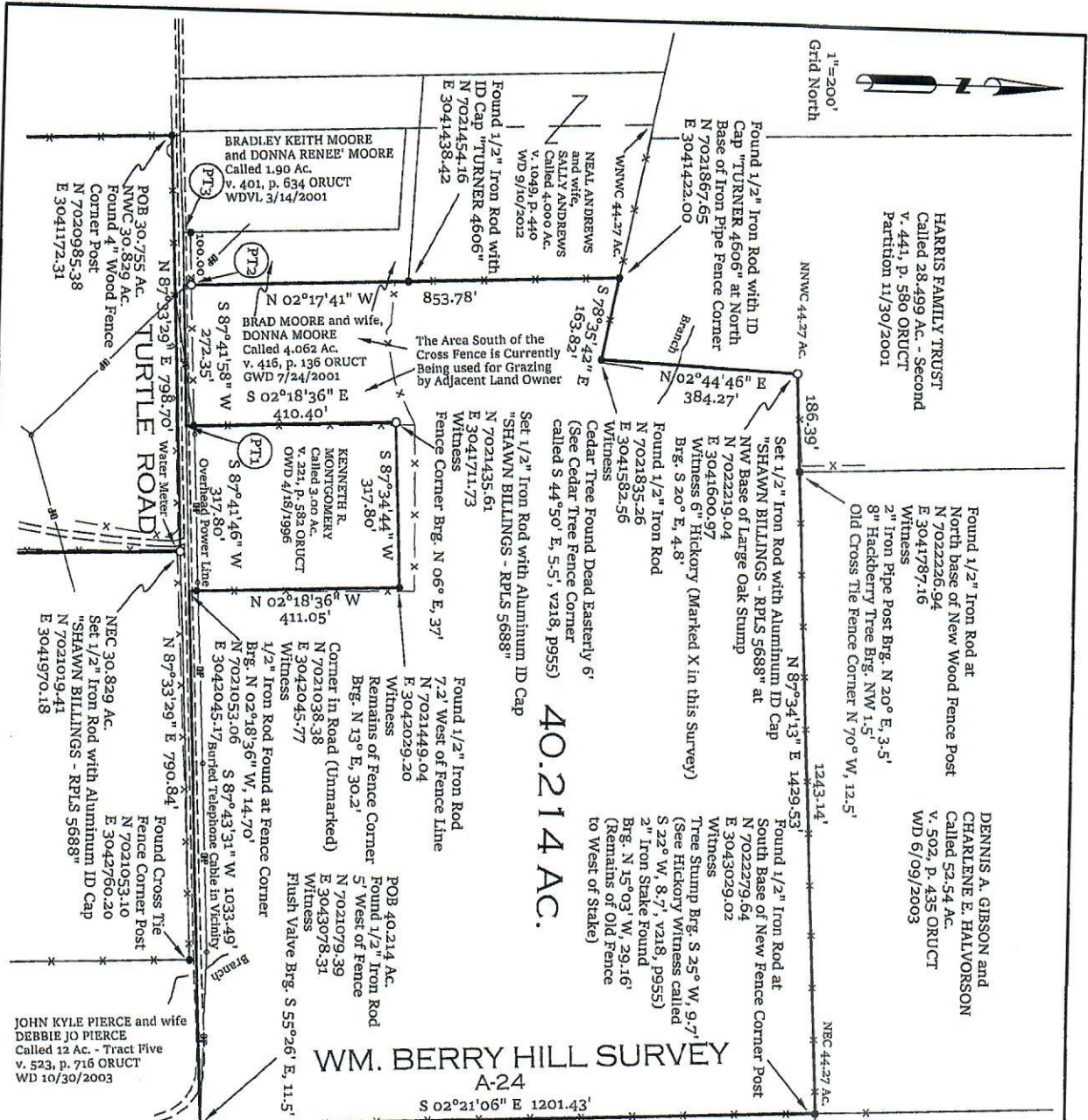




1"=200'
Grid North



HARRIS FAMILY TRUST
Called 28.499 AC. - Second
v. 441, p. 580 ORUCT
Partition 11/30/2001

