

GRAZING LEASE

STATE OF TEXAS                   §  
   §  
COUNTY OF LAMPASAS       §

This Lease Agreement is by and between FRANK DEAN BECK, JR. AND JENNIFER LIGGIO BECK (herein called "Lessor"), and Leonard Guenter, (herein called "Lessee"), who covenant and agree as follows, to wit:

**I.**

Lessor is the owner of that certain tract of land, more or less situated in Burnet County, Texas, more fully described as:

Being A 20.02 acre tract of land out of the Lucinda Priest Survey, Abstract No. 1125, Lampasas County, Texas.  
Tract 25 Skyview Ranch, Lampasas County, Texas.

In consideration of the mutual covenants contained herein, Lessor lets and leases to Lessee and Lessee agrees to lease from Lessor, that certain herein described tract of land.

**II.**

This lease is for a term of ten (10) years from the date hereof and will renew for successive ten (10) year terms unless terminated by other party. Either party can terminate this lease at any time by giving ninety (90) days' notice to the other party.

**III.**

Lessee hereby agrees to pay Lessor, without deduction or offset, a base rental (the "Base Rental") of TEN (\$10.00) DOLLARS and other good and valuable consideration, the receipt of which is acknowledged by the parties.

**IV.**

The parties agree that the subject property shall be used for agricultural grazing purposes only.

Lessee agrees to prevent waste and damage to the property and to prevent overgrazing.

Lessee shall have access to water already existing on the property.

The parties agree that all grazing animals are the property of Leonard Guenter and are not be shot, hunted or killed.

In the event the property is fenced and no water is available on the property, Lessee shall have the right to terminate the lease agreement.

Lessor shall not remove the perimeter fence on the property that encompasses the subdivision without the written consent of Lessee.

V.

If Lessee fails to perform or observe any provision of this Lease and fails to remedy the same within two (2) weeks after notice of Owner, or if bankruptcy proceedings are commenced by or against Lessee or an assignment for the Benefit of creditors is made by Lessee, the same shall constitute a default under this Lease.

VI.

Any signatory to this Lease who is the prevailing party in any legal Proceeding brought under or with relation to this Lease or transaction shall be additionally entitled to recover court costs and reasonable attorney's fees from the non-prevailing party.

LESSEE:



Signature

Leonard Guenter

Printed Name

5949 CR 200

Address

Burnet, Tx 78611

City / State / Zip Code

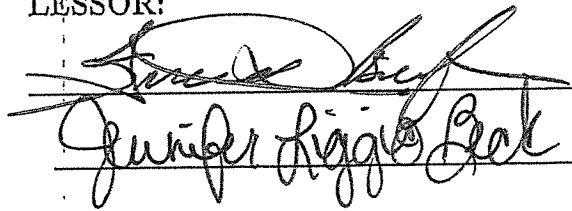
Guenterconstruction@gmail.com

Email Address

512-417-8970

Phone Number

LESSOR:



6118 Chapel Falls Ln.

Address

Fulshear, TX 77441

City / State / Zip Code

frank.beck74@gmail.com

Email Address

832-465-7671

Phone Number

# MATKIN HOOVER ENGINEERING & SURVEYING

S SPENCER ROAD, SUITE 100, BOERNE, TEXAS 78006  
PHONE: 830-249-0600 FAX: 830-249-0099  
TEXAS REGISTERED SURVEYING FIRM F-10024000

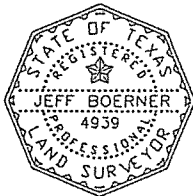
## EXHIBIT "A" FIELD NOTES FOR A 20.02 ACRE TRACT OF LAND (LOT 25 - SKYVIEW RANCH)

