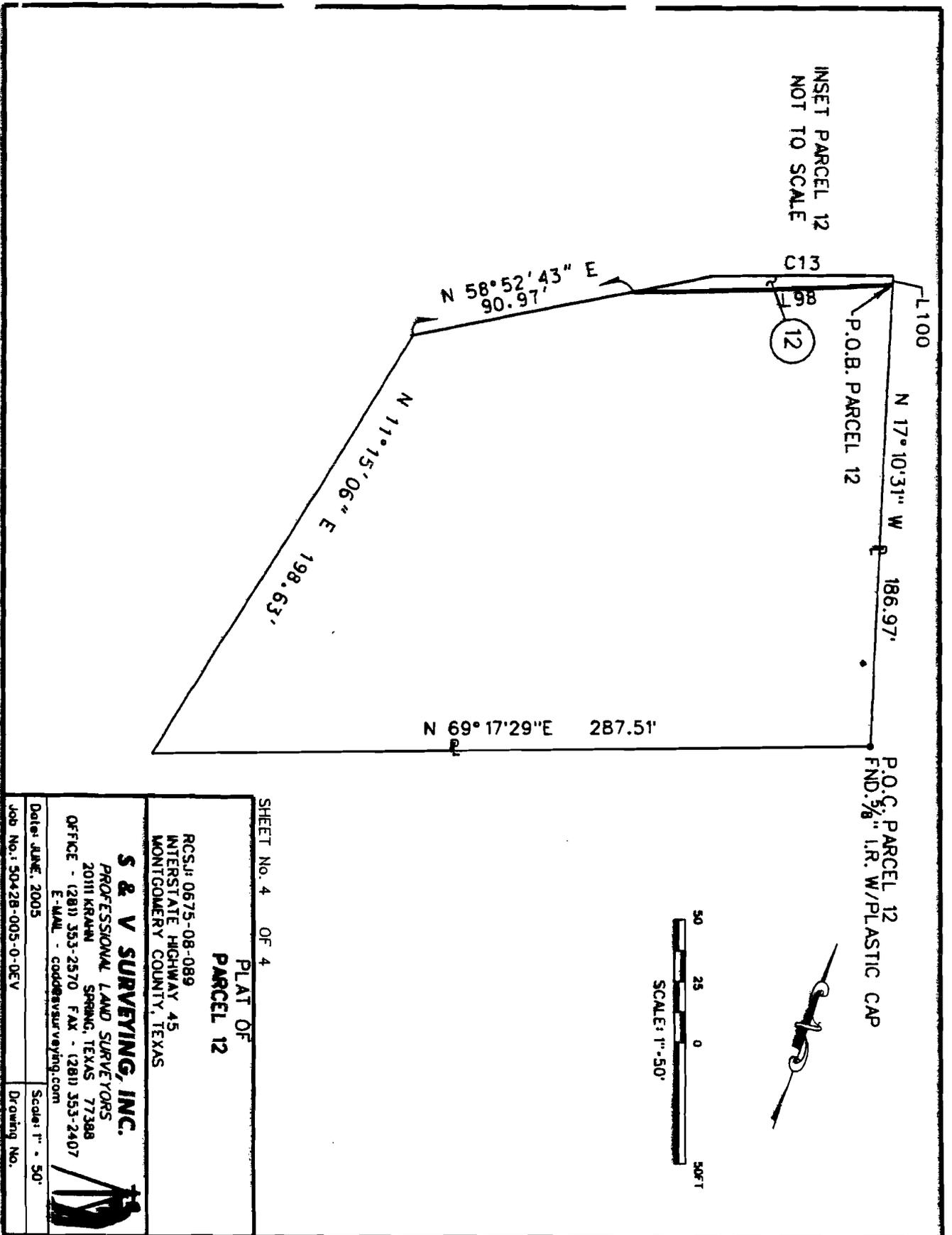
| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L98 | S68°23'05"W | 104.44' |
| L99 | N58°52'43"E | 33.32' |
| L100 | S17°10'31"E | 3.62' |

SHEET No. 3 OF 4
PLAT OF
PARCEL 12

RCSJ: 0675-08-089
INTERSTATE HIGHWAY 45
MONTGOMERY COUNTY, TEXAS

S & V SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
20111 KRAHN SPRING, TEXAS 77188
OFFICE - (281) 353-2370 FAX - (281) 353-2407
E-MAIL - codd@svsurveys.com

Date: JUNE, 2005
Scale: 1" = 50'
Job No.: 50428-005-0-DE-V
Drawing No.



INSET PARCEL 12
NOT TO SCALE

C13
98
12

P.O.B. PARCEL 12

P.O.C. PARCEL 12
FND. 5/8" I.R. W/PLASTIC CAP



SHEET No. 4 OF 4

PLAT OF
PARCEL 12

RCS: 0675-08-089
INTERSTATE HIGHWAY 45
MONTGOMERY COUNTY, TEXAS

S & V SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
2011 KRAHN SPRING, TEXAS 77398
OFFICE - (281) 353-2570 FAX - (281) 353-2407
E-MAIL - codd@svsurveying.com



Date: JUNE, 2005
Job No.: 50428-005-0-DEV
Scale: 1" = 50'
Drawing No.

January, 2005
Parcel 154
Page 1 of 3 Pages

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 154

Being a 0.1229 acre (5,356 square foot) parcel of land in the Ransom House Survey, Abstract No. 245, Montgomery County, Texas out of Lot 4 of Conroe Interstate Park, as recorded in Cabinet "C", Sheet 106 of the Montgomery County Map Records (M.C.M.R.), and being out of that certain tract of land described in deed dated January 1, 1992 from Robert A. Caplan, Trustee to Conroe/Woodway Square Partnership, Ltd., recorded under County Clerk's File No. 9200121 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.1229 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for the southeast corner said Conroe/Woodway Square Partnership, Ltd. tract and the northeast corner of that certain tract of land out of Lot 3, Conroe Interstate Park, described in deed dated December 29, 1998 to Six Sac Self-Storage Corp., recorded under County Clerk's File No. 99026387 of the Official Public Records of Real Property of Montgomery County, Texas; thence as follows:

South 70 deg. 54 min. 41 sec. West, along the south boundary line of said Conroe/Woodway Square Partnership, Ltd. tract and the north boundary line of said Six Sac Self-Storage Corp. tract, a distance of 581.41 feet to an "X" in concrete set in the proposed east right-of-way line of IH 45 for the southeast corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, South 70 deg. 54 min. 41 sec. West, continuing along the south boundary line of said Conroe/Woodway Square Partnership, Ltd. tract and the north boundary line of said Six Sac Self-Storage Corp. tract, a distance of 33.47 feet to a point (from which a found 1/2 inch iron rod bears South 70 deg. 54 min. 41 sec. West, 1.36 feet) in the existing east right-of way line of IH 45 (width varies per Volume 409, Page 302, Montgomery County Deed Records) for the northwest corner of said Six Sac Self-Storage Corp. tract and the southwest corner of said Conroe/Woodway Square Partnership, Ltd. tract and the herein described parcel, said point also being in a non-tangent curve to the right whose center bears North 60 deg. 26 min. 41 sec. East;
- 2.) THENCE, in a northwesterly direction, along the existing east right-of-way line of IH 45 and the west boundary line of said Conroe/Woodway Square Partnership, Ltd. tract, with said non-tangent curve to the right, having a radius of 7,489.53 feet, an arc length of 159.20 feet, a central angle of 01 deg. 13 min. 04 sec., and a chord which bears North 28 deg. 56 min. 47 sec. West, 159.19 feet to a point in the south right-of-way line of Enterprise Row Drive (60 feet wide per Cab. C, Sheet 106, M.C.M.R.) for the northwest corner of said Conroe/Woodway Square Partnership, Ltd. tract and the herein described parcel, from which a found 1/2 inch iron rod bears South 69 deg. West, 1.98 feet;

January, 2005
Parcel 154
Page 2 of 3 Pages

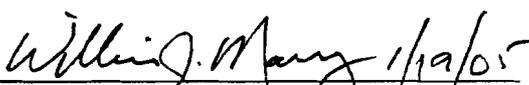
- 3.) THENCE, North 67 deg. 53 min. 58 sec. East, along the north boundary line of said Conroe/Woodway Square Partnership, Ltd. tract and the south right-of-way line of said Enterprise Row Drive, a distance of 45.76 feet to a Type II concrete monument set in the proposed east right-of-way line of IH 45 for the northeast corner of the herein described parcel;
- 4) THENCE, South 19 deg. 39 min. 54 sec. West, along the proposed east right-of-way line of IH 45, a distance of 16.76 feet to a Type II concrete monument set for the beginning of a non-tangent curve to the left whose center bears North 61 deg. 35 min. 28 sec. East;
- 5.) THENCE, in a southeasterly direction, along the proposed east right-of-way line of IH 45, with said non-tangent curve to the left, having a radius of 7,285.85 feet, an arc length of 148.39 feet, a central angle of 01 deg. 10 min. 01 sec., and a chord which bears South 28 deg. 59 min. 32 sec. East, 148.39 feet to the POINT OF BEGINNING and containing 0.1229 acre (5,356 square feet) of land.