Found 1/2" Iron Rod at
North base of New Wood Fence Post
N 7022226.94
E 3041787.16
Witness
2" Iron Pipe Post Brg. N 20° E, 3.5'
8" Hackberry Tree Brg. NW 1.5'
Old Cross Tie Fence Corner N 70° W, 12.5'

DENNIS A. GIBSON and
CHARLENE E. HALVORSON
Called 52.54 AC.
v. 502, p. 435 ORUCT
WD 6/09/2003

HARRIS FAMILY TRUST
Called 35.55 AC.
v. 98, p. 944 ORUCT
SWD 1/02/1992

ENOCH P. CHISM SURVEY A-73

RICHARD A. NEW
Called 72.57 AC.
v. 108, p. 59 ORUCT
WD 5/14/1992

**40.214 ACRES OF LAND
FOR REX BETTERTON
WILLIAM BERRYHILL SURVEY, A-24
UPSHUR COUNTY, TEXAS**

Being all of a called 44.27 acre tract of land described in a Special Warranty Deed from Bertie Barrett to William T. Tillery and wife, Neva L. Tillery, dated 3/25/1996, recorded in Volume 218, Page 955, Official Records, Upshur County, Texas, less a called 4.062 acre tract of land described in a General Warranty Deed from William T. Tillery and wife, Neva L. Tillery to Brad Moore and wife, Donna Moore, dated 7/24/2001, recorded in Volume 416, Page 136, Official Records, Upshur County, Texas.

Pendulum Surveying
Firm No. 10194224
Project: 16.002.02
Date: 5/09/2016
15544 County Road 173 N
Kilgore, TX 75662
(903) 985-0102

Bearings related to Grid North for the Texas Coordinate System of 1983, North Central Zone. Convergence at P.O.B. +01°54'34". Distances are expressed in US Survey Feet as measured horizontally along the surface of the Earth. To convert reported distances (horizontal/surface) to North Central Zone, multiply reported distances by the project combined factor of 0.999865. Coordinates are expressed in US Survey Feet as related to the Texas Coordinate System of 1983, North Central Zone, NAD83, 2011 Adjustment, Epoch 2010. There is no visible evidence of encroachments on or crossing this 40.214 acre tract, except as shown. There are no buildings on this tract. This survey was performed without a current title policy. There may be issues of record which may affect the property.

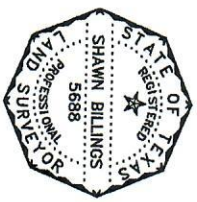
PT1 (SWC Called 3.000 AC.):
Corner in Road
N 7021025.66
E 3041728.27
Witness 1/2" Iron Rod
Found at Fence Corner
Brg. N 02°18'36" W, 14.90'
N 7021040.49
E 3041727.67
E 3041455.58

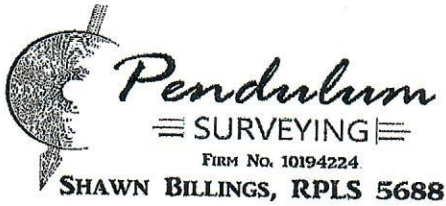
PT2 (SWC Called 4.062 AC.):
Corner in Road
N 7021010.67
E 3041356.27
Witness 1/2" Iron Rod
Found at Fence Corner
Brg. N 02°18'08" W, 15.00'
N 7021025.66
E 3041355.68

See Also:
Field Note Description of 40.214 AC
Surveyor's Report of 30.755 AC.
Field Note Description 30.755 AC.
Survey Plat of 30.755 AC.

Surveyed by me on May 7, 2016.

