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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED WITH VENDOR'S LIEN

Date: JANUARY 23, 2009

Grantor: FRANK C. KORENEK and BEATRICE KORENEK, Individually and as Trustees of the Frank & Beatrice Korenek Living Trust, under provisions of a trust agreement dated 3rd day of March 1998

Grantor's Mailing Address (including county):

5244 N. Hwy. 77, Rockdale, Milam County, Texas 76567

Grantee: STEVE EVERAGE and wife, LORI EVERAGE

Grantee's Mailing Address (including County):

4621 CR 463, Elgin, Texas 78621

Consideration:

TEN AND NO/100 DOLLARS and other good and valuable consideration and the further consideration of a note of even date that is in the principal amount of \$422,400.00 and is executed by Grantee, payable to the order of TEXAS LAND BANK, FLCA. The note is secured by a vendor's lien retained in this deed and by a deed of trust of even date, from Grantee to CHARLES P. GANT, Trustee.

TEXAS LAND BANK, FLCA, at Grantee's request, having paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described, the vendor's lien and superior title to the property are retained and are transferred to TEXAS LAND BANK, FLCA without recourse on Grantor.

Property (including any improvements):

All that certain 176.974 acre (same being the net acreage of 181.359 acres less however 4.385 acres) tract of land out of the Jose Leal Survey, Abstract No. 29, Milam County, Texas, as more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.

TOGETHER WITH the non-exclusive right, in common with Grantor and others, of ingress, egress and regress upon, over and across a Forty (40) foot wide Access Easement described in a deed dated March 19, 1985, executed by Richard Kubiak and wife, Linda K. Kubiak to Frank C. Korenek and Beatrice O. Korenek, recorded in Volume 531, Page 373, Deed Records of Milam County, Texas.

Reservations From and Exceptions to Conveyance and Warranty:

This conveyance is made by Grantor and accepted by Grantee subject to the following exception(s) from conveyance and warranty, but only to the extent the same are valid and subsisting and relate to the property:

1. Such presently valid and subsisting easements, if any, to which the above property is subject, as may be actually located upon the ground, which are not of record.
2. Any portion of the property herein described, if any, which falls within the boundaries of any road or roadway.
3. Easement dated August 25, 1931, executed by Ada F. Sanders to Southwestern Bell Telephone Co., recorded in Volume 201, Page 342, Deed Records of Milam County, Texas, together with all rights incident thereto.
4. Easement dated March 16, 1933, executed by Ada F. Sanders to Milam County and State Highway Commission, recorded in Volume 206, Page 182, Deed Records of Milam County, Texas, together with all rights incident thereto.
5. Easement dated September 21, 1944, executed by Ada F. Sanders to Texas Power and Light Company, recorded in Volume 246, Page 233, Deed Records of Milam County, Texas, together with all rights incident thereto.
6. Easement dated October 8, 1951, executed by Ada F. Sanders and Imogene Sanders to Texas Power & Light Company, recorded in Volume 275, Page 253, Deed Records of Milam County, Texas, together with all rights incident thereto.
7. Easement and Right of Way dated March 20, 1981, executed by Richard Kubiak and wife, Linda K. Kubiak to Texas Power and Light Company, recorded in Volume 470,

Page 919, Deed Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952, together with all rights incident thereto.

