

**SPECIAL WARRANTY DEED
WITH VENDOR'S LIEN**

Date: August 1, 1997

Grantor: JEFF SMITH, Independent Executor of the ESTATE OF MYRA K. SLOVER, Deceased

Grantor's Mailing Address (including county):

1601 Elm, Suite 1700
Dallas, Dallas County, Texas 75201-7241

Grantee: TEDDY GENE BOYER and wife, MARJOLAINE BOYER

Grantee's Mailing Address (including county):

PO Box 295
Dayton, Liberty County, Texas 77535

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, and the further consideration of a note of even date that is in the principal amount of Ninety One Thousand and No/100 Dollars (\$91,000.00), executed by Grantee, payable to the order of FIRST NATIONAL BANK OF DAYTON, a National Bank Institution with its offices located in Dayton, Liberty County, Texas, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to MIKE FIELDER, Trustee.

Property (including any improvements):

129.887 acres of land, more or less, situated in the Liberty Town North League, Abstract Number 356, Liberty County, Texas, being made up of four (4) tracts of land, Tract 1 being composed of 88.917 acres, more or less, Tract 2 being composed of 14.293 acres, more or less, Tract 3 being composed of 23.338 acres, more or less, and Tract 4 being composed of 3.339 acres, more or less, said four (4) tracts being more particularly described on the attached Exhibit A.

Reservations from and Exceptions to Conveyance and Warranty:

There is EXCEPTED from this conveyance all minerals heretofore conveyed and/or reserved by Grantor's predecessors in title. Additionally, there is expressly RESERVED to Grantor, its successors and assigns, all oil, gas, and other minerals presently owned by Grantor, and the reservation of the right of ingress and egress at all times for drilling, exploring, operating, and developing the property for oil, gas, and other minerals, and for removing them from the property.

This conveyance is made and accepted subject to the following:

1. Catholic Protection Facility Easement dated April 11, 1988, executed by Myra K. Slover to Koch Gathering Systems, Inc., recorded in Volume 1229, Page 21 of the official Public Records of Liberty County, Texas, and crossing Tracts Two and Three as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
2. Right-of-Way dated June 11, 1955, executed by J. R. Slover et al to Sinclair Pipe Line Co., recorded in Volume 424, Page 214 of the Deed Records of Liberty County, Texas, and crossing Tract Three as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
3. Channel Easement dated June 1, 1953, executed by Joe N. Peters to State of Texas, recorded in Volume 396, Page 214 of the Deed Records of Liberty County, Texas, and as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
4. Any titles or rights asserted by anyone including, but not limited to, persons, corporations, governments or other entities to tidelands, or land comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of mean low tide to the line of vegetation, or to lands beyond the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or their right of access thereto, or right of easement along and across the same.
5. Subject to 1 foot reserved area running along the Easterly line of Reserved Area of Harmony Hills Subdivision and as shown on plat of subdivision recorded in Volume 8, Page 91 of the Map Records of Liberty County, Texas, and as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
6. Subject to Sun Pipe Line crossing Tract One as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
7. Subject to drain ditch crossing Northeast corner of Tract One as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
8. Subject to that portion of Tracts One and Three lying within the boundaries of Bouillet Creek as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.

