

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 223

00570747 Bk Vol Pg  
08 1882 223

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED  
WITH  
GRANT OF ACCESS EASEMENT

THE STATE OF TEXAS       §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF CHEROKEE     §

That **TIN INC.**, a Delaware corporation ("**GRANTOR**"), whose address is 1300 South MoPac Expressway, Austin, Texas 78746, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, to it in hand paid by **FORESTAR (USA) REAL ESTATE GROUP INC.** ("**GRANTEE**"), whose address is 1300 South Mopac Expressway, Austin, Texas 78746, has Granted, Sold and Conveyed and by these presents does Grant, Sell and Convey unto **GRANTEE**, subject to the reservations and exceptions hereinafter stated, all those certain tracts of land being more particularly described as follows:

SEE **EXHIBIT "A"** ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES (the "**Property**").

SUBJECT, HOWEVER, TO THE FOLLOWING EXCEPTIONS:

1. Any reservation or conveyance, in the prior chain of title, of the oil, gas, or other minerals.
2. Any easements, covenants, rights-of-way, restrictions, or reservations which may appear on record in the office of the County Clerk of the county where the Property is located.
3. Any portion of the Property lying within the boundary of a road or roadway.

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 224

00570747 Bk Vol Ps  
OR 1882 224

- 4. Any existing oil and gas leases relating to the Property to the extent same are still in effect.
- 5. Rights of parties in possession.
- 6. Any discrepancies, conflicts or shortages in the area of boundary recitations which a survey of the Property would reflect.
- 7. Any visible or apparent easements or rights-of-way across or upon the Property.
- 8. Any reservations and restrictions that apply to the title to the Property, including utility and flowage easements.

GRANTEE ACCEPTS THE PROPERTY IN ITS PRESENT "AS IS" CONDITION.  
 GRANTOR FULLY DISCLAIMS ALL WARRANTIES, BOTH EXPRESSED AND IMPLIED,  
 EXCEPT THE WARRANTY OF TITLE AS SET FORTH IN THIS SPECIAL WARRANTY  
 DEED.

TO HAVE AND TO HOLD the Property unto GRANTEE, its successors, heirs and assigns, forever; and GRANTOR does hereby warrant and forever defend, all and singular, the Property unto GRANTEE, its successors, heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, subject to the reservations and conditions herein contained, by, through or under GRANTOR, but not otherwise.

GRANTEE, by acceptance of this deed, hereby assumes liability for subsequent ad valorem tax assessments for prior years due to change in land usage or ownership.

GRANTOR further grants and conveys to GRANTEE, its successors and assigns an appurtenant, free, perpetual and non-exclusive right-of-way and easement as described in the attached Exhibit "B" (the "Access Easement") for vehicular and pedestrian access to

access easement

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 225

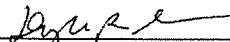
00570747 Bk Vol Pg  
00 DR 1882 225

the conveyed Property, and with rights of ingress and egress across that portion of the GRANTOR's retained adjacent property burdened by the Access Easement. GRANTOR further assigns to GRANTEE, its successor and assigns, and to the extent necessary for GRANTEE's access to the Property, those rights of access, ingress and egress granted to GRANTOR by Blue Sky Timber Partner LLC in those two Road Easements dated October 2, 2006 and recorded in the Cherokee County Deed Records at Vol. 1819, Page 124 and Vol. 1819, Page 142.

GRANTOR, its successors and assigns shall have the right from time to time to relocate the Access Easement to any other surveyed portion of the retained property, provided that such relocated easement shall be at least as wide as the currently-existing road and shall provide GRANTEE with vehicular and pedestrian access to and from the Property.

DATED this 1<sup>st</sup> day of October, 2007.

TIN INC.

By:   
Doyle R. Simons, Executive Vice President *DS*

FORESTAR (USA) REAL ESTATE GROUP INC.

By:   
J. M. DeCosmo, President

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 226

00570747 Blk Vol Ps  
08 1882 226

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 1<sup>st</sup> day of October, 2007, by Doyle R. Simons, Executive Vice President of TIN INC., a Delaware corporation, on behalf of said corporation.



Theresa Risenkover  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 1<sup>st</sup> day of October, 2007, by J. M. DeCosmo, President of FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation, on behalf of said corporation.



Theresa Risenkover  
Notary Public, State of Texas

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 227

EXHIBIT A-1

00570747 OR- 1882 227

**Neches River Conservation  
Cherokee County**

**TIN INC Compartment No.'s  
03363, 03369, 03370, 03372, 03373**

BEING CALLED 3908.12 acres of land, more or less, located in Cherokee County, Texas, along and near the Neches River and being more particularly described in two tracts as follows, to-wit:

**TRACT NO. 1:**

BEING called 1316.03 acres of land, more or less, out of and a part of the STAFFORD SELMAN SURVEY, A-765 and the GEORGE RUDELLE SURVEY, A-46, both in Cherokee County and being more particularly described as:

Parcel A). BEING all that certain 136 acre tract described as the 2<sup>nd</sup> Tract in a deed from W. T. Whiteman, et al, to Southern Pine Lumber Company, dated September 28, 1948 and recorded in Volume 326 on Page 156 of the Deed Records of Cherokee County, Texas, as part of the GEORGE RUDELLE LEAGUE A-46, and;

BEING the same land described in a deed from Blount-Decker Lumber Company to Willis Moore, dated October 20, 1919 and recorded in Volume 85 on Page 154 of the Deed Records of Cherokee County, Texas, and;

BEING parts of the land referred to as TRACT NO. 2 and TRACT NO. 3 in deed from Blount-Decker Lumber Company to W. T. Whiteman, and E.M. Decker, dated April 20, 1931 and recorded in Volume 149 on Page 64 of the Deed Records of Cherokee County, Texas, and being more fully described as follows:

