

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

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

STATE OF TEXAS §
COUNTIES OF CROCKETT §
AND VAL VERDE §

Recitals

WHEREAS, RICHARD HOLCOMB, hereinafter called the Declarant, is the owner of all that certain real property located in Crockett and Val Verde County, Texas, described as follows:

Being all of that Surface Estate only in and to 5,051.917 acres of land lying and being situated in the Counties of Crockett and Val Verde, State of Texas, conveyed to Richard Holcomb from T. Mark White in Special Warranty Deed dated August 19th, 2003, recorded in Book 628, Page 718, Official Records of Crockett County, Texas and Volume 865, Page 23, Official Public Records of Val Verde County, Texas, more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

NOW, THEREFORE, it is hereby declared that all of the property described above shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title, or interest in or to the above described property or any part thereof, and their heirs, successors, and assigns, and which easements, restrictions, covenants, and conditions shall inure to the benefit of each owner thereof.

1. No structure, including houses, trailers, deer stands, deer feeders or hunting camps shall be located within 75 yards of any exterior boundary of any tract of land conveyed out of the above described property.
 2. There shall be no tracts divided or subdivided into tracts of less than 100.00 acres. This restriction shall be in force until January 1, 2014.
 3. The property herein described shall never be used as a dump for the depositing of environmental contaminants, which dump would require a permit or license from any governmental or quasi-governmental body. This restriction includes, but is not limited to vehicle tires being stored or left abandoned.
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4. No vehicle of any type shall be abandoned or worked on anywhere on this property for a period of more than 10 days.
5. The reservation of a fifteen foot (15') utility easement contiguous to and inside each of the property lines of each and every tract of land conveyed out of the above described property.
6. The legal description contains a non-exclusive road easement, which said easement shall be for the use and benefit of all property owners, their families, guests and invitees and no one shall place a gate or any other obstacle on or across the above mentioned easement. It shall be the responsibility of all property owners for the upkeep and expense thereof of the roadway easement as specifically described in the above mentioned easement.
7. An existing Grazing Lease is in effect until July 1, 2007. Buyers, at their option and expense, may fence off their property to keep animals out.

EXECUTED this 9th day of January, 2004.

DECLARANT

Richard Holcomb
RICHARD HOLCOMB

STATE OF TEXAS
COUNTY OF KERR

This instrument was acknowledged before me on the 9th day of January, 2004, by RICHARD HOLCOMB.

Cynthia D. Chacon
Notary Public, State of Texas



After recording return to:

Nagle & Nagle
501 Earl Garrett
Kerrville, Texas 78028

WATSON & ASSOCIATES OF MIDLAND, INC.**PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS**

P.O. Drawer 11186, Midland, Texas 79702, (432) 520-9200, Fax (432) 520-9212

E-mail watson@wam.wttxmail.com

LEGAL DESCRIPTION: BEING 5,051.917 ACRES OF LAND LYING IN AND BEING A PART OF SECTION 74, ABSTRACT 4997, BLOCK Q2, W. W. WILKINS SURVEY, SECTION 75, ABSTRACT 3085, BLOCK Q2, EL & RR RR SURVEY, SECTION 14, ABSTRACTS 5587 AND 3943, BLOCK Q3, TC RR SURVEY, SECTION 22, ABSTRACT 4067, BLOCK Q3, TC RR SURVEY, SECTION 23, ABSTRACTS 3498 AND 1409, BLOCK Q3, TC RR SURVEY, SECTION 24, ABSTRACT 5433, BLOCK Q3, TC RR SURVEY, SECTION 25, ABSTRACT 3499, BLOCK Q3, TC RR SURVEY, SECTION 26, ABSTRACTS 4067 AND 3695, BLOCK Q3, TC RR SURVEY, SECTION 29, ABSTRACT 1411, BLOCK Q3, TC RR SURVEY, SECTION 33, ABSTRACT 3503, BLOCK Q3, TC RR SURVEY, SECTION 34, ABSTRACT 5434, BLOCK Q3, TC RR SURVEY, SECTION 35, ABSTRACTS 3504 AND 1493, BLOCK Q3, TC RR SURVEY, SECTION 36, ABSTRACT 3696, BLOCK Q3, TC RR SURVEY, SECTION 41, ABSTRACTS 3507 AND 1413, BLOCK Q3, TC RR SURVEY, AND SECTION 42, ABSTRACT 5384, BLOCK Q3, TC RR SURVEY, AND ALL OF SECTION 27, ABSTRACT 3500, BLOCK Q3, TC RR SURVEY, AND SECTION 28, ABSTRACTS 5435 AND 3399, BLOCK Q3, TC RR SURVEY, IN CROCKETT AND VAL VERDE COUNTIES, TEXAS, AND BEING A PART OF A 6,552.468 ACRE TRACT CONVEYED BY DEED RECORDED IN VOLUME 497, PAGE 13, OF THE OFFICIAL PUBLIC RECORDS OF CROCKETT COUNTY, TEXAS; SAID 5,051.917 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF WATSON AND ASSOCIATES OF MIDLAND, INC. JANUARY THROUGH JULY, 2003:

BEGINNING THE CENTER LINE OF A CATTLE GUARD ON A BOUNDARY FENCE LOCATED IN THE SAID SECTION 75 AND WITHIN THE BOUNDS OF THE SAID 6,552.468 ACRE TRACT. SAID BEGINNING POINTS, LAMBERT GRID COORDINATES, TEXAS CENTRAL ZONE, NAD 27 COORDINATES ARE N = 235,246.578' and E = 1,622,508.112';

THENCE N 20°55'43" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 43.14 FEET TO A FOUND FOUR INCH IRON PIPE FENCE CORNER POST;

THENCE N 00°16'10" W, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 108.01 FEET TO A FOUND FOUR INCH IRON PIPE FENCE CORNER POST;

EXHIBIT "A"

W-221-03/A/projects/crma4/fnd/5052 ac tr mark white 7 13 03 .doc

THENCE N 60°11'29" W, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 27.20 FEET TO A FOUND FOUR INCH IRON PIPE FENCE CORNER POST;

THENCE N 45°24'18" W, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 12.01 FEET TO A FOUND FOUR INCH IRON PIPE FENCE CORNER POST;

THENCE N 56°27'03" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 136.71 FEET TO A FOUND EIGHT INCH CEDAR FENCE CORNER POST;

THENCE N 18°50'08" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 383.11 FEET TO A FOUND THREE INCH CEDAR FENCE CORNER POST;

THENCE S 64°14'14" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 80.15 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE N 46°30'28" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 491.39 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE N 57°12'30" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 1,829.65 FEET TO A FOUND FOUR INCH CEDAR FENCE CORNER POST;

THENCE S 27°38'14" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 252.45 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE S 57°38'14" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 1,931.74 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE N 86°38'13" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 2,672.20 FEET TO A FOUND FENCE CORNER POST;

THENCE N 52°12'02" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 3,772.62 FEET TO A FOUND THREE INCH IRON PIPE FENCE CORNER POST, THE COMMON OCCUPIED CORNER OF THAT CERTAIN 724.031 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 493, PAGE 660, OF THE SAID CROCKETT COUNTY DEED RECORDS, THAT CERTAIN 1,004.116 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 493, PAGE 620, OF THE SAID DEED RECORDS AND THE SAID 6,552.468 ACRE TRACT;

EXHIBIT "A"

THENCE S 62°14'27" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 2,495.47 FEET TO A FOUND THREE INCH IRON PIPE FENCE CORNER POST;

THENCE N 14°45'45" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 4.90 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE N 46°05'42" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 675.05 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE S 32°59'32" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 88.31 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE N 88°46'45" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 834.27 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE S 72°32'22" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 54.02 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST;

THENCE N 31°44'46" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,004.116 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 41.57 FEET TO A FOUND TWO INCH IRON PIPE FENCE CORNER POST. THE COMMON OCCUPIED CORNER OF THE SAID 1,004.116 ACRE TRACT, THE SAID 6,552.468 ACRE TRACT AND THAT CERTAIN 1,655.062 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 530, PAGE 599, OF THE SAID CROCKETT COUNTY DEED RECORDS;

THENCE S 58°29'29" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,783.19 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 46°45'00" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 4,083.77 FEET TO A FOUND FOUR INCH CEDAR FENCE CORNER POST;

EXHIBIT "A"