8. Reservation of the right to use the use of the waterline and the right to tap onto said waterline as reserved in Deed executed by M. R. Curry and R. L. Allen to Richard Kubiak and wife, Linda K. Kubiak, recorded in Volume 446, Page 913, Deed Records of Milam County, Texas, together with all rights incident thereto.
9. Easement and Right of Way dated May 7, 1986, executed by Richard Kubiak and wife, Linda Kubiak to Texas Power and Light Company, recorded in Volume 565, Page 759, Official Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952, together with all rights incident thereto.
10. Mineral and/or Royalty Reservation(s) appearing in Deed dated February 18, 1987, executed by Richard Kubiak and wife, Linda K. Kubiak to Frank C. Korenek and wife, Beatrice O. Korenek, recorded in Volume 573, Page 325, Official Records of Milam County, Texas, together with all rights incident thereto.
11. Subject to the free and uninterrupted use of a sixty foot (60') road easement and a forty foot (40') foot road easement as recorded in Volume 573, Page 325, Official Records of Milam County, Texas.
12. Oil, Gas and Mineral Lease dated August 2, 1978, executed by Richard Kubiak and Linda Kubiak to John R. Taylor, recorded in Volume 110, Page 234, Oil and Gas Lease Records of Milam County, Texas, together with all rights incident thereto.
13. Oil, Gas and Mineral Lease dated September 24, 1979, executed by Richard Kubiak and Linda Kubiak to Ben L. Taylor, recorded in Volume 112, Page 531, Oil and Gas Lease Records of Milam County, Texas, together with all rights incident thereto.
14. Oil, Gas and Mineral Lease dated March 20, 1981, executed by Richard Kubiak and wife, Linda K. Kubiak to Burlax Petroleum, Inc., recorded in Volume 119, Page 43, Oil and Gas Lease Records of Milam County, Texas, together with all rights incident thereto.
15. Mineral and/or Royalty Reservation(s) appearing in Deed dated March 19, 1985, executed by Richard Kubiak and wife, Linda K. Kubiak, recorded in Volume 531, Page 369, Official Records of Milam County, Texas, together with all rights incident thereto.
16. Mineral and/or Royalty Reservation(s) appearing in Deed dated March 19, 1985,

executed by Richard Kubiak and wife, Linda K. Kubiak, recorded in Volume 531, Page 373, Official Records of Milam County, Texas, together with all rights incident thereto.

17. Right of Way Easement dated May 6, 1986, executed by Frank C. Korenek and wife, Beatrice O. Korenek to Texas Utilities Electric Company, recorded in Volume 565, Page 757, Official Records of Milam County, Texas, together with all rights incident thereto.

18. Oil, Gas and Mineral Lease dated March 24, 1982, executed by Emory C. Ledbetter and wife, Imie M. Ledbetter to R. L. Allen and M. R. Currey, recorded in Volume 123, Page 699, Oil and Gas Lease Records of Milam County, Texas, together with all rights incident thereto.

19. Mineral and/or Royalty Reservation(s) appearing in Deed dated July 22, 1997, executed by Roy Leonard Allen, Jr. and Waylon Leslie Allen to Imie M. Ledbetter, recorded in Volume 755, Page 101, Official Records of Milam County, Texas, together with all rights incident thereto.

20. Terms and Conditions of Memorandum of Agreement dated February 15, 2008, executed by Frank C. Korenek and Beatrice Korenek, Trustees of the Frank & Beatrice Korenek Living Trust to Cimarron Land Services, recorded in Volume 1078, Page 124, Official Records of Milam County, Texas, together with all rights incident thereto.

21. Rights of third parties as to easements set forth in Memorandum of Agreement dated February 15, 2008, executed by Frank C. Korenek and Beatrice Korenek, Trustees of the Frank & Beatrice Korenek Living Trust to Cimarron Land Services, recorded in Volume 1078, Page 124, Official Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952, together with all rights incident thereto.

22. Twenty foot (20') wide electric easement as set forth in Memorandum of Agreement dated February 15, 2008, executed by Frank C. Korenek and Beatrice Korenek, Trustees of the Frank & Beatrice Korenek Living Trust to Cimarron Land Services, recorded in Volume 1078, Page 124, Official Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952, together with all rights incident thereto.

23. Sixty foot (60') wide utility easement as set forth in Memorandum of Agreement dated February 15, 2008, executed by Frank C. Korenek and Beatrice Korenek, Trustees of the Frank & Beatrice Korenek Living Trust to Cimarron Land Services, recorded in Volume 1078, Page 124, Official Records of Milam County, Texas, and

as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952, together with all rights incident thereto.

24. Mineral and/or Royalty Reservation(s) appearing in Deed dated June 16, 1978, executed by R. L. Allen, M. R. Currey to Emory C. Ledbetter and wife, Imie M. Ledbetter, recorded in Volume 446, Page 381, Deed Records of Milam County, Texas, together with all rights incident thereto.

25. Affidavit as to Minerals dated August 5, 1997, executed by M. R. Currey, recorded in Volume 755, Page 107, Official Records of Milam County, Texas, together with all rights incident thereto.

