

Tract I

A FIELDNOTE DESCRIPTION FOR
105.63 ACRE OF LAND

THE STATE OF TEXAS §

COUNTY OF JACKSON §

COUNTY OF VICTORIA §

BEING 105.63 acres of land which 76.00 acres are situated in the Mrs. C. A. Thomas Survey, Abstract 294 in Jackson County, Texas, and 29.63 acres are situated in the Mrs. C. A. Thomas Survey, Abstract 539 in Victoria County, Texas, and being 104.04 acres out of Tract No. 3 and 1.59 acres out of Tract No. 6 both described in deed to Jan Ellen Musselman Marchbanks, recorded in Volume 193, Page 343 in the Official Records of Victoria County, Texas, and recorded in Volume 65, Page 269 in the Official Records of Jackson County, Texas, said 105.63 acres of land being more fully described by metes and bounds as follows:

BEGINNING at an iron pipe being the Southwest corner of said Jan Ellen Musselman Marchbanks Tract No. 3, also being the Southwest corner of the said Mrs. C. A. Thomas Survey, Abstract 539 in Victoria County, Texas, also being the Northwest corner of the David B. Oakes Survey, Abstract 271 in Victoria County, Texas, also being in the Northeast line of the T & N O R R Survey Number 2, Abstract 468 in Victoria County, Texas, said iron pipe and PLACE OF BEGINNING also being the Southwest corner of the herein described tract; (All bearings based on Texas State Plane Coordinate, South Central Zone)

THENCE, N. 35° 58' 18" W., a distance of 1812.41 feet along the Southwest line of the said Jan Ellen Musselman Marchbanks Tract No. 3, also being the common line of the said Mrs. C.A. Thomas Survey, Abstract 539 in Victoria County, Texas, and the said T & N O R R Survey Number 2, Abstract 468 in Victoria County, Texas, to an existing concrete monument at the Northwest corner of the said Jan Ellen Musselman Marchbanks Tract No. 3, said concrete monument also being the Northwest corner of the herein described tract;

THENCE, N. 43° 02' 02" E., a distance of 1272.60 feet along the Northwest line of the said Jan Ellen Musselman Marchbanks Tract No. 3, same being the common line of the said Jan Ellen Musselman Marchbanks Tract No. 3 and Tract No. 7 described in said Jan Ellen Musselman Marchbanks deed, recorded in Volume 193, Page 343 in the Official Records of Victoria County, Texas, to a 5/8 inch iron rod set for a corner of the herein described tract;

THENCE, N. 70° 38' 31" E., a distance of 1051.06 feet crossing a portion of the said Jan Ellen Musselman Marchbanks Tract No. 3 and the said Jan Ellen Musselman Marchbanks Tract No. 6 to a 5/8 inch iron rod set for the Northeast corner of said Marchbanks Tract No. 3, said iron rod also being the Northeast corner of the herein described tract;

THENCE, S. 47° 01' 25" E., a distance of 1763.25 feet along the Northeast line of the said Jan Ellen Musselman Marchbanks Tract No. 3, same being a Southwest line of the 12,133.31 Acre Tract described as Tract Number One in a deed to J. H. Robinson as recorded in Volume 124, Page 235 in the Deed Records of Jackson County, Texas to an existing T-rod found at the Northwest corner of the Charles Bradley Survey, Abstract 95 in Jackson County, Texas, same being in the Northeast corner of the David B. Oakes Survey, Abstract 249 in Jackson County, Texas, said T-rod being in the Northwest line of a 137.59 Acre Tract described as Tract One in deed to Luke Smolik Cattle Co., L.L.C., as recorded in Instrument Number 200210160 in the Official Records of Victoria County, Texas, same being the Southeast corner of the said Jan Ellen Musselman Marchbanks Tract No. 3, said T-rod also being the Southeast corner of the herein described tract;

THENCE, S. 53° 35' 10" W., a distance of 1228.78 feet along the Southeast line of the said Jan Ellen Musselman Marchbanks Tract No. 3, same being the common line of the said Jan Ellen Musselman Marchbanks Tract No. 3 and the said Luke Smolik Cattle Co., L.L.C. Tract One, same being the common line of the said Mrs. C.A. Thomas Survey, Abstract 294 in Jackson County and the said David B. Oakes Survey, Abstract 249 in Jackson County, to an existing 5/8 inch iron rod for the Northwest corner of said Luke Smolik Cattle Co., L.L.C. Tract One, same

A FIELDNOTE DESCRIPTION FOR
105.63 ACRES OF LAND
PAGE 2

being the Northeast corner of a remainder of the Second Tract described in deed to Mack Herman Van Sickle, et ux, as recorded in Volume 958, Page 237, in the Deed Records of Victoria County, said iron rod also being a corner of the herein described tract;

THENCE, S. 53° 25' 02" W., a distance of 1365.78 feet along the common line between the said Jan Ellen Musselman Marchbanks Tract No. 3 and the said Van Sickle Second Tract, also being the common line between the said Mrs. C. A. Thomas Survey, Abstract 294 in Jackson County, and the said Mrs. C. A. Thomas Survey, Abstract 539 in Victoria County and the said David B. Oakes Survey, Abstract 249 in Jackson County, and David B. Oakes Survey, Abstract 271 in Victoria County, to the PLACE OF BEGINNING, containing within these metes and bounds 105.63 acres of land. (All set iron rods were capped with an orange plastic surveyor's cap stamped, "Balusek-Frankson & Assoc., Inc., Victoria, Texas.")

40 FOOT WIDE ROADWAY EASEMENT

Tract II

BEING a 40 foot wide roadway easement, 388.04 feet long situated in the Mrs. C. A. Thomas Survey, Abstract 294 in Jackson County, Texas crossing a portion of Tract No. 6 described in deed to Jan Ellen Musselman Marchbanks as recorded in Volume 65, Page 269 in the Official Records of Jackson County, Texas, the centerline of said 40 foot wide Roadway Easement is more fully described by metes and bounds as follows:

BEGINNING at a point at the center of a gate, in the Northwest line of the above described 105.63 acre tract, said point bears S. 70° 38' 31" W., a distance of 48.27 feet from the 5/8 inch iron rod set as the Northeast corner of said 105.63 acres, said point also being the PLACE OF BEGINNING and the Southeast end of the herein described easement.

THENCE, N. 39° 57' 06" W., a distance of 388.04 feet crossing a portion of the said Jan Ellen Marchbanks Tract No. 6 to a point in the South right-of-way line of Jackson County Road 127, same being the Northwest end of the herein described easement.

I hereby certify that the above fieldnote descriptions are based on a survey made on the ground, under my supervision, December 2004, and are true and correct to the best of my knowledge and belief.



A.C. Frankson
A.C. FRANKSON
Registered Professional Land Surveyor
Texas Registration No. 2239

DATED: December 9, 2004