

# Exhibit "A"

## barnett surveying / engineering

7703 BAGBY AVENUE  
WACO, TEXAS 76712  
254.666.9800  
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Field Notes describing a 19.92 Acre tract of land in the S.N. NORFLEET SURVEY, Abstract No. 1246, the J.T. DENSON SURVEY, Abstract No. 1141, and the GEORGE W. PEACOCK SURVEY, Abstract No. 995, in Bell County, Texas, being part of that 253.51 Acre tract of land conveyed to J.S.I.V. Investments, L.P., by deed of record in Volume 5192, Page 497 of the Official Public Records of Bell County, Texas. Said 19.92 acre tract being shown on the attached plat and being more particularly described by metes and bounds as follows:

Beginning at a cedar fence post found at the southeast corner of said 253.51 acre tract of land, being in the north line of Brooking Road, for the southeast corner of the herein described tract of land;

Thence S 20 degrees 13 minutes 03 seconds W - 75.92 feet along the south line of said 253.51 acre tract and along the north line of said road to a 1/2" capped iron rod found at the southeast corner of the Kingpoumkeo Sangasy called 10.00 acre tract, of record in Volume 5289, Page 79 of said Official Public Records, for the most southerly southwest corner of the herein described tract of land;

Thence N 20 degrees 58 minutes 24 seconds W - 747.67 feet along the east line of said 10.00 acre tract to a 1/2" capped iron rod found at its northeast corner, for an ell corner of the herein described tract of land;

Thence S 70 degrees 38 minutes 07 seconds W - 735.34 feet along the north line of said 10.00 acre tract and along the north line of the James E. Gorman 23.00 acre tract of land, of record in Volume 5544, Page 379 of said Official Public Records, to a 1/2" capped iron rod No. 4641 found at the southeast corner of that called 40.00 Acre tract of land conveyed to David R. Preddy, Jr., by deed of record in Volume 6016, Page 409 of said Official Public Records, for the most westerly southwest corner of the herein described tract of land;

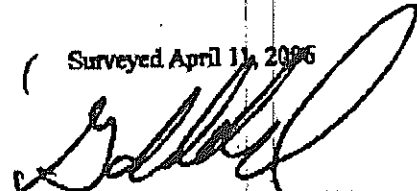
Thence N 19 degrees 21 minutes 56 seconds W - 1028.63 feet along the east line of said 40.00 acre tract to a 1/2" capped iron rod No. 4641 found at its northeast corner, being in the south line of that tract of land conveyed to the Ella C. Richmond Irrevocable Trust, by deed of record in Volume 929, Page 27 of the Deed Records of said county, being in the north line of said 253.51 acre tract, for the northwest corner of the herein described tract of land;

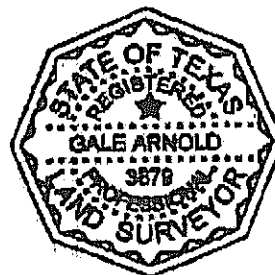
Thence N 65 degrees 25 minutes 21 seconds E - 780.74 feet along the south line of said Richmond tract and along the north line of said 253.51 acre tract to a cedar fence post found at the northeast corner of said 253.51 acre tract, for the northeast corner of the herein described tract of land;

Thence S 19 degrees 47 minutes 13 seconds E - 1111.49 feet along the east line of said 253.51 acre tract to a 1/2" capped iron rod found, for a corner of the herein described tract of land;

Thence S 20 degrees 58 minutes 24 seconds E - 677.13 feet along the east line of said 253.51 acre tract of land to the POINT OF BEGINNING.

Surveyed April 11, 2006

  
Gale Arnold, R.P.L.S. No. 3879  
WO #45252



- When a curve is included in the boundary, all essential curve elements should be recited in the description, the minimum being the arc distance, long chord course and distance, radius and central angle. ALL IMPROVEMENTS AND WATER FEATURES ON THE TRACT AND ALL ROADWAYS AND OTHER EASEMENTS OVERLAPPING A BOUNDARY OR CROSSING THE TRACT MUST BE SHOWN ON THE PLAT. THE AMOUNT OF LAND SUBJECT TO EACH EASEMENT OR WATERWAY MUST BE CALCULATED AND SET FORTH ON THE PLAT. IN SOME INSTANCES ROAD EASEMENTS MUST ALSO BE DESCRIBED BY METES AND BOUNDS. (SEE EASEMENTS BELOW.)

