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## DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

39449

This Declaration of Covenants, Conditions, Restrictions and Easements is dated February 18, 2005, and is executed by Gentry Creek Ranches, L.P. ("Gentry"), a Texas limited partnership.

WHEREAS, Gentry is the record owner of 12,850.02 acres of land located in Kimble County, Texas, as described on Exhibit "A", attached hereto and made a part hereof ("Property"); and

WHEREAS, Gentry desires to subject the Property to the covenants, conditions, restrictions and easements set forth in this instrument, pursuant to an established general plan for the improvement, development and use of the Property.

NOW THEREFORE, it is hereby declared that all of the Property shall hereafter be held, sold and conveyed subject to the following covenants, conditions, restrictions and easements which are for the purpose of protecting the value and desirability of, and which shall run with the Property, and which shall be binding on all parties having any right, title, or interest in or to the Property or any part thereof, and their heirs, successor and assigns, and which covenants, conditions, restrictions and easements shall inure to the benefit of each Owner, and any deed which may hereafter be executed in connection with the Property, or any part thereof, shall be conclusively held to have been executed, delivered and accepted subject to the terms and conditions contained in this instrument, regardless of whether or not such terms and conditions are specifically set out in said deed.

## I. DEFINITIONS

- 1.01. "Owner" shall refer to the record owner, whether one or more persons or entities, of the fee simple title to the surface of any portion of the Property, excluding however, those persons or entities having an interest therein merely as security for the performance of an obligation.
- 1.02. "Tract" shall refer to any portion of the Property which is less than the entirety of the Property.
- 1.03 "Additional Restrictions Acreage" shall refer to any portion of the real property described on Schedule 1.03 hereof.

# II. RESTRICTIONS

- 2.01. No Tract of the Additional Restrictions Acreage shall contain less than 200 acres.
- 2.02. Any manufactured home or modular home installed on the Property shall have a minium of 1,200 square feet of living area, exclusive of porches, breezeways, garages, carports or basements, be classified as at least a "double-wide" manufactured home or modular home, be not more than five years old when installed on the Property, and be fully skirted.

- 2.03. No industrial, manufacturing or commercial activity of any kind is permitted on the Property except for those limited agricultural, ranching and wildlife activities which are permitted pursuant to the terms of this instrument. Without limiting the foregoing, no: recreational vehicle or manufactured home park; mortuary or cemetery (other than private family sites); sexually oriented business; nightclub, bar or dance hall; junk yard, salvage yard; slaughter house; livestock, feedyard, poultry or pig operation; rendering operation; animal boarding/kennel operation; retail, industrial, manufacturing or wholesale business; professional, office or other services business; landfill operation; or commercial processing or bottling of water; shall be located on the Property.
- 2.04. Swine, except for a maximum of three (3) associated with the limited purpose of an FFA or 4-H project on a seasonal basis, shall not be kept on any Tract. Other livestock, pets, poultry, deer and other wildlife, including exotic game, are permitted provided such livestock, pets, poultry, deer and other wildlife, including exotic game: are kept within the boundaries of said Tract at all times; are not offensive to adjacent Tract Owners by smell, sight, sound or otherwise; and do not constitute "feed lot" operations or commercial breeding of animals. Not withstanding the forgoing prohibition on "commercial breeding of animals," cattle grazing on a Tract while simultaneously raising young (i.e. cow/calf operation) and the raising of deer and other wildlife, including exotic game, shall not be considered commercial breeding of animals so long as such activities otherwise comply with the requirements and limitations imposed by this instrument.
- 2.05. No hunting blinds, feeders or other similar improvements (temporary or permanent) shall be located within 500 feet of the boundary lines of any Tract associated with the Additional Restrictions Acreage, and no single-family residence, barn or other similar improvement shall be located within 500 feet of the boundary lines of any Tract associated with the Additional Restrictions Acreage. No hunting blinds, feeders or other similar improvements (temporary or permanent) shall be located within 200 feet of the boundary lines of any Tract associated with the Property which is not a portion of the Additional Restrictions Acreage, and no single-family residence, barn or other similar improvement shall be located within 200 feet of the boundary lines of any Tract associated with the Property which is not a portion of the Additional Restrictions Acreage.
- 2.06. Except as otherwise permitted by law or this instrument, noxious or offensive activities may not be conducted on any Tract, nor shall anything be done on any Tract which shall be an annoyance or nuisance to adjoining Tract Owners. All Owners must keep their respective Tracts clean and neat in appearance and free of litter. Disposal of any kind shall not be allowed that would pollute any stream or body of water or which would be unsightly, offensive, or otherwise adversely affect the natural beauty and value of the Property. No Tract may be used as a dumping ground for garbage, rubbish or other trash, and no garbage, rubbish or trash shall be buried on any Tract.
- 2.07. Abandoned or inoperative equipment, automobiles, trucks, trailers, or other vehicles or junk shall not be permitted or stored on any Tract nor shall there be any dumping or placing of unsightly objects of any kind of any Tract.
- 2.08. All perimeter fences or interior fences erected on any Tract shall be of new material and professional in appearance, and completed in a good and workmanlike manner regarding quality and appearance.

- 2.09. All outdoor lighting must be designed and actually utilized in such a way as to minimize light pollution. This includes, but is not limited to, installation of shields on outdoor lighting to direct light downward.
- 2.10. Oil, gas and other mineral operations with respect to the Moody Mineral Interest shall be conducted on the Property in accordance with the terms of a surface use agreement ("Surface Use Agreement") dated October 5, 2004 between The Moody Foundation, a Texas Trust, and the Moody National Bank, Trustee of the Libbie Shearn Moody Trust, and their assigns, and Gentry Creek Ranches, L.P., recorded at Volume 160, Page 185, Deed Records, in the office of the County Clerk, Kimble County, Texas. The term "Moody Mineral Interest" as used in this instrument shall have the meaning assigned to such term in the Surface Use Agreement.
- 2.11 No commercial mining, excavation, storage, removal or other similar operation with respect to rock, soil, sand, gravel, caliche or any other material which is owned by the owner of the surface estate of the Property ("Surface Materials"), as opposed to the owner of the mineral estate of the Property, shall be conducted on the Property. The prohibitions in this section, however, do not prohibit an Owner from using reasonable amounts of Surface Materials for the construction of private roadways or other permitted improvements which are located on a Tract.