9. Subject to 20 foot drainage easement along South line of Tract Three as reserved on plat of Harmony Hills Subdivision recorded in Volume 8, Page 91 of the Map Records of Liberty County, Texas, and as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
10. Subject to that portion of Tract Three lying within the boundaries of small creek running along South line of subject property as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
11. As to Tract Three, the fence on the property conveyed encroaches on property adjoining on the West, as shown on survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
12. Subject to that portion of premises lying between the East line of the Harmony Hills Subdivision, as reflected by plat of said subdivision recorded in Volume 8, Page 91 of the Map Records of Liberty County, Texas, and the West line of F.M. Highway No. 1008, and as reflected by survey dated July 24, 1997, and prepared by Roy Lynn Fisher, R.P.L.S. #5068.
13. As to Tract Four, all conveyances in the Harmony Hills Subdivision are expressly made subject to the following declarations and covenants as to the limitations, restrictions, and uses to which the lots constituting said subdivision may be put, hereby specifying that said declarations and covenants as to limitations and restrictions shall constitute covenants to run with all of the land in said subdivision, this declaration of restrictions being designed for the purpose of keeping said addition desirable, uniform and suitable in architectural design and use as herein specified.
 - a. Said covenants, conditions, restrictions, and reservations shall be perpetual and shall apply to and be forever binding upon the Grantee, his heirs, executors, administrators and assigns, and are imposed upon said realty as an obligation to charge against the same for the benefit of the Grantee herein named, their successors and assigns; and is a general plan for the benefit of said tract.
 - b. Conveyances of the above described premises are hereby expressly made subject to all of the reservations, exceptions and conveyances affecting said land or any interest therein which is presently of record in the Deed Records of Liberty County, Texas, and as is further evidenced by the recordation of said plat or map above referred to.
 - c. All sales or leases of lots in this subdivision shall be made subject to like restrictions as to the use of same.
 - d. All lavatories, baths, shower baths, commodes, bath tubs and/or toilets shall be built in indoors and connected with a sewer system; and when a sewer line is laid in any street on which this property abuts, it shall be incumbent upon the purchasers to establish connection with said sewer system without delay, and thereafter to make use of the same. In the event septic tanks or cess-pools shall be constructed and drain fields installed they must be constructed and installed according to specifications required by the City of Dayton for this Subdivision. No septic tanks or sewers shall be drained into open ditches.
 - e. Said premises shall be used for single private residence purposes only and shall not be used for business purposes of any kind whatsoever, nor for any commercial manufacturing, or apartment house purposes, other than on those lots which may hereafter be dedicated and restricted for commercial construction and commercial purposes and which shall further be subject to specific restrictions as to commercial use at the time that any lot may be dedicated for commercial purposes.
 - f. All residences and garages shall be original construction erected on a concrete slab foundation. All residences shall be detached single residences constructed for no more than one (1) family, apartments and duplexes being strictly forbidden. The ground floor area of the main structure, exclusive of one-story porches, garages, carports, patios, sidewalks and all other slab area except closets and living area shall be no less than 1200 square feet for a one (1) story dwelling. Garages and carports may be attached to the dwelling or separate and apart from the dwelling, but must be of similar construction as the dwelling in any event, and may not be used as a place of dwelling, either temporary or permanent. No previously erected structure shall be moved into this Subdivision, or placed upon any lot in this Subdivision under any circumstances, except that Grantee shall be allowed to construct and maintain temporary quarters, including a trailer house, on the premises for a period of 250 days, upon securing a building permit from the City of Dayton and thereafter from the date of the permit for said period of 250 days for the use as temporary quarters, while permanent quarters are being constructed.
 - g. No sign of any kind shall be displayed either from the lot, or attached to any dwelling, the purpose of which is to advertise any vocation or profession of the owner or other business, profession, trade or commodity. By this covenant, it is not intended to prohibit the use of a sign of not more than five (5) square feet in area advertising the property for sale, or rent, or signs used by the architect, or contractor, or other artisan, during construction of a dwelling unit on the premises.
14. Ad valorem taxes for the current and subsequent years.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty, when the claim is by, through, or under Grantor, but not otherwise.

But it is expressly agreed that the **VENDOR'S LIEN**, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face,

Special Warranty Deed
With Vendor's Lien - Page 2

tenor, effect and reading thereof, when this Deed shall become absolute. The Vendor's Lien and Superior Title retained herein are hereby transferred, assigned, sold, and conveyed to FIRST NATIONAL BANK OF DAYTON, a National Bank Institution with its offices located in Dayton, Liberty County, Texas, its successors and assigns, the payee named in the described note without recourse on grantors.



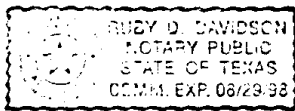
Legal

Jeff Smith
JEFF SMITH, Independent Executor of the ESTATE OF MYRA K. SLOVER, Deceased

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me, this 31st day of July, 1997, by Jeff Smith, Independent Executor of the Estate of Myra K. Slover, Deceased. to be effective August 1, 1997.