BEGINNING on the West Boundary Line of the A. G. Quarles 235 acre tract on the San Antonio Road, a stake from which a 6" Hickory bears S 11° 00' W 5 varas;

THENCE Northward with said road, same being the West Boundary Line of the A. G. Quarles 235 acre tract as follows, to-wit:

N 27° 00' E 225 varas

N 47° 00' E 280 varas

N 51° 00' E 355 varas to a corner on said road from which a 20" Sweet Gum bears S 34° 00' W 14 varas;

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 228

EXHIBIT A-2

00570747 Bk Vol Pg  
DR 1882 228

THENCE leaving the San Antonio Road:

N 24° 00' W 170 varas;

N 09° 00' W 125 varas;

N 15° 00' W 240 varas;

N 02° 00' W 340 varas to the Northwest corner of said A. G. Quarles 235 acre tract, a stake for corner on an old tram road;

THENCE East, a distance of 45 varas, to the Southwest corner of the H. Gibson 110 acre tract on a branch;

THENCE Northwest up said branch, to the Northwest corner of said H. Gibson 110 acre tract;

THENCE West, a distance of 75 varas, to the East Boundary Line of the Broughton tract;

THENCE South, a distance of 2158 varas, to POINT AND PLACE OF BEGINNING, containing 136 acres of land, more or less and being the same land described as 2<sup>nd</sup> Tract in a deed from Mrs. Hattie G. Decker to Charles F. Decker and E. M. Decker, Jr., dated April 13, 1943 and recorded in Volume 247 on Page 309 of the Deed Records of Cherokee County, Texas.

Parcel B). BEING that portion of a called 735 acre tract described in a deed from E. M. Decker, Jr. and Charles F. Decker to Southern Pine Lumber Company, dated September 28, 1948 and recorded in Volume 326 on Page 153 of the Deed Records of Cherokee County, lying North of Boxes Creek and scaled to contain 705.3 acres of land.

BEGINNING at the Northwest corner of the aforementioned 735 acre tract, same being the Northwest corner of a tract of 86.5 acres on said survey described in a deed from W. M. Singletary, et ux, to E. M. Decker, dated February 7, 1931 and recorded in Volume 146 on Page 596 of the Deed Records of Cherokee County, Texas;

THENCE East, with the North Boundary Line of said 86.5 acre tract, 1320 varas, more or less, to its Northeast corner and the Northeast corner of the herein described 705 acre tract;

THENCE South, along and with, the East Boundary Line of the parent 735 acre tract described in Volume 326 on Page 153 to Boxes Creek;

THENCE Westerly up Boxes Creek to a point for corner in the West Boundary Line of the GEORGE RUDDLE LEAGUE SURVEY, A-46, same being in the West Boundary Line of the 735 acre tract;

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 229

EXHIBIT A-3

00570747 Blk Vol Pg  
OR 1882 229

THENCE N with said line to the POINT OF BEGINNING and called to contain 705.3 acres of land, more or less.

Parcel C). BEING CALLED 474.7 acres of land, more or less, out of and a part of the STAFFORD SELMAN SURVEY, A-765, Cherokee County, Texas, and being a portion, or a part, of that certain 921 acre tract described as 13<sup>th</sup> Tract in a deed from W. T. Whiteman, et al, to Southern Pine Lumber Company, dated September 28, 1948 and recorded in Volume 326 on Page 156 of the Deed Records of Cherokee County, Texas, to which reference is hereby made for any and all purposes, said 474.7 acre portion is more particularly described as follows, to-wit:

BEGINNING at the most Easterly corner of the STEPHEN BURNHAM ONE-THIRD LEAGUE SURVEY, same being the Northwest corner of the STAFFORD SELMAN SURVEY, A-765;

THENCE East a distance of 840 varas to a post for corner on West Boundary Line of the GEORGE RUDELLE LEAGUE from which a Post Oak bears North, 0.5 varas and a Black Jack bears N 80° 30' W 5.5 varas;

THENCE South with the East Boundary Line of the STAFFORD SELMAN SURVEY, A-765 and the West Boundary Line of the GEORGE RUDELLE LEAGUE to Boxes Creek, a point for corner;

THENCE Westerly with Boxes Creek across the STAFFORD SELMAN SURVEY, A-765 to a point for corner in the West Boundary Line of the STAFFORD SELMAN SURVEY, A-765, same being Southeast Boundary Line of the STEPHEN BURNHAM ONE-THIRD LEAGUE SURVEY;

THENCE N 36° 00' E with the Southeast Boundary Line of the STEPHEN BURNHAM ONE-THIRD LEAGUE SURVEY, same being the Northwest Boundary Line of the STAFFORD SELMAN SURVEY, A-765, to the POINT AND PLACE OF BEGINNING and called to encompass 474.7 acres of land, more or less.

The above described parcels of 136 acres, 705.3 acres and 474.7 acres combine to encompass 1316.03 acres as determined by a GIS system used by Temple-Inland Forest. This description is to be used for locative purposes and does not reflect an on-the-ground survey of the above cited 1316.03 acres.