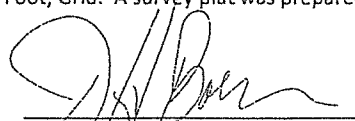
BEING A 20.02 ACRE TRACT OF LAND OUT OF THE LUCINDA PRIEST SURVEY, ABSTRACT NO. 1125, LAMPASAS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN CALLED 320.315 ACRE TRACT RECORDED IN VOLUME 518, PAGES, DEED RECORDS OF LAMPASAS COUNTY, TEXAS, SAID 20.02 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a ½" iron rod with red "Matkin-Hoover Eng. & Survey" plastic cap set for the south corner of the herein described tract, in the northwest right-of-way line of County Road No. 2080, the southeast boundary line of the called 320.315 acre tract, said point bears N 69° 55' 09" E, a distance of 1531.34' and N 69° 00' 09" E, a distance of 1028.09' from a ½" iron rod found at the south corner of the called 320.315 acre tract, at the intersection of the northwest right-of-way line of County Road No. 2080, with the northeast right-of-way line of County Road No. 2001;

- (1) Thence, N 24° 27' 42" W, departing the northwest right-of-way line of County Road No. 2080, the southeast boundary line of the called 320.315 acre tract, with the southwest boundary line of the herein described tract, a distance of 1633.83' to a ½" iron rod with red "Matkin-Hoover Eng. & Survey" plastic cap set for corner;
- (2) Thence, N 68° 12' 08" E, with the northwest boundary line of the herein described tract, a distance of 533.08' to a ½" iron rod with red "Matkin-Hoover Eng. & Survey" plastic cap set for corner;
- (3) Thence, S 24° 27' 42" E, with the northeast boundary line of the herein described tract, a distance of 1641.29' to a ½" iron rod with red "Matkin-Hoover Eng. & Survey" plastic cap set for corner in the northwest right-of-way line of County Road No. 2080, the southeast boundary line of the called 320.315 acre tract;
- (4) Thence, S 69° 00' 09" W, (S 69° 00' 09" W, record), with the northwest right-of-way line of County Road No. 2080, the southeast boundary line of the called 320.315 acre tract, the southeast boundary line of the herein described tract, a distance of 533.47' to the POINT OF BEGINNING and containing 20.02 acres of land, more or less.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.



  
Jeff Boerner Date: 05-27-2016  
RPLS #4939  
Job #16-5043 20.02 ACRES  
(LOT 25 - SKYVIEW RANCH)



# Application for 1-d-1 (Open-Space) Agricultural Use Appraisal

Property Tax  
**Form 50-129**

Lampasas County Appraisal District

512-556-8058

Appraisal District's Name

P. O. Box 175, Lampasas, Tx 76550-0175

Phone (area code and number)

Address, City, State, ZIP Code

## IMPORTANT INFORMATION FOR APPLICANTS

Article VIII, Section 1-d-1, Texas Constitution, and Chapter 23, Subchapter D, Texas Property Tax Code, provide for appraisal of open-space land.

Land qualifies for special appraisal (1-d-1 appraisal) if it has been (1) used for agriculture for five of the preceding seven years and is currently devoted principally to agricultural use as defined by statute, (2) used to protect federally listed endangered species under a federal permit, or (3) used for conservation or restitution projects under certain federal and state statutes. The land must also be used for agriculture to the degree of intensity generally accepted in the area. The value of the land is based on the annual net income from a typical lease arrangement that would have been earned from the land during the five-year period preceding the year before the date of appraisal by an owner using ordinary prudence in the management of the land and the farm crops and livestock produced or supported on the land, including income received from hunting or recreational leases.

On or after Jan. 1, 2008, an individual is not entitled to have land designated for agricultural use if the land secures a home equity loan described by Article XVI, Section 50(a)(6), Texas Constitution.

If you have questions on completing this application or on the information concerning additional taxes and penalties created by a change of use of the land, you may consult the State Comptroller's Manual for the Appraisal of Agricultural Land and your appraisal district staff. The manual may be found on the Comptroller's Web site at [comptroller.texas.gov/taxinfo/proptax](http://comptroller.texas.gov/taxinfo/proptax) under the section concerning appraisal manuals.