26. Rights of Third parties as to access easements as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

27. Any claim, right or assertion, including rights of ingress and egress, in and to the overhead power line as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

28. Any rights, claims or other matters which may exist or arise by virtue of the discrepancy between the fence line and actual property line as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

29. Easement as set forth in Deed dated January 12, 1990, executed by Ronald C. Binion and wife, Audrey Denise Binion to Ryan C. Cone and wife, Emma H. Cone as recorded in Volume 623, Page 152, Official Records of Milam County, Texas and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

30. Easement as set forth in Deed dated February 10, 2003, executed by Walter Raymond Lawson and wife, Dorothy Lawson to Bill Foster and wife, Diana Foster, as recorded in Volume 891, Page 417, Official Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

31. Easement as set forth in Deed dated March 19, 1985, executed by Richard Kubiak and wife, Linda K. Kubiak to Billy Howard Headrick and wife, Betty Louis Headrick, as recorded in Volume 531, Page 467, Official Records of Milam County, Texas, and as shown on survey plat dated January 7, 2009, prepared by Bradley L. Lipscomb, R.P.L.S. No. 5952.

32. Easement as set forth in Deed dated June 15, 1978, executed by M.R. Currey and R.L.Allen to Richard Kubiak and wife, Linda K. Kubiak, as recorded in Volume 446,

This conveyance is made by Grantor and accepted by Grantee subject to the following reservation(s) from conveyance and warranty:

1. **SAVE and EXCEPT** Grantor reserves and retains for Grantor and Grantor's heirs, successors, and assigns the continuing, non-exclusive right, in common with Grantee and others, of ingress, egress and regress upon, over and across a Forty (40) foot wide Access Easement described in a deed dated March 19, 1985, executed by Richard Kubiak and wife, Linda K. Kubiak to Frank C. Korenek and Beatrice O. Korenek, recorded in Volume 531, Page 373, Deed Records of Milam County, Texas (being the same and identical 40-ft. wide easement herein conveyed to Grantee).
2. **SAVE and EXCEPT** Grantor reserves and retains for Grantor and Grantor's heirs, successors, and assigns the continuing, non-exclusive right of ingress, egress and regress upon, over and across all that certain Fifty (50) foot wide (0.088 acre) Right-of-Way and Access Easement as more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes pertinent.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

Current ad valorem taxes on the property having been prorated, the payment thereof is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

Frank C. Korenek
FRANK C. KORENEK, Individually and as
Trustees of the Frank & Beatrice Korenek
Living Trust, under provisions of a trust
agreement dated March 3, 1998

Beatrice Korenek
BEATRICE KORENEK, Individually and as
Trustees of the Frank & Beatrice Korenek
Living Trust, under provisions of a trust
agreement dated March 3, 1998

ACKNOWLEDGMENT

STATE OF TEXAS

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§
§

COUNTY OF MILAM

This instrument was acknowledged before me on the 23 day of January, 2009, by FRANK C. KORENEK and BEATRICE KORENEK, Individually and as Trustees of the Frank & Beatrice Korenek Living Trust, under provisions of a trust agreement dated March 3, 1998.



Tiffany Rene Westbrook
NOTARY PUBLIC, STATE OF TEXAS

Exhibit A



In Re: 176.974 Acres

Subject to: a 0.088 Acres (50' Wide) Access Easement

- All of a called 10.000 Acre tract
- All of a called 19.790 Acre tract
- All of a called 9.967 Acre tract
- All of a called 11.496 Acre tract
- All of a called 3.192 Acre tract
- All of a called 30.400 Acre tract
- All of a called 49.25 Acre tract
- All of a called 8 Acre tract
- All of a called 22.01 Acre tract
- A part of a called 17.15 Acre tract