Notes:

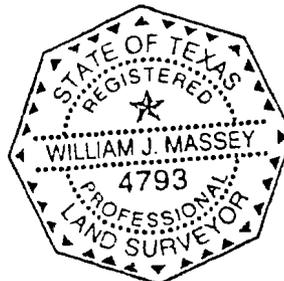
1. The POINT OF BEGINNING of this description has coordinate values of X=3,833,986.28 and Y=10,102,068.58. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 154" of even survey date herewith accompanies this description.
- ✓ 3. Access is permitted to the highway facility from the remainder of the abutting property.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

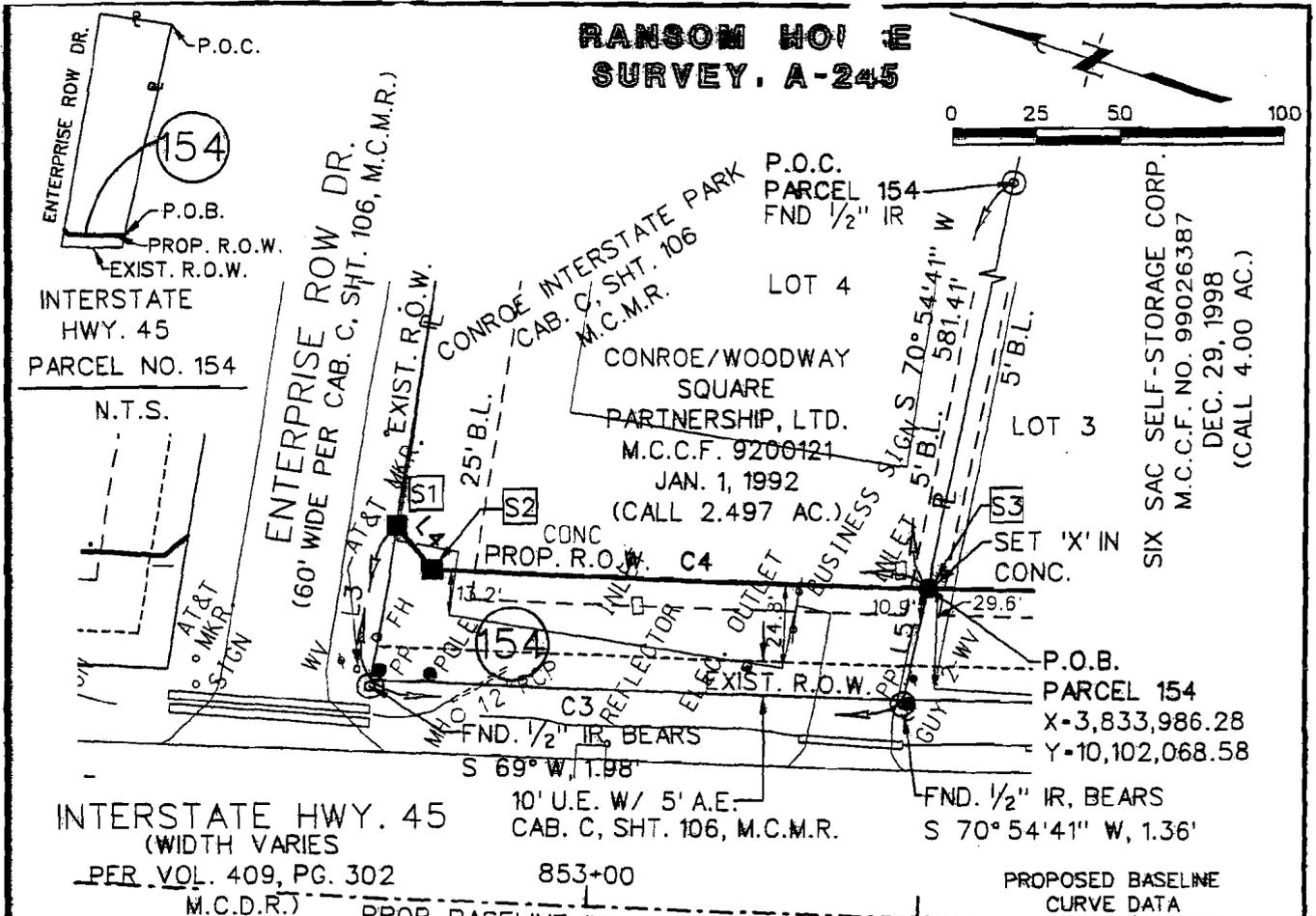
Survey date: October 18, 2002



William J. Massey Date
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 154 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



| LINE DATA | | |
|-----------|-----------------|--------|
| LINE | BEARING | LENGTH |
| L3 | N 67° 53' 58" E | 45.76' |
| L4 | S 19° 38' 54" W | 16.78' |
| L5 | S 70° 54' 41" W | 33.47' |

| CURVE DATA | | | | | |
|------------|-----------|------------------|------------|-------------------------|--|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD | |
| C3 | 7,489.53' | 1° 13' 04" (RT.) | 136.20' | N 28° 56' 47" W 158.70' | |
| C4 | 7,285.85' | 1° 10' 01" (LT.) | 148.39' | S 28° 58' 32" E 148.39' | |

- LEGEND**
- Existing R.O.W. Line
 - Proposed R.O.W. Line
 - Property Line
 - "ACCESS DENIAL LINE"
 - Existing Fence
 - Parcel Number
- ⊙ PROPERTY CORNER (FOUND AS NOTED)
 □ FOUND TYPE I CONC. MON.
 ■ SET TYPE II CONC. MON.
 (UNLESS OTHERWISE NOTED)
- SET 5/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
 - SET 5/8" I.R. W/ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
 M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
 M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
 M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
 G.S.U.E. - GULF STATES UTILITIES EASEMENT
 S.S.E. - SANITARY SEWER EASEMENT
 U.E. - UTILITY EASEMENT
 A.E. - AERIAL EASEMENT
 B.L. - BUILDING LINE
 D.E. - DRAINAGE EASEMENT

| AREA TABLE (ACRES) | | | |
|--------------------|-----------------|-----------|-------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 2.497 | 0.1229 5,356 | 2.374 | |

| STATION & OFFSETS IH 45 BASELINE | |
|-------------------------------------|------------------------|
| S1 | 852+37.11, 195.25' LT. |
| S2 | 852+48.59, 182.78' LT. |
| S3 | 854+00.62, 182.74' LT. |

- NOTES:**
- All coordinates and bearings shown herein are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by TXDOT-Houston District. All distances and coordinates shown herein are surface feet and may be converted to grid by dividing by the TXDOT Montgomery County surface adjustment factor of 1.00003.
 - Property description with even survey date accompanies this plat.
 - Offsets to proposed baseline IH 45 shown herein are not to scale.
 - Survey line locations are approximate.
 - Access is permitted to the highway facility from the remainder of the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
 SURVEY DATE: OCTOBER 18, 2002

William J. Massey 1/19/05
 WILLIAM J. MASSEY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 4793, STATE OF TEXAS



PARCEL PLAT SHOWING
 PARCEL 154

Revised July, 2006
January, 2005
Parcel 166
Page 1 of 3

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 mile north of Loop 336 North to 0.043 mile south of Loop 336 South
Part 2 – SH 105 to 0.043 mile south of Loop 336 South
RCSJ No.: 0675-08-089

Property Description for Parcel No. 166

Being a 0.1078 acre (4,697 square foot) parcel of land in the Ransom House Survey, Abstract No. 245, Montgomery County, Texas, and being out of a residue of a certain tract of land described in deed dated November 29, 1982 from Weingarten Realty, Inc. to River Pointe Venture I recorded under County Clerk's File No. 8254155 of the Official Public Records of Real Property of Montgomery County, Texas; said 0.1078 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 3/4 inch iron rod found for an interior corner of said River Pointe Venture I residue tract and the northwest corner of a certain tract of land described in deed dated December 31, 1998 to Halle Enterprises, L.L.C. recorded under County Clerk's File No. 99000401 of the Official Public Records of Real Property of Montgomery County, Texas; thence as follows:

North 68 deg. 24 min. 13 sec. East, along the most northerly south line of said River Pointe Venture I residue tract and the north line of said Halle Enterprises, L.L.C. tract, a distance of 207.84 feet to a 5/8 inch iron rod with aluminum cap set in the proposed west right-of-way line of Interstate Highway 45 for the southwest corner and the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE, North 32 deg. 09 min. 21 sec. West, along the proposed west right-of-way line of Interstate Highway 45, a distance of 207.50 feet to a 5/8 inch iron rod with aluminum cap stamped "COA" set in the north line of said River Pointe Venture I residue tract and the south line of a certain tract of land described in deed dated March 3, 1992 to Weingarten Realty Investors recorded under County Clerk's File No. 9211077 of the Official Public Records of Real Property of Montgomery County, Texas for the end of an "Access Denial Line" and the northwest corner of the herein described parcel;
- 2.) THENCE, North 56 deg. 42 min. 47 sec. East, along the north line of said River Pointe Venture I residue tract and the south line of said Weingarten Realty Investors tract, a distance of 23.63 feet to a 5/8 inch iron rod found in the existing west right-of-way line of Interstate Highway 45 (width varies per Volume 409, Page 302, Montgomery County Deed Records) for the southeast corner of said Weingarten Realty Investors tract, the northeast corner of said River Pointe Venture I residue tract, and the northeast corner of the herein described parcel, said point also being in a non-tangent curve to the right whose center bears South 57 deg. 48 min. 10 sec. West;

Revised July, 2006
January, 2005
Parcel 166
Page 2 of 3

- 3.) THENCE, in a southeasterly direction, along the existing west right-of-way line of Interstate Highway 45, with said non-tangent curve to the right, having a radius of 5,691.00 feet, an arc length of 211.71 feet, a central angle of 02 deg. 07 min. 53 sec., and a chord which bears South 31 deg. 07 min. 53 sec. East, 211.70 feet to a 3/4 inch iron rod found for the northeast corner of the above mentioned Halle Enterprises, L.L.C. tract, the most easterly southeast corner of said River Pointe Venture I residue tract, and the southeast corner of the herein described parcel;
- 4.) THENCE, South 68 deg. 24 min. 13 sec. West, along the most northerly south line of said River Pointe Venture I residue tract and the north line of said Halle Enterprises, L.L.C. tract, a distance of 20.18 feet to the POINT OF BEGINNING and containing 0.1078 acre (4,697 square feet) of land.

Notes:

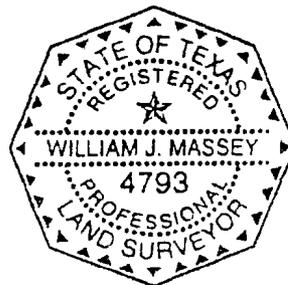
1. The POINT OF BEGINNING of this description has coordinate values of X=3,834,550.64 and Y=10,100,548.83. All bearings are based on the Texas State Plane Coordinate System, NAD 83(1993 Adj.), Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00003.
2. A survey plat titled "Parcel 166" of even survey date herewith accompanies this description.
3. Revision performed on July, 2006 consists of updating the "Access Denial Line" along the proposed west right-of-way line of Interstate Highway 45.

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

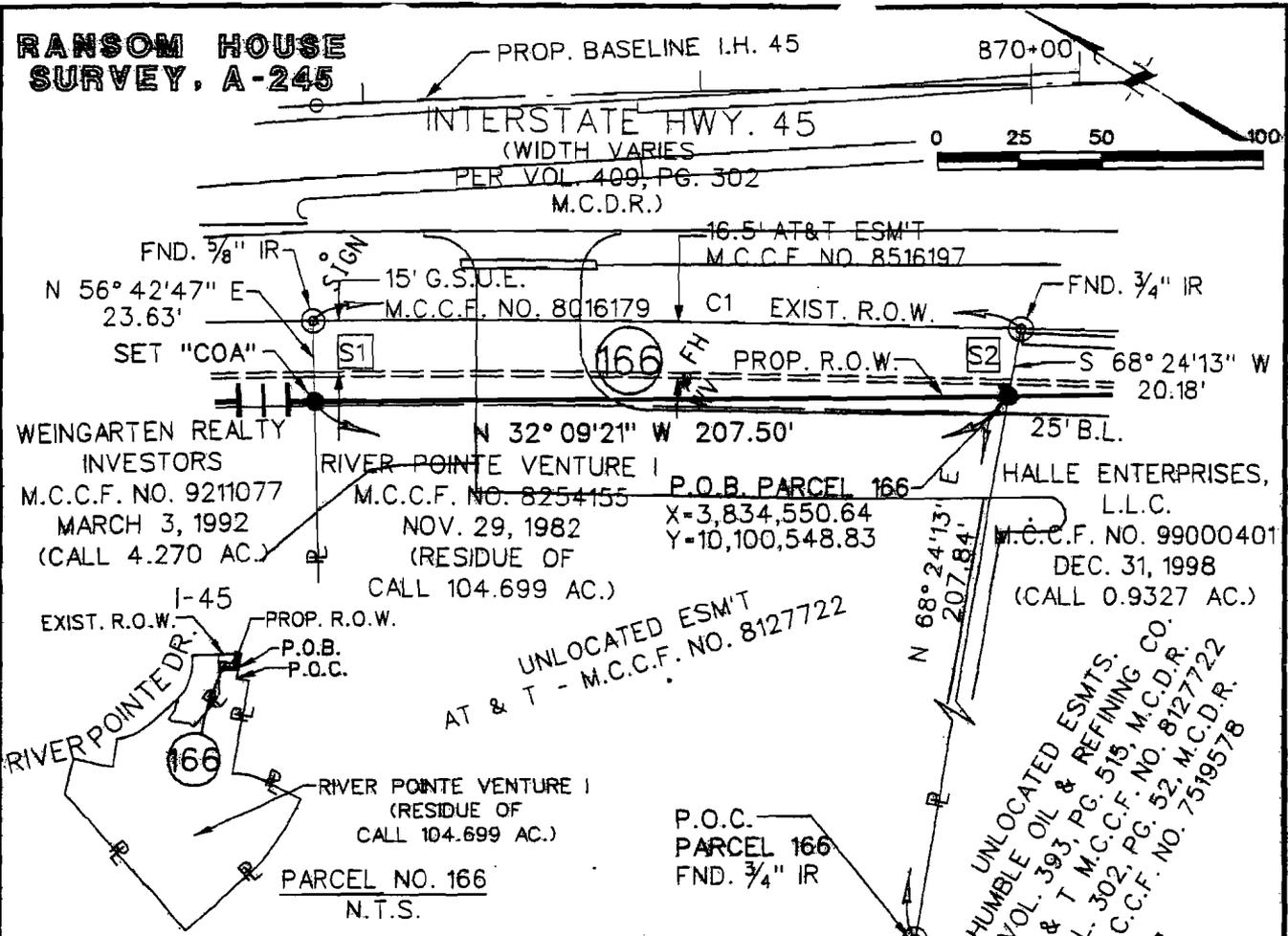
Survey date: October 18, 2002



William J. Massey Date 7/31/06
Registered Professional Land Surveyor
Texas Registration No. 4793



Parcel No. 166 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



| CURVE DATA | | | | |
|------------|-----------|------------|------------|-------------------------|
| CURVE | RADIUS | Δ | ARC LENGTH | CHORD |
| C1 | 5,691.00' | 2° 07' 53" | 211.71' | S 31° 07' 53" E 211.70' |

| STATION & OFFSETS IH 45 BASELINE | |
|-------------------------------------|------------------------|
| S1 | 867+81.54, 178.43' RT. |
| S2 | 869+95.60, 183.63' RT. |

| LEGEND | |
|--------|----------------------|
| | Existing R.O.W. Line |
| | Proposed R.O.W. Line |
| | Property Line |
| | "ACCESS DENIAL LINE" |
| | Existing Fence |
| | Parcel Number |

| AREA TABLE (ACRES) | | | |
|--------------------|--------------------|-----------|-------|
| EXISTING | TAKING AC./S.F. | REMAINDER | |
| | | LEFT | RIGHT |
| 8.570 | 0.1078 4,697 | | 8.462 |

- ⊙ PROPERTY CORNER (FOUND AS NOTED)
- FOUND TYPE I CONC. MON.
- SET TYPE II CONC. MON. (UNLESS OTHERWISE NOTED)
- SET 3/8" IR W/ TXDOT ALUMINUM CAP STAMPED "COA" MARKING END OF "ACCESS DENIAL LINE" (EXCEPT AS NOTED)
- SET 5/8" I.R. W/ ALUM. CAP (EXCEPT AS NOTED)
- M.C.D.C. - MONTGOMERY COUNTY DISTRICT COURT
- M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
- M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
- M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
- G.S.U.E. - GULF STATES UTILITIES EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.L. - BUILDING LINE
- D.E. - DRAINAGE EASEMENT

