

OWNER POLICY OF TITLE INSURANCE

SCHEDULE A

G.F. No. **LE2-07-004**

Issued with Policy Number: **479123 M**

Policy No. **124609 O**

Amount of Insurance: \$

Premium: \$

Date of Policy: **February 5, 2007**

1. Name of Insured:

Steve R. Everage and Lori Everage

2. The estate or interest in the land that is covered by this policy is:

TRACT ONE: Fee Simple

EASEMENT TRACT : Easement Estate Only

3. Title to the estate or interest in the land is insured as vested in:

Steve R. Everage and wife, Lori Everage

4. The land referred to in this policy is described as follows:

TRACT ONE: The surface estate only in and to the property described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.

EASEMENT TRACT : See Exhibit "B" attached hereto and made a part hereof for all purposes pertinent.

NOTE: The Company is prohibited from insuring the area or quantity of land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

- b. **Rights of Parties in possession.**
- c. **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.**
- d. **Any portion of the property herein described, if any, which falls within the boundaries of any road or roadway.**
- e. **The tax certificate furnished by the taxing authorities is issued on real property only. It does not include taxes on the mineral estate and/or personal property, therefore, no liability is assumed hereunder for the payment of said taxes on the mineral estate and/or personal property.**
- f. **Easement Agreement dated June 4, 1993, executed by Estate of H. H. Coffield, Deceased, Robert L. Ellett, Independent Executor of H. H. Coffield, Deceased, to W. H. Dowdy, Jr. and wife, Jean Dowdy, and William E. Dowdy and wife, A. Kim Dowdy, recorded in Volume 694, Page 910, Real Property Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document.**
- g. **Oil, Gas and Mineral Lease dated May 17, 1929, executed by M. L. Neely to H. R. Paton and E. A. Paton, Trustees, recorded in Volume 50, Page 243, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- h. **Mineral Deed dated January 7, 1930, executed by Maggie Neely to J. J. Matthews, recorded in Volume 51, Page 536, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- i. **Option Agreement dated February 12, 1932, executed by Maggie L. Marrs nee M. L. Neely and husband, J. T. Marrs, to Humble Oil & Refining Company, recorded in Volume 61, Page 131, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- j. **Royalty Deed dated September 8, 1934, executed by Maggie Neely Marrs and husband, J. T. Marrs to W. T. Russell, J. B. Wilson, and H. G. Murphree, recorded in Volume 65, Page 326, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- k. **Royalty Contract dated October 19, 1936, executed by Maggie Neely Marrs and husband, J. T. Marrs to H. H. Coffield, recorded in Volume 68, Page 550, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- l. **Oil, Gas and Mineral Lease dated October 18, 1937, executed by Maggie Neely Marrs, joined by her husband, J. T. Marrs to H. H. Coffield, recorded in Volume 73, Page 556, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**

- m. **Royalty Contract dated February 22, 1943, executed by Maggie Neely Marrs to H. H. Coffield, recorded in Volume 90, Page 137, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- n. **Royalty Deed dated December 14, 1945, executed by Maggie Neely Marrs to Chas. H. Houston, recorded in Volume 99, Page 295, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- o. **Extension of Oil, Gas and Mineral Lease dated March 1, 1949, executed by Maggie Neely Marrs, joined by her husband, J. T. Marrs to Humble Oil & Refining Company, recorded in Volume 101, Page 494, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- p. **Oil, Gas and Mineral Lease dated February 12, 1955, executed by Maggie Neely Marrs to W. N. Dillin, recorded in Volume 118, Page 327, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- q. **Mineral and/or Royalty Reservation appearing in Deed dated September 26, 1956, executed by Pearl McCawley to H. H. Coffield, recorded in Volume 122, Page 476, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- r. **Oil and Gas Lease dated May 15, 1974, executed by H. H. Coffield to Freeman Hill, recorded in Volume 223, Page 17, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- s. **Oil and Gas Lease dated January 25, 1977, executed by H. H. Coffield to Mutual Oil of America, Inc. and Taft McGee, recorded in Volume 268, Page 147, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- t. **Oil and Gas Lease dated March 10, 1978, executed by H. H. Coffield, acting by and through his Attorneys-in-fact, Josie Palmer and Mavis Perry to Lambert Hollub Drilling Company, recorded in Volume 288, Page 208, Deed Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**
- u. **Mineral and/or Royalty Reservation appearing in Deed dated December 31, 1985, executed by Robert L. Ellett, Independent Executor of the Estate of H. H. Coffield and Charles N. Avery, Jr., Independent Executor of the Estate of H. H. Coffield, Deceased to Boy Scouts of America, the Salvation Army and the Episcopal Diocese of Texas, recorded in Volume 523, Page 322, Real Property Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)**

- v. Mineral and/or Royalty Reservation appearing in Deed dated January 18, 1996, executed by Estate of H. H. Coffield, Deceased, acting by and through its duly authorized Independent Executor, Robert L. Ellett to Ronald R. Harvel, recorded in Volume 768, Page 590, Real Property Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects TRACT ONE and EASEMENT TRACT as to 1.59 acres only.)
- w. Mineral and/or Royalty Reservation appearing in Deed dated May 21, 1991, executed by Garry C. Brown, Receiver to W. H. Dowdy, Jr. and wife, Jean E. Dowdy, and William E. Dowdy and wife, A. Kim Dowdy, recorded in Volume 649, Page 356, Real Property Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects EASEMENT TRACT as to 1.65 acres only.)
- x. Oil, Gas and Mineral Lease dated October 11, 1991, executed by William E. Dowdy and wife, A. Kim Dowdy and William H. Dowdy, Jr. and wife, Jean E. Dowdy to Ernest Operating Company, recorded in Volume 657, Page 438, Real Property Records of Lee County, Texas, together with all rights incident thereto. TITLE to said interest not checked subsequent to date of such document. (Affects EASEMENT TRACT as to 1.65 acres only)
- y. There is expressly excluded from coverage hereunder, and this Company does not insure title to oil, gas and other minerals of every kind and character in, on and under the property herein described.
- z. This policy does not insure against loss sustained by the owner of the surface of said property through the exercise of the right of ingress and egress and/or any other right or privilege incident to the ownership of said mineral estate.
- aa. Rights of third parties in and to the 3.237 acre access easement as shown on plat dated December 29, 2006, prepared by W. A. Ferguson, R.P.L.S. No. 2547.

Countersigned
Botts Title Company - Lee County
By Aimee Schobel
Aimee Schobel, Escrow Officer