## III. GENERAL PROVISIONS

- 3.01. Any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, covenants, conditions and easements now or hereafter imposed by the provisions of this instrument. Failure to enforce any covenant, condition, restriction or easement herein contained shall in no event be deemed a waiver of the right to do so thereafter.
- 3.02. Invalidation of any one of the covenants, restrictions, conditions or easements contained in this instrument by judgment or court order shall in no way affect any other provisions hereof, and all other provisions shall remain in full force and effect.
- 3.03. If any controversy, claim, or dispute arises relating to this instrument, its breach, or enforcement, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorneys' fees and costs.
- 3.04. This instrument shall be liberally construed to effectuate its purpose of creating a uniform plan for the Property.
- 3.05. Any notice required or permitted by this instrument shall be given by certified mail, return receipt requested. A notice is deemed delivered when deposited in the mail, with postage prepaid, addressed to the Owner at the Owner's address as it appears in the records of the Kimble County Tax Appraisal District.
- 3.06. The covenants, conditions, restrictions and easements contained in this instrument shall run

with and bind the Property and shall inure to the benefit of, and be enforceable by the Owner of any Tract, and their respective legal representatives, heirs, successors and assigns. The covenants, conditions and restrictions shall be effective until 11:59 p.m. on December 31, 2030, after which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years, unless amended as provided in this section. The covenants, conditions and restrictions contained in this instrument may be amended at any time on or after January 1, 2031, by an instrument signed by Owners representing not less than 51% of the total acreage which comprises the Property. No amendment shall be effective until the amendment is duly recorded in the Official Records of Kimble County, Texas by Owners representing not less than 51% of the total acreage which comprises the Property.

EXECUTED effective as of the date and year first written above.

GENTRY CREEK RANCHES, L.P.

By: GENTRY CREEK RANCHES GP, L.L.C., General Partner

By: Jack McClelland

Its: President

STATE OF TEXAS

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COUNTY OF HIDALGO

This instrument was acknowledged before me on the day of February, 2005 by Jack McClelland, President of Gentry Creek Ranches, GP, L.L.C., a Texas limited liability company, general partner of Gentry Creek Ranches, L.P., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

## CONSENT AND SUBORDINATION BY LIENHOLDERS

The undersigned ("Lienholder"), as the holder of liens on the Property, consents to the above Declaration of Covenants, Conditions, Restrictions and Easements, and Lienholder hereby subordinates its liens to the Declaration of Covenants, Conditions, Restrictions and Easements, so that a foreclosure of the liens will not extinguish the rights and interests set out therein.

TEXAS STATE BANK

By: Curtis Brockman

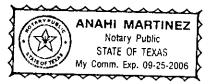
Its: Executive Vice President

STATE OF TEXAS

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COUNTY OF HIDALGO

This instrument was acknowledged before me on the day of February, 2005 by Curtis Brockman, Executive Vice President of Texas State Bank, a Texas banking corporation, on behalf of said corporation.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Atlas & Hall, L.L.P.

Attention: Frederick J. Biel

P. O. Box 3725

McAllen, Texas 78502-3725

### Exhibit "A"

## Legal Description of Property

## **PARCEL ONE (12,031.18 ACRES):**

Being a tract of land containing 12,031.18 acres situated all in Kimble County, Texas out of the following Original Surveys:

Abstract No.	Survey No.	Grantee	Block	Approx. Acre
7	439	C.L. Assmann		320.00
8	438	C.L. Assmann		327.50
98	29	Benjamin Duncan		1727.56
146	437	Fried Gutbrod		359.80
372	440	Hrs. of H. Kring		320.00
373	441	Hrs. of H. Kring		320.00
672	5	T.W.N.G. Ry. Co.		585.20
680	13	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	121.80
681	15	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	640.00
683	19	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	640.00
709	443	Benjamin Underwood		370.60
825	1	Seale & Morris		640.00
855	46	B.F. Burts		334.38
885	50	I. & G.N. Ry. Co.		87.30
996	19	J.K. Terry		1178.29
1020	23	J.W. Covin		350.30
1042	14	J.H. Dancer	T.W.N.G. Ry. Co., No. 15	640.00
1114	292	T. Bailey		160.00
1118	24	Mrs. M.C. DeFlores		124.80
1133	4	J.M. Shaw		33.50
1147	58	Mrs. M.C. DeFlores		150.40
1150	59	Fisher, Rhodes & J.B. McClelland		270.50
1260	20 ½	D.C. Zuber		51.70
1392	11	Francis Cole		0.69
1397	S. 1/2 of 2	G.W. Hardesty		198.00
1717	16	J.H. Anderson	T.W.N.G. Ry. Co., No. 15	290.22
1886	2	Guy Tarlton		640.00
1887	6	Guy Tarlton		540.40
1978	18	T.H. Graham	T.W.N.G. Ry. Co., No. 15	129.14
2040	20	S.J. Turner	T.W.N.G. Ry. Co., No. 15	71.20
2084	21	Victoria Miller	2, 00, 10, 10	407.90

TOTAL ACREAGE WITHIN THE ABOVE ORIGINAL SURVEYS EQUALS 12,031.18

Said 12,031.18 acres being more particularly described by metes and bounds as follows:

BEGINNING at an old 8" cedar fence corner post in the occupied west line of the Benjamin Duncan Survey No. 29, Abstract No. 98, for the occupied northeast corner of the Fried Gutbrod Survey No. 436, Abstract No. 145 and the occupied southeast corner of the Fried Gutbrod Survey No. 437, Abstract No. 146 and being the northeast corner of a 962.20 acre tract of record in Volume 157, Page 206, Deed Records of Kimble County and being a reentrant corner

of the subject tract;

THENCE along or near a fence, with the occupied common line of said Survey No. 436 and Survey No. 437, being common lines of said 962.20 acres and the subject tract, the following calls:

N 89\*46'30"W, 1550.72 feet to a 12" creosoted fence corner post for an angle point; N 89\*45'00"W, 656.35 feet to a 6" creosoted fence corner post for an angle point;

N 89°37'50"W, 1382.33 feet to an old 6" cedar fence angle post for an angle point;

S 84 02'40"W, 243.13 feet to an old 6" cedar fence angle post on the northeast high bank of Gentry Creek for the most northerly northwest corner of said 962.20 acres and a reentrant corner of the subject tract and being also the occupied northwest corner of said Survey No. 436 and the occupied most northerly northeast corner of the B.F. Burts Survey No. 46, Abstract No. 855;

THENCE continuing along or near a fence, with common lines of said 962.20 acres and the subject tract, through the interior of said Survey No. 46, crossing said Gentry Creek, S 41°38'40"W, 122.93 feet to a 24"dead tree trunk, being used as a fence angle, on the southwest high bank of said Gentry Creek and continuing, S 18°54'40"E, 227.98 feet to a 10" Elm tree trunk, being used as a fence angle, in an occupied common line of said Survey No. 46 and Survey No. 436;