PROPOSED BASELINE
CURVE DATA
P.I. STA. 884+94.28
R=5,729.58'
Δ=33° 11' 55" (RT)
D=1° 00' 00"
L=3,319.85'
T=1,707.98'
CH=518° 00' 58" E, 3,273.61'
P.I. COORDINATES:
X=3,835,560.00
Y=10,099,418.31

- NOTES:
- All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983, 1993 adjustment as provided by T807-Houston District. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the T807 Montgomery County surface adjustment factor of 1.00003.
 - Property Description with even survey data accompanies this plat.
 - Offsets to proposed baseline IH 45 shown hereon are not to scale.
 - Survey line locations are approximate.
 - Access is prohibited across the "Access Denial Line" to the highway facility from the abutting property.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: OCTOBER 18, 2002

William J. Massey 2/31/06
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793, STATE OF TEXAS



Revised: July, 2006 - Update Access Denial Line

PARCEL PLAT SHOWING
PARCEL 166

IH 45 MONTGOMERY COUNTY
R.O.W. CSJ 0675-08-089
LANDTECH CONSULTANTS, INC. JANUARY 2005

Date: October 30th, 2006
Exhibit "A": Page 1 of 3 Pages

ROW CSJ: 0922-33-109
County: Webb
Highway: VA
Limits: From: 1.0 Miles South of SH 359
To: SH 359

FIELD NOTES FOR PARCEL 3

Being 0.114 of one acre (4,946 square feet) of land, situated in Porcion No. 31, Abstract No. 3116, Jose Trevino Original Grantee, Webb County, Texas, being out that certain 5.602 acre tract of land, conveyed from Ramiro A. Gonzalez, et ux, to Miguel Rodriguez, et ux, by deed executed July 21, 1999, recorded in Volume 796, Page 435, Official Public Records of Webb County, Texas; the subject 0.114 of one acre tract of land, being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with plastic cap stamped "RODS Surveying, Inc.", set for a re-entrant northwesterly corner of said 5.602 acre tract, also the northeasterly most northerly corner of that certain 81.6 acre tract of land, conveyed to Evelyn B. Summers, by deed executed February 24, 1959, as recorded in Volume 268, Page 393, Deed Records Webb County, thence as follows:

South 07°43'14" East, with the common line between the west line of said 5.602 acre tract and the easterly line of said 81.6 acre tract, a distance of 306.39 feet to a 5/8-inch iron rod with plastic cap marked "RODS Surveying" set at its intersection with the future easterly right of way line of Cuatro Vientos Road;

South 43°01'37" East, with said future easterly right of way line, a distance of 334.40 feet to a 5/8-inch iron rod with plastic cap marked "RODS Surveying" set for corner on the common line between said 5.602 acre tract and said 81.6 acre tract;

North 79°12'26" East, with the southerly line of said 5.602 acre tract, a northerly line of said 81.6 acre tract, a distance of 169.05 feet to a 5/8 inch iron rod with plastic cap marked "RODS Surveying" set for the **POINT OF BEGINNING** and the beginning of an "Access Denial Line" of the herein described parcel, being on a curve to the left on the proposed northeasterly right of way line of Cuatro Vientos Road (variable width), having surface coordinates of X=678,181.71 and Y=17,070,199.16 all bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, North American Datum of 1983, 1993 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a reciprocal combined scale factor of 1.00003.

1. **THENCE**, in a northerly direction, with said proposed right of way line and said "Access Denial Line", along said curve to the left having a central angle of 26°08'15", a radius of 358.00 feet, an arc length of 163.31 feet, a chord bearing of North 02°56'28" East, a chord distance of 161.90 feet to a 5/8-inch iron rod with TxDOT aluminum disk set in concrete for

the point of tangency;

2. **THENCE, NORTH 09°26'03" WEST**, continuing with said proposed right of way line and said "Access Denial Line", a distance of 84.20 feet to a 5/8 inch iron rod with TxDOT aluminum disk in concrete set for the beginning of a non-tangent curve to the right.
3. **THENCE**, in a northerly direction, continuing with said proposed right of way line of Cuatro Vientos Road, (variable width) and said "Access Denial Line", along said non-tangent curve to the right, having a central angle of 20° 41' 23", a radius of 462.00 feet, an arc length of 166.83 feet, a chord bearing of North 00° 54' 42" East, a chord distance of 165.92 feet to a 5/8 inch iron rod with TxDOT aluminum disk in concrete set for the point of tangency;
4. **THENCE, NORTH 11°15'23" EAST**, continuing with said proposed right of way line of Cuatro Vientos Road and said "Access Denial Line", a distance of 36.08 feet to a 5/8 inch iron rod with TxDOT aluminum disk in concrete set for corner;
5. **THENCE, NORTH 43°45'05" WEST**, continuing with said proposed right of way line of Cuatro Vientos Road and said "Access Denial Line", a distance of 24.41 feet to a 5/8 inch iron rod with TxDOT aluminum disk in concrete set for corner and the end of said "Access Denial Line";
6. **THENCE, NORTH 11°15'23" EAST**, continuing with said proposed right of way line of Cuatro Vientos Road, a distance of 16.00 feet to a 5/8 inch iron rod with TxDOT aluminum disk in concrete set for corner on the common line between said 5.602 acre tract northerly line and the southerly line of that certain 11.8626 acre tract, conveyed to Arguinguei Oil Co., by deed dated December 21, 1979, recorded in Volume 610, Page 585, Deed Records of Webb County, Texas;
7. **THENCE, SOUTH 79°50'37" EAST**, with said common line, a distance of 25.10 feet to a point for the common corner between said 5.602 acre tract and said 81.6 acre tract;
8. **THENCE, SOUTH 17°27'58" WEST**, with the common line between said 5.602 acre tract and said 81.6 acre tract, a distance of 29.46 feet to a point for corner;
9. **THENCE, SOUTH 01°46'01" WEST**, continuing with said common line, a distance of 220.09 feet to a point for corner;
10. **THENCE, SOUTH 09°26'03" EAST**, continuing with said common line, a distance of 223.00 feet to a point for the southeasterly corner of the herein described parcel;
11. **THENCE, SOUTH 79°12'26" WEST**, with the southerly line of said 5.602-acre tract, a northerly line of said 81.6-acre tract, a distance of 36.71 feet to the **POINT OF**

Parcel 3
Exhibit "A" Page 3 of 3 Pages

BEGINNING and containing 0.114 of one acre (4,946 square feet) of land.

A plat of even date herewith accompanies this metes and bounds description. (See Exhibit Plat "B")

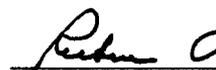


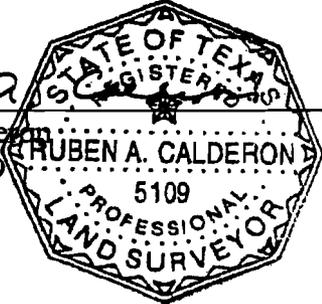
Access is prohibited across the "ACCESS DENIAL LINE" to the transportation facility from the adjacent property.

STATE OF TEXAS:
COUNTY OF WEBB:

I hereby certify that this description is true and correct according to an actual survey made on the ground under my supervision.