Jose Leal Survey

Abstract No. 29

Milam County, Texas

All that certain tract or parcel of land situated in Milam County, Texas, being out of the Jose Leal Survey, Abstract No. 29, being all of a called 10.000 Acre tract (Tract One), all of a called 19.790 Acre tract (Tract Two), all of a called 9.967 Acre tract (Tract Three) and all of a called 11.496 Acre tract (Tract Four) conveyed from Richard Kubiak, et ux to Frank C. Korenek, et ux by deed dated February 18, 1987 recorded in Volume 573, Page 325 of the Deed Records of Milam County, being all of a called 3.192 Acre tract (Tract I) and all of a called 30.400 Acre tract (Tract II) conveyed from Richard Kubiak, et ux to Frank C. Korenek and Beatrice O. Korenek by deed dated March 19, 1985 recorded in Volume 531, Page 373 of the Deed Records of Milam County, being all of a called 49.25 Acre tract conveyed from Richard Kubiak, et ux to Frank C. Korenek and Beatrice O. Korenek by deed dated March 19, 1985 recorded in Volume 531, Page 369 of the said Deed Records of Milam County, being all of a called 8 Acre tract (Tract One) and all of a called 22.01 Acre tract (Tract Two) conveyed from Rick J. Leser, et ux to Frank C. Korenek, et ux by deed dated January 29, 1993 recorded in Volume 669, Page 681 of the Official Records of Milam County and a part of a called 17.15 Acre tract conveyed from Imie M. Ledbetter to Frank C. Korenek, et ux by deed dated August 7, 1997 recorded in Volume 755, Page 104 of the Official Records of Milam County, Texas and being more particularly described by metes and bounds as follows to wit:

BEGINNING at a found fence corner post on the common line between the said Leal Survey and the A.R. Burchard Survey, A-87, the east line of a called 203.379 Acre tract conveyed to Stephen B. McFaul in Volume 671, Page 125, at an exterior ell in the north line of a called 82 1/2 Acre tract (Second Tract) conveyed to Kirby Dan Jenkins in Volume 645, Page 405, for the common southwest corner of the said 22.01 Acre tract and of this tract;

THENCE along the common line between the said Leal Survey and the said Burchard Survey, the common line between the said 203.379 Acre tract and the said 22.01 Acre tract, the said 49.25 Acre tract, and the said 19.790 Acre tract respectively for the following courses and distances:

N 21°40'10" W - 816.82 feet to a found 1/2" iron pipe at the northwest corner of the said 22.01 Acre tract, the southwest corner of the said 49.25 Acre tract, for an exterior ell corner of this tract;

N 21°38'58" W - 1297.39 feet to a found 1/2" iron pipe at the northwest corner of the said 49.25 Acre tract, the southwest corner of the said 19.790 Acre tract, for an exterior ell corner of this tract;

N 21°05'41" W - 1831.98 feet to a found 1/2" iron rod at the southwest corner of a called 9.63 Acre tract conveyed to Hubert L. Caywood, et ux in Volume 670, Page 209, for the common northwest corner of the said 19.790 Acre tract and of this tract;

THENCE 68°29'30" E - 559.66 feet along the common line between the said 19.790 Acre tract and the said 9.63 Acre tract and a called 18.49 Acre tract conveyed to Hubert L. Caywood in Volume 565, Page 149 respectively to a found 1/2" iron rod at the northeast corner of the said 19.790 Acre tract, at the northwest corner of the said 10.000 Acre tract, for an exterior ell corner of this tract;

THENCE N 68°46'48" E - 565.40 feet along the common line between the said 10.000 Acre tract and the said 18.49 Acre tract to a found 1/2" iron rod at the northwest corner of a called 9.978 Acre

Exhibit A

tract conveyed to George Daniel Lay, et al in Volume 749, Page 624, at the northeast corner of the said 10.000 Acre tract, for the most westerly northeast corner of this tract;

THENCE S 21°19'41" E - 768.81 feet along the common line between the said 9.978 Acre tract and the said 10.000 Acre tract to a found $\frac{1}{2}$ " iron rod in the centerline of a 60' Wide Access Easement, on the north line of the said 11.496 Acre tract, at the southwest corner of the said 9.978 Acre tract, at the southeast corner of the said 10.000 Acre tract, for an interior ell corner of this tract;

THENCE N 68°36'59" E - 840.75 feet along the said centerline of the 60' Wide Access Easement, the common line between the said 11.496 Acre tract and the said 30.400 Acre tract respectively and the said 9.978 Acre tract and a called 5.530 Acre tract conveyed to Ryan C. Cone, et ux in Volume 623, Page 152 respectively to a point at the northwest corner of the residue of a called 128.51 Acre tract conveyed to Richard Kubiak, et ux in Volume 446, Page 913, the same being the northwest corner of another 60' Wide Access Easement, at the northeast corner of the said 30.400 Acre tract, for the most easterly northeast corner of this tract from which a found $\frac{1}{2}$ " iron rod bears:
S 25°06'47" E - 29.70 feet;

