

ASSUMPTION DEED

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PESENTS:

COUNTY OF BRAZORIA

§

THAT WE, **MARK A. HEBERT AND WIFE, BONNIE G. HEBERT** of the County of BRAZORIA and the State of Texas, **GRANTOR** for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and for further consideration that **SHAWN STEVENS AND WIFE, PATSY STEVENS, 1345 FAIR DR., ANGLETON, TEXAS 77515** GRANTEE hereby assumes and promises to pay, according to the terms thereof, all principal and interest now remaining unpaid on the certain promissory note in the original principal sum of **THIRTY-FIVE THOUSAND, ONE HUNDRED SIXTY-THREE AND NO/100 (\$35,163.00)** DOLLARS, dated **February 1, 1996**, executed by **MARK A. HEBERT AND WIFE, BONNIE G. HEBERT**, payable to the order of **B. C. D. L. L. C., a TEXAS LIABILITY COMPANY**, and secured by a Special Warranty Deed of even date therewith recorded in **File Clerk's No. 96-003676**, of the Deed Records of BRAZORIA County, Texas, and additionally secured by a Deed of Trust of even date therewith to **JAY T. KOLB, Trustee**, recorded, **File Clerk's No. 96-003677** Deed of Trust Records of BRAZORIA County, Texas, upon which note now remains unpaid the principal sum as of **May 27, 1999, THIRTY-ONE THOUSAND, ONE HUNDRED FIFTY-FIVE AND 19/100 (\$31,155.19)** DOLLARS, and Grantee also assumes and promises to keep and perform all covenants and obligations of Grantors named in said Deed of Trust, have **GRANTED, SOLD and CONVEYED**, by these presents do **GRANT, SELL and CONVEY**, to the said Grantee of the County of BRAZORIA the State of Texas, the following property, to-wit:

See Exhibit "A" attached hereto and made a part of for all intents and purposes.

This conveyance is made and accepted subject to any and all covenants, restrictions, easements and outstanding mineral and/or royalty interests in the oil, gas, and other minerals, and leases thereon, now outstanding or affecting the premises herein conveyed, now of record in the County Clerk's office of BRAZORIA County, Texas, but only to the extent they are still in force and effect.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said **GRANTORS**, their heirs and assigns forever and we do bind ourselves, our heirs, executors and administrators, to Warrant and Forever Define, all and singular the said

EXHIBIT "A"

CHARLIE KALKOMEY SURVEYING, INC.

1815 MONS AVENUE
ROSENBERG, TEXAS 77471
(713) 342-2033

CHARLIE KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

TRACT 2

FIELD NOTES OF A 16.2999 ACRE TRACT OF LAND IN THE JOSHUA ABBOT SURVEY, ABSTRACT 144, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 18 OF THE RANSON BOSLER SUBDIVISION OF TRACT "G", RECORDED IN VOLUME 1, PAGE 88 OF THE DEED RECORDS, BRAZORIA COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN CALLED 78.7 ACRE TRACT OF LAND CONVEYED TO JOHN E. KOLB, TRUSTEE, AS DESCRIBED BY INSTRUMENT RECORDED UNDER COUNTY CLERK'S FILE NO. 93044073 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE SOUTH LINE OF COUNTY ROAD 49 AS BEING EAST:

COMMENCING at a 1/2 iron rod found in the common line of Lots 18 and 19 of said Ranson Bosler Subdivision and the east line of that certain called 58.9229 acre tract of land conveyed to Joe B. Stepchinsky, Jr., et al, as described by instrument recorded in Volume (91) 879, Page 514 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), marking the southwest corner of that certain called 1.30 acre tract of land conveyed to Dumesnil Farms Joint Venture, as described by instrument recorded under County Clerk's File No. 93-014349 of the O.R.B.C.T. and the lower northwest corner of a 14.3463 acre tract of land (Tract 1), surveyed this date;

THENCE East along the south line of the said 1.30 acre tract, a distance of 323.13 feet to a 1/2 inch iron pipe set marking the southeast corner of the said 1.30 acre tract and an interior corner of said Tract 1;

THENCE North along the east line of the said 1.30 acre tract, a distance of 175.00 feet to a 1/2 inch iron pipe set in the south line of County Road 49, having a right-of-way width of 80 feet, marking the northeast corner of the said 1.30 acre tract and the upper northwest corner of said Tract 1;

THENCE East along the south line of the said County Road 49, a distance of 78.00 feet to a 1/2 inch iron pipe set marking the northeast corner of said Tract 1 and the northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE East, continue along the south line of said County Road 49, a distance of 218.00 feet to a 1/2 inch iron pipe set marking the northwest corner of an 11.2060 acre tract of land (Tract 3), surveyed this date, and the northeast corner of the herein described tract;

THENCE South 00 degrees 36 minutes 39 seconds East, along the common line of said Tracts 2 and 3, a distance of 2239.75 feet to a 1/2 inch iron pipe set in the south line of said Lot 18 and the north line of that certain called 20.00 acre tract of land conveyed to Donald C. Oswald, Jr., as described by instrument recorded in Volume 889, Page 776 of the Deed Records of Brazoria County, Texas (D.R.B.C.T.) marking the southwest corner of said Tract 3 and the southeast corner of the herein described tract;

THENCE South 89 degrees 44 minutes 46 seconds West, along the south line of said Lot 18, the north line of the said 20.00 acre tract, and the south line of the said 78.7 acre tract, a distance of 488.22 feet to a 1/2 inch iron pipe set, marking the southeast corner of the said Tract 1 and the southwest corner of the herein described tract;

