

LA VERNIA CROSSING
COVENANTS, CONDITIONS AND RESTRICTIONS

STATE OF TEXAS	}	
	}	
COUNTY OF GUADALUPE	}	KNOW ALL MEN BY THESE PRESENTS:

This Declaration is made on the date hereinafter set forth by LA VERNIA HOMES, LTD., hereinafter referred to as "Developer".

WITNESSETH:

WHEREAS, Developer is the owner of those certain six (6) parcels of land located in Guadalupe County, Texas, described as follows:

Tract 1: 10.00 acres of land, more or less, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 1, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "B" hereto, along with a nonexclusive access easement described in attached Exhibit "B-1" hereto.

Tract 2: 10.00 acres of land, more or less, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 2, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "C" hereto, along with a nonexclusive access easement described in attached Exhibit "C-1" hereto and a 15'x15' perpetual sign easement described in surveyor's map Exhibit "H" attached hereto.

Tract 3: 16.779 acres of land, more or less, situated partially in the City of New Berlin, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 3, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "D" hereto, along with a nonexclusive access easement described in attached Exhibit "E-1" hereto and along with and subject to a private utility easement described in attached Exhibit "C-1" hereto.

Tract 4: 12.475 acres of land, more or less, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 4, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "E" hereto, along with a private utility easement described in attached Exhibit "E-1" hereto.

Tract 5: 10.00 acres of land, more or less, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 5, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "F" hereto and a 15'x15' perpetual sign easement described in surveyor's map Exhibit "H" attached hereto.

Tract 6: 12.741 acres of land, more or less, Guadalupe County, Texas, and being out of the Erastus Smith Survey, Abstract 32, designated as Tract 6, as shown on surveyor's map Exhibit "H" attached and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas, and being more particularly described in attached Exhibit "G" hereto.

These six (6) tracts are hereunder collectively called the "Subdivided Property" or the "Subdivision" and are individually referred to by Tract number. A surveyor's map of all six (6) tracts is attached hereto as Exhibit "H".

WHEREAS, it is the desire of Developer to place certain restrictions, easements, covenants, conditions, stipulations and reservations (herein sometimes referred to as the "Restrictions") upon and against such Subdivided Property in order to establish a uniform plan for the development, improvement and sale of the Subdivided Property, and to insure the preservation of the Subdivided Property for the benefit of both the present and future owners of Tracts in said Subdivided Property;

NOW, THEREFORE, Developer hereby adopts, establishes and imposes upon the Subdivided Property and declares the following reservations, easements, restrictions, covenants, and conditions, applicable thereto, all of which are for the purposes of enhancing and protecting the value, desirability and attractiveness of said Subdivided Property, which Restrictions shall run with said Subdivided Property and title or interest therein, or any part thereof, and shall inure to the benefit of each owner thereof.

ARTICLE I DEFINITIONS

Section 1.01 "Builder" shall mean and refer to the person or entity that purchases Tracts and builds speculative or custom homes thereon for third party purchasers.

Section 1.02 "Contractor" shall mean and refer to the person or entity with whom an Owner contracts to construct a residential dwelling on such Owner's Tract in the Subdivided Property.

Section 1.03 "Developer" shall mean and refer to LaVernia Homes, Ltd., and his successors and/or assigns.

Section 1.04 "Subdivided Property" shall mean and refer to the six (6) tracts described above.

Section 1.05 "Tract" shall mean and refer to any plot of land identified as a Tract, lot or homesite of the Subdivided Property, as shown on attached map and described above.

Section 1.06 "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of fee simple title to any Tract which is a part of the Subdivided Property, including (i) contract sellers (a seller under a Contract And Agreement), but excluding those having such interest merely as security for the performance of an obligation, (ii) Developer (except as otherwise provided herein,) and (iii) Builder.

ARTICLE II RESERVATIONS, EXCEPTIONS AND DEDICATIONS

Section 2.01 Easements. Developer reserves the non-exclusive right to use the utility easements and right-of-way referenced in Section 2.03 or that have been or hereafter may be created by separate instrument recorded in the Official Real Property Records of Guadalupe County, Texas, for the purpose of constructing, maintaining and repairing a system or systems of water, electric lighting, electric power, telegraph and telephone line or lines, storm surface drainage, cable television, or any other utility the Developer sees fit to install in, across and/or under the Subdivided Property. Should any utility company furnishing a service covered by the general easements herein provided request a specific easement by separate recordable document, Developer, without the joinder of any other Owner, shall have the right to grant such easement on said Subdivided Property without conflicting with the terms hereof. Any utility company serving the Subdivided Property shall have the right to enter upon any utility easement for the purpose of installation, repair and maintenance of their respective facilities. **Nothing contained herein shall impose any obligation on Developer to construct or maintain any utilities for the Subdivided Property.** Neither Developer nor any utility company, political Subdivision or other authorized entity using the easements herein referred to shall be liable for any damages done by them or their assigns, agents, employees, or servants, to fences, shrubbery, trees and lawns or any other property of the Owner on the property covered by said easements.

Section 2.02 Title Subject to Easements. It is expressly agreed and understood that the title conveyed by Developer to any of the Tracts by contract for deed or other conveyance shall be subject to any easement affecting same for water system, electric lighting, electric power, telegraph, telephone or easements hereafter granted affecting the Tracts. The Owners of the respective Tracts shall not be deemed to own pipes, wires, conduits or other service lines running through their Tracts which are utilized for or service other Tracts, but each Owner shall have an easement in and to the aforesaid facilities as shall be necessary for the use, maintenance and enjoyment of his/her Tract.