You must complete this application in full and file it with the chief appraiser before May 1 of the year you are applying for agricultural appraisal. To be accepted, this form must contain information necessary to determine the validity of the claim. If your application is approved, you do not need to file again in later years unless the chief appraiser requests a new application. The chief appraiser may disapprove the application and request additional information. The chief appraiser may deny the application and you may protest that determination to the county appraisal review board in a timely manner. If the chief appraiser requests additional information from an applicant, the information must be furnished within 30 days after the date of the request, or the application is denied. For good cause shown, the chief appraiser may extend the deadline for furnishing the information by written order for a single 15 day period.

You may file a late application up to midnight the day before the appraisal review board approves appraisal records for the year which usually occurs in July. If you file a late application and your application is approved, you must pay a penalty equal to 10 percent of the difference between the amount of tax imposed on the property and the amount that would be imposed if the property were taxed at market value.

## OTHER IMPORTANT INFORMATION

If the initial application form does not contain all the information needed to determine whether property qualifies, the chief appraiser may request additional information. The chief appraiser may request only additional information that is necessary to determine whether the land qualifies for 1-d-1 appraisal.

You must notify the chief appraiser in writing if you: stop using your property for agriculture (e.g., you voluntarily decide to stop farming); change the category of your use (e.g., you change from dry cropland to irrigated cropland); change the level of your use (e.g., you substantially increase or decrease the number of cattle you raise); change the nature of your use (e.g., you switch from growing corn to growing ornamental plants); enter, leave or change governmental programs (e.g., you put 100 acres in Conservation Reserve Program); or if you begin using your land for something other than agriculture (e.g., you build a shopping center on most of your land). You must deliver this notice no later than the April 30 following the change in use or eligibility.

## PENALTIES

If your land receives agricultural appraisal and you fail to notify the chief appraiser of a change in agricultural use, you may be required to pay a penalty. You will be required to pay a substantial additional tax plus interest (a "rollback" tax) if you stop using all or part of the property for agriculture.

### STEP 1: State the Year for Which You are Seeking Agricultural Use Appraisal

2017

State the year for which you are seeking agricultural use appraisal

### STEP 2: Provide Name, Mailing Address and Date of Birth of Property Owner

Frank Dean Beck, Jr. and Jennifer Ligigio Beck

Name of Property Owner

6118 Chapel Falls Lane

Mailing Address

Fulshear, Tx 7441

City, State, ZIP Code

9/13/74 8/25/80

Birth Date (if owned by an individual)\*

832-465-7671

Phone (area code and number)

\* Failure to provide date of birth does not affect your eligibility for special appraisal.

The Property Tax Assistance Division at the Texas Comptroller of Public Accounts provides property tax information and resources for taxpayers, local taxing entities, appraisal districts and appraisal review boards.

For more information, visit our website:  
[comptroller.texas.gov/taxinfo/proptax](http://comptroller.texas.gov/taxinfo/proptax)

50-129 • 08-15/13



# Application for 1-d-1 (Open-Space) Agricultural Use Appraisal

## STEP 3: Describe the Property for Which you are Seeking Agricultural Use Appraisal

Give legal description, abstract numbers, field numbers or plat numbers. You may attach last year's tax statement, notice of appraised value or other correspondence identifying the property, rather than completing this section.

Being 20.02 acres in Lampasas County, Texas, and being more fully described in Exhibit "A" attached hereto.  
Tract No. 25, Skyview Ranch, Lampasas County, Texas.