Shawn Billings, RPLS 5688





903-985-0102 / 903-987-0766
15544 CR 173 N, KILGORE, TX 75662
OFFICE@PENDULUMSURVEYING.COM
WWW.PENDULUMSURVEYING.COM

Project: 2016.002.02
Description of 40.214 Acres of Land
for Rex Betterton
William Berryhill Survey, A-24
Upshur County, Texas

Being 40.214 acres of land situated in Upshur County, Texas, being a part of the William Berryhill Survey, A-24, and being all of a called 44.27 acre tract of land described in a Special Warranty Deed from Bernice Barrett to William T. Tillery and wife, Neva L. Tillery, dated March 25, 1996, as recorded in Volume 218, Page 955, Official Records, Upshur County, Texas, less a called 4.062 acre tract of land described in a General Warranty Deed from William T. Tillery and wife, Neva L. Tillery, to Brad Moore and wife, Donna Moore, dated July 24, 2001, as recorded in Volume 416, Page 136, Official Records, Upshur County, Texas, and this 40.214 acre tract of land being described by metes and bounds as follows based on a survey by Shawn Billings, RPLS 5688, on May 7, 2016 (distances are expressed in US Survey Feet as measured horizontally along the surface of the Earth, to convert reported horizontal/surface distances to distances measured along the Grid for the Texas Coordinate System of 1983, North Central Zone, multiply reported distances by the project combined factor of 0.999865):

BEGINNING at a ½ inch iron rod found having State Plane Coordinates of N 7021079.39 and E 3043078.31, Texas Coordinate System of 1983, North Central Zone, US Survey Feet, NAD83, 2011 Adjustment, Epoch 2010, for this Southeast corner and Southeast corner of the Tillery called 44.27 acre tract, being the Northeast corner of a called 12 acre tract of land described as Tract Five in a Warranty Deed to John Kyle Pierce and wife, Debbie Jo Pierce, dated October 30, 2003, as recorded in Volume 523, Page 716, Official Records, Upshur County, Texas, being in the West line of a called 72.57 acre tract of land described in a Warranty Deed to Richard A. New, dated May 14, 1992, as recorded in Volume 108, Page 59, Official Records, Upshur County, Texas, being in the recognized East line of the William Berryhill Survey, A-24, and recognized West line of the Enoch P. Chism Survey, A-73, being East of a sharp bend (from North to West) in Turtle Road, a county road, witness a flush valve bearing S 55°26' E, 11.5 feet, also witness a four inch diameter wood fence corner post found for the Northwest corner and Point of Beginning of a 30.755 acre tract of land surveyed this same day, bearing S 87°10'35" W, 1908.57 feet;

THENCE S 87°43'31" W (bearings related to Grid North for the Texas Coordinate System of 1983, North Central Zone, convergence at POB: +01°54'34") with this South line, generally along the center of Turtle Road, a distance of 1033.49 feet [called S 89°59'05" W, 1033.99' v.218, p.955] to a point for corner, having State Plane Coordinates of N 7021038.38 and E 3042045.77, in the road for the Southeast corner of a called 3.00 acre tract of land described in a Owelty Warranty Deed to Kenneth R. Montgomery, dated April 18, 1996, as recorded in

40.214 Acres of Land
Continued

Volume 221, Page 582, Official Records, Upshur County, witness a ½ inch iron rod found for reference at a fence corner bearing N 02°18'36" W, 14.70 feet, having State Plane Coordinates of N 7021053.06 and E 3042045.17;

THENCE N 02°18'36" W with the East line of the Montgomery called 3.00 acre tract, at 14.70 feet passing the above mentioned ½ inch iron rod found for reference, and continuing an additional distance of 396.35 feet for a total distance of 411.05 feet [called N 00°01'28" W, 410.93' v.218, p.955] to a ½ inch iron rod found for the Northeast corner of the 3.00 acre tract, having State Plane Coordinates of N 7021449.04 and E 3042029.20, witness the remains of a fence corner bearing N 13° E, 30.2 feet;