Section 2.03 Utility Easements.

(a) There is hereby dedicated a fifteen foot (15') wide utility easement along the perimeter on all the Tracts and a floating forty foot by twenty foot (40' x 20') electric guy wire easement on all Tracts of the Subdivided Property for the purpose of installation or maintenance of water, electricity, and telephone utilities. All Tracts are subject to easements and restrictions now of record, and are subject to any applicable zoning rules and regulations. Tract #3, being 16.784 Acres shall be subject to a private 15 foot (15') utility easement for water and telephone along the rear portion of the property for the benefit of Tract #4 being 12.475 Acres as shown on Exhibit "H" attached.

e:lvc-rest/mo

123004

(b) No building shall be constructed or located over, under, upon or across any portion of any utility easement. The Owner of each Tract shall have the right to construct, keep and maintain concrete drives, fences, and similar improvements across any utility easement, and shall be entitled to cross such easements at all times for purposes of gaining access to and from such Tracts. The owner shall be strictly liable to any damages to utility lines in the easements caused by the construction of such driveways, fences or other improvements.

Section 2.04 Installing Utilities. Any tract owner installing utilities (water, telephone, electric, etc) on the designated areas, shall be responsible for repairing and returning the land to its original condition.

ARTICLE III USE RESTRICTIONS

Section 3.01 Single Family Residential Construction. No building shall be constructed on any Tract other than one single family residential dwelling with a detached or attached garage or carport. In addition to the primary residence, there may be constructed either (a) one garage apartment as part of the garage or (b) one guest house, so long as such guest house is attached to the primary residence by a common roof (including a roof over an open breezeway). There may be only one garage apartment or one connected guesthouse, but not both. There may also be constructed work shops, barns, and outbuildings so long as they are of good construction, built with new materials, kept in good repair, and are not used for temporary or permanent residential purposes. Any pre-existing outbuildings, barns or similar improvements may continue to remain on the property. All plans and specifications for residential dwellings and other structural improvements must be approved in writing by Developer its successors or assigns, prior to being constructed. The term "dwelling" does not include single-wide, double-wide or multi-section manufactured homes, and said manufactured homes are not permitted within this Subdivision. Any single story residential dwellings must have at least 1,600 square feet of living area, and any 1½ Story or 2 Story residential dwelling must have a total living area of not less than 1,800 square feet, excluding porches, garages and guesthouse and be constructed with new materials, except that used brick, stone, wooden beams, doors and the like may be used for antique effect if such use is appropriate for the structure and does not detract from the appearance of the structure or the Subdivision. All residential dwellings must be site built and constructed upon a monolithic full concrete slab foundation, more specifically, no concrete pier, beam or similar structure may be used as a foundation. Each residence must have a minimum of fifty percent (50%) brick, rock or stucco masonry construction on exterior walls. Any building, structure or improvement commenced on any Tract shall be completed as to exterior finish and appearance within six (6) months from commencement date. During construction of a residence, it is required to have a construction dumpster for container storage of trash and building construction debris, and a portable construction toilet for construction workers. Both dumpster and construction toilet must be removed immediately upon completion of construction. During the construction of a dwelling, a camper or recreation vehicle may be used as a temporary residence for up to six (6) months, so long as said camper or recreation vehicle is hooked up to an approved septic system. The above said period may not be extended without the express written consent of the Developer, its successors or assigns. As used herein, the term "single family residential purposes" is defined so as to prohibit mobile homes or trailers being placed on said Tracts, or the use of said Tracts for duplex houses, four-plexes, condominiums, or apartment houses. Tract Owners shall not excavate, remove or sell the soil, nor cut, sell or remove timber other than as necessary for the construction of residential and associated improvements upon the property and as may be necessary for the reasonable use, upkeep and maintenance of the property. No residence shall be occupied even on a temporary basis until water service is connected and an approved private sewage disposal system is installed.

Section 3.02 Tract Lines / Setbacks. No building of any kind shall be located on any Tract nearer than 15 feet (15') to the side or rear property line, or nearer than seventy-five feet (75') along frontage. The Developer reserves the right to grant exceptions to the setback lines upon filing notice of such exception for record in the Official Real Property records of Guadalupe County, Texas, the setbacks in such exception shall supersede and replace the above setbacks. "Rear and side Tract lines", respectively, as used in this paragraph, in respect to any two or more contiguous whole Tracts owned by the same owner and used as a single building site, shall mean, respectively, the outermost rear Tracts lines and side Tract lines considering said contiguous whole Tracts as one Tract. However, in the event that a single owner shall own two or more adjacent Tracts, and shall thereafter convey one to any third party, the interior lot lines between the Tracts then owned by separated owners shall be burdened by the setback lines described herein. All dwellings placed on a Tract must be equipped with septic tank or other sewage disposal system meeting all applicable laws, rules, standards, and specifications, and all such dwellings must be served with water and electricity.

Section 3.03 Use of Temporary Structures. No structure of a temporary character, whether trailer, recreational vehicle, camper, basement, tent, shack, garage, barn or other outbuilding shall be maintained or used on any Tract at any time as a residence, either temporarily or permanently, except as permitted in Section 3.01.