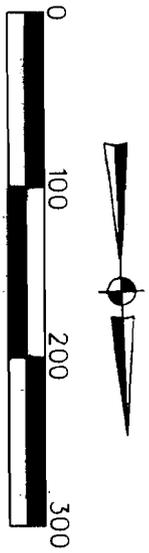
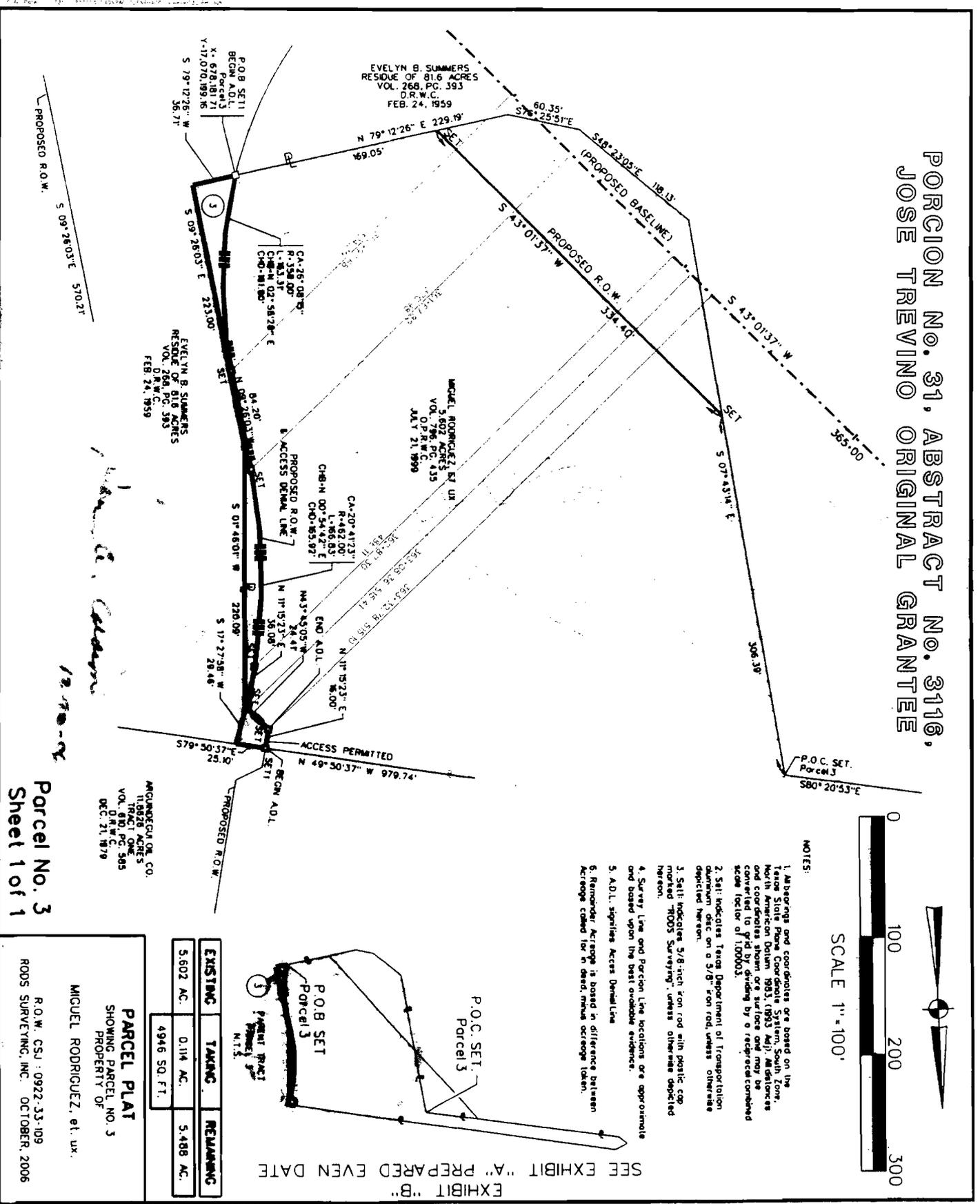
This 30th day of October 2006 A.D.


Ruben A. Calderon
RPLS No. 5109

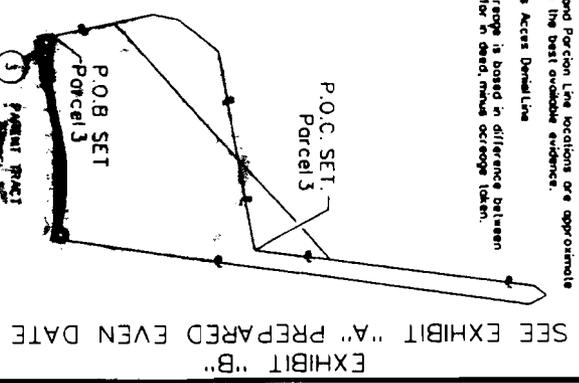


12-20-06

PORCION No. 31, ABSTRACT No. 3116,
JOSE TREVIÑO ORIGINAL GRANTEE



- NOTES:
1. Bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, NAD 83 datum. All bearings and distances are converted to grid by a reference combined scale factor of 1.00003.
 2. S&I: Indicates Texas Department of Transportation datum data on a 5/8" iron rod, unless otherwise depicted hereon.
 3. S&I: Indicates 5/8" iron rod with plastic cap marked "RODS Surveying", unless otherwise depicted hereon.
 4. Survey Line and Portion Line locations are approximate and based upon the best available evidence.
 5. A.D.L. signifies Access Denial Line.
 6. Remainder Acreage is based in difference between Acreage called for in deed, minus acreage taken.



| EXISTING | TAKING | REMAINING |
|-----------|--------------|-----------|
| 5.602 AC. | 0.114 AC. | 5.488 AC. |
| | 4946 SQ. FT. | |

ARGUMENTS ON OIL CO.
11.9828 ACRES
TRACED TO PG. 565
VOL. D.R.W.C.
DEC. 21, 1979

MICHEL RODRIGUEZ, et. ux.
SHOWING PARCEL NO. 3
PROPERTY OF
R.O.W. CSJ : 0922-33-109
RODS SURVEYING, INC. OCTOBER, 2006

Parcel No. 3
Sheet 1 of 1

COUNTY: DALLAS
HIGHWAY: I.H. 635
ROW CSJ: 2374-01-~~113~~ 151
DGN CSJ: 2374-01-127
ACCOUNT: 9118-01-032

Page 1 of 3
July 18, 2005

DESCRIPTION FOR PARCEL 19

BEING A 7,311 SQUARE FOOT TRACT OF LAND SITUATED IN THE J.D. HAMILTON SURVEY, ABSTRACT NO. 647, DALLAS COUNTY, TEXAS AND BEING OUT OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ABRAMS OFFICE CENTER, LTD. AS RECORDED IN VOLUME 2000064, PAGE 2603 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAID TRACT BEING OUT OF LOT 1, BLOCK 8413, ABRAMS CENTRE ADDITION, AN ADDITION TO THE CITY OF DALLAS RECORDED IN VOLUME 82250, PG. 4794 OF SAID DEED RECORDS. SAID 7,311 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND MARKING THE MOST EASTERLY CORNER OF SAID ABRAMS OFFICE CENTER TRACT, IN THE EXISTING SOUTHWEST RIGHT OF WAY LINE OF IH 635 AS CONVEYED TO THE STATE OF TEXAS BY DEED RECORDED IN VOLUME 520, PAGE 1601 DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE N 52°07'02" W, WITH SAID EXISTING SOUTHWEST RIGHT OF WAY LINE OF IH 635, A DISTANCE OF 145.35 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT** SET;

THENCE N 49°29'35"W, CONTINUING WITH SAID EXISTING SOUTHWEST RIGHT OF WAY LINE OF IH 635, A DISTANCE OF 31.97 FEET TO A "X" CUT** SET FOR THE **POINT OF BEGINNING**;

- (1) THENCE N 52°00'51" W, OVER AND ACROSS SAID ABRAMS OFFICE CENTER TRACT WITH THE NEW RIGHT OF WAY LINE, AT 64.32 FEET A TXDOT ALUMINUM CAPPED MONUMENT SET** FOR THE BEGINNING OF A NEW CONTROL OF ACCESS LINE, CONTINUING WITH THE NEW RIGHT OF WAY LINE AND THE NEW CONTROL OF ACCESS LINE, AT 414.32 FEET A "X" CUT** SET FOR THE END OF THE NEW CONTROL OF ACCESS LINE FOR THIS PARCEL, IN ALL A DISTANCE OF 591.91 FEET TO A TXDOT ALUMINUM CAPPED MONUMENT** SET FOR CORNER;
- (2) THENCE N 89°21'11" E, WITH THE NORTH LINE OF SAID ABRAMS OFFICE CENTER TRACT, A DISTANCE OF 39.57 FEET TO A POINT FOR CORNER;
- (3) THENCE S 49°29'35" E, WITH SAID EXISTING SOUTHWEST RIGHT OF WAY LINE OF IH 635, A DISTANCE OF 561.54 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 7,311 SQUARE FEET OF LAND, MORE OR LESS.

COUNTY: DALLAS
HIGHWAY: I.H. 635
ROW CSJ: 2374-01-~~113~~ 151
DGN CSJ: 2374-01-127
ACCOUNT: 9118-01-032

Page 2 of 3
July 18, 2005

DESCRIPTION FOR PARCEL 19

** THE MONUMENT DESCRIBED AND SET IN THIS CALL, IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

BASIS OF BEARINGS IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 (1993 ADJ.) NORTH CENTRAL ZONE, ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY TXDOT CONVERSION FACTOR OF 1.000136506.

✓ ACCESS IS PROHIBITED ACROSS THE CONTROL OF ACCESS LINE TO THE HIGHWAY FACILITY FROM THE ADJACENT PROPERTY.

A PARCEL PLAT OF EVEN DATE HERewith ACCOMPANIES THIS PROPERTY DESCRIPTION.