(Notary Seal)



Ruby D. Davidson
Notary Public, State of Texas

After Recording Return to:
Teddy Gene Boyer
PO Box 295
Dayton TX 77535

Prepared in the Law Office of:
Joyce Bagley
1601 Elm, Suite 1700
Dallas, Texas 75201-7241
214-922-0125
Texas State Bar No. 01511700

EXHIBIT "A"TRACT 1

FIELD NOTES of a 88.917 acre tract of land situated in the Liberty Town North League, Abstract Number 356, Liberty County, Texas, being out of and a part of a called 98 acre tract of land conveyed to Joe N. Peters, et ux, by King G. Peters, et ux, by deed dated September 10, 1951 and recorded in Volume 357 at Page 373 of the Deed Records of Liberty County, Texas, also being out of and a part of a called 337.2 acre tract of land conveyed to J. R. Slover, et ux, by Joe N. Peters, et ux, by deed dated April 1, 1955 and recorded in Volume 420 at Page 98 of the Deed Records of Liberty County, Texas. This 88.917 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE MOST EASTERLY SOUTH LINE OF A CALLED 337.2 ACRE TRACT OF LAND CONVEYED TO J. R. SLOVER BY JOE N. PETERS BY DEED DATED APRIL 1, 1955 AND RECORDED IN VOLUME 420 AT PAGE 98 OF THE DEED RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a 1/2 inch iron rod found for the Northeast corner of this tract, the Northeast corner of said 98 acre tract, the most Easterly Northeast corner of said 337.2 acre tract, the Southeast corner of a 85.5 acre tract of land called Tract Two conveyed to Dr. A. Reese Brown by James A. Smith, et ux, by deed dated June 26, 1978 and recorded in Volume 829 at Page 181 of the Deed Records of Liberty County and in the West line of a 80 acre tract of land called Second Tract conveyed to William Martin Daniel, et al, by Bill Daniel by deed dated January 3, 1964 and recorded in Volume 580 at Page 239 of the Deed Records of Liberty County. Said 80 acre tract also being out of Lot No. 6 of the T. & N. O. Railroad Company Farm Lot Survey No. 75 recorded in Volume "L" at Page 172 of the Deed Records of Liberty County.

THENCE South 00 deg. 03 min. 02 sec. West with the East line of this tract, the East line of said 98 acre tract, the most Easterly East line of said 337.2 acre tract and the West line of said 80 acre tract a distance of 705.40 feet to a 3/4 inch iron pipe found for the Southeast corner of this tract, the Southeast corner of said 98 acre tract, the most Easterly Southeast corner of said 337.2 acre tract, the Southwest corner of said 80 acre tract and in the North line of a 150 acre tract of land called First Tract conveyed to William Martin Daniel, et al, by Bill Daniel by deed dated January 3, 1964 and recorded in Volume 580 at Page 239 of the Deed Records of Liberty County.

THENCE WEST with the South line of this tract, the South line of said 98 acre tract, the most Easterly South line of said 337.2 acre tract and the North line of said 150 acre tract, at 4960 feet cross the center line of Bouillet Creek, in all a total distance of 5684.96 feet to a 1/2 inch iron rod set for the Southwest corner of this tract and in a curve in the East or Southeast right of way line of F. M. Highway No. 1008, 80 feet wide right of way. From this corner a 3/4 inch iron pipe found for the Southwest corner of said 98 acre tract and the Northwest corner of said 150 acre tract bears WEST a distance of 350.92 feet.

EXHIBIT "A"

THENCE in a Northeasterly direction with the West line of this tract and the East or Southeast right of way line of Highway No. 1008, a curve to the right (concave Southeast) having a central angle of 09 deg. 37 min. 29 sec., a radius of 2251.83 feet, an arc length of 378.27 feet and a chord of North 27 deg. 43 min. 01 sec. East a distance of 377.83 feet to a concrete right of way monument found for the point of tangency in the West line of this tract and the point of tangency of the East or Southeast right of way line of Highway No. 1008.

