

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

BOUNDARY LINE AGREEMENT AND CONSENT TO ENCROACH

STATE OF TEXAS §

COUNTY OF POLK §

The parties hereto, GEORGE L. DeLOACH and wife, LAURA M. DeLOACH (“DeLOACH”), residents of Polk County, Texas, and MICHAEL A. GREMILLION and wife, NEYSA S. GREMILLION, (“GREMILLION”) residents of Galveston County, Texas, are respective adjoining landowners of two (2) parcels of property located in Polk County and described as follows:

“DeLOACH PARCEL”

Lot Twenty-Eight (28), of the Timberland Cove Subdivision in Polk County, Texas, as said Subdivision is depicted upon a plat thereof recorded in Volume 10, Page 11 of the Plat Records of Polk County, Texas, to which plat and its recording reference is hereby made for all intents and purposes.

“GREMILLION PARCEL”

Lot Twenty-Seven (27), of the Timberland Cove Subdivision in Polk County, Texas, as said Subdivision is depicted upon a plat thereof recorded in Volume 10, Page 11 of the Plat Records of Polk County, Texas, to which plat and its recording reference is hereby made for all intents and purposes.

Adjoining landowners declare that:

1. GREMILLION purchased the Gremillion Parcel from TED J. GRIFFIN, JR. and wife SUSAN A. GRIFFIN by deed dated September 10, 2012 and recorded at Vol. 1858, Pg. 471 et seq in the Real Property Records of Polk County, Texas.
2. Pursuant to Survey dated May 17, 2007, prepared by James K. Johnson, P.P.L.S. No. 1962, a fence and aluminum barn and roof located on the DeLoach Parcel encroach across the common boundary line between the two parcels and into the Gremillion Parcel a distance of 1.47 feet, the common boundary line being the northerly line of the DeLoach Parcel and the southerly line of the Gremillion Parcel.

3. DeLOACH and GREMILLION's predecessor in title previously entered into a certain Boundary Line Agreement and Consent to Encroachment dated January 29, 2008, recorded in the Real Property Records of Polk County at Clerk's reference 2008-1627-464, giving DeLOACH the right to continue the encroachments until requested to remove them upon thirty (30) days notice.
4. To resolve any uncertainty whether the foregoing 2008 agreement is still in effect, DeLOACH and GREMILLION desire to continue the arrangement by entering into a similar but new agreement themselves.

IN CONSIDERATION of the mutual promises and benefits to be derived hereunder, DeLOACH and GREMILLION agree as follows:

5. The existing boundary line between the two parcels, as set forth in the deeds held by DeLOACH and GREMILLION respectively, and as shown on the above referenced survey, is neither uncertain nor disputed by the parties, notwithstanding the location of the improvements and the fence.
6. GREMILLION consents to the encroachment as shown on said survey and agrees to permit DeLOACH's encroachment on the condition that DeLOACH will remove the encroachments at his own expense upon thirty (30) days written notice by GREMILLION.
7. DeLOACH acknowledges and agrees that he cannot and will not assert any right of occupancy, title or other claim, to any part of GREMILLION's parcel by way of adverse possession or other theory of limitation title.
8. This agreement may be enforced in law or in equity. Any signatory to this Agreement who is the prevailing party in any legal proceeding against any other signatory brought under or with relation to this Agreement shall be additionally entitled to recover court costs and reasonable attorney's fees from the non-prevailing party.
9. Notices required or permitted to be sent under this agreement should be sent to the following address, or to such other address as directed in a notice, as follows:

TO: Gremillion:

Michael A. Gremillion and
Neysa S. Gremillion
4121 Pebble Beach Dr.
League City, Texas 77573

TO: DeLoach:

George L. DeLoach and
Laura M. DeLoach
130 Fawn Road
Livingston, Texas 77351.

This agreement may be executed in multiple counterparts each of which shall constitute an original, and the terms herein shall inure to the benefit and shall bind the heirs, executors, administrators, successors and assigns of each party.

EXECUTED this 31 day of January, 2013.

OWNERS OF DeLOACH PARCEL:

[Signature]
GEORGE L. DeLOACH

[Signature]
LAURA M. DeLOACH

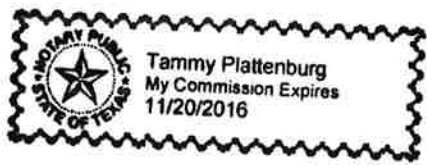
OWNERS OF GREMILLION PARCEL:

[Signature]
MICHAEL A. GREMILLION

[Signature]
NEYSA S. GREMILLION

STATE OF TEXAS §
COUNTY OF POLK §

³ This instrument was acknowledged before me on this the 31 day of January, 2013, by GEORGE L. DeLOACH.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF POLK §