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 230

00570747 BK BR Vol 1882 Pg 230

EXHIBIT A-4

**TRACT TWO:**

BEING called 2592.09 acres of land, more or less, located in Cherokee County, Texas, along and near the Neches River and being out of the following surveys, to-wit:

HENRY BURKETT	A-149
McKINNEY & WILLIAMS	A-623
STEPHEN BURNHAM	A-9
J. P. BAUGH	A-137
JOHN McGREGOR	A-34
MRS. M. W. THOMPSON	A-975
MRS. M. W. THOMPSON	A-1065
P. C. LATHAM	A-1066
(AKA J. E. STEPHENSON)	
GEORGE RUDELLEA-	46

All being in Cherokee County, Texas and being more particularly described as being:

- A. BEING CALLED 160 acres out of the HENRY BURKETT SURVEY, A-149 as described in that certain deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated January 7, 1907 and recorded in Volume 41 on Page 368 of the Deed Records of Cherokee County, Texas;
- B. BEING CALLED 209.1 acres out of and a part of the McKINNEY & WILLIAMS SURVEY, A-623, described as TRACT NO. 27 in a deed from W. T. Whiteman to Southern Pine Lumber Company, dated September 28, 1948 and recorded in Volume 326 on Page 156 of the Deed Records of Cherokee County, Texas;
- C. BEING CALLED 138.7 acres of land, more or less, out of the STEPHEN BURNHAM ONE-THIRD LEAGUE SURVEY A-9, and being a portion of that 717.7 acre tract described in a deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated October 1, 1906 and recorded in Volume 40 on Page 590 of the Deed Records of Cherokee County, Texas;
- D. BEING CALLED 40.5 acres of land, more or less, out of the J. P. BAUGH SURVEY, A-137 and being a portion of that certain 67.6 acre tract described in a deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated October 1, 1906 and recorded in Volume 41 on Page 368 of the Deed Records of Cherokee County, Texas;
- E. BEING CALLED 272.3 acres of land, more or less, out of the JOHN McGREGOR SURVEY, A-34, and being a portion of that 1290 acre tract described in a deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated October 1, 1906 and recorded in Volume 40 on Page 587 of the Deed Records of Cherokee County, Texas



Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 231

EXHIBIT

A-5

00570747 Bk Vol Pr  
OR 1882 231

and in a deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated January 7, 1907 and recorded in Volume 41 on Page 368 of the Deed Records of Cherokee County, Texas;

- F. BEING CALLED 580.0 acres of land, more or less, out of that certain 596.5 acre tract located on the MRS. M. W. THOMPSON SURVEY, A-975, and described as a 1/7 Undivided Interest in a deed from S. G. Kerr and wife, Annie C. Kerr, to Southern Pine Lumber Company, dated November 5, 1908 and recorded in Volume 46 on Page 94 of the Deed Records of Cherokee County, Texas, and described as a 6/7 Undivided Interest in TRACT SEVEN, in a deed from J. E. Stephenson and H. N. Street to Southern Pine Lumber Company, dated October 1, 1906 and recorded in Volume 40 on Page 590 of the Deed Records of Cherokee County, Texas;
- G. BEING CALLED 624.0 acres of land, more or less, out of that certain 626 acre tract located on the MRS. M. W. THOMPSON SURVEY (aka J. E. Stephenson Survey), A-1065 and described in a deed from J. E. Stephenson to Southern Pine Lumber Company, dated March 18, 1909 and recorded in Volume 47 on Page 83 of the Deed Records of Cherokee County, Texas;
- H. BEING CALLED 31.1 acres of land, more or less, out of that certain 735 acre tract located on the GEORGE RUDELLE LEAGUE SURVEY, A-46 and described in a deed from E. M. Decker, Jr. and Charles F. Decker to Southern Pine Lumber Company, dated September 28, 1948 and recorded in Volume 326 on Page 153 of the Deed Records of Cherokee County, Texas;
- I. BEING CALLED 536.3 acres of land, more or less, out of that certain 569 acre tract located on the P. C. LATHAM SURVEY (aka J. E. Stephenson Survey), A-1066 and being described in a deed from J. E. Stephenson to Southern Pine Lumber Company, dated March 27, 1909 and recorded in Volume 47 on Page 82 of the Deed Records of Cherokee County, Texas;

The above cited 2592.09 acres of land are more particularly described as follows, to-wit:

BEGINNING at the point where Temple-Inland Company Road No. 03360D intersects the Neches River on the JOHN MCGREGOR SURVEY, A-34;

THENCE in an Easterly direction with the Temple-Inland Company Road No. 03360D to the intersection of Temple-Inland Company Road No. 03360M on the JOHN MCGREGOR SURVEY, A-34;

THENCE in a Southerly and an Easterly direction along Temple-Inland Company Road No. 03360M crossing the JOHN MCGREGOR SURVEY, A-34, then the MRS. M. W. THOMPSON SURVEY, A-975, then re-entering the JOHN MCGREGOR SURVEY, A-34, passing the intersection of Temple-Inland Company Road No. 03360B and continuing 1095.6

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 232

EXHIBIT A-6

00570747 Bk Vol Pg  
DR 1882 232

scaled feet to a point for corner in Temple-Inland Company Road No. 03360M, from which a point in the West Boundary Line of the J. P. BAUGH SURVEY, A-137 at the intersection with Temple-Inland Company Road No. 03360M scales 1584 feet;

THENCE North 132 scaled feet to a point for corner;

THENCE East 792 scaled feet to a point for corner;

THENCE South 264 scaled feet to a point for corner in the Temple-Inland Company Road No. 03360M;

THENCE continuing in an Easterly direction along Temple-Inland Company Road No. 03360M, pass the West Boundary Line of the J. P. BAUGH SURVEY, A-137 and continue to the lower South Line of the J. G. King 92.4 acre tract, out of the J. P. BAUGH SURVEY, A-137, to a point for corner;

THENCE in a Southeast direction with the lower West Line of the J. G. King 92.4 acre tract and the East Line of a called 2 acre tract to the South Boundary Line of the J. P. BAUGH SURVEY, A-137;