THENCE North 32 deg. 31 min. 46 sec. East with the West line of this tract and the East or Southeast right of way line of Highway No. 1008 a distance of 439.63 feet to a 1/2 inch iron rod set for the Northwest corner of this tract, in the North line of said 98 acre tract, in the occupied most Eastern North line of said 337.2 acre tract and in the occupied South line of said 85.5 acre tract. From this corner a 3/4 inch iron pipe found for the Northwest corner of said 98 acre tract bears South 89 deg. 59 min. 50 sec. West a distance of 762.90 feet.

THENCE North 89 deg. 59 min. 50 sec. East with the North line of this tract, the North line of said 98 acre tract, the occupied most Eastern North line of said 337.2 acre tract and the occupied South line of said 85.5 acre tract, at 171 feet cross the center line of Bouillet Creek, in all a total distance of 5273.45 feet to the PLACE OF BEGINNING, containing within said boundaries 88.917 acres of land.

TRACT 2

FIELD NOTES of a 14.293 acre tract of land situated in the Liberty Town North League, Abstract Number 356, Liberty County, Texas, being all of a called 9 and 1/2 acre tract of land partitioned to Mrs. Virginia Yarbrough Bedell by partition deed dated August 13, 1942 and recorded in Volume 258 at Page 9 of the Deed Records of Liberty County, Texas, and being out of and a part of a called 398.38 acre tract of land conveyed to Tri-County Lumber Company by J. Roy Slover, et ux, by deed dated May 3, 1961 and recorded in Volume 527 at Page 168 of the Deed Records of Liberty County, Texas. This 14.293 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE MOST EASTERLY SOUTH LINE OF A CALLED 337.2 ACRE TRACT OF LAND CONVEYED TO J. R. SLOVER BY JOE N. PETERS BY DEED DATED APRIL 1, 1955 AND RECORDED IN VOLUME 420 AT PAGE 98 OF THE DEED RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a 1 and 1/2 inch galvanized iron pipe found for the Northeast corner of this tract, the Northeast corner of said 9 and 1/2 acre tract, the Northwest corner of a 56 acre tract of land called Tract No. One conveyed to Dr. A. Reese Brown by James A. Smith, et ux, by deed dated June 26, 1978 and recorded in Volume 829 at Page 181 of the Deed Records of Liberty County, in the South line of the residue of a called 10 acre tract of land conveyed to J. E. Clark, et ux, by W. T. Jamison, Jr., et al, by deed dated August 31, 1987 and recorded in Volume 1521 at Page 169 of the Official Public Records of Liberty County, in the monumented North line of said Liberty Town North League and in the monumented South line of the Beasley Prewitt League, Abstract Number 97, Liberty County, Texas.

EXHIBIT "A"

THENCE South 00 deg. 02 min. 22 sec. West with the East line of this tract, the East line of said 9 and 1/2 acre tract and the West line of said 56 acre tract a distance of 703.69 feet to a 1 and 1/2 inch galvanized iron pipe found for the Southeast corner of this tract, the Southeast corner of said 9 and 1/2 acre tract, the Southwest corner of said 56 acre tract and in the North line of a 85.5 acre tract of land called Tract No. Two conveyed to Dr. A. Reese Brown by James A. Smith, et ux, by deed dated June 26, 1978 and recorded in Volume 829 at Page 181 of the Deed Records of Liberty County.

THENCE South 89 deg. 55 min. 24 sec. West with the South line of this tract, the South line of said 9 and 1/2 acre tract and the North line of said 85.5 acre tract, at 587.33 feet a 3/4 inch iron pipe found 0.84 feet North of line in the West line of said 9 and 1/2 acre tract and in the East line of said 398.38 acre tract, at 1171.40 feet a 3/4 inch iron pipe found in line at a fence corner post, in all a total distance of 1176.97 feet to a point for the Southwest corner of this tract and in the East or Southeast right of way line of F. M. Highway No. 1008, 80 feet wide right of way.

THENCE North 39 deg. 40 min. 46 sec. East with the West or Northwest line of this tract and the East or Southeast right of way line of Highway No. 1008 a distance of 721.06 feet to a concrete right of way monument found for the point of curve in the West or Northwest line of this tract and the point of curve in the East or Southeast right of way line of Highway No. 1008.

