

MARVIN MAKOWSKY

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1815
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STATE OF TEXAS)

COUNTY OF WASHINGTON)

Being all those certain parcels of land, lying and being situated in Washington County, Texas, out of the Thomas H. Borden Survey, Abstract 16, and consisting of Lot 1, Lot 2, Lot 6 and Lot 7, of Block 77 of the City of Burton, according to a map of record on Plat Slide 211A, of the Map Records of said town, described as Tract 1, being all of Lot 3, and Lot 8, of said Block 77 of said City of Burton, described as Tract 2, being the Northwest 15 feet of Lot 4, and the Northwest 15 feet of Lot 9, of said Block 77, described as Tract 3, in a Deed from Nevilee T. Dallmeyer to Randy Howard and Cheryl F. Howard, dated September 30, 1988, of record in Volume 592, page 278 – 280 of the Official Records of said county, and being the same land described in a Memorandum of Agreement between Randy Howard and Cheryl Howard (Obligor) and Daniel C. White (Obligee), of record in Volume 1215, page 610 of the Official Records of Washington County, Texas, and being more fully described in two parcels, as follows:

PARCEL A

Being **18,975 square feet of land**, consisting of all of Lot 1, Lot 2, Lot 3, and the Northwest 15 feet of Lot 4, of said Block 77, and **BEGINNING** at a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap marked R.P.L.S. 1815, for the West corner of Block 77, and the West corner of said Lot 1, for the West corner hereof, located where the Northwest line of Colorado Street intersects the Southeast line of Live Oak Street;

THENCE along the Southeast line of Live Oak Street, the Northwest line of said Block 77 and the Northwest line of said Lot 1, **North 39 deg. 20' 42" East 115.00 feet** to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, at the North corner of said Lot 1, located where the Southeast line of Live Oak Street intersects the Southwest line of a City of Burton alley;

THENCE along the Southwest line of said alley, and the Northeast line of Lot 1, Lot 2, Lot 3 and Lot 4, **South 50 deg. 39' 18" East**, at 50 feet passing the East corner of Lot 1, and the North corner of Lot 2, at 100 feet passing the East corner of Lot 2 and the North corner of Lot 3, at 150 feet passing the East corner of Lot 3 and the North corner of Lot 4, and continuing on said course, **a total distance of 165.00 feet** to a ½ inch steel rod set, flush with ground surface, fitted with a 1 inch plastic cap marked R.P.L.S. 1815, in the Northeast line of said Lot 4, for the East corner hereof, and being the North corner of the Southeast 35 feet of said Lot 4, owned by Preston A. Ruffino and Frankie J. Ruffino, (Volume 829, page 615 Official Records of Washington County, Texas);

THENCE severing said Lot 4, along the Southeast line of the Randy Howard and Cheryl Howard Tract 3, common with the Northwest line of the said Preston A. Ruffino and Frankie J. Ruffino land parcel, **South 39 deg. 20' 42" West 115.00 feet** to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap marked R.P.L.S. 1815, marking the South corner of the said Howard Tract 3, and the West corner of the said Ruffino land parcel, located in the Southwest line of said Lot 4, and the Southwest line of Block 77, located in the Northeast line of aforesaid Colorado Street;

THENCE along the Northeast line of Colorado Street, the Southwest line of Block 77 and the Southwest lines of Lot 4, Lot 3, Lot 2, and Lot 1, respectively, **North 50 deg. 39' 18" West**, at 15 feet passing the West corner of Lot 4 and the South corner of Lot 3, at 65 feet passing the West corner of Lot 3 and the South corner of Lot 2, at 115 feet passing the West corner of Lot 2 and the South corner of Lot 1, and continuing on said course, **a total distance of 165.00 feet to the PLACE OF BEGINNING and containing 18,975 square feet of land.**

PARCEL B

Being 18,975 square feet of land, consisting of all of Lot 6, Lot 7, Lot 8, and the Northwest 15 feet of Lot 9, of said Block 77, and **COMMENCING** at a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, at the West corner of said Block 77, being the West corner of Lot 1 in said block and being the West corner of the heretofore described 18,975 square feet Parcel A, located where the Northeast line of Colorado Street intersects the Southeast line of Live Oak Street;

THENCE along the Southeast line of Live Oak Street, the Northwest line of said Block 77, and the Northwest line of said Lot 1, **North 39 deg. 20' 42" East**, at 115.00 feet passing a ½ inch steel rod set, flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, at the North corner of Lot 1, being where the Southeast line of Live Oak Street intersects the Southwest line of a City of Burton alley, and continuing on said course, **a total distance of 135.00 feet** to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, marking the West corner of said Lot 6, and being the West corner and **PLACE OF BEGINNING** hereof, located where the Southeast line of Live Oak Street intersects the Northeast line of said city alley;