Appraisal District Account Number (if known)

20.02  
Number of Acres for Which Application is Made

Please check the appropriate box for "Yes" or "No"

- Has the ownership of the property changed since January 1 of last year or since the last application was submitted? ..... ☒ Yes ☐ No  
If yes, the new owner must complete all applicable questions, including Step 4 and Step 5, if the land is used to manage wildlife.
- Last year, were you allowed 1-d-1 appraisal on this property by the chief appraiser of this appraisal district? ..... ☐ Yes ☒ No  
If no, you must complete all applicable questions, including Step 4 and Step 5, if the land is used to manage wildlife.  
If yes, you need only complete those parts of Steps 4 and 5 that have changed since your earlier application or any information in Steps 4 and 5 requested by the chief appraiser.
- Is this property located within the corporate limits of a city or town? ..... ☐ Yes ☒ No

## STEP 4: Describe the Property's Use

Agricultural use includes, but is not limited to, the following activities: (1) cultivating the soil; (2) producing crops for human food, animal feed, or planting seed or for the production of fibers; (3) floriculture, viticulture and horticulture; (4) raising or keeping livestock; (5) raising or keeping exotic animals or fowl for the production of human food or fiber, leather, pelts or other tangible products having a commercial value; (6) planting cover crops or leaving land idle for the purpose of participating in a governmental program provided the land is not used for residential purposes or a purpose inconsistent with agricultural use or leaving the land idle in conjunction with normal crop or livestock rotation procedures; (7) wildlife management; and (8) beekeeping.

Wildlife management is defined as actively using land that at the time the wildlife-management use began, was appraised as qualified open-space or timber land under Tax Code, Chapter 23, Subchapter D or E, to propagate a sustaining breeding, migrating or wintering population of indigenous wild animals for human use, including food, medicine, or recreation, in at least three of the following ways: (1) habitat control; (2) erosion control; (3) predator control; (4) providing supplemental supplies of water; (5) providing supplement supplies of food; (6) providing shelters; and (7) making census counts to determine population.

Wildlife management is also actively using land to protect federally listed endangered species under a federal permit if the land is included in a habitat preserve subject to a conservation easement created under Chapter 183 Natural Resources Code or part of a conservation development under a federally approved habitat conservation plan restricting the use of the land to protect federally listed endangered species or actively using land for a conservation or restoration project under certain federal and state statutes is wildlife management. These two types of wildlife management uses do not require showing a history of agricultural use but do require evidence identified in Step 4, Questions 4 and 5.

Agricultural land use categories include: (1) irrigated cropland, (2) dry cropland, (3) improved pastureland, (4) native pastureland, (5) orchard, (6) wasteland, (7) timber production, (8) wildlife management, and (9) other categories of land that are typical in your area.

For more information, visit our website: [comptroller.texas.gov/taxinfo/proptax](http://comptroller.texas.gov/taxinfo/proptax)

# Application for 1-d-1 (Open-Space) Agricultural Use Appraisal



Please answer the following questions fully. You may list the agricultural use of your property according to the agricultural land categories listed in the preceding paragraph. You may divide the total acreage according to individual uses to which the land is principally devoted.

- Describe the current and past agricultural uses of this property as described above, starting with the current year and working back 5 years or until you have shown 5 out of 7 years of agricultural use.

Year	Agricultural Use Category of Land (list all that apply)	Acres Principally Devoted to Agricultural Use
Current		
<sup>1</sup> 2010	Grazing Lease	442
<sup>2</sup> 2011	Grazing Lease	442
<sup>3</sup> 2012	Grazing Lease	442
<sup>4</sup> 2013	Grazing Lease	442
<sup>5</sup> 2014	Grazing Lease	442
<sup>6</sup> 2015	Grazing Lease	442
<sup>7</sup> 2016	Grazing Lease	

- If you raise livestock, exotic animals, exotic fowl or manage wildlife on the property, list the livestock or exotics raised or the type of wildlife managed and the number of acres used for this activity. You may attach a list if the space is not sufficient.

Livestock/Exotics/Wildlife	Number of Acres
Grazing Lease	20.02

- If you raise livestock or exotic animals, how many head (average per year) do you raise?

Livestock/Exotics	Number of Head

- If you grow crops (including ornamental plants, flowers or grapevines), list the crops grown and the number of acres devoted to each crop. You may attach a list if the space is not sufficient.

Type of Crop	Number of Acres

- If you have planted cover crops or your land is lying idle because you are participating in a governmental program, please list these programs and the number of acres devoted to each program. You may attach a list if the space is not sufficient.