THENCE in a Northeasterly direction with the West or Northwest line of this tract and the East or Southeast right of way line of Highway No. 1008, a curve to the right (concave Southeast) having a central angle of 01 deg. 59 min. 15 sec., a radius of 5689.58 feet, an arc length of 197.36 feet and a chord of North 40 deg. 40 min. 23 sec. East a distance of 197.35 feet to a point for the Northwest corner of this tract, the Northwest corner of said 9 and 1/2 acre tract, the Southwest corner of a called 3 acre tract of land conveyed to James Elmer Clark, III by J. E. Clark, Jr., et ux, by deed dated March 24, 1993 and recorded in Volume 1459 at Page 494 of the Official Public Records of Liberty County, in the monumented North line of the Liberty Town North League and in the monumented South line of the Beasley Prewitt League.

THENCE North 89 deg. 56 min. 22 sec. East with the North line of this tract, the North line of said 9 and 1/2 acre tract, the South line of said 3 acre tract, the monumented South line of the Prewitt League and the North line of the Liberty Town North League, at 1.04 feet a sucker rod found in line at a fence corner post, in all a total distance of 588.44 feet to the PLACE OF BEGINNING, containing within said boundaries 14.293 acres of land.

TRACT 3

FIELD NOTES of a 23.338 acre tract of land situated in the Liberty Town North League, Abstract Number 356, Liberty County, Texas, being all of a called 2 acre tract of land conveyed to H. Armstrong by G. W. Holt by deed dated September 14, 1912 and recorded in Volume 169 at Page 195 of the Deed Records of Liberty County, Texas, also out of and a part of the residue of a called 398.38 acre tract of land conveyed to Tri-County Lumber Company by J. Roy Slover, et ux, by deed dated May 3, 1961 and recorded in Volume 527 at Page 168 of the Deed Records of Liberty County, Texas, and being the residue of a called 12 acre tract of land conveyed to J. R. Slover by J. F. Maduzia by deed dated June 29, 1956 and recorded in Volume 445 at Page 312 of the Deed Records of Liberty County, Texas. This 23.338 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

EXHIBIT "A"

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE MOST EASTERLY SOUTH LINE OF A CALLED 337.2 ACRE TRACT OF LAND CONVEYED TO J. R. SLOVER BY JOE N. PETERS BY DEED DATED APRIL 1, 1955 AND RECORDED IN VOLUME 420 AT PAGE 98 OF THE DEED RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a 1/2 inch iron rod set for the Northwest corner of this tract, the Northwest corner of said 2 acre tract, in the North line of said 398.38 acre tract, the Northeast corner of a residue tract of the said 398.38 acre tract, the East or Northeast corner of Block 53 of the Dayton Town Lots recorded in Volume "N" at Page 421 of the Deed Records of Liberty County, in the monumented North line of said Liberty Town North League, the South line of a 805.44 acre tract of land called Tract II conveyed to Champion Realty Corporation by Champion Properties Corporation by deed dated July 5, 1979 and recorded in Volume 857 at Page 117 of the Deed Records of Liberty County and in the South line of the Beasley Prewitt League, Abstract Number 97, Liberty County, Texas.

THENCE North 89 deg. 54 min. 05 sec. East with the North line of this tract, the North line of said 2 acre tract, the North line of said 398.38 acre tract, the North line of the Liberty Town North League, the South line of said 805.44 acre tract and the South line of the Prewitt League a distance of 789.97 feet to a 3/4 inch iron rod set in the center line of Bouillet Creek for the most Northern Northeast corner of this tract and the Northwest corner of a called 3.4515 acre tract of land conveyed to Ronald Lucian Clamon, et ux, by Joe J. Caballero, et ux, by deed dated August 12, 1977 and recorded in Volume 804 at Page 704 of the Deed Records of Liberty County.

THENCE in a Southerly direction with the center line of said Bouillet Creek, the East line of this tract and the West line of said 3.4515 acre tract the following meanders:

South 16 deg. 52 min. 47 sec. West, 65.04 feet;

South 43 deg. 13 min. 55 sec. East, 92.05 feet;

South 29 deg. 03 min. 59 sec. West, 38.68 feet;

South 67 deg. 04 min. 22 sec. West, 56.95 feet;

South 20 deg. 56 min. 11 sec. East, 53.98 feet;

South 36 deg. 41 min. 41 sec. East, 52.84 feet to a 3/4 inch

iron rod set in the center line of said Bouillet Creek for an interior corner of this tract and the Southwest corner of said 3.4515 acre tract.