Section 3.04 Fences. All fences must be constructed with new materials.

Section 3.05 Prohibition of Offensive Activities. Except as provided in Section 3.14, operation of a business on a Tract will not be permitted. This restriction is waived in regard to the customary sales activities required to sell homes in the Subdivision. No noxious or offensive activity shall be carried on upon any Tract nor shall anything be done therein which may be or become an annoyance or nuisance to the neighborhood.

Section 3.06 Minimum Tract Area. The Texas Veterans Land Board may sever a homesite parcel from any Tract owned by them. Otherwise, no Tract in this Subdivided Property may be re-subdivided into a smaller Tract without the express written consent of Developer, its Successors and/or Assigns.

Section 3.07 Water Wells. Site location for any water well must be such that any required sanitary easement is provided for and contained on that Tract. It is the intent hereof to prohibit any water well which might impair or limit in any way whatsoever the use of any other Tract because of the water well and sanitation requirements related to same.

Section 3.08 Storage, Garbage, Refuse, and Prohibited Items. No Tract shall be used or maintained as a dumping ground for rubbish. No Tract shall be used for the open storage of any materials whatsoever, which storage is visible from the road. However, any new building materials used in the construction of improvements erected upon any Tract may be placed upon such Tract at the time construction is commenced and may be maintained thereon for a reasonable time, as long as the construction progresses without un-due delay, until the completion of the improvements, after which time those materials shall either be removed from the Tract or stored in a suitable enclosure on the Tract. No inoperative or unlicensed automobile shall be placed on any Tract except in an enclosed structure, which meets the requirements of these restrictions. No automobile, truck, trailer or other vehicle shall be abandoned on any Tract, nor shall there be any dumping or placing of unsightly objects of any kind on any Tract. No dump trucks, commercial trucks (commonly referred to as eighteen (18) wheelers) or heavy commercial equipment may be parked on or near any Tract except temporarily as needed for residential construction purposes.

Section 3.09 Unsightly Storage. All vehicles must have current license plates and inspection stickers and are in daily use as motor vehicles on the streets and highways. No junk, wrecking or auto storage yards shall be located on any Tract, specifically no cars shall be kept in sight of road or neighbors for more than sixty (60) days if not in running order.

Section 3.10 Sewage Treatment. No outside toilet will be permitted, except during construction as provided in Section 3.01 above. No sanitary sewage disposal system shall be installed on any Tract until a permit is issued by the regulatory authority having jurisdiction over same.

Section 3.11 Signs. No signs, advertisements, billboards or advertising structure of any kind may be erected or maintained on any Tract except one (1) professionally made sign not more than 18"x24", advertising an Owner's Tract for sale or rent. Developer shall have the right to remove any such sign, which is placed on any Tract in violation of these restrictions, and in doing so, shall not be liable, and are hereby expressly relieved from, any liability for trespass or other action in connection therewith, or arising from such removal. Notwithstanding the above, however, Developer expressly reserves a 15'x15' perpetual signage easement for the placement of an advertising sign on Tract #1 and Tract #5, as shown on Exhibit "H".

Section 3.12 Drainage and Driveways. Natural established drainage patterns of Tracts will not be blocked or impaired by any person or persons. Tract owners should contact Texas Department of Transportation (TXDOT) regarding driveway permits along FM 775.

Section 3.13 Animals. Provided that such use does not create any condition conflicting with the residential nature of the Subdivision, the following animals may be raised or kept on any Tract:

1. Household pets, such as cats, dogs and birds.
2. Livestock animals raised for 4-H or FFA school supervised programs, as long as used for a school project.
3. Horses and cattle, provided that a total of no more than one head per acre of area (with the size of Tract rounded either up or down to the nearest even acre) is kept on a Tract. Otherwise, no animals may be raised or maintained on any Tract. Under no circumstances shall any emus, ostriches, or any exotic animals be maintained on any Tract. In no case shall any commercial feedlot operation be allowed, nor the breeding and raising of animals as a commercial operation.
4. No pigs nor hogs may be raised, kept or bred, except for 4-H or FFA school supervised programs.
5. Dogs must be kept in fenced in area or under leash.

Section 3.14 Home Office/Telecommuting. This activity is permissible when conducted by a person in his residence. No other business shall be allowed. To be considered as a home office/telecommuting activity, the following applies: (a) The activity shall be at the residence of the person conducting the activity and it shall be entirely contained within the personal residence. (b) The activity is carried on only by the person(s) who reside(s) at that residence and specifically no outside employees. (c) The activity is incidental and secondary to the use of the property for residential purposes. The amount of space used for the activity shall not exceed 20% of the residential living area square footage. (d) The activity does not result in an objectionable noise, nor does it increase traffic volume or additional parking. (e) The activity does not include any window or outdoor displays and does not include any retail sales on the Tract. The residence where the activity is located shall not be used as a point for customer visits, customer pick-up or customer deliveries. Outdoor storage of any items related to the activity is prohibited.