3 This instrument was acknowledged before me on this the 21 day of January 13 2012, by LAURA M. DeLOACH.



Tammy Plattenburg
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF POLK §

3 This instrument was acknowledged before me on this the 14th day of February 2012, by MICHAEL A. GREMILLION.



O. Marlene Colditz
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF POLK §

3 This instrument was acknowledged before me on this the 14th day of February 2012, by NEYSA S. GREMILLION.

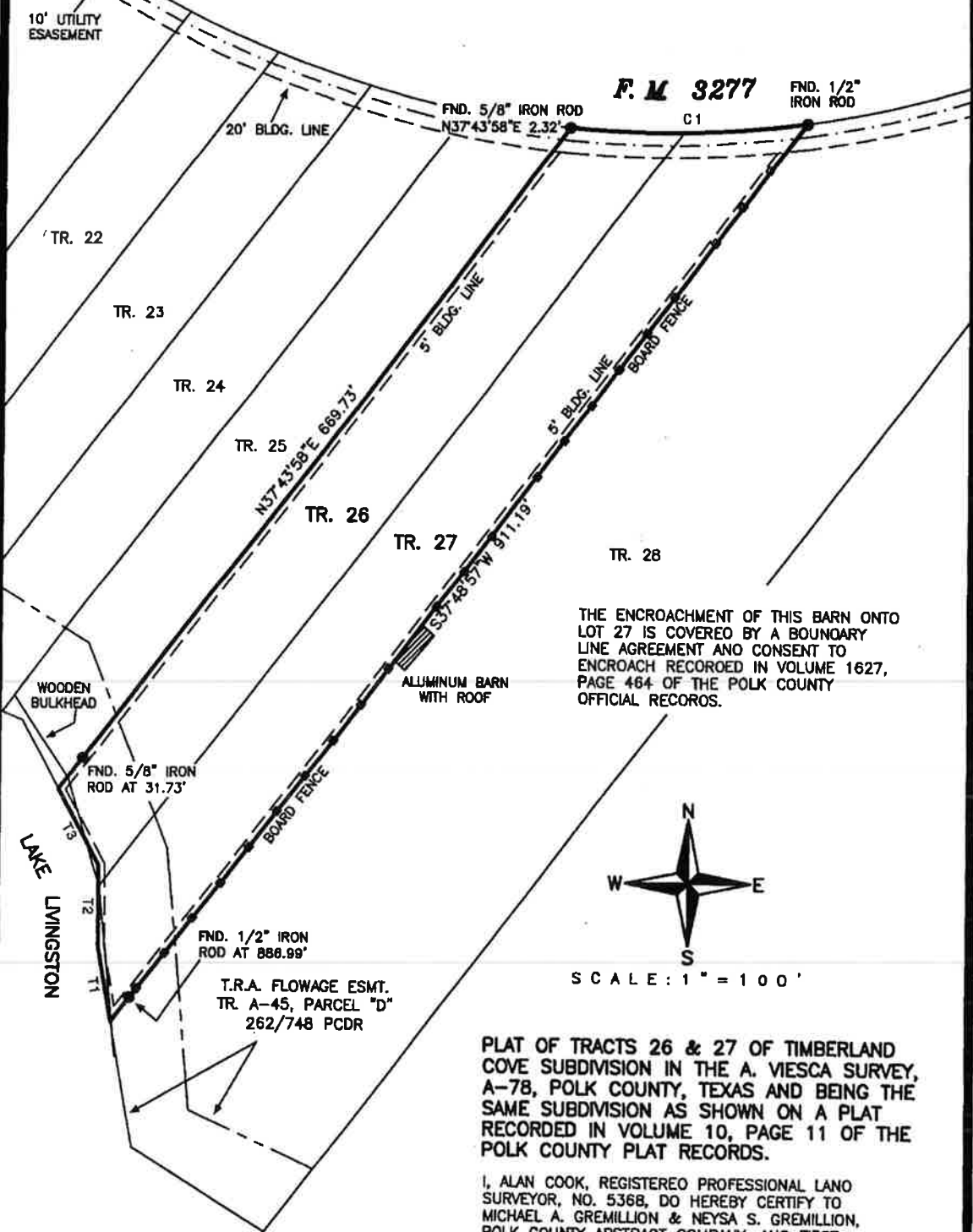


O. Marlene Colditz
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

✓
Mike Gremillion
420 Dickinson Ave
League City, Tx 77573

Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	865.96'	193.17'	12°46'51"	192.77'	N 88°47'40" E



PLAT OF TRACTS 26 & 27 OF TIMBERLAND COVE SUBDIVISION IN THE A. VIESCA SURVEY, A-78, POLK COUNTY, TEXAS AND BEING THE SAME SUBDIVISION AS SHOWN ON A PLAT RECORDED IN VOLUME 10, PAGE 11 OF THE POLK COUNTY PLAT RECORDS.

I, ALAN COOK, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5368, DO HEREBY CERTIFY TO MICHAEL A. GREMILLION & NEYSA S. GREMILLION, POLK COUNTY ABSTRACT COMPANY, AND FIRST NATIONAL BANK OF LIVINGSTON THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF AN ACTUAL SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, THAT THIS SURVEY WAS MADE UNDER MY SUPERVISION, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY.

TRINITY RIVER AUTHORITY OF TEXAS
TRACT A-45 PARCEL "A"
9.92 ACRE TRACT
226/741 PCOR

SURVEYED : AUGUST 30, 2012

Alan Cook
ALAN COOK, RPLS NO. 5368
COOK LAND SURVEYING ENT., LLC
110 EAST ABBEY STREET
LIVINGSTON, TEXAS 77351
(936) 327-8164



Course	Bearing	Distance
T1	N 10°14'18" W	60.20'
T2	N 00°03'32" W	66.19'
T3	N 28°39'01" W	69.13'