THENCE continuing along or near a fence, with common lines of said 962.20 acres and the subject tract, being an occupied common line of said Survey No. 46 and Survey No. 436, the following calls:

S 00°04'00"E, 668.88 feet to an old 2" cedar fence post for an angle point;

S 00°08'00"W, 1804.63 feet to an old 8" cedar fence corner post for an angle point;

S 00°09'30"W, 814.55 feet to an old 8" cedar fence corner post for an angle point;

THENCE continuing along or near a fence, with common lines of said 962.20 acres and the subject tract, the following calls:

S 43°56'10"W, 608.15 feet to a 4" steel fence angle post for an angle point; S 83'37'10"W, 1501.18 feet to a 4" steel fence angle post for an angle point;

N 89\*36'10"W, 1908.50 feet to a 3" steel fence angle post for the most westerly northwest corner of said 962.20 acres and being the northeast corner of the remainder of a 1114 acre tract called Tract Two of record in Volume 18, Page 546, Deed Records of Kimble County;

THENCE continuing along or near a fence, with the north line of said Tract Two and subsequently Tract Three and Tract Four of record in said Volume 18, Page 546, Deed Records of Kimble County, and being south lines of the subject tract, crossing a draw, N 88\*45'50"W, 480.50 feet to a 4" cedar fence post for an angle point and continuing, N 89\*37'30"W, 2994.60 feet to an old 8" cedar fence corner post in the occupied west line of the Fisher, Rhodes & J.B. McClelland Survey No. 59, Abstract No. 1150, and the east line of the S.J. Turner Survey No. 20 in the T.W.N.G. Ry. Co. Block No. 15, Abstract No. 2040 and being the northwest corner of said Tract Four and being a reentrant corner of the subject tract:

THENCE continuing along or near a fence, with a common line of said Tract Four and the subject tract, being the occupied common line of said Survey No. 59 and Survey No. 20, crossing a draw, S 00°04'30"W, 157.42 feet to an old 8" cedar fence corner post for the northeast corner of a tract of land conveyed to Linda Smith Roy of record in Volume 115, Page 487, Deed Records of Kimble County;

THENCE continuing along or near an old fence, with the common lines of said Roy's tract and the subject tract, the following calls:

N 84°18'00"W, 316.32 feet to an old 8" cedar fence angle post for an angle point;

N 58 19'40"W, 612.13 feet to a 24" Cedar tree trunk, being used as a fence angle, for an angle point;

N 78°15'40"W, 709.72 feet to an old 4" cedar fence post for an angle point;

N 78°56'40"W, 2950.00 feet to an old 4" cedar fence post for an angle point;

N 81°15'00"W, 297.30 feet to an old 4" cedar fence post for an angle point;

S 89°56'10"W, 700.44 feet to an unmarked point in the easterly right of way line of U.S. Highway No. 83, a 100 foot wide highway, for the most westerly southwest corner of the subject tract. Said unmarked point bears, N 89°56'E, 13.76 feet from an old 10" cedar fence corner post;

THENCE continuing along or near an old fence, with the easterly right of way line of said U.S. Highway No. 83, being a westerly line of the subject tract, N 17\*53'50"W, passing at 230.82 feet a concrete monument, passing at 1319.48 feet another concrete monument, passing at 3618.88 feet another concrete monument, passing at 5018.37 feet another concrete monument and continuing for a total distance of 7636.29 feet to another concrete monument for the most westerly corner of the subject tract. Said concrete monument bears, S 00\*34'W, 31.43 feet from another concrete monument;

THENCE continuing along or near a fence, with a east line of a 473.87 acre tract of record in Volume 135, Page 706, Deed Records of Kimble County and being a west line of the subject tract, N 00°23'20"E, 3644.55 feet to a P.K. Nail in the top of an 8" cedar fence corner post for a reentrant corner of said 473.87 acre tract;

THENCE continuing along or near a fence, with a common line of said 473.87 acre tract and the subject tract, S 89\*51'30"E, 1809.68 feet to an old 10" cedar fence corner post for the southeast corner of said 473.87 acre tract and being a reentrant corner of the subject tract;

THENCE continuing along or near an old fence, with common lines of said 473.87 acres and the subject tract, the following calls:

N 00°06'30"E, 2439.47 feet to an old 8" cedar fence corner post for an angle point; N 40°45'50"E, 306.13 feet to an old 8" cedar fence corner post for an angle point; N 40°01'30"W, 1677.30 feet to an old 6" cedar fence corner post for an angle point;

THENCE continuing along or near an old fence, with a common line of said 473.87 acres and the subject tract, N 00°11'00"E, passing at 1148.31 feet an old 10" cedar fence corner post in the occupied north line of the T.W.N.G. Ry. Co. Survey No. 13 in the T.W.N.G. Ry. Co. Block No. 15, Abstract No. 680, being the occupied southeast corner of the Kimble County School Land Survey No. 751, Abstract No. 811 and the occupied southwest corner of the Mrs. M.C. DeFlores Survey No. 58, Abstract No. 1147, and being also the northeast corner of said 473.87 acre tract and a southeast corner of a tract of land conveyed to Walter Walker Pfluger of record in Volume 135, Page 543, Deed Records of Kimble County, and continuing along or near an old fence, with the occupied common line of said Survey No. 751 and Survey No. 58, being the common occupied line of said Pfluger's tract and the subject tract a total distance of 4359.56 feet to an old 8" cedar fence corner post for a reentrant corner said Pfluger's tract and being the most westerly northwest corner of the subject tract;

THENCE continuing with an old fence, with the common occupied lines of said Pfluger's tract and the subject tract, the following calls:

S 70°48'30"E, 5527.84 feet to an old 6" cedar fence corner post for an angle point;
N 85°07'40"E, 539.99 feet to an old 6" cedar fence corner post for an angle point;
S 45°45'20"E, 518.89 feet to an old 6" cedar fence corner post for an angle point;
S 70°50'50"E, 2164.18 feet to an old 12" cedar fence corner post in an occupied east line of the J.W. Covin Survey No. 23, Abstract No. 1020, and the occupied west line of the Hrs. of H. Kring Survey No. 441, Abstract No. 373, and being the southeast corner of said Pfluger's tract and a reentrant corner of the subject tract;
N 00°39'30"W, 2348.33 feet to an old 6" cedar fence corner post for an angle point;
N 30°40'00"W, 1129.29 feet to an old 8" cedar fence corner post for an angle point;
N 48°44'10"W, 878.88 feet to an old 12" cedar fence corner post for an angle point;
N 08°14'00"E, 924.71 feet to an old 10" cedar fence corner post in the occupied north line of the I. & G.N. Ry.