Program Name	Number of Acres

- Is this property now used for any non-agricultural activities? List all non-agricultural uses and the number of acres devoted to the use. You may attach a list if the space is not sufficient.

Non-Agricultural Use	Number of Acres



**STEP 5: Describe Wildlife Management Use**

Do not complete this step if you are not using the land to manage wildlife as permitted by law.

If you are using the land to manage wildlife, list at least three of the wildlife management practices listed in the description found in Step 4 above in which you manage wildlife.

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_

Please indicate the property's agricultural land use category, as described in Step 4, for the tax year preceding the land's conversion to wildlife management use. An example is that the land was categorized as native pasture before conversion to wildlife management. It is necessary that the category of use prior to conversion be identified in response to this request.

Please attach a wildlife management plan completed on a form prescribed by the Texas Parks and Wildlife Department for the property described in Step 3. A form may be obtained at [tpwd.state.tx.us/landwater/land/private/agricultural\\_land/](http://tpwd.state.tx.us/landwater/land/private/agricultural_land/).

1. (a) Was the land subject to wildlife management a part of a larger tract of land qualified for 1-d-1 or timber land appraisal on January 1 of the previous year? ..... ☐ Yes ☐ No
- (b) Is the current ownership of the land subject to wildlife management different from the ownership on January 1 of the previous year? ..... ☐ Yes ☐ No
2. Is any part of the land subject to wildlife management managed through a wildlife management property association? ..... ☐ Yes ☐ No

If yes, please attach a written agreement obligating the owners in the association to perform wildlife management practices necessary to qualify wildlife management land for 1-d-1 appraisal.

3. Is any part of the land that is the subject of this application located in an area designated by the Texas Parks and Wildlife Department as a habitat for an endangered species, a threatened species, or a candidate species for listing by Texas Parks and Wildlife Department as threatened or endangered? ..... ☐ Yes ☐ No
4. Is the land that is the subject of this application subject to a permit issued under Section 7 or 10(a) of the Federal Endangered Species Act? ..... ☐ Yes ☐ No

If yes, is the land included in a habitat preserve and subject to a conservation easement created under Chapter 183, Texas Natural Resources Code or part of a conservation development under a federally approved habitat conservation plan? ..... ☐ Yes ☐ No

If you answer yes to Questions 4(a) and (b), provide evidence of the permit and of the conservation easement or habitat conservation plan. Your application cannot be approved without this evidence.

5. Is the land that is the subject of this application actively used for a conservation or restoration project providing compensation for natural resources damage under one or more of the following laws:
- Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Section 9601 et seq.) ..... ☐ Yes ☐ No
- Oil Pollution Act (33 U.S.C. Section 2701 et seq.) ..... ☐ Yes ☐ No
- Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.) ..... ☐ Yes ☐ No
- Chapter 40, Texas Natural Resources Code ..... ☐ Yes ☐ No

If yes to any of the above, provide evidence of the conservation easement, deed restriction, or settlement agreement with the Texas Commission on Environmental Quality. Your application cannot be approved without this evidence.

**STEP 6: Conversion to Timber Production**

1. Did you convert the land subject to this application to timber production after September 1, 1997? ..... ☐ Yes ☒ No

If yes, on what date did you convert to timber production? \_\_\_\_\_

2. Do you wish to have the land subject to this application continue to be appraised as 1-d-1 land? ..... ☒ Yes ☐ No

If yes, complete Question 1 in Step 4 and all other questions in that step that describe the previous agricultural use of this land.

**STEP 7: Read, Sign, and Date**

By signing this application, you certify that the information provided in this application is true and correct to the best of your knowledge and belief.

print here ▶ Franklin Dean Beck, Jr. Jennifer Liggio Beck Title \_\_\_\_\_  
Print Name

sign here ▶ *Franklin Dean Beck, Jr. Jennifer Liggio Beck* Date 7-22-16  
Authorized Signature

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Section 37.10, Penal Code.