

FILE NO. 10064 - B

NO. 1047 PAGE 382

NO. 32,707

W. W. BUCHE, JR.

VS.

DEQUELLIA WILSON, ET AL

IN THE DISTRICT COURT

HARRISON COUNTY, TEXAS

71ST JUDICIAL DISTRICT

DECREE CONFIRMING REPORT OF COMMISSIONERS

On the 18th day of September, 1984, came on to be heard the above entitled and numbered cause as to the hearing on the Report of Commissioners filed herein by Nellie Malone, A. W. Knuckols, and Linda Thompson, Commissioners of partition appointed by order of this Court on the 8th day of May, 1984.

After due notice, the Plaintiff, W. W. BUCHE, JR. appeared personally and by attorney as did DEQUELLIA WILSON and ORA MOORE. GEORGE WESLEY NASH, though having filed his answer pro se, failed to appear and answer at the time of hearing and ANNIE NASH, though being duly cited to appear and answer herein appeared not and was in default.

No person having requested a trial by jury, and no objections having been filed, we received said Report into evidence. The Court finds the division of the property as shown therein and the allotments of the shares thereof, as set forth in such Report (a true and correct copy of which is attached hereto and made a part hereof for all purposes) is not erroneous in any material respect or unequal or unjust.

It is, therefore, ORDERED and DECREE as follows:

(1) That the foregoing Report of Commissioners be and the same is hereby in all matters CONFIRMED;

(2) That each party to whom a share has been allotted by the Report above set forth shall be vested, as against the parties hereto, with title to the property thus allotted to him or to her as described in said Report;

(3) That Nellie Malone, Linda Thompson and A. W. Knuckols each receive the sum of \$ 100.00, to be taxed and collected as costs herein and that Hart Engineering Company, the surveyor employed by said Commissioners receive the sum of \$ 1,620.00 also to be taxed and collected as costs, and that the costs of this suit be paid by the parties thereto in the following proportions:

(a) W. W. Buche, Jr.	33.75%
(b) Annie Lee Nash	10 %
(c) George Wesley Nash	22.5 %

(d) Dequellia Wilson
(e) Ora Nash Moore

11.25%
22.5 %

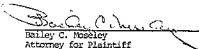
The costs of partition adjudged herein are hereby DECLARED to be
 lions against the shares of each party to whom said realty has been
 awarded, for which let execution issue.

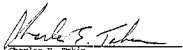
It is specifically provided that this is a partition of the surface
 estate only. The oil, gas and other liquid or gaseous hydrocarbons not
 being partitioned by this decree.


SIGNED on this the 18th day of September, 1984.


 JUDGE PRESIDING

APPROVED:


 Bailey C. Moseley
 Attorney for Plaintiff


 Charles E. Tobin
 Attorney for Dequellia Wilson
 and Ora Moore

A TRUE COPY
 of the Original herein, I certify
 Clerk of Court
 Charles E. Tobin

 DEPUTY CLERK

NO. 37,707

W. W. BUECHE, JR.

VS.

DEQUELLIA WILSON, ET AL

FILED FOR RECORD
 IN THE DISTRICT COURT
 OF HARRISON COUNTY, TEXAS
 71ST JUDICIAL DISTRICT

REPORT OF COMMISSIONERS

THE STATE OF TEXAS

COUNTY OF HARRISON

BY *[Signature]*
 CLERK

We, Nellie Malone, A. W. Knuckols, and Linda Thompson, Commissioners of Partition appointed by the Court in its preliminary Decree of Partition entered in the above styled cause on the 8th day of May, 1984, hereby waiving the issuance, service and reading of the Writ of Partition as set out in Rules 762 et seq of the Rules of Civil Procedure of the State of Texas, now hereby report to the Court as directed in said Decree:

We, the undersigned Commissioners, having notified the parties, proceeded to execute said Writ of Partition as therein required, and having found upon survey that the tract of land contains 97.739 acres of land and is of the value of \$39,095.60, we cause the same to be carved into five tracts designated Tracts A, B, C, D, and E described hereinafter.