THENCE East with the South Boundary Line of the J. P. BAUGH SURVEY, A-137 to the Western corner of a called 47.6 acre tract, same being the lower Southeast corner of the J. G. King 92.4 acre tract, a point for corner;

THENCE Northeasterly with the J. G. King 92.4 acre tract to the intersection of Temple-Inland Company Road No. 03360M;

THENCE continuing Easterly with Temple-Inland Company Road No. 03360M and crossing the J. P. BAUGH SURVEY, A-137, the MRS. M.W. THOMPSON SURVEY, A-1065, the STEPHEN BURNHAM ONE-THIRD LEAGUE SURVEY, A-9, the P. C. LATHAM SURVEY, A-1066, the MCKINNEY & WILLIAMS SURVEY, A-623, re-entering the P. C. LATHAM SURVEY, A-1066 and ending on the GEORGE RUDELLE LEAGUE SURVEY, A-46, at the intersection of Temple-Inland Company Road No. 03360M and the Neches River;

THENCE up the Neches River with its many meanders to the POINT AND PLACE OF BEGINNING and called to encompass 2592.09 acres of land, more or less, as determined by a GIS System used by Temple Inland Forest.

This description is for locative purposes only and does not reflect an on-the-ground survey of the cited 2592.09 acres of land.

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 233

EXHIBIT A-7

00570747 06 Vol Pa  
DR 1882 233

**Indian Head Tract**  
**Cherokee County**  
**TIN INC Compartment No. 03515**

BEING 879.27 acres of land lying and situated in Cherokee County, Texas and being described in two tracts, as follows:

TRACT ONE:

BEING 787.8 acres, and being all of the D.W. McNABB SURVEY of 325.35 acres, Abst. No. 596, all of the I. & G.N.R.R. COMPANY SURVEY, of 191.7 acres, Abst. No. 428; 48.63 acres out of the ROBERT LINNARD SURVEY, Abst. No. 519, and 222.12 acres out of the North half of the JAS. M. NELSON SURVEY, Abst. No. 638, situated in Cherokee County, Texas, and bounded as one tract, said tract described as NINETEENTH TRACT in a deed, dated December 18, 1968, from Armco Steel Corporation to Temple Industries, Inc. as recorded in Volume 604, Page 575 of the Deed Records of Cherokee County, Texas and more particularly described as follows:

BEGINNING at the J.M. NELSON Northwest Corner, ¼" Galv. pipe from which a 6" P.O. bears South 63 deg. East 42 feet and a 7" R.O. bears North 2 deg. East 26.5 feet;

THENCE South 88 deg. 03' West at 1678.6 feet pass the (orig.) Southeast corner of the J. T. Jones League, same being the Southwest corner of the Jos. T. Cook League, C.S.L. and in all 4083.3', a ¾" galv. pipe for the (orig) Northwest corner of the McNabb Survey and the Northeast corner L. Jordan on the South Boundary Line Jesse T. Jones League, from which a 14" B.J. bears South 3 deg. 30' West 56.9' and a 10" B.J. bears North 59 deg. East 12.5';

THENCE South 10 deg. 56' East with the East Boundary Line of the L. Jordan League at 3817.7' pass the Southwest corner of the McNabb Survey ¾" galv. pipe from which a 10" B.J. bears South 66 deg. East 33.6' and an 8" Hickory bears South 34 deg. West 29.2'; C.S.L. to 5898.3' a ¾" galv pipe for the most Westerly Southwest corner of I. & G.N.R.R. Survey, same being in the East Boundary Line of the L. Jordan League and the Northwest corner of J.R. Newton Survey, from which a 8" hickory bears North 52 deg. 30' West 32.3' and an 8" Hickory bears 5 deg. 30' East 41.5';

THENCE North 89 deg. East with the North Boundary Line of the Newton Survey, 1756.3' to a ¾" galv. pipe for an L corner of the I. & G.N.R.R. Survey, same being the Northeast corner of the Newton Survey, from which a 6" Hickory bears South 7 deg. West 25.3' and a 8" Pine bears North 6 deg. West 13.2';

THENCE South 10 deg. 0' East 1616.7' with the East Boundary Line of said Newton Survey to a ¾" galv. pipe for the most Easterly Southwest corner of the I. & G.N.R.R. Survey, same being

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 234

00570747 Bk Vol Pg  
-OR- 1882 234

EXHIBIT A - 8

the Southeast corner of the Newton; and on the North Boundary Line of the N. Hamilton Survey, from which a 10" R.O. bears South 8 deg. West 21.0' and a 12" Pine bears North 81 deg. West 19.0';

THENCE North 89 deg. 0' East 1176.0' with the North Boundary Line of said Hamilton Survey to a 2-3/4" galv. pipe for the Southeast corner of the I. & G.N.R.R. Survey, same being the Northeast corner of the Hamilton Survey, and in the West Boundary Line of the Robt. Linnard Survey, from which a 14" P.O. bears North 74 deg. East 23.3' and a 12" P.O. bears North 41 deg. West 31.3';

THENCE South 875.8' with the East Boundary Line of the Hamilton and the West Boundary Line of the Robert Linnard Surveys to a 3/4" galv. pipe for the Southwest corner of a 48.63 acre tract out of the Linnard Survey, from which a 12" P.O. bears South 7 deg. West 32.4' and a 5" Pine bears South 42 deg. East 12.5';

THENCE East 759.2' to a 3/4" galv. pipe for the most Southerly Southeast corner of said 48.63 acre tract, from which a 5" B.J. bears South 3 deg. West 7' and a 4" Sweet Gum bears North 63 deg. East 7';