WILLIAM C. BODEN, R.P.L.S. July 18, 2005
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 1932
CARTER BURGESS INC.
7950 ELMBROOK DR
DALLAS, TEXAS 75429
214-638-0145

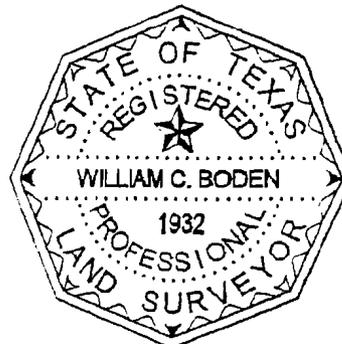
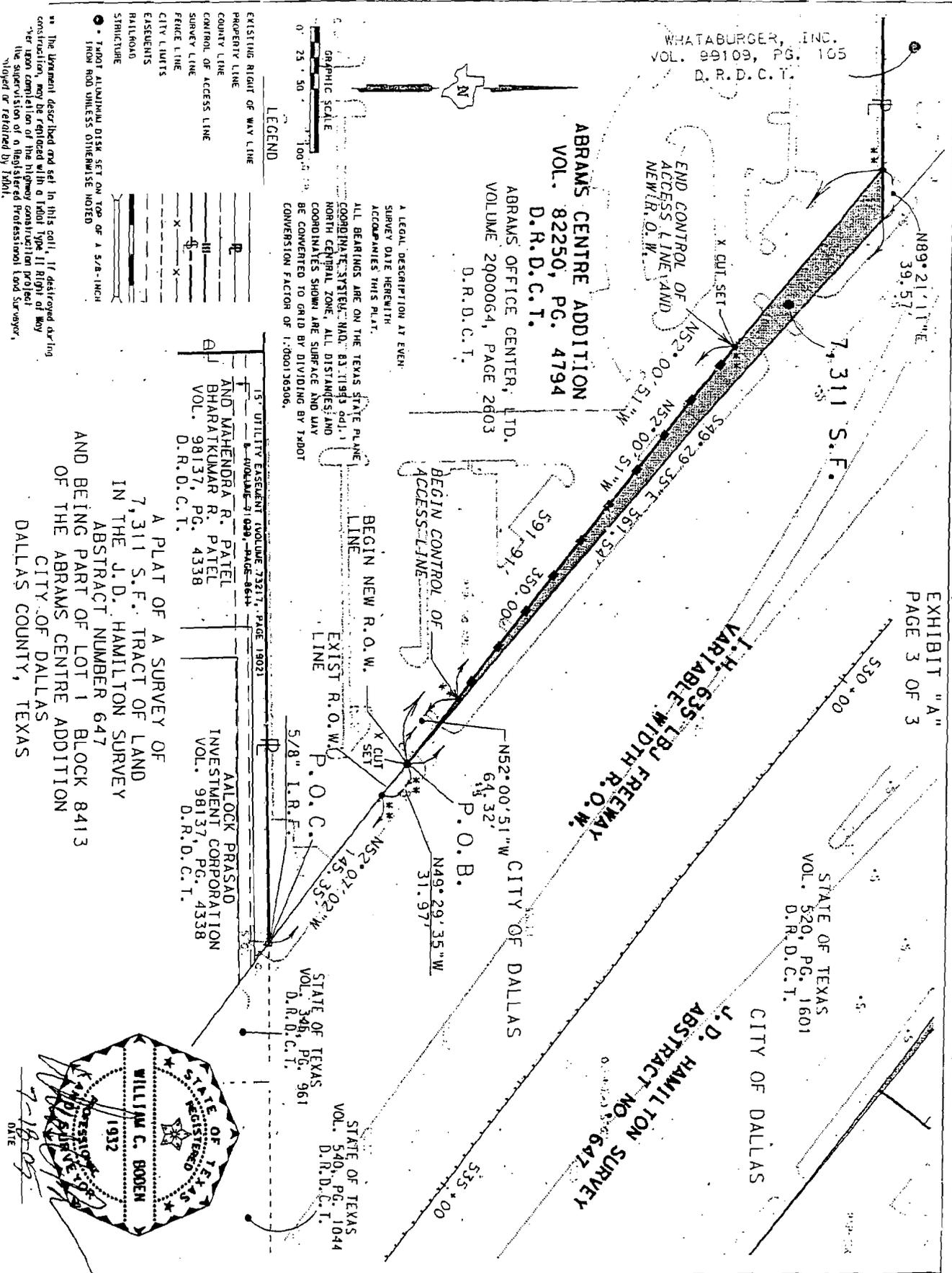
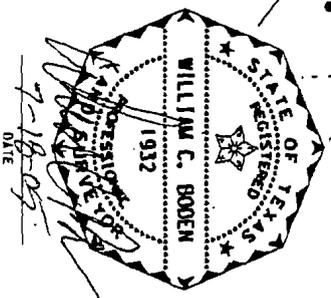


EXHIBIT "A"
PAGE 3 OF 3



P.C.I. NO. 277A-01-XXX 151

PLAT NO. 2119 OF 272



County: Collin
Highway: U.S. Highway 75
R.O.W. CSJ: 0047-14-057

March, 2004

Description for Parcel 45

BEING A 0.1121 ACRE TRACT OF LAND SITUATED IN THE SAMUEL MCFALL SURVEY, ABSTRACT NO. 641 IN COLLIN COUNTY, TEXAS AND BEING A PART OF LOT 1C, BLOCK F OF THE HERITAGE ADDITION REPLAT, AN ADDITION TO THE CITY OF MCKINNEY, PER PLAT RECORDED IN CABINET I, SLIDE 540, OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS (PRCCT), SAME BEING OWNED BY 1444 NORTH CENTRAL EXPRESSWAY, LTD., AS EVIDENCED BY DEED RECORDED IN FILE NO. 95-0011604 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (DRCCT). SAID 0.1121 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a found 5/8 inch iron rod at the southeast corner of said Lot 1C, same being in the north line of Lot 1 of the Central Park Plaza Addition, an addition to the City of McKinney, per plat recorded in Cabinet F, Slide 139 PRCCT;

THENCE North 87°57'34" West, along the common line of said Lots 1 and 1C, a distance of 242.05 feet to a set 5/8 inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap in the new east right-of-way line of U.S. Highway 75 for the POINT OF BEGINNING;

- (1) THENCE North 87°57'34" West, continuing along said common line, a distance of 18.23 feet to the existing east right-of-way line of U.S. Highway 75, same being the common west corner of said Lots 1 and 1C, from which a found 5/8 inch iron rod bears South 87°57'34" East, a distance of 1.12 feet ;
- (2) THENCE North 06°40'43" East, along the existing east right-of-way line of U.S. Highway 75, a distance of 149.59 feet, from which a found 5/8 inch iron rod bears South 78°28'06" East, a distance of 0.98 feet;
- (3) THENCE North 11°31'54" East, continuing along the existing east right-of-way line of U.S. Highway 75, a distance of 41.80 feet to the common west corner of said Lot 1 and Lot 1B-1 of the Heritage Replat Addition, an addition to the City of McKinney, per plat recorded in Cabinet N, Slide 470 PRCCT;

County: Collin
Highway: U.S. Highway 75
R.O.W. CSJ: 0047-14-057

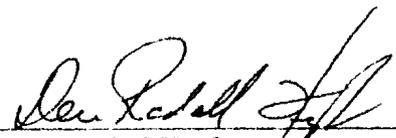
March, 2004

Description for Parcel 45

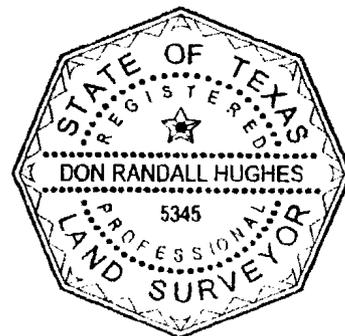
- (4) THENCE South $87^{\circ}59'35''$ East, along the common line of said Lots 1 and 1B-1, a distance of 30.32 feet to a set "X" cut in concrete in the new east right-of-way line of U.S. Highway 75;
- (5) THENCE South $11^{\circ}18'51''$ West, along the new east right-of-way line of U.S. Highway 75, a distance of 192.86 feet to the POINT OF BEGINNING, and containing 4,885 square feet or 0.1121 acres of land.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83 (1993 Adj.), North Central Zone.