We found Tract A to contain 32.987 acres and to be of the value of \$13,194.80 and assign said Tract A to W. W. Bueche, Jr., said Tract A being more particularly described as follows:

TRACT A: All that certain lot, tract, block or parcel of land situated in Harrison County, Texas; being a part of the Alexander Allbright Survey, (A-24) of said County about 16-2/3rds miles Northwest of the Courthouse in the City of Marshall; being a part of that certain tract conveyed by J. A. Morris et al to Frank Nash by deed recorded in Vol. 81, page 112 of the Deed Records of Harrison County, Texas, called to be 98.5 acres but found by actual survey to contain 97.739 acres, this tract containing 32.987 acres of land, more particularly described as follows:

BEGINNING at a 1/4" x 2" flat iron at the NW corner of the above referenced 97.739 acre tract;

THENCE S 88 deg. 58' 39" E, 975.0 feet along the NEH of said 97.739 acre tract to a 3/8" iron rod set for corner;

THENCE S 12 deg. 05' W, 1885.2 feet to a 3/8" iron rod set for corner in the SBL of said 97.739 acre tract;

THENCE N 88 deg. 55' 31" W, 576.5 feet along the SBL of said 97.739 acre tract to its SW corner;

THENCE N 00 deg. 21' 24" W, 327.71 feet, North 1136.52 feet, and N 00 deg. 08' 08" W, 185.77 feet along the WBL of said 97.739 acre tract to the Place of Beginning, containing 32.987 acres of land.

Together with an easement for ingress and egress thereto by pedestrian and vehicular traffic and for residential utility usage over and across the following described tract or parcel of land:

BEGINNING at a 3/8" iron rod set in the North boundary line of said 97.739 acre tract of land, said 3/8" iron rod being S 88 deg. 58' 39" E 975 feet from the Northwest corner of same;

THENCE S 88 deg. 58' 39" E 149.67 feet along the North boundary line of said 97.739 acre tract to a fence corner post

and continuing South 88 deg. 33' 00" East 30 feet along the South right-of-way line of a county oil road to a point;

THENCE South 12 deg. 05' West 30 feet to a point;

THENCE North 88 deg. 58' 39" West 179.67 feet to a point;

THENCE North 12 deg. 05' East 30 feet to the Place of Beginning.

And Tract B we found to contain 9.774 acres and to be of the value of \$3,910.96 and we have assigned said Tract B to Annie Lee Nash, said Tract B more particularly described as follows:

TRACT B: All that certain lot, tract, block or parcel of land situated in Harrison County, Texas; being a part of the Alexander Allbright Survey (A-24) of said County; being about 16-2/3rds miles Northwest of the Courthouse in the City of Marshall; being a portion of that certain tract described in a Deed from J. A. Morris, et al to Frank Nash recorded in Vol. 81, page 112, Deed Records of Harrison County, Texas, said tract called to contain 98.5 acres but found to contain by survey 97.739 acres in all, this tract containing 9.774 acres, more particularly described as follows:

BEGINNING at a 3/8" iron rod in the NE1/4 of the above mentioned 97.739 acre tract, said beginning point being S 88 deg. 58' 39" E, 975.0 feet from the NW corner of said 97.739 acre tract;

THENCE S 88 deg. 58' 39" E 149.67 feet along the North boundary line of said tract and along a fence to a fence corner post and continuing S 88 deg. 33' 00" E, 80.30 feet along the South ROW line of a county oil road to a 3/8" iron rod in same for corner;

THENCE S 12 deg. 05' W, 1884.8 feet to a 3/8" iron rod for corner, same being in the S1/4 of said 97.739 acre tract;

THENCE N 88 deg. 55' 31" W, 230.0 feet along the S1/4 of said 97.739 acre tract to a 3/8" iron rod for corner;

THENCE N 12 deg. 05' E, 1885.2 feet to the Place of Beginning and containing 9.774 acres of land.

SUBJECT, HOWEVER, to the right of ingress and egress of the owners of Tract A described hereinbefore for pedestrian and vehicular traffic and for residential utilities over and across the following described real estate:

BEGINNING at a 3/8" iron rod set in the North boundary line of said 97.739 acre tract of land, said 3/8" iron rod being S 88 deg. 58' 39" E 975 feet from the Northwest corner of same;

THENCE S 88 deg. 58' 39" E 149.67 feet along the North boundary line of said 97.739 acre tract to a fence corner post and continuing South 88 deg. 33' 00" East 30 feet along the South right-of-way line of a county oil road to a point;

THENCE South 12 deg. 05' West 30 feet to a point;

THENCE North 88 deg. 58' 39" West 179.67 feet to a point;

THENCE North 12 deg. 05' East 30 feet to the Place of Beginning.

The valuation of the lands set out hereinbefore do not (in accordance with the above-referenced Decree) take into account the value of the improvements thereon.