THENCE S 87°34'44" W with the North line of the Montgomery called 3.00 acre tract, a distance of 317.80 feet [called S 89°52'58" W, 318.01' v.218, p.955] to a ½ inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for the Northwest corner of the Montgomery tract, having State Plane Coordinates of N 7021435.61 and E 3041711.73, witness a fence corner bearing N 06° E, 37 feet;

THENCE S 02°18'36" E with the West line of the Montgomery called 3.00 acre tract, at 395.50 feet passing a ½ inch iron rod found for reference at a fence corner, having State Plane Coordinates of N 7021040.49 and E 3041727.67, and continuing an additional distance of 14.90 feet for a total distance of 410.40 feet [called S 00°01'56" E, 410.40' v.218, p.955] to a point for corner in Turtle Road for the Southwest corner of the 3.00 acre tract, having State Plane Coordinates of N 7021025.60 and E 3041728.27;

THENCE S 87°41'58" W with the South line of the Tillery called 44.27 acre tract, generally along the center of Turtle Road, a distance of 272.35 feet to a point for this Southwest corner, being the Southeast corner of the above mentioned Brad Moore and Donna Moore called 4.062 acre tract (v.416, p.136), having State Plane Coordinates of N 7021014.67 and E 3041456.18, witness a ½ inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for reference bearing N 02°17'41" W, 15.00 feet, having State Plane Coordinates of N 7021029.66 and E 3041455.58, also witness a point for the Southwest corner of the Tillery called 44.27 acre tract bearing S 87°41'58" W, 100.00 feet, [compare 272.35' plus 100.00', equals 372.35', to call S 89°59'05" W, 372.75' v.218, p.955, also note call S 89°59'05" W, 100.00' v.416, p.136] having State Plane Coordinates of N 7021010.66 and E 3041356.27, from which point a ½ inch iron rod found bears N 02°16'08" W, 15.00 feet, having State Plane Coordinates of N 7021025.65 and E 3041355.68;

THENCE N 02°17'41" W with this West line and East line of said Moore called 4.062 acre tract, across the Tillery called 44.27 acre tract, at 15.00 feet passing the ½ inch iron rod set for reference, and continuing at 439.84 feet and 0.15 foot right (Easterly) passing a ½ inch iron rod found with red plastic ID cap stamped "TURNER - 4606" for the Southeast corner of a called 4.000 acre tract of land (partly out of the Moore called 4.062 acre tract), having State Plane Coordinates of N 7021454.16 and E 3041438.42, described in a Warranty Deed to Neal Andrews and wife, Sally Andrews, dated September 10, 2012, as recorded in Volume 1049, Page 440, Official Records, Upshur County, Texas, and continuing a total distance of 853.78 feet [called North 853.70' v.218, p.955] to a ½ inch iron rod found with red plastic ID cap stamped "TURNER - 4606" at the North base of an iron pipe fence corner post, in the Western North line of the Tillery called 44.27 acre tract for the Northeast corner of the Moore

40.214 Acres of Land
Continued

called 4.000 acre tract and Northeast corner of the Andrews called 4.062 acre tract, in the South line of a called 28.499 acre tract of land described as Second in a Partition Deed to Harris Family Trust, dated November 30, 2001, as recorded in Volume 441, Page 580, Official Records, Upshur County, Texas, having State Plane Coordinates of N 7021867.65 and E 3041422.00;

THENCE S 78°35'42" E with this Western North line, the Western North line of the Tillery called 44.27 acre tract and the South line of the Harris Family Trust called 28.499 acre tract, a distance of 163.82 feet [called S 76°18'59" E, 464.80' v.218, p.955, less 300.69' v.416, p.136, equals 164.11'] to a ½ inch iron rod found for an inner corner of this tract and the called 44.27 acre tract and Southern most Southeast corner of the called 28.499 acre tract, having State Plane Coordinates of N 7021835.26 and E 3041582.56, a cedar tree approximately 6 feet Easterly found lying dead [see reference to cedar tree fence corner called S 44°50' E, 5.5', v.218, p.955];