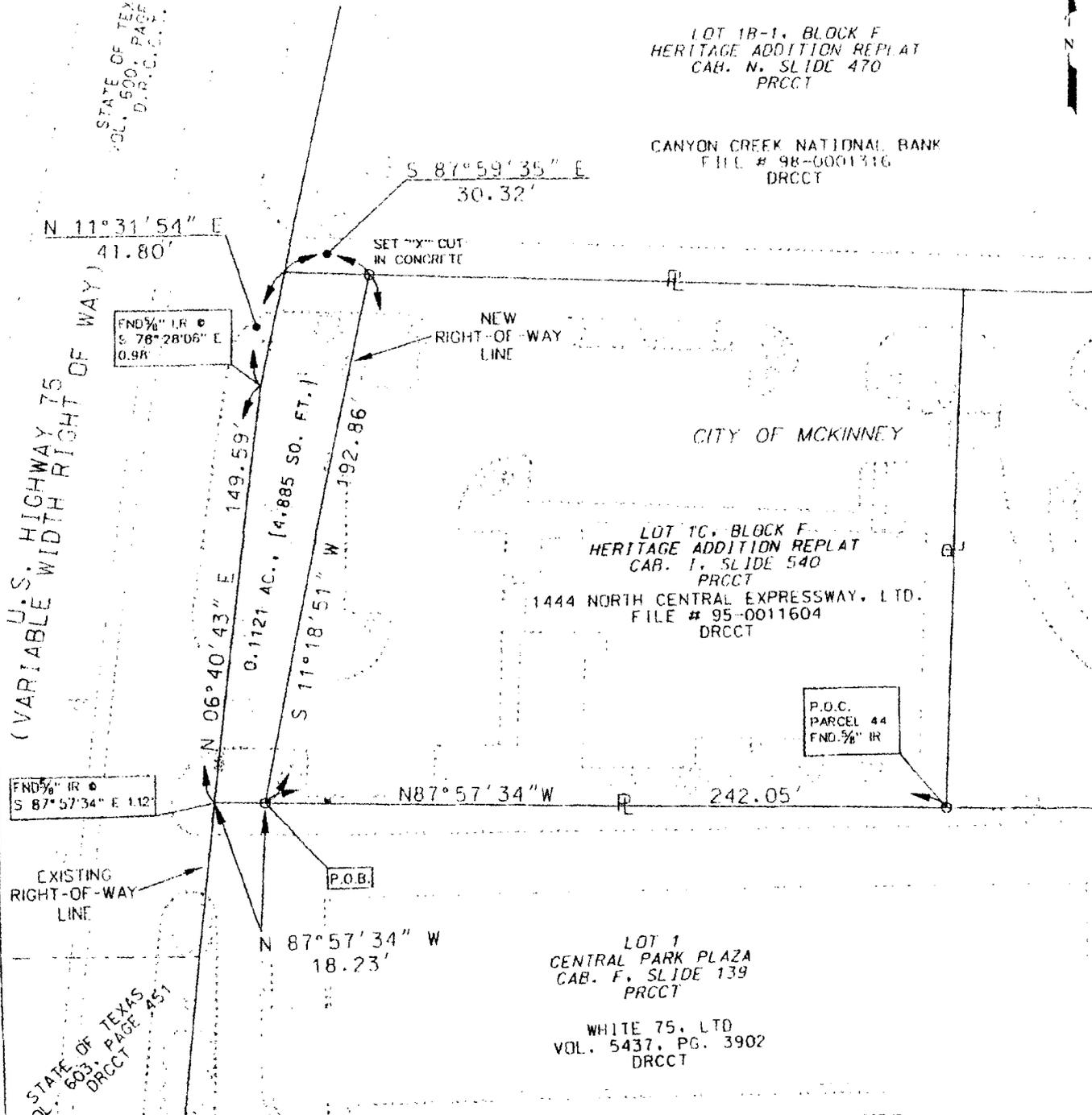

Don Randall Hughes Date 5-28-2004
Texas Registration No. 5345

PBS&J
18383 Preston Road
Suite 500
Dallas, Texas 75252
Phone (972) 818-7275



SAMUEL MCFALL SURVEY
ABSTRACT NO. 641

EXHIBIT "A"
Page 3 of 3



STATE OF TEXAS
VOL. 500, PAGE 129
D.R.C.C.

LOT 1B-1, BLOCK F
HERITAGE ADDITION REPLAT
CAB. N. SLIDE 470
PRCCT

CANYON CREEK NATIONAL BANK
FILE # 98-0001316
DRCCT

LOT 1C, BLOCK F
HERITAGE ADDITION REPLAT
CAB. I, SLIDE 540
PRCCT
1444 NORTH CENTRAL EXPRESSWAY, LTD.
FILE # 95-0011604
DRCCT

LOT 1
CENTRAL PARK PLAZA
CAB. F, SLIDE 139
PRCCT
WHITE 75, LTD
VOL. 5437, PG. 3902
DRCCT

(VARIABLE WIDTH RIGHT OF WAY)
U.S. HIGHWAY 75

FND. 5/8" IR
S 87° 57' 34" E 1.12'

FND. 3/8" IR
S 78° 28' 06" E
0.9R

P.D.C.
PARCEL 44
FND. 3/8" IR

EXISTING
RIGHT-OF-WAY
LINE

P.O.B.

STATE OF TEXAS
VOL. 803, PAGE 451
DRCCT

A PLAT OF A SURVEY OF
PARCEL 45
FOR U.S. HIGHWAY 75
A 0.1121 AC. [4,885 SQ. FT.]
TRACT OF LAND IN THE
SAMUEL MCFALL SURVEY
ABSTRACT NO. 641
CITY OF MCKINNEY

LEGEND

| | |
|--|-----|
| EXIST. ROW LINE | --- |
| RIGHT-OF-WAY LINE | --- |
| PROPERTY LINE | --- |
| SURVEY LINE | --- |
| EXISTING EASEMENT LINE | --- |
| CONTROL OF ACCESS LINE | --- |
| ACCESS IS PROHIBITED ACROSS THE "CONTROL OF ACCESS LINE" | --- |

ALL BEARINGS ARE ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (1993 ADJ.) NORTH CENTRAL ZONE. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO

○ - TADOT ALUMINUM DISK SET ON TOP OF A 5/8-INCH IRON ROD
BO - TADOT BRONZE DISK SET IN CONCRETE
*** THE MONUMENT DESCRIBED AND SET IN THIS CALL, IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TADOT TYPE RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TADOT.

GRAPHIC SCALE

ROW CSJ 0047-14-057
Parcel 45
U.S. Highway 75
Collin County

ACCESS ADDENDUM

Access will be permitted to the east remaining property abutting the highway facility.

County: Henderson
Highway: US Highway 175
Limits: 1.1 Miles East of Loop 60 at Larue to
1.9 Miles Southeast of FM 315 (Anderson County Line)
Construction CSJ: 0198-02-027
ROW CSJ: 0198-02-028

EXHIBIT A

**Parcel 92
Property Description**

Being a 5.097 acre (222,044 square feet) parcel of land situated in the I.W. Burton Survey, Abstract Number 3, Henderson County, Texas, being a portion of that certain tract of land as described in deed to Ben Haynes, as recorded in Volume 1944, Page 129, Deed Records, Henderson County, Texas (DRHCT) and being more particularly described as follows:

Commencing at a fence post found for the East corner of said Haynes tract and the North corner of that certain tract of land described in deed to Bobby L. Ivey and spouse, Trina D. Ivey, as recorded in Volume 1364, Page 234, DRHCT;

Thence South $35^{\circ}06'25''$ West, along the Southeast line of said Haynes tract and the Northwest line of said Ivey tract, a distance of 98.20 feet to a $5/8$ inch iron rod with plastic cap stamped Texas Department of Transportation (TxDOT) set in the proposed Northerly right-of-way line of U.S. Highway No. 175, also being 182.08 feet Northeasterly of and at right angles to proposed centerline survey station 926+04.10 and the **POINT OF BEGINNING**;

- 1) Thence South $35^{\circ}06'25''$ West, along the Southeast line of said Haynes tract and the Northwest line of said Ivey tract, a distance of 218.70 feet to a $1/2$ inch iron rod found for the South corner of said Haynes tract being in the Northeast line of that certain tract of land described in deed to Southern Pacific Company, as recorded in Volume 695, Page 683, DRHCT;
- 2) Thence North $53^{\circ}35'19''$ West, along the Southwest line of said Haynes tract and the Northeast line of said Southern Pacific tract, a distance of 689.33 feet to a point in said Southwest line at the beginning of a curve to the left;
- 3) Thence 91.28 feet along the Southwest line of said Haynes tract, the Northeast line of said Southern Pacific tract and the arc of said curve to the left through a central angle of $01^{\circ}40'47''$, a radius of 3,113.72 feet and a long chord which bears North $54^{\circ}07'36''$ West, 91.28 feet to the West corner of said Haynes tract and the South corner of that certain tract of land described in deed to D'CAP Industries, as recorded in Volume 1316, Page 825, DRHCT and the center of Mill Branch;
- 4) Thence North $06^{\circ}42'34''$ East, along the Northwest line of said Haynes tract and the Southeast line of said D'CAP tract in the center of Mill Branch, a distance of 70.24 feet to a point;
- 5) Thence North $46^{\circ}37'12''$ East, along the Northwest line of said Haynes tract and the Southeast line of said D'CAP tract in the center of Mill Branch, a distance of 92.42 feet to a point;