N 08'14'00"E, 924.71 feet to an old 10" cedar fence corner post in the occupied north line of the I. & G.N. Ry. Co. Survey No. 50, Abstract No. 885 and the occupied south line of the J.B. Gorman Survey No. 9, Abstract No. 834 and being the most southerly southwest corner of a 1415.8 acre tract of record in Volume 144, Page 499, Deed Records of Kimble County and being a northwest corner of the subject tract;

THENCE continuing along or near an old fence, with the occupied south line of said Survey No. 9 and the occupied north line of said Survey No. 50 and subsequently the occupied north line of the T. Bailey Survey No. 292, Abstract No. 1114 and being a common line of said 1415.8 acre tract and the subject tract, N 89°57'00"E, 1980.58 feet to a 4" steel fence corner post for the occupied southeast corner of said Survey No. 9 and an occupied southwest corner of the J.K. Terry Survey No. 19, Abstract No. 996, and being the southeast corner of said 1415.8 acre tract and a reentrant corner of the subject tract;



THENCE continuing along or near a fence, with the occupied east line of said Survey No. 9 and an occupied west line of said Survey No. 19 and being a common line of said 1415.8 acre tract and the subject tract, N 00°17'20"E, 890.98 feet to a 4" steel fence corner post for the southerly southwest corner of Kimble Land Ranches Unit No. 2, a subdivision of record in Volume 1, Pages 8-10, Plat Records of Kimble County and being the most northerly northwest corner of the subject tract;

THENCE continuing along or near a fence, with the common lines of said Kimble Land Ranches Unit No. 2 and the subject tract, the following calls:

S 89\*40'00"E, 601.90 feet to a 4" cedar fence post for an angle point;

N 89'39'00"E, 1341.02 feet to a 4" cedar fence post for an angle point;

N 89°11'00"E, 1349.66 feet to a ½" iron rod set in the east line of the 2<sup>nd</sup> correction of said Survey No. 19 performed by C.E. Davis on February 1, 1887, and being the apparent southwest corner of the T.W.N.G. Ry. Co. Survey No. 14, Abstract No. 1727, and being the northeast corner of the subject tract;

THENCE with an east line of said 2<sup>nd</sup> correction of said Survey No. 19, S 00°07'10"W, 682.41 feet to a ½" iron rod set in the most northerly line of a tract of land called "Eleventh Tract" of record in Volume 40, Page 405, Deed Records of Kimble County, and being a reentrant corner of said 2<sup>nd</sup> correction of said Survey No. 19;

THENCE continuing with the most northerly line of said Eleventh Tract, with a north line of the 2<sup>nd</sup> correction of said Survey No. 19, S 89\*52'50"E, 10,136.99 feet to a ½" iron rod set, in a fence, being the west line of a 2167.3976 acre tract of record in Volume 154, Page 561, Deed Records of Kimble County and being the most northerly northeast corner of the subject tract;

THENCE continuing along or near a fence, with a common line of said 2167.3976 acre tract and the subject tract, S 00°25'20"W, 10,346.55 feet to a 3" steel fence corner post for the southwest corner of said 2167.3976 acre tract and being a reentrant corner of the subject tract. Said 3" steel fence corner post lies within the T.W.N.G. Ry. Co. Survey No. 5, Abstract No. 672;

THENCE continuing along or near a fence, partially through the interior of said Survey No. 5 and partially with the occupied south line of the Guy Tarlton, North one-half (1/2) of Survey No. 2, Abstract No. 1889 and the occupied north line of the G.W. Hardesty, South one-half (1/2) of Survey No. 2, Abstract No. 1397 and being a common line of said 2167.3976 acre tract and the subject tract, S 89\*50'20"E, 6039.76 feet to a 3" steel fence corner post for the northwest corner of a 866.2 acre tract of record in Volume 101, Page 109, Deed Records of Kimble County and being the most easterly northeast corner of the subject tract;

THENCE continuing along or near a fence, with the common line of said 866.2 acre tract and the subject tract, S 00°00'20"W, 5678.51 feet to a 4" steel fence corner post in a northwest line of a 747.61 acre tract of record in Volume 150, Page 769, Deed Records of Kimble County and being the southwest corner of said 866.2 acre tract and the most easterly southeast corner of the subject tract;

THENCE continuing along of near an old fence, with the common lines of said 747.61 acre tract and the subject tract, S 64\*21'20"W, 853.11 feet to a 12" creosoted fence corner post for an angle point, and continuing, S 89\*30'20"W, 215.89 feet to another 12" creosoted fence corner post for the most northerly northwest corner of said 747.61 acre tract and the northeast corner of a 580.3183 acre tract called First Tract of record in Volume 137, Page 304, Deed Records of Kimble County and being the occupied northeast corner of the Hrs. of J.L. Otto Survey No. 445, Abstract No. 420;

THENCE continuing along or near an old fence, with the occupied north line of said Survey No. 445, being a common line of said 580.3183 acre tract and the subject tract, N 89\*39'00"W, 3093.98 feet to a ½" iron rod set in a west line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21, Abstract No. 2084, performed by W.T. Hope on November 15, 1897, and being a west line of a tract of land called "Fifteenth Tract" of record in Volume 40, Page 405, Deed Records of Kimble County;

THENCE with a west line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21, being a west line of said Fifteenth Tract, N 00°07'10"E, 2150.00 feet to a ½" iron rod set being a reentrant corner of said 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21 and said Fifteenth Tract;

THENCE with a south line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21, being a south line of said Fifteenth Tract, N 89\*52'50"W, 420.00 feet to a ½" iron rod set in the occupied east line of the Benjamin Duncan Survey No. 29, Abstract No. 98, being the east line of a of a tract of land called "Eighth Tract" of record in Volume 40, Page 405, Deed Records of Kimble County;

THENCE with the occupied east line of said Survey No. 29, being the east line of said Eighth Tract, S 00°07'10"W, 2148.28 feet an old 8" cedar fence corner post for the occupied northwest corner of said Survey No. 445 and being the northwest corner of said 580.3183 acre tract;

THENCE continuing along or near a fence, with the occupied common line of said Survey No. 29 and Survey No. 445, being a common line of said 580.3183 acre tract and the subject tract, S 00°11'10"W, 5003.45 feet to a 4" steel fence corner post for the northeast corner of a 448.684 acre tract of record in Volume 158, Page 449, Deed Records of Kimble County and being a southeast corner of the subject tract;

THENCE continuing along or near a fence, through the interior of said Survey No. 29, with the common lines of said 448.684 acre tract and the subject tract, the following calls:

S 82\*28'20"W, 1728.28 feet to a 4" steel fence corner post for an angle point;

S 51°04'50"W, 662.15 feet to a 4" steel fence corner post for an angle point;

S 87\*21'40"W, 958.17 feet to a 3" steel fence angle post for an angle point;

Continuing without a fence

S 64°07'30"W, 61.17 feet to a drill hole in a concrete filled 2" iron pipe found in the center of an old concrete dam within Gentry Creek;

Continuing upstream with the approximate center of Gentry Creek, N 32°57'20"W, 99.04 feet to an unmarked point in the approximate center of Gentry Creek;

N 90°00'00"W, 33.93 feet to a 1/2" iron rod set on the southwest bank of Gentry Creek;

S 11°00'00"E, 83.82 feet to a 1/2" iron rod set for an angle point;

S 03°38'50"W, passing at 41.70 feet a 3" steel fence corner post and continuing along or near a fence, a total distance of 2826.36 feet to a ½" iron rod found at a fence corner post for the most westerly southwest corner of said 448.684 acre tract and being the northwest corner of the remainder of a 560.40 acre tract of record in Volume 79, Page 590, Deed Records of Kimble County;

THENCE continuing along or near a fence, through the interior of said Survey No. 29, with the common line of the remainder of said 560.40 acre tract and the subject tract, S 03'34'10"W, passing at 802.95 feet a ½" iron rod found in fence and continuing a total distance of 5427.91 feet to an old 10" cedar fence corner post in a northerly right of way line of U.S. Highway No. 377, a 100 foot wide Highway, for the most southerly southeast corner of the subject tract;

THENCE continuing along or near a fence, through the interior of said Survey No. 29, with northerly lines of said U.S. Highway No. 377, the following calls:

S 59°28'20"W, 544.35 feet to a concrete monument for the beginning of a curve to the right with a 1096.28 foot radius;

Along the arc of said curve to the right with a central angle of 30°56'50", a distance of 592.12 feet, chord bearing and distance, S 68 '34'50"W, 584.95 feet, to another concrete monument for the end of said curve; S 89°58'40"W, 2152.89 feet to another concrete monument in the interior of the aforementioned Survey No. 46 for the beginning of a curve to the left with a 1960.08 foot radius;

Continuing through the interior of said Survey No. 46

Along the arc of said curve to the left with a central angle of 12\*47'30", a distance of 437.60 feet, chord bearing and distance, S 81 "33'10" W, 436.69 feet, to another concrete monument for the end of said curve; S 78\*19'30"W, 252.67 feet to a 12" creosoted fence corner post in an east line of a 758.83 acre tract of record in Volume 157, Page 206, Deed Records of Kimble County and being the most southerly southwest corner of the subject tract;

THENCE continuing along or near a fence, through the interior of said Survey No. 46, with common lines of said 758.83 acre tract and the subject tract, the following calls:

N 10'57'40"E, 2885.84 feet to a 3" steel fence corner post for an angle point;

N 01°10'00"W, 317.04 feet to a 3" steel fence corner post for an angle point;

N 40°28'40"E, 133.64 feet to a 3" steel fence corner post for an angle point; N 10°51'30"E, 1189.22 feet to a 3" steel fence corner post for an angle point; N 17°50'50"W, 384.82 feet to a 3" steel fence corner post for an angle point;

N 54'19'10"E, 274.68 feet to a 3" steel fence corner post for an angle point;

N 11°09'20"E, 2342.13 feet to a 6" cedar fence corner post for an angle point;

N 45°26'20"E, 417.24 feet to an 8" creosoted fence corner post for an angle point;

N 17'54'10"W, 500.29 feet to an 8" creosoted fence corner post for an angle point;

N 10°15'50"E, 141.04 feet to an 8" creosoted fence corner post for an angle point;

N 10°47'50"E, 611.53 feet to an 8" creosoted fence corner in the occupied west line of the aforementioned Survey No. 29 for the occupied most easterly northeast corner of the aforementioned Survey No. 46 and the occupied southeast corner of the aforementioned Survey No. 436;

THENCE continuing along or near a fence, with the occupied common line of said Survey No. 29 and Survey No. 436, being a common line of said 758.83 acre tract and the subject tract, N 00°18'20"E, 961.30 feet to a 5%" iron rod found in fence for the most easterly northeast corner of said 758.83 acre tract and the most easterly southeast corner of the aforementioned 962.20 acre tract;

THENCE continuing along or near a fence, with the occupied common line of said Survey No. 29 and Survey No. 436, being a common line of said 962.20 acre tract and the subject tract, N 00°07'40"E, 3046.17 feet to the POINT OF BEGINNING and containing 12,031.18 acres within these metes and bounds.

## PARCEL TWO (629.12 ACRES):

Being a tract of land containing 629.12 acres situated all in Kimble County, Texas out of the following Original Surveys:

Abstract No.	Survey No.	Grantee	Block	Арргох. Acres
682	17	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co, No. 15	39.73
1392	1	Francis Cole	3.123. 00, 110. 13	18.60
1715	10	J.H. Anderson	T.W.N.G. Ry. Co, No. 15	6.86
1717	16	J.H. Anderson	T.W.N.G. Ry. Co, No. 15	65.80
1978	18	T.H. Graham	T.W.N.G. Ry. Co, No. 15	498.13

Said 629.12 acres being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument in the westerly right of way line of U.S. Highway No. 83, a 100 foot wide highway, being a southeasterly corner of the remainder of a 6280.28 acre tract of record in Volume 43, Page 378, Deed Records of Kimble County and being the northeast corner of the subject tract;

THENCE along or near an old fence, with the westerly right of way line of said U.S. Highway No. 83 being the easterly line of the subject tract, S 17\*53'40"E, passing at 2316.02 feet a concrete monument, passing at 3715.30 feet a another concrete monument, passing at 6014.54 feet another concrete monument, passing at 7103.30 feet another concrete monument and continuing a total distance of 7302.62 feet to an unmarked point for in the north line of a tract of land conveyed to Linda Smith Roy of record in Volume 115, Page 487, Deed Records of Kimble County and being the southeast corner of the subject tract. Said unmarked point bears, S 89°41'E, 11.18 feet from a 6" old cedar fence corner post;

THENCE with the common line of said Roy's tract and the subject tract, S 89°40'50"W, passing at 11.18 feet said 6" old cedar fence corner post and continuing along or near an old fence a total distance of 3785.61 feet to an 8" old cedar fence corner post in the east line of a 725.56 acre tract of record in Volume 74, Page 86, Deed Records of Kimble County and being the northwest corner of said Roy's tract;