THENCE North 1319.4' to a 3/4" galv. pipe for an L corner in said 48.63 acre tract, from which a 7" P.O. bears North 88 deg. East 5.0' and a 12" Pine bears South 27 deg. West 16.0';

THENCE East 942.0' to a 3/4" galv. pipe for the most Northerly Southwest corner of said 48.63 acre tract, from which a 10" P.O. bears South 10 deg. East 32.7' and a 10" Pine bears South 82 deg. West 34.0';

THENCE North 660.4' to a 3/4" galv. pipe for the Northeast corner of said 48.63 acre tract, same being in the North Boundary Line of the Robert Linnard Survey and the South Boundary Line of the Jas. M. Nelson Survey, which a 20" P.O. bears North 41 West 17.5' and a 14" R.O. bears North 89 deg. West 21.6';

THENCE South 89 deg. 44 West 1701.2' to a 3/4" galv. pipe and stone mound for the Northeast corner of said 48.63 acre tract, same being the Southwest corner of the James M. Nelson Survey, from which a 10" P.O. bears North 36 deg. West 150' and a 26" P.O. bears North 67 deg. East 37.5';

THENCE North with West Boundary Line of the James M. Nelson and East Boundary Line of the I. & G.N.R.R. Survey, at 2541.3' a galv. pipe 3/4" dia. For the (orig.) Southeast corner of the D. W. McNabb Survey and the Northeast corner of the I. & G.N.R.R. Survey, from which a 14" R.O. bears North 14 deg. East 9.2 and a 12" Sweet Gum bears South 63 deg. West 25.0' C.S.L. in all, 3289.0' stake for the Southwest corner of 222.12 acres out of the North 1/2 of the James M. Nelson Survey;

THENCE North 89 deg. 56' East 2780.7' - retracing old marked line to a P.O. stake for corner in Southeast corner of said 222 acre tract, same being the Southwest corner of a 39.13 acre tract,

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 235

EXHIBIT A-9

00570747 Bk Vol Pg  
OR 1882 235

from which a 24" Elm bears North 8 deg. West 7-1/2 varas and a 12" Maple bears North 8 deg. East 7-1/2 vrs., same being the orig. witness trees marked by Hill in 1914;

THENCE (with the meanders of a branch) North 9.0'; North 64 deg. 50' East 244; North 41 deg. 35' East 357'; North 20 deg. 50' East 270'; North 0 deg. 20' West 226 feet; North 36 deg. 0' East 278 feet; North 23 deg. 30' East 358 feet; North 0 deg. 10' West 222.2 feet to a stake for a corner of this tract, same being the Northwest corner of said 39.13 acre Mosley tract and in the South Boundary Line of the 25 acre Mosley tract from which a 6 in. Iron Wood brs. South 80 deg. East 5 vrs, a 20" White Oak brs. South 68 deg. West 9 vrs. Same being original Witness trees;

THENCE North 89 deg. 0' West 166.8 feet with the South Boundary Line of said 25 acre tract to an oak stake for a corner, same being the Southwest corner of the 25 acre Mosley tract, from which a 24" Pine brs. South 73 deg. East 1 vara, being the original witness tree, and on which an old fence line now corners;

THENCE North 0 deg. 18' East 1195.3 feet with the West Boundary Line of said 25 acres to the corner post for an old fence, for a Northeast corner of this tract, same being the Northwest corner of the 25 acres and in the South Boundary Line of a 36 acre Mosley tract, from which a 7" Sweet Gum brs. South 24 deg. West 2.8 vrs., being the original witness tree;

THENCE North 89 deg. 49' West 3478.8 feet with the South Boundary Line of said 36 acre Mosley tract and retracing old mark line, to an old pine knot for corner, same being the Southwest corner of said Mosley tract, and being in the West Boundary Line of the Nelson Survey and the East Boundary Line of the McNabb Survey, from which a 6" P.O. brs. North 84 deg. East 15 vrs., a 10 in. P.O. brs. North 45 deg. East 27.4 vrs.;

THENCE North 264 feet to the place of beginning, and containing 787.80 acres, more or less.

AND BEING the same land set out as FIRST TRACT in Deed from W. H. Shook to Sheffield Steel Corporation, dated November 16, 1951, recorded in Vol. 362, page 419, Deed Records of Cherokee County, Texas.

SAVE AND EXCEPT out of the above described 787.8 acre tract the 1.53 acre tract in the J. M. Nelson Survey heretofore conveyed by Armco Steel Corporation to the Trustees of the Russell Cemetery as shown by Quit Claim Deed dated December 30, 1959 and of record in Vol. 498, Page 261 of the Deed Records of Cherokee County, Texas

THEREBY, leaving a net acreage of 786.27 acres.

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 236

EXHIBIT A-10

00570747 Bk Vol Pa  
DR 1882 236

TRACT TWO

All that certain tract or parcel of land, situated in Cherokee County, Texas, and being 93 acres of land, more or less, a part of the J.T. COOK LEAGUE, Abstract No.11, said tract described in a deed, dated March 23, 1970, from J. P. Acker, Jr. to Temple Industries, Inc., of record in Volume 617, Page 32 of the Deed Records of Cherokee County, Texas, and being more particularly described as follows:

BEGINNING at the Southwest corner of the J.J. Pryor homestead tract, same being a fence corner on the South boundary line of the J.T. Cook League, adjoining the Southeast corner of the Corbin land;

THENCE East 405 varas to post for corner;

THENCE North 393 varas to post for corner;

THENCE North 39° East 216 varas to a post for corner;

THENCE North 368 varas to a post for corner;

THENCE North 70° West 622 varas to a post for corner in the East line of the Corbin tract;

THENCE South 17° West 290 varas to a post for corner;

THENCE South 40° West 159 varas to a post for corner;

THENCE South 80° East 61 varas to a stake for corner;

THENCE South 5° East 36 varas to a post for corner;

THENCE South 10° West 156 varas to a post for corner;

THENCE South 20° West 55 varas to a post for corner;

THENCE South 50° East 72 varas to a post for corner;

THENCE South 20° East 216 varas to a stake for corner;

THENCE South 193 varas to the place of beginning, containing 93 acres, more or less; (all lines having been run with an old wire fence by B.A. Salter on September 27th, 1933).

