



SURFACE ESTATE ONLY in and to the following described property:

All that certain tract or parcel of land situated in the Charles De Montel Survey, Abstract No. 591, Upshur County, Texas, being all of that certain 4 acre tract described in Deed to David Paul Lyles and wife, Marsha, dated 2001, recorded in Volume 409, Page 657, Official Records of Upshur County, Texas, and being more particularly described as follows;

BEGINNING at a concrete right-of-way monument found on the Northeast corner of said 4 acre tract, being on the Southeast corner of a 26.731 acre tract described in Deed to David Paul Lyles, recorded in Volume 228, Page 834 of said Records, and being on the West right-of-way line of U.S. Highway No. 271;

THENCE S 5 deg. 12' 59" W along the fenced said right-of-way line - 214.51 feet to a capped 1/2 inch iron rod marked "Swanner" set on the Southeast corner of said 4 acre tract;

THENCE N 89 deg. 45' 30" W along the fenced North right-of-way line of a County Road (Lyle) and the South line of said 4 acre tract - 812.67 feet to a 1 inch flat iron found on the Southwest corner of said 4 acre tract and on the Southeast corner of a 2.0 acre tract described in Deed to Earl Davis, recorded in Volume 232, Page 729 of said Records;

THENCE N 0 deg. 04' 25" E along the fenced West line of said 4 acre tract and the East line of said 2.0 acre tract - 210.19 feet to a 1 inch flat iron found on the Northwest corner of said 4 acre tract and on the Northeast corner of said 2.0 acre tract;

THENCE East along the fenced North line of said 4 acre tract and the South line of said 26.731 acre tract - 831.90 feet to the PLACE OF BEGINNING containing 4.001 acres of land, more or less.

SAVE AND EXCEPT:

All that certain lot, tract or parcel of land situated in the Charles De Montel Survey, A-591, Upshur County, Texas, being called 2.612 acres as conveyed to Charles R. Smith and Carter Sue Smith, in a Correction Warranty Deed with Vendor's Lien, filed for record under Clerk's File No. 201803230, Official Public Records, Upshur County, Texas.