THENCE S 23°41'07" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 927.75 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 18°20'06" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 754.02 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 18°41'36" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 828.63 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 58°34'22" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 1,655.062 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, AT 1,165.4 FEET CROSSING THE COMMON OCCUPIED CORNER OF THE SAID 1,655.062 ACRE TRACT, THE SAID 6,552.468 ACRE TRACT AND THAT CERTAIN 9,866.71 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 583, PAGE 409, OF THE SAID DEED RECORDS, CONTINUING IN ALL A DISTANCE OF 3,110.57 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 69°37'56" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,866.71 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 237.17 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 28°11'04" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,866.71 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 5,381.14 FEET TO A FOUND FOUR INCH CEDAR FENCE CORNER POST, THE COMMON CORNER OF THE SAID 9,866.71 ACRE TRACT, THE SAID 6,552.468 ACRE TRACT AND THAT CERTAIN 9,426.23 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 118, PAGE 86, IN THE SAID DEED RECORDS;

THENCE S 80°24'37" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,981.16 FEET TO A FOUND EIGHT INCH CEDAR FENCE CORNER POST;

THENCE S 80°18'17" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,390.84 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

EXHIBIT "A"

THENCE S 51°58'44" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,325.38 FEET TO A FOUND FENCE CORNER POST;

THENCE S 62°52'07" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 805.80 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 76°35'46" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 2,208.81 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE S 72°29'00" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 2,960.69 FEET TO A FOUND TEN INCH CEDAR FENCE CORNER POST;

THENCE N 87°45'08" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,068.81 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

THENCE N 87°47'16" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 9,426.23 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 1,646.35 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST, THE COMMON CORNER OF THE SAID 9,426.23 ACRE TRACT, THE SAID 6,552.468 ACRE TRACT AND THAT CERTAIN 31,917.82 ACRE TRACT CONVEYED BY DEED AND RECORDED IN VOLUME 166, PAGE 217, IN THE SAID DEED RECORDS;

THENCE N 25°18'34" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 31,917.82 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 3,765.40 FEET TO A FOUND TEN INCH CEDAR FENCE CORNER POST;

THENCE N 25°32'37" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 31,917.82 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 325.71 FEET TO A FOUND EIGHT INCH CEDAR FENCE CORNER POST;

THENCE N 01°07'24" E, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 31,917.82 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 4,396.03 FEET TO A FOUND EIGHT INCH CEDAR FENCE CORNER POST;

EXHIBIT "A"

Field Note Description
5,051.917 Acre Tract
Dog Canyon Ranch, Crockett County, Texas

BOOK 631 PAGE 722
Page #6
7/20/03

THENCE N 78°57'30" W, WITH THE MEANDERS OF AN ANCIENT FENCE, THE OCCUPIED COMMON LINE OF THE SAID 31,917.82 ACRE TRACT AND THE SAID 6,552.468 ACRE TRACT, A DISTANCE OF 4,992.03 FEET TO A FOUND THREE INCH CEDAR FENCE CORNER POST;

THENCE N 22°06'52" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 231.11 FEET TO A FOUND FENCE CORNER POST;

THENCE N 20°12'41" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 2,809.98 FEET TO A FOUND SIX INCH CEDAR FENCE CORNER POST;

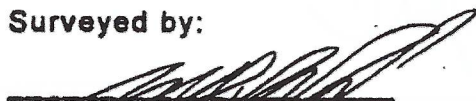
THENCE N 26°29'18" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 1,122.88 FEET TO A FOUND EIGHT INCH CEDAR FENCE CORNER POST;

THENCE S 68°10'18" E WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 95.35 FEET TO A FOUND FOUR INCH IRON PIPE FENCE CORNER POST;

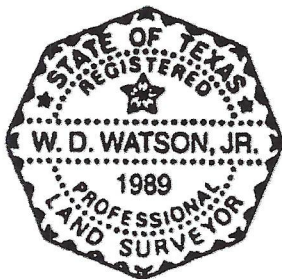
THENCE N 20°55'43" E, WITH THE MEANDERS OF AN ANCIENT FENCE, A DISTANCE OF 19.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 5,051.917 ACRES OF LAND, MORE OR LESS, AND SHOWN ON THE CERTIFIED PLAT PREPARED HEREWITH.

Note: Bearings and distances shown hereon are based on Lambert Grid Coordinates, NAD 27, Texas Coordinate System, "Texas Central Zone" with average scale factor of 0.99989555. Iron rods set are ½ inch rebar with plastic caps marked as noted

Surveyed by:


W. D. Watson, RPLS

July 19, 2003



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01/16/2004 11:41:38 AM
Filed & Recorded in
Official Records of
CROCKETT COUNTY
DEBBY PUCKETT
COUNTY CLERK
Fees \$28.00

EXHIBIT "A"