Tract C we find to contain 10.996 acres of land and to be of the value of \$4,398.40 and we have assigned the same to Dequellia Wilson, said Tract C being more particularly described as follows:

TRACT C: All that certain lot, tract, block or parcel of land situated in Harrison County, Texas; being a part of the Alexander Allbright Survey (A-24) of said County; being about 16-2/3rds miles Northwest of the Courthouse in the City of Marshall; being a portion of that certain tract described in a Deed from J. A. Morris, et al to Frank Nash recorded in Vol. 81, page 112, Deed

Records of Harrison County, Texas, said tract called to contain 98.5 acres but found to contain by survey 97.739 acres in all, this tract containing 10.996 acres, more particularly described as follows:

BEGINNING at a 1/4" x 2" flat iron at the NW corner of the above mentioned 97.739 acre tract; THENCE S 88 deg. 58' 39" E, 1124.67 feet, and S 88 deg. 33' 00" E, 80.30 feet along the NBL of said 97.739 acre tract to a 3/8" iron rod in the South ROW line of a county oil road for the Place of Beginning for the herein described 10.996 acre tract;

THENCE S 88 deg. 33' 00" E, 258.70 feet along the South ROW line of said county oil road to a 3/8" iron rod in same for corner;

THENCE S 12 deg. 05' W, 1883.0 feet to a 3/8" iron rod for corner, same being in the SBL of said 97.739 acre tract;

THENCE N 88 deg. 55' 31" W, 259.0 feet along the SBL of said 97.739 acre tract to a 3/8" iron rod for corner;

THENCE N 12 deg. 05' E, 1884.8 feet to the Place of Beginning for the herein described tract and containing 10.996 acres of land.

And Tract D we find to contain 21.9915 acres and to be of the value of \$8,796.60, which said Tract D we have set aside to Ora Nash Moore, said Tract D being more particularly described as follows:

TRACT D: All that certain lot, tract, block or parcel of land situated in Harrison County, Texas; being a part of the Alexander Albright Survey (A-24) of said County; being about 15-2/3rds miles Northwest of the Courthouse in the City of Marshall; being a portion of that certain tract described in a Deed from J. A. Morris, et al to Frank Nash recorded in Vol. 81, page 112, Deed Records of Harrison County, Texas, said tract called to contain 98.5 acres but found to contain by survey 97.739 acres in all, this tract containing 21.9915 acres, more particularly described as follows:

BEGINNING at a 1/4" x 2" flat iron at the NW corner of the above mentioned 97.739 acre tract; THENCE S 88 deg. 58' 39" E, 1124.67 feet and S 88 deg. 33' 00" E, 339.00 feet along the NBL of said 97.739 acre tract to a 3/8" iron rod in the south ROW line of a county oil road for the place of beginning for the herein described 21.9915 acre tract;

THENCE S 88 deg. 33' 00" E, 330.8 feet along the South ROW line of said county oil road to a 3/8" iron rod for corner;

THENCE S 00 deg. 35' W, 1846.2 feet to a 3/8" iron rod for corner in the SBL of said 97.739 acre tract;

THENCE N 88 deg. 55' 31" W, 706.2 feet along the SBL of said 97.739 acre tract to a 3/8" iron rod in same for corner;

THENCE N 12 deg. 05' E, 1883.0 feet to the Place of Beginning for the herein described tract and containing 21.9915 acres of land.

And Tract E we find to contain 21.9915 acres and to be of the value of \$8,796.60, which said Tract E we have set aside to George Wesley Nash, said Tract E being more particularly described as follows:

TRACT E: All that certain lot, tract, block or parcel of land situated in Harrison County, Texas; being a part of the Alexander Albright Survey (A-24) of said County; being about 15-2/3rds miles Northwest of the Courthouse in the City of Marshall; being a portion of that certain tract described in a Deed from J. A. Morris, et al to Frank Nash recorded in Vol. 81, page 112, Deed Records of Harrison County, Texas, said tract called to contain 98.5 acres but found to contain by survey 97.739 acres in all, this tract containing 21.9915 acres, more particularly described as follows:

BEGINNING at a 1/4" x 2" flat iron at the NW corner of the above mentioned 97.739 acre tract; THENCE S 88 deg. 58' 39" E, 1124.67 feet and S 88 deg. 33' 00" E, 669.80 feet along the NBL of

said 97.739 acre tract to a 3/8" iron rod in the south ROW line of a county oil road for the Place of Beginning for the herein described 21.9915 acre tract;

THENCE S 88 deg. 33' 00" E, 517.73 feet along the NBL of said 97.739 acre tract to a point for corner; same being the NE corner of said 97.739 acre tract;

THENCE S 00 deg. 27' 38" W, 663.48 feet; S 00 deg. 36' 37" W, 483.53 feet; S 00 deg. 10' 34" W, 413.95 feet; and S 01 deg. 18' 25" W, 289.04 feet along the EBL of said 97.739 acre tract to a pine knot by fence corner post for corner;

THENCE N 88 deg. 55' 31" W, 518.32 feet along the SBL of said 97.739 acre tract to a 3/8" iron rod in same for corner;

THENCE N 00 deg. 35' E, 1846.2 feet to a 3/8" iron rod for the Place of Beginning for the herein described tract and containing 21.9915 acres of land.