THENCE N 02°44'46" E with this Northern West line, the Northern West line of the Tillery 44.27 acre tract and Southern East line of the Harris Family Trust called 28.499 acre tract, passing a branch, a distance of 384.27 feet [called N 05°00' E, 384.17' v.218, p.955] to a ½ inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for this Northern most Northwest corner and Northern most Northwest corner of the called 44.27 acre tract and inner corner of the called 28.499 acre tract, having State Plane Coordinates of N 7022219.04 and E 3041600.97, being at the Northwest base of a large oak stump fence corner, witness a 6 inch diameter Hickory tree marked X in this survey, bearing S 20° E, 4.8 feet;

THENCE N 87°34'13" E with this North line, the North line of the Tillery called 44.27 acre tract and the South line of the Harris Family Trust called 28.499 acre tract, at 186.39 feet [called 186.26' v.218, p.955] passing ½ inch iron rod found at the North base of a wood post at the West end of a newly constructed wire fence, having State Plane Coordinates of N 7022226.94 and E 3041787.16, for the Southeast corner of called 28.499 acre tract and Southwest corner of a called 52.54 acre tract of land described in a Warranty Deed to Dennis A. Gibson and Charlene E. Halvorson, dated June 9, 2003, as recorded in Volume 502, Page 435, Official Records, Upshur County, Texas, witness a 2 inch iron pipe post in old fence line bearing N 20° E, 3.5 feet, also witness an 8 inch diameter Hackberry tree bearing Northwesterly 1.5 feet, also witness an old cross tie fence corner (fence to East, West and North) bearing N 70° W, 12.5 feet, and continuing with this North line and North line of the called 44.27 acre tract, with the South line of the Gibson/Halvorson called 52.54 acre tract, an additional distance of 1243.14 feet [called 1243.06' v.502, p.435] for a total distance in all of 1429.53 feet [called 1429.43' v.218, p.955] to a ½ inch iron rod found at the South base of a new fence corner post, having State Plane Coordinates of N 7022279.64 and E 3043029.02, for this Northeast corner and Northeast corner of the called 44.27 acre tract and Southeast corner of the called 52.54 acre tract, and Southwest corner of a called 35.55 acre tract of land described in a Special Warranty Deed to the Harris Family Trust, dated January 2, 1992, as recorded in Volume 98, Page 944, Official Records, Upshur County, Texas, and Northwest corner of the above mentioned Richard A. New called 72.57 acre tract (v.108, p.59), being in the recognized East line of the Berryhill Survey and recognized West line of the Chism Survey, witness a tree stump bearing S 25° W, 9.7 feet, [see reference to Hickory witness tree

40.214 Acres of Land
Continued

called S 22° W, 8.7', v.218, p. 955], witness 2 inch iron stake found bearing N 15°03' W, 29.16 feet (remains of old fence to West of stake);

THENCE S 02°21'06" E with this East line, the East line of the Tillery called 44.27 acre tract and the West line of the New called 72.57 acre tract, and recognized East line of the Berryhill Survey and recognized West line of the Chism Survey, generally along a wire fence, a distance of 1201.43 feet [called S 00°05'29" E, 1200.61' v.218, p.955] returning to the Point of Beginning and containing 40.214 acres of land, of which approximately 0.4 acre is within the area of county maintenance for Turtle Road.

See also:

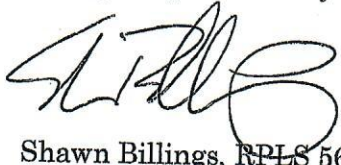
Survey Plat of 40.214 Acres of Land

Survey Plat of 30.755 Acres of Land

Field Note Description of 30.755 Acres of Land

Surveyor's Report of 30.755 Acres of Land

Surveyed by me on May 7, 2016.



Shawn Billings, RPLS 5688