THENCE continuing along or near an old fence, with a common line of said 725.56 acres and the subject tract, N 03°37'30"W, 29.05 feet to an 8" old cedar fence corner post for the northeast corner of said 725.56 acre tract;

THENCE continuing along or near an old fence with a common line of said 725.56 acres and the subject tract, N 89\*39'30"W, 1569.42 feet to an 8" old cedar fence corner post for the southeast corner of a 600.95 acre tract of record in Volume 98, Page 807, Deed Records of Kimble County and being the southwest corner of the subject tract;

THENCE continuing along or near an old fence with the common lines of said 600.95 acre tract and the subject tract the following calls:

N 00"18'50"E, 3537.88 feet to a 6"old cedar fence corner post for an angle point;

Crossing a deep draw, N 00°38'00"W, 931.21 feet to a 4"old fence post on the north high side of said draw for an angle point;

N 00°06'30"E, 1830.66 feet to an 8" old cedar fence corner post in a south line of the remainder of the aforementioned 6280.28 acre tract for the northeast corner of said 600.95 acre tract and the northwest corner of the subject tract;

THENCE continuing along or near an old fence with a common line of the remainder of said 6280.28 acres and the subject tract, N 89\*57'00"E, 3094.44 feet to an 8" old cedar fence corner post for a south east corner of the remainder of said 6280.28 acre tract and being a reentrant corner of the subject tract;

THENCE continuing along or near an old fence with a common line of the remainder of said 6280.28 acres and the subject tract, N 00\*34'20"E, 587.45 feet to the POINT OF BEGINNING and containing 629.12 acres within these metes and bounds.

#### PARCEL THREE (169.00 ACRES):

Being a tract of land containing 169.00 acres situated all in Kimble County, Texas and being apparent unsurveyed School Land and being more particularly described by metes and bounds as follows:

BEGINNING at a old 12" cedar fence corner post for the northwest corner of a 2167.3976 acre tract of record in Volume 154, Page 561, Deed Records of Kimble County and being the northeast corner of the subject tract;

THENCE along or near a fence, with a common line of said 2167.3976 acre tract and the subject tract, S 00°25'20"W, 596.36 feet to a point in the north line of the 2<sup>nd</sup> correction of the J.K. Terry Survey No. 19, Abstract No. 996, performed by C.E. Davis on February 1, 1887, and the most northerly line of a tract of land called "Eleventh Tract" of record in Volume 40, Page 405, Deed Records of Kimble County, and being the southeast corner of the subject tract;

THENCE with said north line of the 2<sup>nd</sup> correction of Survey No. 19, with the most northerly line of said Eleventh Tract, N 89\*52'50"W, 10,136.99 feet to a point being a reentrant corner of said 2<sup>nd</sup> correction of Survey No. 19, and being the southwest corner of the subject tract;

THENCE with an east line of said 2<sup>nd</sup> correction of Survey No. 19, N 00°07'10"E, 682.41 feet to a point in a fence, being a south line of Kimble Land Ranches Unit No. 2, a subdivision of record in Volume 1, Pages 8-10, Plat Records of Kimble County, and being the apparent southwest corner of the T.W.N.G. Ry. Co. Survey No. 14, Abstract No. 1727, and being the northwest corner of the subject tract;

THENCE along or near a fence, with the common line of said Kimble Land Ranches Unit No. 2 and the subject tract, being the occupied south line of said Survey No. 14, N 89°11'00"E, 124.32 feet to an old 8" cedar fence corner post for the southeast corner of said Kimble Land Ranches Unit No. 2 and the southwest corner of a 563 acre tract of record in Volume 216, Page 219, Deed Records of Kimble County;

THENCE continuing along or near an old fence, with the occupied south line of said Survey No. 14 and subsequently the occupied south line of the T.W.N.G. Ry. Co. Survey No. 12, Abstract No. 1888, being the common lines of said 563 acre tract and the subject tract, the following calls:

N 89'45'30"E, 2778.88 feet to an old 4" cedar fence corner post for an angle point;

N 89°15'40"E, 3381.98 feet to an old 4" cedar fence corner post for an angle point;

N 89\*41'20"E, 1175.76 feet to an old 12" cedar fence corner post for the southeast corner of said 563 acre tract and the southwest corner of a 674.0 acre tract of record in Volume 134, Page 442, Deed Records of Kimble County;

THENCE continuing along or near an old fence, with the occupied south line of said Survey No. 12, being a common line of said 674.0 acre tract and the subject tract, N 89°18'00"E, 1796.60 feet to a 4" cedar fence angle post for an angle point;

THENCE continuing along or near an old fence, being a common line of said 674.0 acre tract and the subject tract, S 77°41'40"E, 903.64 feet to the POINT OF BEGINNING and containing 169.00 acres within these metes and bounds.

### PARCEL FOUR (20.72 ACRES):

Being a tract of land containing 20.72 acres situated all in Kimble County, Texas and being apparent unsurveyed School Land and being more particularly described by metes and bounds as follows:

BEGINNING at an old 8" cedar fence corner post in the occupied east line of the Benjamin Duncan Survey No. 29, Abstract No. 98, for the occupied northwest corner of the Hrs. of J.L. Otto Survey No. 445, Abstract No. 420, and being the northwest corner of a 580.3183 acre tract called First Tract of record in Volume 137, Page 304, Deed Records of Kimble County and being the southeast corner of a tract of land called "Eighth Tract" of record in Volume 40, Page 405, Deed Records of Kimble County and being the southwest corner of the subject tract;

THENCE with the occupied east line of said Survey No. 29, being the east line of said Eighth Tract and the west line of the subject tract, N 00°07'10"E, 2148.28 feet to a point in the south line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21 performed by W.T. Hope on November 15, 1897, and being in a south line of a tract of land called "Fifteenth Tract" of record in Volume 40, Page 405, Deed Records of Kimble County and being the northwest corner of the subject tract;

THENCE with the said south line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21, being a south line of said Fifteenth Tract, S 89\*52'50"E, 420.00 feet to a point being a reentrant corner of said 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21 and said Fifteenth Tract and being the northeast corner of the subject tract;

THENCE with a west line of the 2<sup>nd</sup> correction of the Victoria Miller Survey No. 21, being a west line of said Fifteenth Tract, S 00\*07'10"W, 2150.00 feet to a point in a fence being the occupied north line of the aforementioned Survey No. 445 and the north line of the aforementioned 580.3183 acre tract and being the southeast corner of the subject tract;

THENCE along or near an old fence, with the occupied north line of said Survey No. 445, being a common line of said 580.3183 acre tract and the subject tract, N 89°39'00"W, 420.00 feet to the POINT OF BEGINNING and containing 20.72 acres within these metes and bounds

# Schedule 1.03 Description of Additional Restrictions Acreage

#### Parcel One:

A tract of land ("Adjacent Tract") adjacent to and east and south of an 1,800 acre tract of land ("1800 Acre Tract") described on Exhibit "B" hereto out of the 12,031.18 acre tract described as Parcel One on Exhibit "A" hereto, with the southern and eastern boundaries of the Adjacent Tract being a distance of 3000' feet from the southern and eastern boundaries of the 1800 Acre Tract unless the distance from the southern and/or eastern boundaries of the 1800 Acre Tract to the centerline of Gentry Creek is less than 3000', in which event such boundary of the Adjacent Tract shall be the centerline of Gentry Creek, and the Adjacent Tract is generally as depicted on Exhibit "C" attached hereto.