We judge such partition to be fair and equal between said parties and in proportion to the shares in which said parties are respectively entitled.

The Commissioners further report that in the performance of their duties they have incurred expenses and earned compensation for their services, including the fee of Hart Engineering Company of Longview, Texas as Surveyor in the sum of \$ 1,620.00. Such compensation is a fair and reasonable compensation for the services of such Surveyor and have been incurred by these Commissioners as debts in the performance of their services. These Commissioners ask that they be granted a reasonable compensation for their services as well.

The Commissioners pray that their Report be accepted and approved, bills for compensation and expenses be allotted, allowed and paid, and that they be thereupon discharged from their debts.

Respectfully submitted,

Nellie Melone
NELLE MELONE

A. W. Knuckels
A. W. KNUCKELS

Linda Thompson
LINDA THOMPSON

THE STATE OF TEXAS

COUNTY OF HARRISON

This instrument was acknowledged before me by the said Nellie Melone on this the 27 day of July, 1984.

Cherie Ruckel
Notary Public in and for
The State of Texas

THE STATE OF TEXAS

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COUNTY OF HARRISON

This instrument was acknowledged before me by the said A. W. Knuckels on this the 27 day of July, 1984.

Cherie Giddens
Notary Public in and for
The State of Texas

THE STATE OF TEXAS

COUNTY OF HARRISON

This instrument was acknowledged before me by the said Linda Thompson on this the 26 day of July, 1984.

Cherie Giddens
Notary Public in and for
The State of Texas

ALLEN ALLEBY

5.111 Acres

33.75%
32.957 Ac

W. W. Ruckelshaus, Jr.

10%
9.774 Ac

Anna Lee Hess

11.25%
10.996 Ac

Deborah W. Wicks

100%

100%

100%

100%

100%

100%

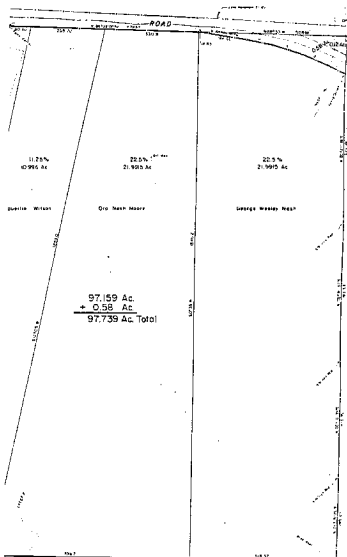
100%

100%

100%

100%

100%



LINE	BEARING	LENGTH
1	N 87° 07' 10" W	68.00
2	N 87° 07' 10" W	100.45
3	N 70° 00' 00" W	100.24
4	N 70° 00' 00" W	100.17
5	S 02° 24' 00" E	80.00
6	S 02° 00' 00" E	94.96
7	S 60° 33' 30" E	101.47
8	S 60° 33' 30" E	101.47
9	S 60° 33' 30" E	100.63
10	S 70° 00' 00" E	90.00
11	S 70° 00' 00" E	94.00

LAND OFFICER

STATE of TEXAS
COUNTY of GARLAND
I, Fred A. Allen, Registered Public Surveyor,
do hereby certify that this and hereinafter
the results of a survey made on the
ground.

Registered Public Surveyor No. 102

BEFORE ME, CLERK OF THE COUNTY OF GARLAND,
I have duly read the foregoing, and
that no fee due and lawfully claimed for
me and none due to be paid to the county and
city of the county of Garland County,
Texas, as claimed herein by me.

SEP 19 1984



[Signature]
ALEX. L. LEE
COUNTY CLERK
GARLAND COUNTY, TEXAS

97.159, 0.58 & 5.111
ACRES
ALEX. ALLBRIGHT SURVEY
HARRISON COUNTY, TEXAS

DATE	9/19/84	BY	CLERK
FILED	9/19/84	DATE	9/19/84

W. H. B. ENGINEERING COMPANY
POST OFFICE BOX 2804
LONSVILLE, TEXAS