ARTICLE IV GENERAL PROVISIONS

Section 4.01 Covenants Running With The Land. All of the restrictions, covenants, and easements, herein provided for and adopted apply to each and every Tract, and shall be covenants running with the land. The Owner of any Tract or the Developer, shall have the right to either prevent a breach of any such restriction or covenant or enforce the performance thereof. Nothing herein shall be construed as compelling the Developer to enforce any of these provisions, nor shall the failure of the Developer to enforce any of these provisions be deemed to be a waiver of the right of enforcement or prohibition. The Developer shall have no liability or responsibility at law nor in equity on account of enforcement of, nor on account of the failure to enforce, these restrictions.

Section 4.02 Developer Not Bound. The Developer shall not be subject to these Restrictions, and no person, entity or owner shall be entitled to maintain a suit at law or in equity against the Developer for any alleged violations of these Restrictions by Developer. The Developer further expressly reserves the right to grant any waiver or variance from any of these Restrictions, and unilaterally amend same, however, Developer shall not have the authority to grant any waiver or amendment which has the effect of removing the limitation on the use of the property as single family residential dwelling. Rather, regardless of any authority given to Developer, all Tracts shall be used exclusively for a single family residence as defined in Article III, USE RESTRICTIONS, Section 3.01 of these subdivision restrictions. Developer, however, shall have the right to make use of any Tracts then owned by Developer for Developer's purposes, including, but not limited to, sales offices, parking areas, storage and maintenance facilities, and storage and maintenance of equipment.

Section 4.03 Partial Invalidity. Invalidation of any covenant or restriction (by Court Judgment or otherwise) shall not affect, in any way, the validity of all other covenants and restrictions, all of which shall remain in full force and effect. Acquiescence in any violation shall not be deemed a waiver of the right to enforce against the violator or others the conditions so violated or any other conditions.

Section 4.04 Term and Amendments. The covenants, conditions, and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of, and be enforceable by, Developer or the Owner of any Tract, and their respective legal representatives, heirs, successors and assigns, and, unless amended as provided herein, shall be effective for a term of twenty (20) years from this date, after which time said covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years. Subject to Section 4.05 paragraph hereto, the covenants, conditions and restrictions may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Owners; during any succeeding ten (10) year periods, the covenants, conditions, and restrictions may be amended by an instrument signed by not less than seventy-five percent (75%) of the Owners. No amendment shall be effective until recorded in the Deed Records of Guadalupe County, Texas, nor until the approval of any governmental regulatory body which is required shall have been obtained.

Section 4.05 Amendments by the Developer. The Developer shall have and reserves the right until December 1, 2006, without the joinder or consent of any Owner or other party, to amend this Declaration by an instrument in writing duly signed, acknowledged, and filed for record for the purpose of correcting any typographical or grammatical error, oversight, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by this Declaration and shall not impair or adversely affect the vested property or other rights of any Owner or his Mortgagor. Additionally, Developer shall have and reserves the right until December 1, 2006, without the joinder or consent of any Owner or other party, to amend this Declaration by an instrument in writing duly signed, acknowledged and filed for record for the purpose of permitting the Owners to enjoy the benefits from technological advances, such as security, communications or energy-related devices or equipment which did not exist or were not

in common use in residential Subdivisions at the time this Declaration was adopted. Likewise, the Developer shall have and reserves the right until December 1, 2006 without the joinder or consent of any owner or other party, to amend this Declaration by an instrument in writing duly signed, acknowledged and filed for record for the purpose of prohibiting the use of any device or apparatus developed and/or available for residential use following the date of this declaration if the use of such device or apparatus will adversely affect the property values within the Subdivided Property.

EXECUTED this 8th day of February, A.D., 2005.

LA VERNIA HOMES, LTD.

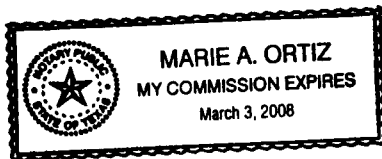
RURAL MANAGEMENT, L.L.C.,
GENERAL PARTNER

BY: *Dustin Rose*
DUSTIN ROSE, Vice President

THE STATE OF TEXAS }

COUNTY OF WILSON }

This instrument was acknowledged before me on February 8th, 2005 by DUSTIN ROSE, Vice President of RURAL MANAGEMENT, L.L.C., GENERAL PARTNER of LA VERNIA HOMES, LTD., on behalf of said entity.



Marie A. Ortiz
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:
LA VERNIA HOMES, LTD.
P.O. Box 430
La Vernia, Texas 78121-0430

H.A. KUEHLEM SURVEY COMPANY

Boundary * Subdivisions * Oil Wells * Construction

GPS Services
EXHIBIT "B"FIELD NOTES
TRACT NO. 1

Field notes of a 10.000 acre tract of land situated partially in the City of New Berlin, Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 1, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a ½" iron pin set in the west line of Farm to Marker Road 775 at the north corner of this tract, said point being 31.52 feet in a southerly direction along the arc of a curve to the left whose radius is 5764.70 feet from a ½" iron pin found at the north corner of said 165.333 acre tract.

Thence southerly along the arc of said curve to the left, whose radius is 5764.70 feet and having a central angle of 02° 33' 08", a distance of 256.80 feet (chord bears S 12° 53' 22" E. 256.78 feet) to a ½" iron pin set at the east corner of this tract, being the north corner of a 10.000 acre tract, Tract No. 2.

Thence S 60° 27' 40" W. 1720.08 feet along the northwest line of Tract No. 2 to a 1/2" iron pin set in a northeast line of a 16.779 acre tract, Tract No. 3, being the south corner of this tract, and the west corner of Tract No. 2.