August 24, 2005
Parcel 92

- 6) Thence North 74°19'18"East, along the Northwest line of said Haynes tract and the Southeast line of said D'CAP tract in the center of Mill Branch, a distance of 42.58 feet to a point;
- 7) Thence North 31°45'45"East, along the Northwest line of said Haynes tract and the Southeast line of said D'CAP tract in the center of Mill Branch, a distance of 100.29 feet to a point;
- 8) Thence North 61°03'52"East, along the Northwest line of said Haynes tract and the Southeast line of said D'CAP tract in the center of Mill Branch, a distance of 47.31 feet to a 5/8 inch iron rod with plastic cap stamped Texas TxDOT set in the proposed Northerly right-of-way line of U.S. Highway No. 175 and the beginning of the Control of Access line;
- 9) Thence South 52°30'12"East, along the said proposed Northerly right-of-way line of U.S. Highway No. 175 and the Control of Access line, a distance of 60.86 feet to a TxDOT Type II monument set in the proposed Southerly right of way line of U.S. Highway No. 175;
- 10) Thence South 45°51'39"East, along the said proposed Northerly right-of-way line of U.S. Highway No. 175 and the Control of Access line, a distance of 418.33 feet to a TxDOT Type II monument set in the proposed Southerly right of way line of U.S. Highway No. 175;
- 11) Thence South 43°10'37"East, along the said proposed Northerly right-of-way line of U.S. Highway No. 175 and the Control of Access line, a distance of 285.59 feet to the **POINT OF BEGINNING** and containing 5.097 acre (222,044 square feet) of land more or less.

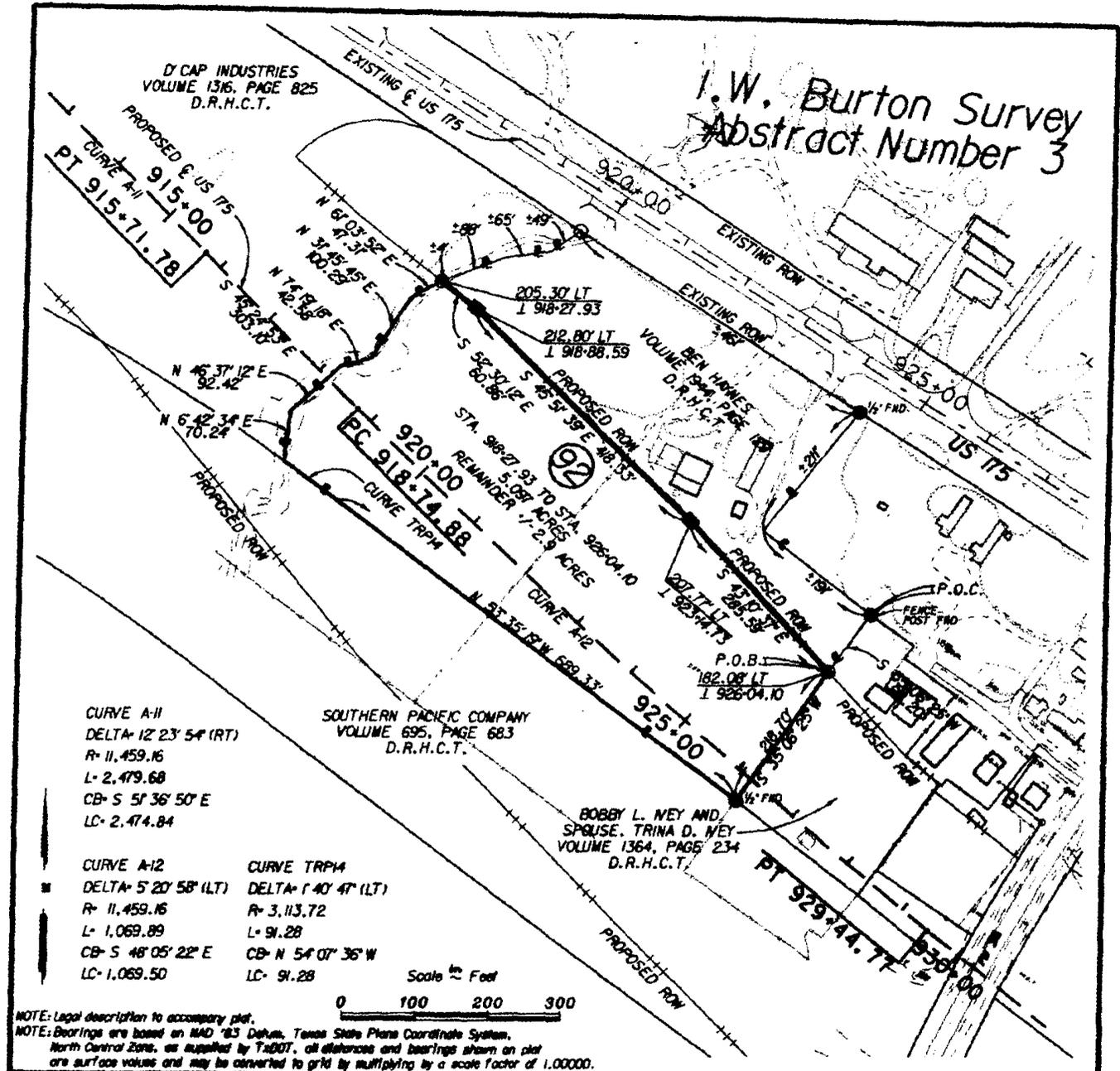
Note: Plat to accompany legal description.

Bearings are based on NAD '83 Datum, Texas State Plane Coordinate System, North Central Zone, as supplied by TxDOT, all distances shown on legal description are surface values and may be converted to grid by multiplying a scale factor of 1.00000.

✓ Access is prohibited across the "Control of Access" line to the highway facility from the remainder of the adjoining property


B-24-05
David L. Dawson
Registered Professional Land Surveyor
Texas Registration Number 4672





CURVE A-11
DELTA 12° 23' 54" (RT)
R= 11,459.16
L= 2,479.68
CB= S 5° 36' 50" E
LC= 2,474.84

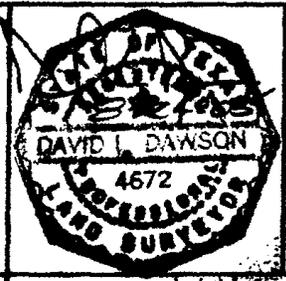
CURVE A-12
DELTA 5° 20' 58" (LT)
R= 11,459.16
L= 1,069.89
CB= S 48° 05' 22" E
LC= 1,069.50

CURVE TRPM
DELTA 1° 40' 47" (LT)
R= 3,113.72
L= 91.28
CB= N 54° 07' 36" W
LC= 91.28

Scale in Feet
0 100 200 300

NOTE: Legal description to accompany plat.
NOTE: Bearings are based on NAD 83 datum, Texas State Plane Coordinate System, North Central Zone, as supplied by TxDOT, all distances and bearings shown on plat are surface values and may be converted to grid by multiplying by a scale factor of 1.00000.

- LEGEND**
- - 1/8" Iron rod with plastic cap stamped "Transystems Corporation"
 - - Marker found "as noted"
 - ⊙ - 1/8" Iron rod with plastic cap stamped "TxDOT"
 - - Type II monument set
 - D.R.A.C.T. - Dead Records, Anderson County, Texas
 - D.R.H.C.T. - Dead Records, Henderson County, Texas
 - P.O.C. - Point Of Commencing
 - P.O.B. - Point Of Beginning
 - R - Property Line
 - S - Survey Line
 - F - Fee Hook
 - E - Centerline
 - [] - Record Information
 - #— - Control of Access
 - +— - Fence
 - - Power Line
 - +— - Railroad



PARCEL 92

BEN HAYNES

5.097 ACRE
(222,044 SQ. FT.)

| PAGE | STATE | DIST. | COUNTY |
|-------------|---------------|-------------|-------------|
| Page 3 of 3 | TEXAS | TYLER | HENDERSON |
| | CONST. C.S.J. | 0198-02-027 | HIGHWAY NO. |
| | ROW C.S.J. | 0198-02-028 | US HWY 175 |