THENCE continuing with the Southeast line of Live Oak Street, and the Northwest line of Block 77, being along the Northwest line of said Lot 6, **North 39 deg. 20' 42" East 115.00 feet**, to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, at the North corner of Block 77, the North corner of Lot 6 and the North corner hereof, located where the Southeast line of Live Oak Street intersects the Southwest line of Trinity Street;

THENCE along the Southwest line of Trinity Street, the Northeast line of said Block 77, and along the Northeast lines of Lot 6, Lot 7, Lot 8, and Lot 9, **South 50 deg. 39' 18" East**, at 50 feet passing the East corner of Lot 6, common with the North corner of Lot 7, at 100 feet passing the East corner of Lot 7, common with the North corner of Lot 8, at 150 feet passing the East corner of Lot 8, common with the North corner of Lot 9, and continuing on said course, **a total distance of 165.00 feet** to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap, marked R.P.L.S. 1815, at the East corner of the said Howard Tract 3, common with the North corner of the Southeast 35 feet of Lot 9 owned by Preston A. Ruffino and Frankie J. Ruffino, (Volume 829, page 615 Official Records of Washington County, Texas);

THENCE severing said Lot 4, along the Southeast line of said Howard Tract 3, and the Northwest line of the said Ruffino parcel, **South 39 deg. 20' 42" West 115.00 feet** to a ½ inch steel rod set flush with ground surface, fitted with a 1 inch plastic cap marked R.P.L.S. 1815, for the South corner hereof, in the Southwest line of said Lot 9, common with the Northeast line of aforesaid city alley, same being the West corner of the Southeast 35 feet of Lot 9, owned by said Ruffino;

THENCE along the Northeast line of said city alley, and the Southwest line of said Lot 9, Lot 8, Lot 7, and Lot 6, respectively, **North 50 deg. 39' 18" West**, at 15 feet passing the West corner of Lot 9, and the South corner of Lot 8, at 65 feet passing the West corner of Lot 8 and the South corner of Lot 7, at 115 feet passing the West corner of Lot 7, and the South corner of Lot 6, and continuing on said course, **a total distance of 165.00 feet** to the **PLACE OF BEGINNING and containing 18,975 square feet of land.**

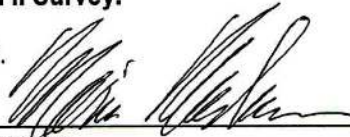
Note: All bearings recited herein refer to the Texas Plane Coordinate System – Central Zone, NAD 27, and property lines are parallel and perpendicular to the original Houston & Texas Central Railroad, which traversed through the town of Burton, and according to which the streets and blocks of said town were laid out.

Record calls for lots in Block 77 of the City of Burton, are 50 feet in width, and 115 feet in length.

Note: In addition to the heretofore land boundary descriptions, a map marked Map Exhibit B, has been prepared and made a part hereof.

This is to certify that the heretofore land boundary descriptions were prepared from an on the ground survey, made by the undersigned, and that said survey substantially conforms to the standards of a **Texas Society of Professional Surveyors, Category 1B, Condition II Survey.**

Date of signature, February 23, 2007.