Thence N 29° 56' 45" W. 247.65 feet along a northeast line of Tract No. 3, to a 1/2" iron pin set at the west corner of this tract, being a north corner of Tract No. 3.

Thence along a line 30.00 feet southeast of and parallel to northwest line of said 165.333 acre tract, as follows:

- N 60° 38' 52" E. 163.78 feet to a ½" iron pin set at an angle point.
- N 60° 43' 21" E. 149.70 feet to a ½" iron pin set at an angle point.
- N 58° 24' 13" E. 62.43 feet to a ½" iron pin set at an angle point.
- N 60° 23' 10" E. 497.92 feet to a ½" iron pin set at an angle point.
- N 60° 40' 00" E. 922.05 feet to the place of Beginning and containing 10.000 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
Job No. 058-04
RE: Plat

Surveyed October 15, 2004


HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



H.A. KUEHLEM SURVEY COMPANY
 Boundary * Subdivisions * Oil Wells * Construction
 GPS Services
 EXHIBIT "B-1"
 FIELD NOTES
 ACCESS EASEMENT - TRACT NO. 1

Field notes of a 30.00 foot wide Access Easement situated in Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, and being over part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at its intersection with the northwest line of said 165.333 acre tract, being the north corner of this easement and the east corner of a 25.610 acre tract described in deed recorded in Volume 1905, Page 239.

Thence Southerly along the arc of a curve to the left whose radius is 5764.70 feet and having a central angle of 00° 18' 48", a distance of 31.52 feet (Chord bears S 11° 27' 24" E. 31.52 feet) along the west line of Farm to Market Road 775, to a 1/2" iron pin set at a east corner of this easement.


Thence S 60° 40' 00" W. 25.00 feet to a point at the south corner of this easement.

Thence Northerly along the arc of a curve to the right whose radius 5788.52 feet and having a central angle of 00° 18' 43", a distance of 31.52 feet (Chord bears N 11° 31' 33" W. 31.51 feet) to a point in the northwest line of said 165.333 acre tract, being the southeast line of said 25.610 acre tract, being the west corner of this easement.

Thence N 60° 40' 00" E. 25.04 feet along the northwest line of said 165.333 acre tract, being the southeast line of said 25.610 acre tract, to the place of Beginning and covering 0.017 of an acre of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
 Job No. 066-04
 RE: Plat

Surveyed September 2, 2004


 HENRY A. KUEHLEM
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 4020



VOL 2117 PG 0863

H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services

EXHIBIT "C"
FIELD NOTES
TRACT NO. 2

Field notes of a 10.000 acre tract of land situated partially in the City of New Berlin, Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 2, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a ½" iron pin set in the west line of Farm to Marker Road 775 at the north corner of this tract, being the east corner of a 10.000 acre tract, Tract No. 1, said point being 288.32 feet in a southerly direction along the arc of a curve to the left whose radius is 5764.70 feet from a ½" iron pin found at the north corner of said 165.333 acre tract.

Thence along the west line of Farm to Market Road 775, as follows:

Southerly along the arc of said curve to the left, whose radius is 5764.70 feet and having a central angle of 01° 34' 34", a distance of 158.59 feet (chord bears S 14° 57' 01" E. 158.59 feet) to a ½" iron pin set at the end of said curve. S 15° 44' 31" E. 107.91 feet to a ½" iron pin set at the east corner of this tract, being a north corner of a 16.779 acre tract, Tract No. 3.


Thence S 60° 27' 40" W. 1654.40 feet along a northwest line of Tract No. 3 to a 1/2" iron pin set at an interior corner of Tract No. 3, being the south corner of this tract.

Thence N 29° 32' 20" W. 258.27 feet along a northeast line of Tract No. 3, to a 1/2" iron pin set at the west corner of this tract, being the south corner of Tract No. 1.

Thence N 60° 27' 40" E. 1720.06 feet along the southeast line of Tract No. 1, to the place of Beginning and containing 10.000 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
Job No. 058-04
RE: Plat

Surveyed October 15, 2004



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



VOL 2117 PG 0864

H.A. KUEHLEM SURVEY COMPANY

Boundary * Subdivisions * Oil Wells * Construction

GPS Services

EXHIBIT "C-1"

FIELD NOTES

ACCESS EASEMENT - TRACT NO. 2, 3

Field notes of a 30.00 foot wide Access Easement situated in Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, and being over part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at the east corner of a 16.779 acre tract, Tract No. 3 and this easement, being the north corner of a 12.475 acre tract, Tract No. 4, said point being N 15° 44' 31" W. 554.19 feet along the west line of Farm to Market Road 775 from the east corner of said 165.333 acre tract.

Thence S 60° 27' 40" W. 25.00 feet along the northwest line of Tract No. 4, to a point at the south corner of this easement.

Thence N 15° 44' 31" W. 30.89 feet to a point in a northwest line of Tract No. 3, being the southeast line of Tract No. 2, at the west corner of this easement.

Thence N 60° 27' 40" E. 25.00 feet along the southeast line of Tract No. 2, to a 1/2" iron pin set in the southwest line of Farm to Market Road 775 at the east corner of Tract 2, being a north corner of Tract No. 3 and this easement.