#### SUBDIVISION TRACTS

- If the tract selected is in a subdivision, a lot and block description of the tract may be substituted for the METES AND BOUNDS DESCRIPTION. If a lot and block description is to be used, the VLB must be furnished a certified copy of the recorded subdivision plat.
- This plat must show the recording information and the required signatures of the governmental entity (Commissioners' Court, City Council, etc.) authorized to accept such subdivision plat.
- Easements as necessary for access to a public road from all tracts must be clearly shown on the subdivision plat together with appropriate language dedicating such easements to the public or to the owners of tracts in the subdivision.
- All of the data required above should be shown on the face of the plat, including courses and distances for all lot lines and areas for each lot.
- All plats accepted shall identify the size and type of monument set at each corner of every lot. If a lot is part of a subdivision already of record where monumentation is not shown, a survey plat must be furnished indicating monuments set or found at all corners of the tract together with sufficient ties to locate the lot within the subdivision.

#### EASEMENTS (ROAD ACCESS)

IF A TRACT OF LAND DOES NOT ABUT A PUBLIC ROAD, a metes and bounds or centerline description of an access easement must be provided. For the purpose of these requirements, the term "public road" means any dedicated public roadway, designated to be within the county road system, state or federal highway, or city street.

- Access easement descriptions must:
  - meet minimum county width requirements for public roads or if there are none, be at least 60 feet wide
  - connect with both the tract and a public road.
  - clearly define the designation of the public road.
- If multiple easements are used, each segment must connect with and contain the calls to the segment(s) to which it connects.
- A roadway or easement that crosses a tract must be:
  - described by metes and bounds in such a way that its location and acreage may be determined.
  - referenced in the metes and bounds description of the main tract.

#### SURVEYOR PLEASE NOTE

- The VLB will not approve a survey of a tract that fails to meet any of the above requirements or any survey requirement of the Texas Board of Professional Land Surveying. Additionally, the VLB will not approve a survey of a tract unless it contains at least one acre, excluding any portion beneath a dedicated public roadway or navigable waterway or subject to frequent inundation or is otherwise unusable. It is the responsibility of the veteran and the seller to ensure the tract meets this one-acre minimum.
- The survey must also be acceptable to the title company for the purpose of issuing an Owner's Title Policy that includes Schedule B #2 amended to read: "shortages in area" only. If the Title Company is willing to amend Schedule B #2 with a survey that does not meet all of the VLB requirements, the VLB may waive its requirements but not those of the Texas Board of Professional Surveying.
- The adjusted mathematical closure of any survey shall be no less than 1:10,000.
- "Flag pole" shaped tracts must contain 1.0 acres in the main body of the tract, excluding the "pole."

#### SEVERANCES

The procedures for obtaining clear title (severance) to a portion of the land being purchased from the VLB are outlined below. Without a severance, a lender may be unable to make a mortgage loan to build on the tract because the purchaser is unable to give the lender a lien against the land. A severance may not be possible in all cases. Please read and follow the instructions carefully. If you have any questions regarding this information, contact the VLB Severance Department at 1-800-252-VETS (8387) or 512-475-1531.

NOTE: Any severance must comply with applicable city/county platting requirements.

1. After closing, the veteran account holder submits a drawing to scale, with dimensions of the area to be severed. The VLB account number and veteran's daytime telephone should also be submitted with the scaled drawing.

The drawing to scale for the proposed severance must show:

- A. The amount of acreage to be severed and its direct relationship to the parent tract.
- B. Access to a public road (the remaining acreage must also have access to a public road).
- C. That the severance does not include all of the road frontage of the tract (should leave a minimum width of sixty (60) contiguous feet of usable access for the parent tract).