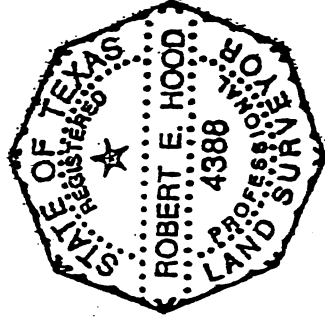
THENCE North 08 degrees 45 minutes 04 seconds East, along the common line of said Tracts 1 and 2, a distance of 1661.16 feet to a 1/2 inch iron pipe set marking an angle point of the common line of said Tracts 1 and 2;

THENCE North 00 degrees 36 minutes 39 seconds West, continuing along the common line of said Tracts 1 and 2, a distance of 600.00 feet to the **POINT OF BEGINNING** and containing 16.2999 acres of land, more or less.

For reference and further description see survey Plat No. 1480-02-BR, prepared by the undersigned on same date.



Robert E. Hood
Registered Professional Land Surveyor
Texas Registration No. 4388
October 11, 1995



Job No. 1480-02-BR

148000202.BR/26

EXHIBIT A

CHARLIE KALKOMEY SURVEYING, INC.

1815 MONS AVENUE
ROSENBERG, TEXAS 77471
(713) 342-2033

CHARLIE KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

TRACT 1

FIELD NOTES OF A 14.3463 ACRE TRACT OF LAND IN THE JOSHUA ABBOT SURVEY, ABSTRACT 144, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 18 OF THE RANSON BOSLER SUBDIVISION OF TRACT "G", RECORDED IN VOLUME 1, PAGE 88 OF THE DEED RECORDS, BRAZORIA COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN CALLED 78.7 ACRE TRACT OF LAND CONVEYED TO JOHN E. KOLB, TRUSTEE, AS DESCRIBED BY INSTRUMENT RECORDED UNDER COUNTY CLERK'S FILE NO. 93044073 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE SOUTH LINE OF COUNTY ROAD 49 AS BEING EAST:

BEGINNING at a 1/2 iron rod found in the common line of Lots 18 and 19 of said Ranson Bosler Subdivision and the east line of that certain called 58.9229 acre tract of land conveyed to Joe B. Stepchinsky, Jr., et al, as described by instrument recorded in Volume (91) 879, Page 514 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), marking the southwest corner of that certain called 1.30 acre tract of land conveyed to Dumesnil Farms Joint Venture, as described by instrument recorded under County Clerk's File No. 93-014349 of the O.R.B.C.T. and the lower northwest corner of the herein described tract;

THENCE East along the south line of the said 1.30 acre tract, a distance of 323.13 feet to a 1/2 inch iron pipe set marking the southeast corner of the said 1.30 acre tract and an interior corner of the herein described tract;

THENCE North along the east line of the said 1.30 acre tract, a distance of 175.00 feet to a 1/2 inch iron pipe set in the south line of County Road 49, having a right-of-way width of 80 feet, marking the northeast corner of the said 1.30 acre tract and the upper northwest corner of the herein described tract;

THENCE East along the south line of the said County Road 49, a distance of 78.00 feet to a 1/2 inch iron pipe set marking the northwest corner of a 16.2999 acre tract of land (Tract 2), surveyed this date, and the northeast corner of the herein described tract;

THENCE South 00 degrees 36 minutes 39 seconds East, along the common line of said Tracts 1 and 2, a distance of 600.00 feet to a 1/2 inch iron pipe set marking an angle point of the westerly line of said Tract 2 and the easterly line of the herein described tract;

THENCE South 08 degrees 45 minutes 04 seconds West, along the common line of said Tracts 1 and 2, a distance of 1661.16 feet to a 1/2 inch iron pipe set in the south line of said Lot 18 and the north line of that certain called 20.00 acre tract of land conveyed to Donald C. Oswald, Jr., as described by instrument recorded in Volume 889, Page 776 of the Deed Records of Brazoria County, Texas (D.R.B.C.T.) marking the southwest corner of said Tract 2 and the southeast corner of the herein described tract;

THENCE South 89 degrees 44 minutes 46 seconds West, along the south line of said Lot 18, the north line of the said 20.00 acre tract, and the south line of the said 78.7 acre tract, a distance of 132.75 feet to a 1/2 inch iron pipe (bent), found in the east line of the said 58.9229 acre tract, marking the southwest corner of the said 78.7 acre tract, the common south corners of Lots 18 and 19 of said Ranson Bosler Subdivision, and the southwest corner of the herein described tract;

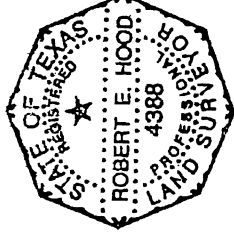
THENCE North 00 degrees 36 minutes 39 seconds West, along the common line of said Lots 18 and 19, the east line of the said 58.9229 acre tract and the west line of the 78.7 acre tract, a distance of 2,067.49 feet to the **POINT OF BEGINNING** and containing 14.3463 acres of land, more or less.

For reference and further description see survey Plat No. 1480-02-BR, prepared by the undersigned on same date.


Robert E. Hood

Registered Professional Land Surveyor
Texas Registration No. 4388
October 11, 1995

Job No. 1480-02-BR



148002.BR/26