Thence S 15° 44' 31" E. 30.89 feet along the west line of Farm to Market Road 775 to the place of Beginning and covering 0.017 of an acre of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 066-04

RE: Plat

Surveyed October 15, 2004



HENRY A. KUEHLEM

REGISTERED PROFESSIONAL LAND SURVEYOR

NO. 4020



H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services
EXHIBIT "D"
FIELD NOTES
TRACT NO. 3

VOL 2117 PG 0865

Field notes of a 16.779 acre tract of land situated partially in the City of New Berlin, Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 3, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at the east corner of this tract, being the north corner of a 12.475 acre tract, Tract No. 4, said point being N 15° 44' 31" W. 554.19 feet along the west line of Farm to Market Road 775 from the east corner of said 165.333 acre tract.

Thence S 60° 27' 40" W. 2915.77 feet along the northwest line of Tract No. 4 to a 1/2" iron pin set at the south corner of this tract, being the west corner of Tract No. 4.

Thence N 29° 16' 25" W. 539.19 feet to a 1/2" iron pin set at the west corner of this tract.

Thence along a line 30.00 feet southeast of and parallel to the northwest line of said 165.333 acre tract, as follows:

N 60° 29' 54" E. 107.97 feet to a 1/2" iron pin set at an angle point.
N 60° 36' 06" E. 705.18 feet to a 1/2" iron pin set at an angle point.
N 60° 38' 52" E. 451.34 feet to a 1/2" iron pin set at a north corner of this tract, being the west corner of a 10.000 acre tract, Tract No. 1.

Thence along the southwest line of Tract No. 1 and a 10.000 acre tract, Tract No. 2, as follows:


S 29° 56' 45" E. 247.65 feet to a 1/2" iron pin set at the south corner of Tract No. 1, being the west corner of Tract No. 2.
S 29° 32' 20" E. 258.27 feet to a 1/2" iron pin set at an interior corner of this tract, being the south corner of Tract No. 2.

Thence N 60° 27' 40" E. 1654.40 feet along the southeast line of Tract No. 2, to a 1/2" iron pin set in the southwest line of Farm to Market Road 775 at the east corner of Tract 2, being a north corner of this tract.

Thence S 15° 44' 31" E. 30.89 feet along the west line of Farm to Market Road 775 to the place of Beginning and containing 16.779 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
Job No. 058-04
RE: Plat

Surveyed October 15, 2004


HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



14350 Northbrook Drive Suite 130 San Antonio, Texas 78232 Phone: (210) 490-7847 Fax: (210) 490-7857

VOL 2117 P80866

H.A. KUEHLEM SURVEY COMPANY

Boundary * Subdivisions * Oil Wells * Construction

GPS Services

EXHIBIT "E"
FIELD NOTES
TRACT NO. 4

Field notes of a 12.475 acre tract of land situated in Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 4, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at the east corner of this tract, being the north corner of a 10.000 acre tract, Tract No. 5, said point being N 15° 44' 31" W. 523.30 feet along the west line of Farm to Market Road 775 from the east corner of said 165.333 acre tract.

Thence S 60° 27' 40" W. 2011.69 feet along the northwest line of Tract No. 5 to a 1/2" iron pin set at an interior corner of this tract, being the west corner of Tract No. 5.

Thence S 29° 32' 20" E. 508.20 feet along the southwest line of Tract No. 5 and a 12.741 acre tract, Tract No. 6, to a 1/2" iron pin set in the southeast line of said 165.333 acre tract, being the northwest line of a 60.723 acre tract described in deed recorded in Volume 1641, Page 61, being a east corner of this tract, and being the south corner of Tract No. 6.

Thence along the southeast line of said 165.333 acre tract, being the northwest line of said 60.723 acre tract and a 82.201 acre tract described in deed recorded in Volume 1592, Page 507, as follows:

S 60° 27' 40" W. 575.20 feet to a fence corner post found at an angle point.

S 61° 18' 24" W. 47.89 feet to a 1/2" iron pin found at the west corner of said 60.723 acre tract, being the north corner of said 82.201 acre tract.

S 60° 40' 13" W. 276.12 feet to a 1/2" iron pin set at the south corner of this tract.

Thence N 29° 16' 25" W. 536.49 feet to a 1/2" iron pin set at the west corner of this tract, being the south corner of a 16.779 acre tract, Tract No. 3.

Thence N 60° 27' 40" E. 2915.77 feet along a southeast line of Tract No. 3, to a 1/2" iron pin set in the west line of Farm to Market Road 775 at a east corner of Tract No. 3, being the north corner of this tract.

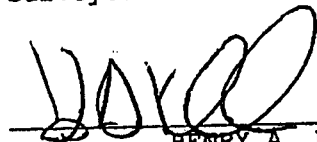
Thence S 15° 44' 31" E. 30.89 feet along the west line of Farm to Market Road 775 to the place of Beginning and containing 12.475 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 058-04

RE: Plat

Surveyed October 15, 2004



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



14350 Northbrook Drive Suite 130 San Antonio, Texas 78232 Phone: (210) 490-7847 Fax: (210) 490-7857

VOL 2117 PG 0867

H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services
EXHIBIT "E-1"
FIELD NOTES
PRIVATE UTILITY EASEMENT

Field notes of a 15.00 foot wide Private Utility Easement situated partially in the City of New Berlin, Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, and being over part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin set at the south corner of this easement and a 16.779 acre tract, Tract No. 3, being the west corner of a 12.475 acre tract, Tract No. 4, said point being S 60° 27' 40" W. 2462.09 feet, S 61° 18' 24" W. 47.89 feet, S 60° 40' 13" W. 276.12 feet and N 29° 16' 25" W. 536.49 feet from a 1/2" iron pin found in the west line of Farm to Market Road 775 from the east corner of said 165.333 acre tract.