- D. That the severance abuts two of the original boundary lines of the parent tract.
  - E. That the severed acreage does not take all of the available sources of water.
  - F. That the acreage remaining after the severance is a single marketable tract.
2. After the VLB receives the scaled drawing, a valuation of the land will be made to determine the amount to be paid (consideration) for the severed acreage.
  3. After the VLB receives the severance drawing, the account holder will be notified of the result. If approved, the following must be submitted:
    - A. Field notes and plat, prepared from the ground survey of the acreage to be severed, and completed by a Registered Professional Land Surveyor (survey requirements will be furnished with the severance approval letter), or a certified copy of the subdivision plat as required by law;
    - B. Consideration to be paid for the severed acreage.
    - C. Severance Deed fee of \$75.00.
  4. Severance Deed will be issued and can only show the following as grantee:
    - A. Original veteran purchaser and spouse (if applicable).
    - B. Last approved assignee.

NOTE: For severances to be used as a homesite, where access is needed across the parent VLB tract, this access must be part of the severance in fee simple, and will not be conveyed as an easement.

#### AN EXAMPLE OF A DESCRIPTION OF A TRACT OF LAND (FIELD NOTES) AS PREFERRED BY THE TEXAS VETERANS LAND BOARD

Being 12.89 acres of land, a part of the John Doe Survey No. 33, Abstract No. 214, lying and being situated in May County, Texas, about 6.7 miles S 45° E from Mayberry, the county seat. The said 12.89 acre tract also being a part of the lands described as 75.43 acres in a Deed from James D. Smith to Ralph T. Jones dated May 25, 1974 and recorded in Volume 195, page 221, of the Deed Records of May County, Texas. The said 12.89 acre tract being more particularly described in metes and bounds as follows:

BEGINNING at a set 1/2" iron rod in the west boundary line of the said 75.43-acre tract from which a 2" iron pipe found for the southwest corner of said tract bears S 00° 15' 00" W a distance of 246.45 feet;

THENCE N 00° 15' 00" E (same line called NORTH in the description of the said 75.43-acre tract) with the west line of the said 75.43-acre tract and with the existing fence a distance of 482.96 feet to a 1/2" iron rod set for corner;

THENCE N 89° 25' 15" E with an existing fence, at 422 feet crossing Crazy Creek at 895.56 feet passing a 1/2" iron rod set in the west right of way line of F.M. Highway No. 426, in all a distance of 945.56 feet to a point in the center of said road on a curve to the left;

THENCE with the centerline of said road along the curve to the left (long chord bears S 34° 44' 51" E a distance of 254.80 feet) whose radius is 445.65 feet and whose central angle for this part is 33° 13' 18" an arc distance of 258.40 feet to the end of said curve;

THENCE S 51° 21' 30" E continuing with the centerline of said road a distance of 261.14 feet to a point for the southeast corner of this tract from which a 1/2" iron rod set for reference corner bears N 38° 38' 30" E a distance of 50.00 feet;

THENCE S 38° 38' 30" W, at 50.00 feet passing a 1/2" iron rod set for reference corner in the southwest right of way line of F.M. Highway No. 426, at 220.50 feet passing a 1/2" iron rod set for reference corner on the east or right bank of Crazy Creek, in all a distance of 231.41 feet to a point for corner in the center of said creek;

THENCE down Crazy Creek with its meander as follows:

N 40° 32' 01" W a distance of 85.02 feet,

S 72° 41' 02" W a distance of 150.05 feet,

N 78° 35' 07" W a distance of 186.11 feet to a point for corner from which a 1/2" iron rod set for reference corner bears

IN 89° 42' 45" W, a distance of 10.00 feet;

THENCE N 89° 42' 45" W, at 10.00 feet passing said reference corner, in all a distance of 771.43 feet to the point of beginning and containing 12.89 acres of land of which 0.60 of one acre lies in the right of way of F.M. Highway No. 426.

The bearings recited herein are based on \_\_\_\_\_.

This description was prepared from a survey made on the ground under my supervision on \_\_\_\_\_.

\_\_\_\_\_  
Rod Transit  
Registered Professional Land Surveyor No. \_\_\_\_\_  
(ORIGINAL SIGNATURE REQUIRED)

Surveyor grants a limited license to the seller, Veterans Land Board, and the Veteran purchaser to copy and use the survey plat and/or field notes in this transaction and in any future transaction involving the Veterans Land Board or the Veteran purchaser.