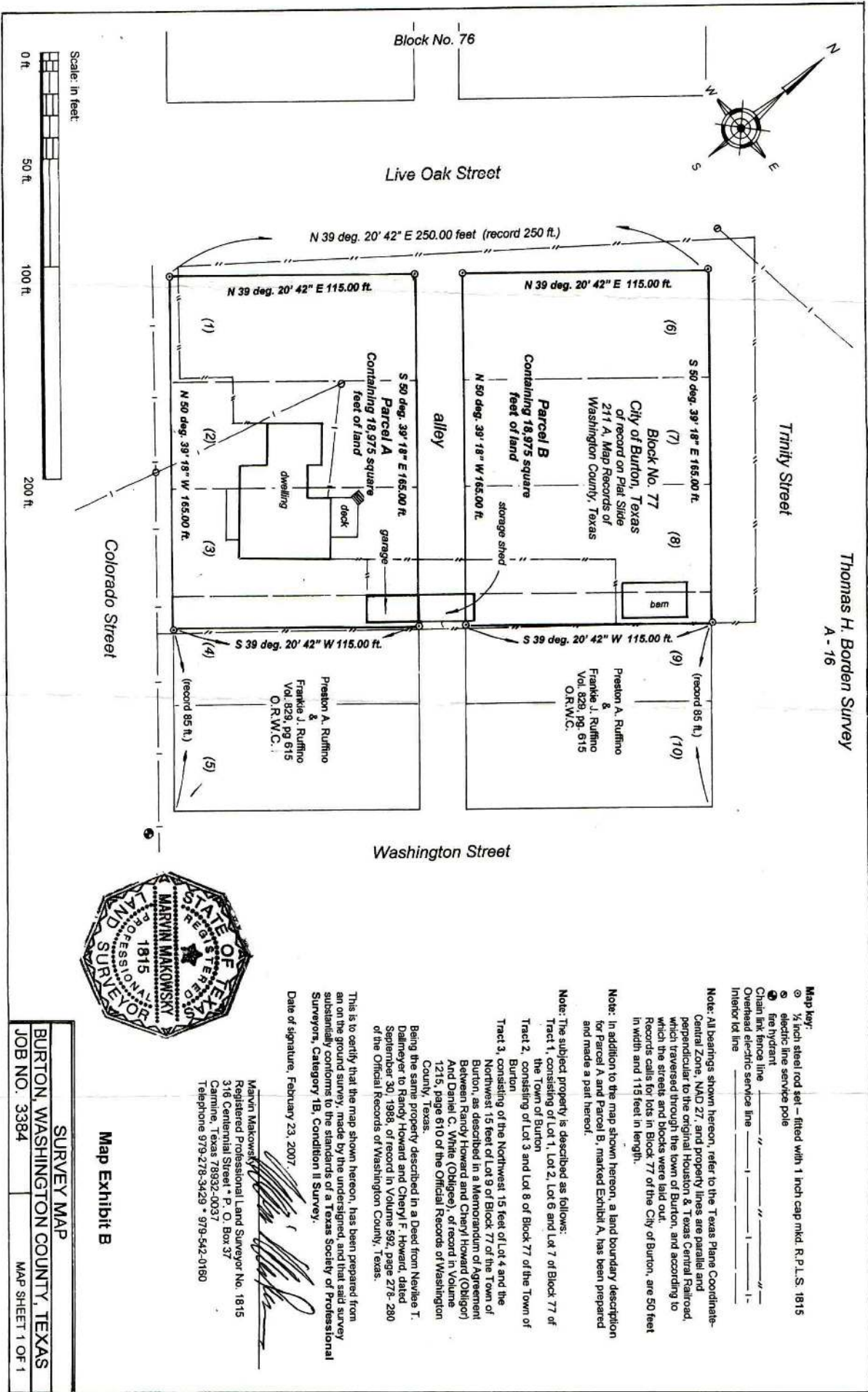


Marvin Makowsky
Registered Professional Land Surveyor No. 1815

Job No. 3384-1

EXHIBIT A, sheet 3 of 3





Thomas H. Borden Survey
A - 16

Trinity Street

Block No. 76

Live Oak Street

Washington Street

Colorado Street

Scale: in feet

50 ft

100 ft

200 ft



This is to certify that the map shown hereon, has been prepared from an on the ground survey, made by the undersigned and that said survey substantially conforms to the standards of a Texas Society of Professional Surveyors, Category 1B, Condition II Survey.

Date of signature, February 23, 2007

Marvin Makowsky

Marvin Makowsky
Registered Professional Land Surveyor No. 1815
316 Centennial Street * P. O. Box 37
Carnine, Texas 78932-0037
Telephone 979-278-3429 * 979-542-0180

Map Exhibit B

SURVEY MAP
BURTON, WASHINGTON COUNTY, TEXAS
JOB NO. 3384
MAP SHEET 1 OF 1

Map key:

- ⊙ 1/2 inch steel rod set - fitted with 1 inch cap mkl. R.P.L.S. 1815
- ⊙ electric line service pole
- ⊙ fire hydrant
- ⊙ Chain link fence line
- ⊙ Overhead electric service line
- ⊙ Interior lot line

Note: All bearings shown hereon, refer to the Texas Plane Coordinate-Central Zone, NAD 27, and property lines are parallel and perpendicular to the original Houston & Texas Central Railroad, which traversed through the town of Burton, and according to which the streets and blocks were laid out. Records calls for lots in Block 77 of the City of Burton, are 50 feet in width and 115 feet in length.

Note: In addition to the map shown hereon, a land boundary description for Parcel A and Parcel B, marked Exhibit A, has been prepared and made a part hereof.

Note: The subject property is described as follows:

Tract 1, consisting of Lot 1, Lot 2, Lot 6 and Lot 7 of Block 77 of the Town of Burton

Tract 2, consisting of Lot 3 and Lot 8 of Block 77 of the Town of Burton

Tract 3, consisting of the Northwest 15 feet of Lot 4 and the Northwest 15 feet of Lot 5 of Block 77 of the Town of Burton, as described in a Memorandum of Agreement Between Randy Howard and Cheryl Howard (Obligor) And Daniel C. White (Obligee), of record in Volume 1215, page 610 of the Official Records of Washington County, Texas.

Being the same property described in a Deed from Neville T. Dalmyer to Randy Howard and Cheryl F. Howard, dated September 30, 1988, of record in Volume 592, page 278-290 of the Official Records of Washington County, Texas.