Thence N 29° 16' 25" W. 539.19 feet along the southwest line of Tract No. 3, to a 1/2" iron pin set at the west corner of Tract No. 3 and this easement.


Thence N 60° 29' 54" E. 15.00 feet along the northwest line of Tract No. 3, to a point at the north corner of this easement.

Thence S 29° 16' 25" E. 539.18 feet to a point in the southeast line of Tract No. 3, being the northwest line of Tract No. 4, being the east corner of this easement.

Thence S 60° 27' 40" W. 15.00 feet along the southeast line of Tract No. 3, being the northwest line of Tract No. 4, to the place of Beginning and covering 0.186 of an acre of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
Job No. 066-04
RE: Plat

Surveyed October 15, 2004



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



Boundary * Subdivisions * Oil Wells * Construction

GPS Services

EXHIBIT "F"

FIELD NOTES

TRACT NO. 5

Field notes of a 10.000 acre tract of land situated in Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 5, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at the east corner of this tract, being the north corner of a 12.741 acre tract, Tract No. 6, said point being N 15° 44' 31" W. 297.30 feet along the west line of Farm to Market Road 775 from the east corner of said 165.333 acre tract.

Thence S 60° 27' 40" W. 1957.79 feet along the northwest line of Tract No. 6 to a 1/2" iron pin set in a northeast line of a 12.475 acre tract, Tract No. 4, being the south corner of this tract, and the west corner of Tract No. 6.

Thence N 29° 32' 20" W. 219.48 feet along a northeast line of Tract No. 4, to a 1/2" iron pin set at the west corner of this tract, being an interior corner of Tract No. 4.

Thence N 60° 27' 40" E. 2011.69 feet along a southeast line of Tract No. 4, to a 1/2" iron pin set in the west line of Farm to Market Road 775 at a east corner of Tract No. 4, being the north corner of this tract.


Thence S 15° 44' 31" E. 226.00 feet along the west line of Farm to Market Road 775 to the place of Beginning and containing 10.000 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 058-04

RE: Plat

Surveyed October 15, 2004


HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



H.A. KUEHLEM SURVEY COMPANY

Boundary * Subdivisions * Oil Wells * Construction

GPS Services
EXHIBIT "G"
FIELD NOTES
TRACT NO. 6

Field notes of a 12.741 acre tract of land situated in Guadalupe County, Texas and being out of the Erastus Smith Survey, Abstract 32, designated Tract No. 6, and being part of that 165.333 acre tract conveyed to La Vernia Homes, LTD., by deed recorded in Volume 2083, Page 601 of the Official Public Records of Guadalupe County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the west line of Farm to Market Road 775 at the east corner of said 165.333 acre tract and this tract, being the north corner of a 60.723 acre tract described in deed recorded in Volume 1641, Page 61.

Thence S 60° 27' 40" W. 1886.89 feet along the southeast line of said 165.33 acre tract, being the northwest line of said 60.723 acre tract to a 1/2" iron pin set at the south corner of this tract, being a east corner of a 12.475 acre tract, Tract No. 4.

Thence N 29° 32' 20" W. 288.72 feet along a northeast line of Tract No. 4, to a 1/2" iron pin set at the west corner of this tract, being the south corner of a 10.000 acre tract, Tract No. 5.

Thence N 60° 27' 40" E. 1957.79 feet along the southeast line of Tract No. 5, to a 1/2" iron pin set in the west line of Farm to Market Road 775 at the east corner of Tract No. 5, being the north corner of this tract.

Thence S 15° 44' 31" E. 297.30 feet along the west line of Farm to Market Road 775 to the place of Beginning and containing 12.741 acres of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".
Job No. 058-04
RE: Plat

Surveyed October 15, 2004



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



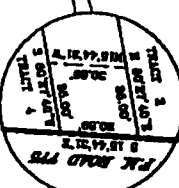
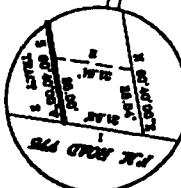
EXHIBIT "H"