JSLV INVESTMENTS, L.P.

By: SV MANAGEMENT, L.L.C., General Partner

BY:

LARRY VARDEMAN, VICE PRESIDENT

IN WITNESS WHEREOF, the undersigned has executed this instrument on the 20th day of February, 2004.

STATE OF TEXAS  
COUNTY OF Bell

\*\*\*\*\*  
NOTARY PUBLIC  
LINDA WHARTON  
Notary Public  
STATE OF TEXAS  
My Commission  
Expires 07/07/2007  
\*\*\*\*\*

This instrument was acknowledged before me on this the 20th day of February, 2004, by LARRY VARDEMAN, VICE PRESIDENT To certify which, witness my hand and seal of office.

Linda Wharton  
Notary Public, State of Texas

(printed name of Notary)

\*\*\*\*\*  
NOTARY PUBLIC  
LINDA WHARTON  
Notary Public  
STATE OF TEXAS  
My Commission  
Expires 07/07/2007  
\*\*\*\*\*

**EXHIBIT "A"**  
(legal description)

Field Notes for 253.51 Acres of land in the WILLIAM HANKINS SURVEY, A-1082, the G.C. & S.F. COMPANY SURVEY, A-1112, the J.T. DENSON SURVEY, A-1141, the S.N. NORFLEET SURVEY, A-1246, and the GEORGE W. PEACOCK SURVEY, A-995, in Bell County, Texas, being that land held and occupied by Jimmy Nick Lee and Ila Jane Montgomery Gibson under Affidavit of Heirship of record in Volume 4232, Page 804, being the residue of a called 160 acres conveyed and described in a deed to Nicholas Henderson in Volume 272, Page 326 and the residue of a called 185 acres described and conveyed to the said Henderson by deed of record in Volume 385, Page 599 of the said records of Bell County, and all that called 24.6 acres described and conveyed to the said Lee and Gibson by deed of record in Volume 5044, Page 753 of the Official Records of Bell County, Texas. Said 253.51 acre tract being shown on the attached plat and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod found at the southeast corner of that certain tract of land conveyed to William P. Newman, by deed of record in Volume 2142, Page 255 of the Deed Records of said county, being in the north line of Stillman Valley Road, for the southwest corner of the herein described tract of land;

Thence along the east line of said Newman tract and with a fence line the following two courses and distances:

1. N 19 degrees 25 minutes 43 seconds W - 486.55 feet to a 1/2" iron rod found and
2. N 19 degrees 12 minutes 40 seconds W - 292.81 feet to a 1/2" iron rod found at the northeast corner of said Newman tract being the most southerly southeast corner of that certain tract of land conveyed to Adrian M. Overstreet, Jr., by deed of record in Volume 2992, Page 224 of said deed records, for a corner of the herein described tract of land;

Thence along the east or southeast line of said Overstreet tract and with a fence line the following seven courses and distances:

1. N 19 degrees 13 minutes 49 seconds W - 277.81 feet to a 1/2" iron rod found,
2. N 46 degrees 05 minutes 25 seconds E - 247.65 feet to a 1/2" iron rod found,
3. N 70 degrees 34 minutes 03 seconds E - 355.90 feet to a 1/2" iron rod found,
4. N 76 degrees 45 minutes 57 seconds E - 214.20 feet to a 1/2" iron rod found,
5. N 80 degrees 36 minutes 18 seconds E - 328.57 feet to a 3/8" nail found in a 24" dia. Oak tree,
6. N 07 degrees 23 minutes 47 seconds E - 135.25 feet to a 1/2" iron rod found and
7. N 20 degrees 02 minutes 12 seconds E - 490.98 feet to a 1/2" iron rod found at the most easterly southeast corner of said Overstreet tract, being a corner in the south line of that tract conveyed to the Ella C. Richmon Irrevocable Trust, by deed of record in Volume 929, Page 27 of said deed records, for a corner of the herein described tract of land;