#### Parcel Two:

Being a tract of land containing 629.12 acres situated all in Kimble County, Texas out of the following Original Surveys:

Abstract No.	Survey No.	Grantee	Block	Annua Aanu
682	17	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co, No. 15	Approx. Acres
1392	1	Francis Cole	23, 23, 10, 13	18.60
1715	10	J.H. Anderson	T.W.N.G. Ry. Co, No. 15	
1717	16	J.H. Anderson	T.W.N.G. Ry. Co, No. 15	6.86
1978	18	T.H. Graham	T.W.N.G. Ry. Co, No. 15	65.80 498.13

Said 629.12 acres being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument in the westerly right of way line of U.S. Highway No. 83, a 100 foot wide highway, being a southeasterly corner of the remainder of a 6280.28 acre tract of record in Volume 43, Page 378, Deed Records of Kimble County and being the northeast corner of the subject tract;

THENCE along or near an old fence, with the westerly right of way line of said U.S. Highway No. 83 being the easterly line of the subject tract, S 17°53'40"E, passing at 2316.02 feet a concrete monument, passing at 3715.30 feet a another concrete monument, passing at 6014.54 feet another concrete monument, passing at 7103.30 feet another concrete monument and continuing a total distance of 7302.62 feet to an unmarked point for in the north line of a tract of land conveyed to Linda Smith Roy of record in Volume 115, Page 487, Deed Records of Kimble County and being the southeast corner of the subject tract. Said unmarked point bears,

S 89°41'E, 11.18 feet from a 6" old cedar fence corner post;

THENCE with the common line of said Roy's tract and the subject tract, S 89°40'50"W, passing at 11.18 feet said 6" old cedar fence corner post and continuing along or near an old fence a total distance of 3785.61 feet to an 8" old cedar fence corner post in the east line of a 725.56 acre tract of record in Volume 74, Page 86, Deed Records of Kimble County and being the northwest corner of said Roy's tract;

THENCE continuing along or near an old fence, with a common line of said 725.56 acres and the subject tract, N 03°37'30"W, 29.05 feet to an 8" old cedar fence corner post for the northeast corner of said 725.56 acre tract;

THENCE continuing along or near an old fence with a common line of said 725.56 acres and the subject tract, N 89°39'30"W, 1569.42 feet to an 8" old cedar fence corner post for the southeast corner of a 600.95 acre tract of record in Volume 98, Page 807, Deed Records of Kimble County and being the southwest corner of the subject tract;

THENCE continuing along or near an old fence with the common lines of said 600.95 acre tract and the subject tract the following calls:

N 00°18'50"E, 3537.88 feet to a 6"old cedar fence corner post for an angle point;

Crossing a deep draw, N 00°38'00"W, 931.21 feet to a 4"old fence post on the north high side of said draw for an angle point;

N 00°06'30"E, 1830.66 feet to an 8" old cedar fence corner post in a south line of the remainder of the aforementioned 6280.28 acre tract for the northeast corner of said 600.95 acre tract and the northwest corner of the subject tract;

THENCE continuing along or near an old fence with a common line of the remainder of said 6280.28 acres and the subject tract, N 89\*57'00"E, 3094.44 feet to an 8" old cedar fence corner post for a south east corner of the remainder of said 6280.28 acre tract and being a reentrant corner of the subject tract;

THENCE continuing along or near an old fence with a common line of the remainder of said 6280.28 acres and the subject tract, N 00°34'20"E, 587.45 feet to the POINT OF BEGINNING and containing 629.12 acres within these metes and bounds.

# Exhibit "B" Legal Description of 1800 Acre Tract

Being a tract of land containing 1800.00 acres situated all in Kimble County, Texas out of the following Original Surveys:

Abstract No.	Survey No.	Grantee	Block	Approx. Acre
680	13	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	121.80
681	15	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	364.80
683	19	T.W.N.G. Ry. Co.	T.W.N.G. Ry. Co., No. 15	10.60
885	50	I. & G.N. Ry. Co.		39.10
1020	23	J.W. Covin		204.30
1042	14	J.H. Dancer	T.W.N.G. Ry. Co., No. 15	584.00
1147	58	Mrs. M.C. DeFlores		150.40
1176	59	Fisher, Rhodes & J.B. McClelland		63.20
1717	16	J.H. Anderson	T.W.N.G. Ry. Co., No. 15	261.80

TOTAL ACREAGE WITHIN THE ABOVE ORIGINAL SURVEYS EQUALS 1800.00

Said 1800.00 acres being a portion of a 12,031.18 acre tract of record in Volume 160, Page 148, Deed Records of Kimble County and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument in the easterly right of way line of U.S. Highway No. 83, a 100 foot wide highway, for the most westerly southwest corner of the subject tract. Said concrete monument bears, S 00°34'W, 31.43 feet from another concrete monument;

THENCE continuing along or near a fence, with a east line of a 473.87 acre tract of record in Volume 135, Page 706, Deed Records of Kimble County and being a west line of the subject tract, N 00°23'20"E, 3644.55 feet to a P.K. Nail in the top of an 8" cedar fence corner post for a reentrant corner of said 473.87 acre tract;

THENCE continuing along or near a fence, with a common line of said 473.87 acre tract and the subject tract, S 89°51'30"E, 1809.68 feet to an old 10" cedar fence corner post for the southeast corner of said 473.87 acre tract and being a reentrant corner of the subject tract;

THENCE continuing along or near an old fence, with common lines of said 473.87 acres and the subject tract, the following calls:

N 00°06'30"E, 2439.47 feet to an old 8" cedar fence corner post for an angle point; N 40°45'50"E, 306.13 feet to an old 8" cedar fence corner post for an angle point; N 40°01'30"W, 1677.30 feet to an old 6" cedar fence corner post for an angle point; THENCE continuing along or near an old fence, with a common line of said 473.87 acres and the subject tract, N 00°11'00"E, passing at 1148.31 feet an old 10" cedar fence corner post in the occupied north line of the T.W.N.G. Ry. Co. Survey No. 13, Abstract No. 680, in the T.W.N.G. Ry. Co. Block No. 15 and being the occupied southeast corner of the Kimble County School Land Survey No. 751, Abstract No. 811 and the occupied southwest corner of the Mrs. M.C. DeFlores Survey No. 58, Abstract No. 1147, and being also the northeast corner of said 473.87 acre tract and a southeast corner of a tract of land conveyed to Walter Walker Pfluger of record in Volume 135, Page 543, Deed Records of Kimble County, and continuing along or near an old fence, with the occupied common line of said Survey No. 751 and Survey No. 58, being the common occupied line of said Pfluger's tract and the subject tract a total distance of 4359.56 feet to an old 8" cedar fence corner post for a reentrant corner said Pfluger's tract and being the northwest corner of the subject tract;

THENCE continuing with an old fence, with a common occupied line of said Pfluger's tract and the subject tract, S 70°48'30"E, 5527.84 feet to an old 6" cedar fence corner post for an angle point;

THENCE without a fence, through the interior of said 12,031.18 acre tract and with the south line of a 2.43 acre tract being one of several save and except parcels also of record in Volume 160, Page 148, Deed Records of Kimble County, S 70°50'10"E, 963.13 feet to an old 6" cedar fence corner post for an angle point;

THENCE continuing with an old fence, with common occupied line of said Pfluger's tract and the subject tract, S 70°50′50″E, 2164.18 feet to an old 12″ cedar fence corner post in an occupied east line of the J.W. Covin Survey No. 23, Abstract No. 1020, and the occupied west line of the Hrs. of H. Kring Survey No. 441, Abstract No. 373, and being the southeast corner of said Pfluger's tract and the northeast corner of the subject tract;

THENCE through the interior of the aforementioned 12,031.18 acre tract, the following calls:

S 00°39'50"W, 4177.12 feet to a ½" iron rod set for the easterly southeast corner of the subject tract;

S 79°38'30"W, 3591.20 feet to a 1/2" iron rod set;

S 20°17'20"W, 1937.01 feet to a 1/2" iron rod set;

S 18°37'20"E, 1498.46 feet to a ½" iron rod set;

S 78°37'40"E, 707.39 feet to a 1/2" iron rod set;

S 03°42'50"E, 878.04 feet to a 1/2" iron rod set;

S 22°57'20"W, 1726.61 feet to a 1/2" iron rod set;

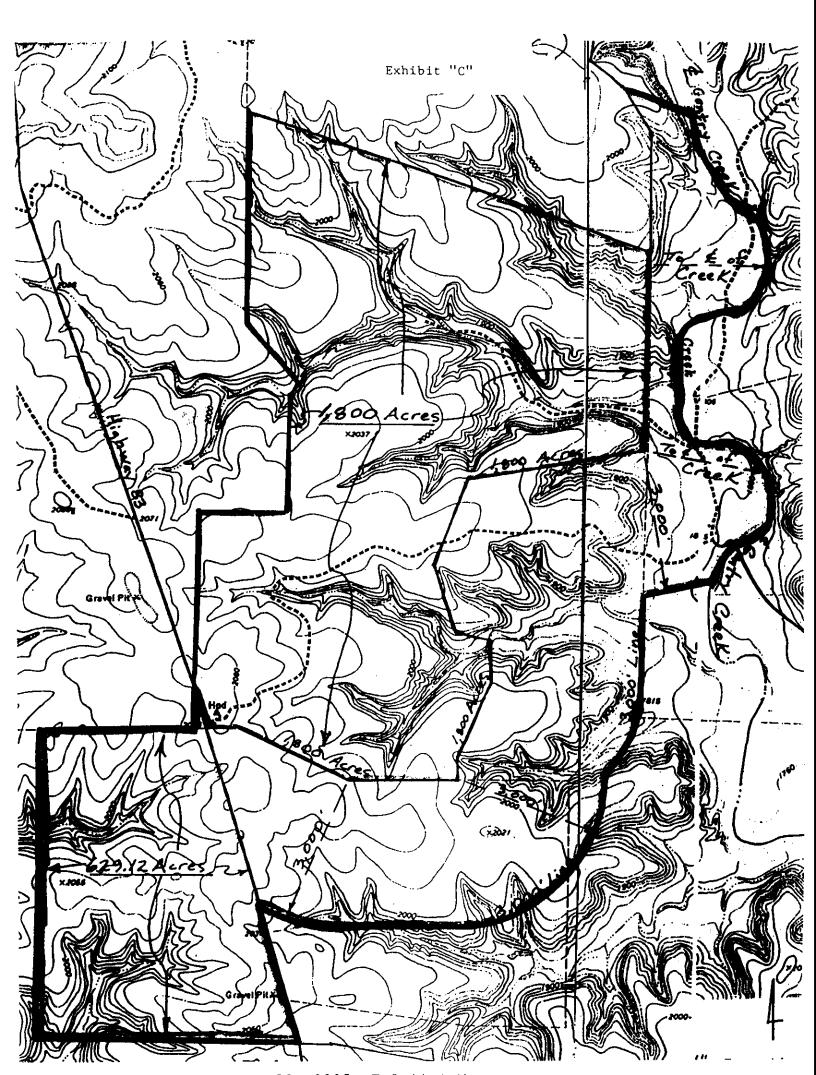
S 02°46'30"E, 456.66 feet to a ½" iron rod set in an old fence for the southerly southeast corner of the subject tract;

THENCE continuing through the interior of said 12,031.18 acre tract, along or near

an old fence, the following calls: N 89°39'50"W, 2386.80 feet to an old 8" cedar fence angle post; N 63°53'30"W, 2474.52 feet to an old 8" cedar fence angle post; N 89°43'00"W, 573.27 feet to a ½" iron rod set in the easterly right of way line of the aforementioned U.S. Highway No. 83 for the southerly southwest corner of the subject tract;

THENCE continuing along or near an old fence, with the easterly right of way line of said U.S. Highway No. 83, being a westerly line of the subject tract, N 17°54'00"W, 949.18 feet to the POINT OF BEGINNING and containing 1800.00 acres within these metes and bounds.

Exhibit "C"
Graphic Depiction of Adjacent Tract



FILED FOR RECORD FEBRUARY 22, 2005 AT 8:14 A.M. HAYDEE TORRES, COUNTY CLERK, KIMBLE COUNTY, TEXAS BY LINDSAY ENSLEY, DEPUTY