NOTE: This description was compiled using deeds, field notes, and information in the Temple-Inland Forest land record files and does not reflect a current on the ground survey.

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 237

EXHIBIT B-1

CON P 00570747

00570747 Bk Vol Pg  
OR 1882 237

**East Texas Surveying Co., Inc.**

F.C. Strother  
M.C. Strother

150 North Austin Street  
P.O. Box 1982  
Jasper, Texas 75851

Phone: (409) 384-3352  
Fax: (409) 384-2717

**FIELD NOTES  
(ACCESS EASEMENT)**

Being 22.939 acres of land out of Abstract 34, the John McGregor Survey, and Abstract 266, the M. Fuqua Survey, and Abstract 287, the J. M. Fontain Survey, and Abstract 420, the I. & G. N. R. R. Survey, and Abstract 867, the C. Vinning Survey, and Abstract 1042, the T. N. Jones Survey, all of Cherokee County, Texas, said 22.939 acres being more fully described as follows:

Beginning at the Southeast corner of the J. W. Wallace 25 acre tract out of the above described Vinning Survey, an iron stake found for corner on the West side of an existing road;

Thence Northerly, with the East line of the said 25 acre tract and the West side of the said existing road, as follows:

- (1). North 19° 20' 23" East, 247.47 feet, a point for corner;
- (2). North 14° 01' 37" East, 153.49 feet to the South right-of-way of State Highway 294, a point for corner;

Thence North 89° 16' 43" East, with the South right-of-way of the said highway, 62.04 feet to the East side of the said existing road, a point for corner;

Thence Southerly, with the East side of the said existing road, as follows:

- (1). South 14° 01' 37" West, 172.06 feet, a point for corner;
- (2). South 19° 20' 23" West, 247.17 feet, a point for corner;
- (3). South 22° 44' 43" West, 107.19 feet, a point for corner;
- (4). South 13° 20' 06" West, 86.29 feet, a point for corner;
- (5). South 08° 52' 50" West, 534.30 feet, a point for corner;
- (6). South 08° 23' 00" West, crossing the South line of the said Vinning Survey same being the North line of the above described I. & G. N. R. R. Survey, 860.92 feet, a point for corner;
- (7). South 37° 11' 58" West, 89.37 feet, a point for corner;
- (8). South 50° 43' 26" West, 113.09 feet, a point for corner;
- (9). South 40° 21' 27" West, 74.87 feet, a point for corner;
- (10). South 27° 31' 26" West, 46.71 feet, a point for corner;
- (11). South 17° 33' 34" West, 56.92 feet, a point for corner;
- (12). South 06° 11' 53" West, 39.03 feet, a point for corner;
- (13). South 09° 55' 51" East, 206.40 feet, a point for corner, said point being North 81° 32' 28" East, 306.31 feet from a West line corner of the said I. & G. N. R. R. Survey same being the Northeast corner of the above described Fuqua Survey;
- (14). South 19° 40' 05" East, 88.47 feet, a point for corner;
- (15). South 30° 29' 12" East, 144.12 feet, a point for corner;
- (16). South 24° 32' 22" East, 97.91 feet, a point for corner;
- (17). South 14° 19' 00" East, 97.07 feet, a point for corner;
- (18). South 02° 09' 04" East, 116.23 feet, a point for corner;
- (19). South 09° 09' 10" West, 319.20 feet, a point for corner;
- (20). South 17° 49' 01" West, 133.28 feet, a point for corner;
- (21). South 25° 50' 26" West, 60.61 feet, a point for corner;
- (22). South 38° 14' 16" West, 97.27 feet, a point for corner;
- (23). South 43° 30' 45" West, 290.80 feet, a point for corner;
- (24). South 40° 23' 00" West, crossing a West line of the said I. & G. N. R. R. Survey same being the East line of the said Fuqua Survey, 183.42 feet, a point for corner;