THENCE along the common line between the said 30.400 Acre tract and the said residue of the 128.51 Acre tract, the west line of the said 60' Wide Access Easement for the following courses and distances:

S 25°06'47" E - 461.04 feet to a point for an interior ell corner of this tract from which a found 4" treated fence corner post bears: N 29°15'39" W - 14.27 feet;

S 33°16'53" E - 622.03 feet to a point for an exterior ell corner of this tract from which a found $\frac{1}{2}$ " iron pipe near the northeast corner of the said 3.192 Acre tract, the southwest corner of the said residue of the 128.51 Acre tract, the most northerly northwest corner of the residue of a 248 Acre tract conveyed to M.R. Currey, et al in Volume 435, Page 557 bears: S 31°06'53" E - 8.43 feet;

THENCE along the common line between the said 30.400 Acre tract, the said 3.192 Acre tract, the said 49.25 Acre tract, and the said 8 Acre tract respectively and the said residue of the 128.51 Acre tract and the said residue of the 248 Acre tract respectively, the west and north Right-of-Way lines of a called 40' Wide Roadway Easement (made reference to in multiple deeds, but does not appear to be described or granted to anyone by any instrument of record) for the following courses and distances:

S 22°06'13" E - 545.76 feet to a point for an interior ell corner of this tract from which a found $\frac{1}{2}$ " iron pipe for reference bears: S 69°25'10" E - 12.57 feet;

S 69°25'10" E - 224.24 feet to a found 1" iron pipe for an exterior ell corner of this tract;

S 07°13'46" E - 603.80 feet to a set 5/8" iron rod at the southeast corner of the said 49.25 Acre tract, for an exterior ell corner of this tract;

S 68°38'26" W - 542.72 feet to a set 5/8" iron rod at the northeast corner of the said 8 Acre tract, at the most southerly northwest corner of the said residue of the 248 Acre tract (the said 40' Wide Access Easement), for an interior ell corner of this tract;

S 21°55'28" E - 40.00 feet to a set 5/8" iron rod at the northwest corner of the said 17.15 Acre tract, at the southwest corner of the said residue of the 248 Acre tract (the said 40' Wide Access Easement), for an interior ell corner of this tract;

THENCE N 68°38'26" E - 1056.90 feet along the common line between the said 17.15 Acre tract and the said residue of the 248 Acre tract (the said 40' Wide Access Easement) an a called 6.190 Acre tract conveyed to Walter Dean in Volume 495, Page 786 respectively to a point on the west line of a called 3.68 Acre tract conveyed to David J. Stanley, et ux in Volume 656, Page 032, at the southeast corner of the said 6.190 Acre tract, the northeast corner of the said 17.15 Acre tract, for an exterior ell corner of this tract from which a found $\frac{1}{2}$ " iron pipe bears: S 68°38'26" W - 1.18 feet;

THENCE S 05°05'03" E - 809.72 feet along the common line between the said 17.15 Acre tract and the said 3.68 Acre tract and a called 6.64 Acre tract conveyed to Hubert Lee Caywood, et ux in Volume 606, Page 696 respectively to a point at the northeast corner of the said 82 $\frac{1}{2}$ Acre tract (Second Tract) conveyed to Kirby Dan Jenkins in Volume 645, Page 405, for the common

Page 2 of 4

Project No. S03167

Exhibit A

southeast corner of the said 17.15 Acre tract and of this tract from which a found $\frac{1}{2}$ " iron pipe bears: S 68°23'18" W - 2.19 feet;

THENCE S 68°23'18" W - 2435.70 feet along the common line between the said $82\frac{1}{2}$ Acre tract and the said 17.15 Acre tract, the said 8 Acre tract and the said 22.01 Acre tract respectively to the POINT OF BEGINNING containing within these metes and bounds 181.359 Acres of land Save and Except a 4.385 Acre tract surveyed from the said 17.15 Acre tract by me this day more particularly described by metes and bounds as follows to wit:

COMMENCING at a point on the west line of the above said 6.64 Acre tract, at the northeast corner of the above said $82\frac{1}{2}$ Acre tract, at the common southeast corner of the said 17.15 Acre tract and the above described 181.359 Acre tract from which a found $\frac{1}{2}$ " iron pipe bears:
S 68°23'18" W - 2.19 feet;

THENCE N 44°39'06" W - 315.35 feet entering the said 17.15 Acre tract to a found $5\frac{3}{8}$ " iron rod for the POINT OF BEGINNING and the southeast corner of this tract;

THENCE continuing within the said 17.15 Acre tract for division for the following courses and distances:

S 69°04'37" W - 466.11 feet to a found $5\frac{3}{8}$ " iron rod for the southwest corner of this tract;
N 20°53'09" W - 409.90 feet to a found $5\frac{3}{8}$ " iron rod for the northwest corner of this tract;
N 69°04'39" E - 465.98 feet to a found $5\frac{3}{8}$ " iron rod for the northeast corner of this tract;
S 20°54'17" E - 409.89 feet to the POINT OF BEGINNING containing within these metes and bounds 4.385 Acres of land leaving a net acreage of 176.974 Acres of land.

Page 3 of 4

VOL. 1091 PAGE 601
OFFICIAL RECORDS
MILAM COUNTY, TEXAS

Project No. S03167

Exhibit B

0.088 Acres (59' Wide) Access Easement

BEGINNING at a found fence corner post on the north line of the said 17.15 Acre tract, at the southeast corner of the above said residue of the 248 Acre tract (the said 40' Wide Access Easement), at the southwest corner of the above said 6.190 Acre tract, for the northeast corner of this;

THENCE S 20°55'21" E ~ 76.71 feet entering the said 17.15 Acre tract to a point on the north line of the above described 4.385 Acre tract, for the southeast corner of this from which a found 5/8" iron rod at the northeast corner of the said 4.385 Acre tract bears: N 69°04'39" E ~ 135.62 feet;

THENCE S 69°04'39" W ~ 50.00 feet continuing within the said 17.15 Acre tract, along the north line of the said 4.385 Acre tract to a point for the southwest corner of this;

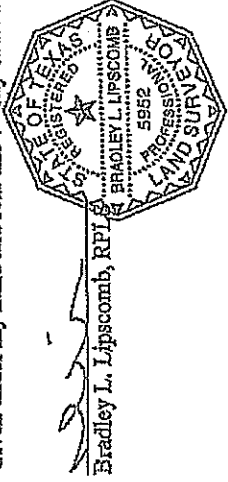
THENCE N 20°55'21" W ~ 76.33 feet continuing within the said 17.15 Acre tract to a point on the common line between the said 17.15 Acre tract and the said residue of the 248 Acre tract (the said 40' Wide Access Easement), for the northwest corner of this;

THENCE N 68°38'26" E ~ 50.00 feet along the said common line between the said 17.15 Acre tract and the said residue of the 248 Acre tract (the said 40' Wide Access Easement) to the POINT OF BEGINNING containing within these metes and bound 0.088 Acres of land for Access Easement Only.

Bearings are based on the Texas State Plane Coordinate system of 1983, Texas Central Zone.

I, Bradley L. Lipscomb, Registered Professional Land Surveyor No. 5952 in the State of Texas, do hereby certify that this survey was performed on the ground under my supervision and that the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 7th day of January, 2009.



Page 4 of 4

Project No. S03167

CLERK'S NOTICE: ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE, IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

AT 1:20 FILED
ON THE 22 DAY OF JAN P M
A.D., 20 09

STATE OF TEXAS
COUNTY OF MILAM

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the Official Records of Milam County, Texas.

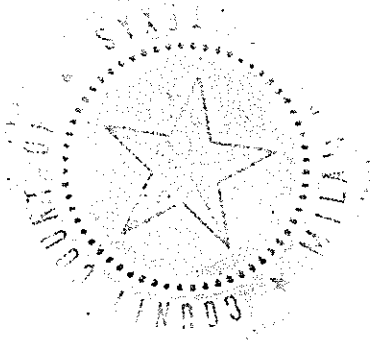


Barbara Vansa
COUNTY CLERK, MILAM COUNTY, TEXAS

Barbara Vansa
County Clerk, Milam County, Texas

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VOL. 1091 PAGE 602
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