BILLY BRANTZ 21.408 ACRES TRACT
V. 705, P. 214

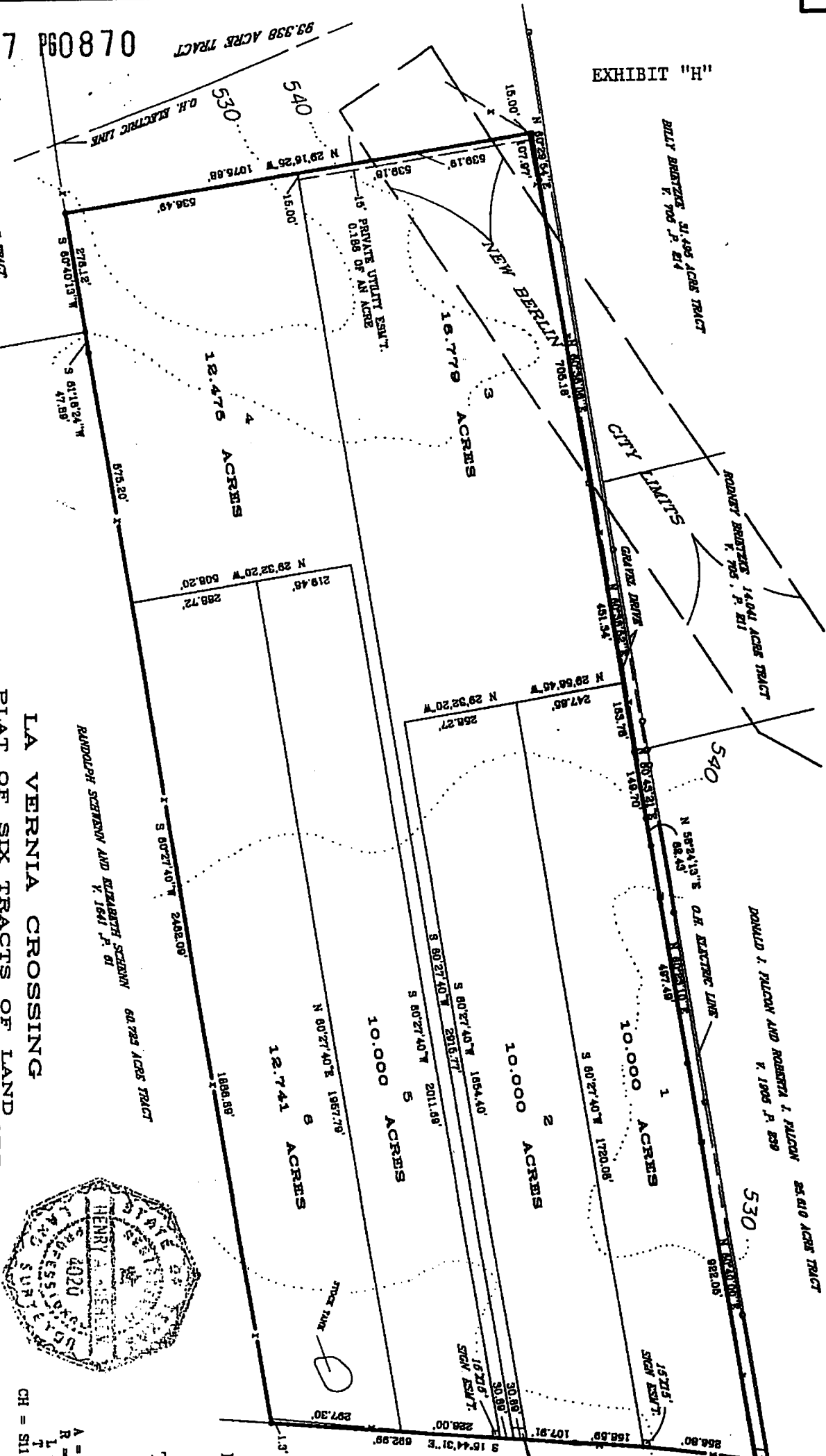
ROBERT BRANTZ 14.041 ACRES TRACT
V. 705, P. 211

DONALD L. PULCON AND ROBERTA L. PULCON 25.610 ACRES TRACT
V. 1906, P. 239

ACCESS EASEMENT
0.017 ACRES

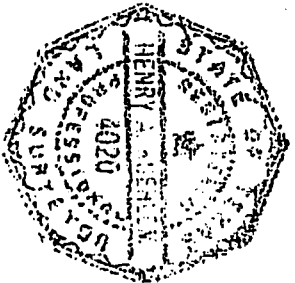


ACCESS EASEMENT
0.017 ACRES



LA VERNIA CROSSING

PLAT OF SIX TRACTS OF LAND
CONTAINING A TOTAL OF 71.995 ACRES,
BEING A PORTION OF THAT SAME
165.333 ACRE TRACT CONVEYED TO
LA VERNIA HOMES, LTD. BY DEED RECORDED IN
VOLUME 2083, PAGE 601.
OUT OF THE
ERASTUS SMITH SURVEY, ABSTRACT 32,
GUADALUPE COUNTY, TEXAS.



SCALE: 1" = 300'
NOTE: IRON PINS WITH CAPS
SET AT ALL CORNERS
BEARING SOURCE
TRUE NORTH BY G.P.S.

CURVE DATA

1
A = 00°18'45"
R = 5704.70'
L = 31.52'
T = 15.75'
CH = 31.2724'E 31.52' CH = N11°31'33"W 31.51'

2
A = 00°18'43"
R = 5704.52'
L = 31.51'
T = 15.75'

DOYER
HENRY A. KUEHELM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

SURVEYED: OCTOBER 15, 2004

KUEHELM SURVEY COMPANY
14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857

VOL 2117 PG 0871

FILED FOR RECORD
2005 FEB -9 PM 3: 24

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY L. Herpin

STATE OF TEXAS
COUNTY OF GUADALUPE
I certify this instrument was FILED on the
date and at the time stamped thereon and
was duly recorded in the Official Public
Records of Guadalupe County, Texas.



Teresa Kiel
TERESA KIEL
Guadalupe County Clerk

16

05 02745