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882;  
Page: 238

EXHIBIT B-2

00570747 Bk Vol Pa  
OR 1882 238

- (25). South 34° 36' 47" West, 208.56 feet, a point for corner;  
 (26). South 27° 22' 13" West, 177.49 feet, a point for corner;  
 (27). South 21° 29' 52" West, 407.36 feet, a point for corner;  
 (28). South 19° 08' 24" West, 141.03 feet, a point for corner;  
 (29). South 08° 52' 46" West, 75.39 feet, a point for corner;  
 (30). South 05° 55' 00" East, 109.39 feet, a point for corner;  
 (31). South 26° 21' 56" East, 66.54 feet, a point for corner;  
 (32). South 36° 27' 52" East, 115.24 feet, a point for corner;  
 (33). South 45° 16' 58" East, 103.51 feet, a point for corner;  
 (34). South 53° 52' 53" East, crossing the South line of the said Fugua Survey same being the North line of the above described Fountain Survey, 104.76 feet, a point for corner, said point being South 75° 40' 57" West, 176.26 feet from the Southeast corner of the said Fugua Survey same being a West line corner of the said I. & G. N. R. Survey;  
 (35). South 59° 50' 05" East, 348.49 feet, a point for corner;  
 (36). South 51° 47' 27" East, 501.67 feet, a point for corner;  
 (37). South 57° 17' 34" East, 106.61 feet, a point for corner;  
 (38). South 63° 43' 35" East, 121.90 feet, a point for corner;  
 (39). South 64° 38' 23" East, 534.02 feet, a point for corner;  
 (40). South 48° 23' 18" East, 161.74 feet, a point for corner;  
 (41). South 38° 06' 34" East, 351.93 feet, a point for corner;  
 (42). South 31° 10' 21" East, 274.50 feet, a point for corner;  
 (43). South 19° 34' 44" East, 105.82 feet, a point for corner;  
 (44). South 09° 25' 46" East, 125.42 feet, a point for corner;  
 (45). South 02° 39' 08" East, 362.05 feet, a point for corner;  
 (46). South 08° 36' 44" East, 227.24 feet, a point for corner;  
 (47). South 03° 14' 47" East, crossing the East line of the said Fountain Survey same being a West line of the said I. & G. N. R. Survey, 155.55 feet, a point for corner;  
 (48). South 01° 36' 26" West, 285.40 feet, a point for corner;  
 (49). South 13° 39' 44" West, 224.38 feet, a point for corner;  
 (50). South 02° 40' 47" West, 72.93 feet, a point for corner;  
 (51). South 05° 15' 30" East, 491.95 feet, a point for corner;  
 (52). South 21° 14' 05" East, 255.07 feet, a point for corner;  
 (53). South 16° 59' 35" East, crossing the South line of the said I. & G. N. R. Survey same being the North line of the above described Jones Survey, 288.73 feet, a point for corner;  
 (54). South 25° 21' 48" East, 133.52 feet, a point for corner;
- Thence Southwesterly, with the Southeast side of the said existing road, as follows:  
 (1). South 48° 48' 58" West, crossing the South line of the said Jones Survey same being the North line of the above described McGregor Survey, 470.39 feet, a point for corner;  
 (2). South 47° 40' 24" West, 106.88 feet, a point for corner;  
 (3). South 40° 46' 21" West, 224.23 feet, a point for corner;  
 (4). South 44° 40' 37" West, 128.13 feet, a point for corner;  
 (5). South 50° 07' 27" West, 200.23 feet, a point for corner;  
 (6). South 57° 38' 41" West, 965.01 feet, a point for corner;  
 (7). South 54° 50' 12" West, 1462.41 feet, a point for corner;  
 (8). South 56° 21' 33" West, 153.29 feet, a point for corner;  
 (9). South 35° 36' 30" West, 389.18 feet, a point for corner;  
 (10). South 33° 04' 04" West, 223.06 feet, a point for corner;  
 (11). South 38° 35' 11" West, 127.30 feet, a point for corner;  
 (12). South 48° 37' 11" West, 118.32 feet, a point for corner;  
 (13). South 54° 55' 22" West, 107.27 feet, a point for corner;  
 (14). South 58° 37' 18" West, 185.24 feet, a point for corner;  
 (15). South 50° 00' 43" West, 75.43 feet, a point for corner;  
 (16). South 47° 12' 21" West, 134.34 feet, a point for corner;  
 (17). South 51° 14' 09" West, 121.20 feet, a point for corner;  
 (18). South 45° 15' 27" West, 139.24 feet, a point for corner;  
 (19). South 40° 58' 11" West, 255.92 feet, a point for corner;  
 (20). South 59° 01' 54" West, 61.43 feet, a point for corner;



Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 239

EXHIBIT B-3

00570747 Bk OR Vol 1882 Pg 239

(21). South 67° 18' 56" West, 131.44 feet to the East edge of another existing road, a point for corner;

Thence North 14° 19' 29" West, with the East edge of the said other existing road, 60.64 feet, a point for corner;

Thence Northeasterly, with the Northwest side of the said first-mentioned existing road, as follows:

- (1). North 67° 18' 56" East, 118.27 feet, a point for corner;
- (2). North 59° 01' 54" East, 47.55 feet, a point for corner;
- (3). North 40° 58' 11" East, 248.63 feet, a point for corner;
- (4). North 45° 15' 27" East, 144.62 feet, a point for corner;
- (5). North 51° 14' 09" East, 122.22 feet, a point for corner;
- (6). North 47° 12' 21" East, 133.70 feet, a point for corner;
- (7). North 50° 00' 43" East, 81.41 feet, a point for corner;
- (8). North 58° 37' 18" East, 187.81 feet, a point for corner;
- (9). North 54° 55' 22" East, 102.03 feet, a point for corner;
- (10). North 48° 37' 11" East, 109.75 feet, a point for corner;
- (11). North 38° 35' 11" East, 119.14 feet, a point for corner;
- (12). North 33° 04' 04" East, 221.50 feet, a point for corner;
- (13). North 35° 36' 30" East, 401.50 feet, a point for corner;
- (14). North 56° 21' 33" East, 163.48 feet, a point for corner;
- (15). North 54° 50' 12" East, 1463.08 feet, a point for corner;
- (16). North 57° 38' 41" East, 962.53 feet, a point for corner;
- (17). North 50° 07' 27" East, 193.43 feet, a point for corner;
- (18). North 44° 40' 37" East, 123.23 feet, a point for corner;
- (19). North 40° 46' 21" East, 225.80 feet, a point for corner;
- (20). North 47° 40' 24" East, 111.10 feet, a point for corner;
- (21). North 48° 48' 58" East, crossing the North line of the said McGregor Survey same being the South line of the said Jones Survey, 425.63 feet to the West side of the said existing road, a point for corner;

Thence Northerly, with the West side of the said existing road, as follows:

- (1). North 25° 21' 48" West, 92.55 feet, a point for corner;
- (2). North 16° 59' 35" West, crossing the North line of the said Jones Survey same being the South line of the said I. & G. N. R. Survey, 290.89 feet, a point for corner;
- (3). North 21° 14' 05" West, 261.26 feet, a point for corner;
- (4). North 05° 15' 30" West, 504.53 feet, a point for corner;
- (5). North 02° 40' 47" East, 82.86 feet, a point for corner;
- (6). North 13° 39' 44" East, 223.81 feet, a point for corner;
- (7). North 01° 36' 26" East, crossing a line of the said I. & G. N. R. Survey same being the South line of the said Fontain Survey, 276.52 feet, a point for corner;
- (8). North 03° 14' 47" West, 150.19 feet, a point for corner;
- (9). North 08° 36' 44" West, 227.55 feet, a point for corner;
- (10). North 02° 39' 08" West, 361.62 feet, a point for corner;
- (11). North 09° 25' 48" West, 116.54 feet, a point for corner;
- (12). North 19° 34' 44" West, 94.40 feet, a point for corner;
- (13). North 31° 10' 21" West, 264.77 feet, a point for corner;
- (14). North 38° 06' 34" West, 342.90 feet, a point for corner;
- (15). North 48° 23' 18" West, 147.77 feet, a point for corner;
- (16). North 64° 38' 23" West, 525.93 feet, a point for corner;
- (17). North 63° 43' 36" West, 125.75 feet, a point for corner;
- (18). North 57° 17' 34" West, 112.86 feet, a point for corner;
- (19). North 51° 47' 27" West, 500.34 feet, a point for corner;
- (20). North 59° 50' 05" West, 347.40 feet, a point for corner;
- (21). North 53° 52' 53" West, 112.39 feet, a point for corner, said point being South 84° 38' 07" West, 295.71 feet from the Southeast corner of the said Fugua Survey same being a West line corner of the said I. & G. N. R. Survey;

Database: >>Cherokee (1/10/1973 to current); Year: 2007; InstNr: 570747; Volume: 1882; Page: 240

00570747 Bk Vol Pg  
UR 1882 240

EXHIBIT B-4

- (22). North 45° 16' 58" West, crossing the North line of the said Fountain Survey same being the South line of the said Fugua Survey, 112.65 feet, a point for corner;
- (23). North 36° 27' 52" West, 125.17 feet, a point for corner;
- (24). North 26° 21' 56" West, 82.67 feet, a point for corner;
- (25). North 05° 55' 00" West, 126.00 feet, a point for corner;
- (26). North 08° 52' 46" East, 88.57 feet, a point for corner;
- (27). North 19° 08' 24" East, 147.65 feet, a point for corner;
- (28). North 21° 29' 52" East, 411.68 feet, a point for corner;
- (29). North 27° 22' 13" East, 184.36 feet, a point for corner;
- (30). North 34° 36' 47" East, 215.38 feet, a point for corner;
- (31). North 40° 23' 00" East, crossing the East line of the said Fugua Survey same being a West line of the said I. & G. N. R. Survey, 188.08 feet, a point for corner;
- (32). North 43° 30' 45" East, 289.67 feet, a point for corner;
- (33). North 38° 14' 16" East, 87.99 feet, a point for corner;
- (34). North 25° 50' 26" East, 69.89 feet, a point for corner;
- (35). North 17° 49' 01" East, 124.53 feet, a point for corner;
- (36). North 09° 09' 10" East, 308.72 feet, a point for corner;
- (37). North 02° 09' 04" West, 103.89 feet, a point for corner;
- (38). North 14° 19' 00" West, 85.31 feet, a point for corner;
- (39). North 24° 32' 22" West, 89.43 feet, a point for corner;
- (40). North 30° 29' 12" West, 146.68 feet, a point for corner;
- (41). North 19° 40' 05" West, 99.27 feet, a point for corner, said point being North 83° 05' 13" East, 246.55 feet from the Northeast corner of the said Fugua Survey same being a West line corner of the said I. & G. N. R. Survey;
- (42). North 09° 55' 51" West, 220.01 feet, a point for corner;
- (43). North 06° 11' 53" East, 53.50 feet, a point for corner;
- (44). North 17° 33' 34" East, 68.12 feet, a point for corner;
- (45). North 27° 31' 26" East, 56.69 feet, a point for corner;
- (46). North 40° 21' 27" East, 67.06 feet, a point for corner;
- (47). North 50° 43' 26" East, 111.42 feet, a point for corner;
- (48). North 37° 11' 58" East, crossing the North line of the said I. & G. N. R. Survey same being the South line of the said Vinning Survey, 66.84 feet, a point for corner;
- (49). North 08° 23' 00" East, 845.77 feet, a point for corner;
- (50). North 08° 52' 50" East, 536.90 feet, a point for corner;
- (51). North 13° 20' 06" East, 91.77 feet, a point for corner;
- (52). North 22° 44' 43" East, 107.19 feet to the Place of Beginning containing 22.939 acres of land.

Surveyed August 31, 2007

*M.C. Strother*  
M. C. Strother, Registered Professional  
Land Surveyor No. 2047



Filed for Record in:  
Official Public Records  
Cherokee County  
On: Oct 24, 2007 at 04:08P  
As a  
Recordless  
Document Number: 00570747

STATE OF TEXAS COUNTY OF CHEROKEE  
I, Laverne Lusk, County Clerk, do hereby certify that this instrument was filed on the date and time stamped hereon by me and was recorded in the volume and page of the index records of Cherokee County as stated hereon by me.  
Oct 24, 2007  
HONORABLE Laverne Lusk, COUNTY CLERK  
Cherokee County