Thence along the south and easterly lines of the Ella C. Richmon Irrevocable Trust tract of land, and generally with a fence line the following ten courses and distances:

1. N 24 degrees 15 minutes 27 seconds E - 375.29 feet to a 1/2" iron rod found,
2. S 74 degrees 17 minutes 58 seconds E - 631.03 feet to a cotton spindle placed,
3. S 81 degrees 23 minutes 45 seconds E - 67.85 feet to a 1/2" iron rod placed,
4. S 87 degrees 08 minutes 41 seconds E - 882.06 feet to a 1/2" iron rod found,
5. N 16 degrees 50 minutes 06 seconds W - 1373.94 feet to a 24" twin oak tree,
6. N 28 degrees 39 minutes 59 seconds W - 345.00 feet to an 8" twin elm tree,
7. N 24 degrees 37 minutes 28 seconds W - 833.62 feet to a 1/2" iron rod found,
8. N 70 degrees 38 minutes 07 seconds E - 1779.19 feet to a 1/2" iron rod placed,
9. N 22 degrees 00 minutes 42 seconds W - 114.88 feet to a 1/2" iron rod placed, and
10. N 63 degrees 25 minutes 21 seconds E - 970.46 feet to a Cedar fence corner post on the west side of a private drive, for the northeast corner of the herein described tract of land;

EXHIBIT "A"  
(legal description)  
(page 2)

Thence S 19 degrees 47 minutes 27 seconds E - 1111.59 feet along a fence on the west line of the drive to a Cedar fence corner post,

Thence S 20 degrees 58 minutes 38 seconds E - 677.13 feet along said fence to a Cedar fence post, being in the north line of the Brookings Road, Old Florence Road, for the southeast corner of the herein described tract of land;

Thence along the north line of the said Road the following five courses and distances:  
1.S 20 degrees 12 minutes 49 seconds W - 211.71 feet to a 1/2" iron rod placed,  
2.S 28 degrees 09 minutes 06 seconds W - 564.67 feet to a 1/2" iron rod found,  
3.S 36 degrees 12 minutes 18 seconds W - 757.45 feet to a 1/2" iron rod placed,  
4.S 03 degrees 53 minutes 16 seconds E - 72.53 feet to a 1/2" iron rod placed, and  
5.S 30 degrees 13 minutes 59 seconds W - 113.70 feet to a 1/2" iron rod found at the intersection of said north line of road with the north line of said Stillman Valley Road, for a corner of the herein described tract of land;

Thence along the north line of said Stillman Valley Road the following eleven courses and distances:  
1.S 74 degrees 01 minutes 27 seconds W - 154.18 feet to a 1/2" iron rod placed,  
2.S 49 degrees 11 minutes 18 seconds W - 1333.98 feet to a 1/2" iron rod found at the southeast corner of that tract conveyed to Jimmy Nick Lee et al by deed of record in Volume 5044, Page 753, Official Public Records of said county,  
3.S 46 degrees 08 minutes 32 seconds W - 453.38 feet to a 1/2" iron rod found at a southerly corner of said Lee tract,  
4.S 46 degrees 01 minutes 13 seconds W - 705.59 feet to a 1/2" iron rod placed,  
5.S 51 degrees 04 minutes 51 seconds W - 164.66 feet to a 1/2" iron rod placed,  
6.S 56 degrees 19 minutes 46 seconds W - 119.52 feet to a 1/2" iron rod placed,  
7.S 67 degrees 13 minutes 31 seconds W - 209.54 feet to a 1/2" iron rod placed,  
8.S 75 degrees 24 minutes 25 seconds W - 507.13 feet to a 1/2" iron rod placed,  
9.S 75 degrees 26 minutes 56 seconds W - 822.61 feet to a 1/2" iron rod placed,  
10.S 67 degrees 37 minutes 58 seconds W - 274.55 feet to a 1/2" iron rod placed, and  
11.S 61 degrees 51 minutes 04 seconds W - 28.56 feet to the POINT OF BEGINNING.

FILED FOR RECORD  
04 FEB 25 PM 3 18  
VADA SECTION  
CNTY CLERK, BELL CNTY TX.  
DEPUTY

007744