THENCE North 89 deg. 37 min. 42 East with the most Easterly North line of this tract and the South line of said 3.4515 acre tract, at 415.85 feet a 1/2 inch galvanized iron pipe found in line for the Southeast corner of said 3.4515 acre tract and the Southwest corner of a called 2 acre tract of land conveyed to Ronald Lucian Clamon, et ux, by Joe J. Caballero, et ux, by deed dated August 12, 1977 and recorded in Volume 804 at Page 704 of the Deed Records of Liberty County, at 733.10 feet a 1/2 inch galvanized iron pipe found in line, in all a total distance of 735.85 feet to a point for the most Southern Northeast corner of this tract, the Southeast corner of said Clamon 2 acre tract and in the West or Northwest right of way line of F. M. Highway No. 1008, 80 feet wide right of way.

THENCE South 39 deg. 40 min. 46 West with the most Easterly East line of this tract and the West or Northwest right of way line of Highway No. 1008 a distance of 397.84 feet to a point for the most Northern Southeast corner of this tract and the Northeast corner of a called 1.47 acre tract of land conveyed to Ted Boyer by J. R. Slover, et ux, by deed dated November 2, 1978 and recorded in Volume 840 at Page 245 of the Deed Records of Liberty County.

EXHIBIT "A"

THENCE South 89 deg. 52 min. 50 sec. West with the most Northern South line of this tract and the North line of said 1.47 acre tract, at 534.95 feet a 1 inch galvanized iron pipe found in line, in all a total distance of 545.29 feet to a point in the centerline of said Bouillet Creek for an interior corner of this tract and the Northwest corner of said 1.47 acre tract.

THENCE in a Southerly direction with the center line of said Bouillet Creek, the East line of this tract and the West line of said 1.47 acre tract the following meanders:

South 01 deg. 12 min. 20 sec. East, 23.88 feet;
 South 28 deg. 04 min. 56 sec. West, 75.80 feet;
 South 00 deg. 00 min. 55 sec. West, 33.97 feet to a 3/4 inch iron pipe found in the center line of said Bouillet Creek for an interior corner of this tract, the Southwest corner of said 1.47 acre tract and in the North line of the residue of said Maduzia to Slover 12 acre tract. From this corner a 3/4 inch iron pipe found for the Northwest corner of the residue of said 12 acre tract bears South 89 deg. 55 min. 14 sec. West a distance of 711.46 feet.

THENCE North 89 deg. 55 min. 14 sec. East with an interior line of this tract, the South line of said 1.47 acre tract and the North line of said 12 acre tract a distance of 10.10 feet to a 1/2 inch iron rod set in the East bank of said Bouillet Creek for a corner of this tract and the Northwest corner of a 85.5 acre tract of land called Tract Two conveyed to Dr. A. Reese Brown by James A. Smith, et ux, by deed dated June 26, 1978 and recorded in Volume 829 at Page 181 of the Deed Records of Liberty County.

THENCE in a Southerly direction with the East bank of said Bouillet Creek, the East line of this tract, the East line of said 12 acre tract and the West line of said 85.5 acre tract the following meanders:

South 07 deg. 57 min. 23 sec. East, 50.19 feet;
 South 06 deg. 11 min. 52 sec. West, 47.63 feet;
 North 72 deg. 48 min. 03 sec. East, 51.93 feet;
 South 21 deg. 39 min. 31 sec. East, 121.73 feet;
 South 12 deg. 08 min. 07 sec. West, 134.25 feet;
 South 87 deg. 48 min. 03 sec. West, 43.81 feet;
 South 16 deg. 23 min. 35 sec. East, 90.12 feet;
 South 18 deg. 08 min. 55 sec. West, 43.30 feet;
 South 10 deg. 18 min. 08 sec. East, 24.58 feet;
 South 56 deg. 19 min. 25 sec. East, 38.63 feet to a 1/2 inch iron rod set in the East bank of said Bouillet Creek for a corner of this tract, a corner of said 12 acre tract, a corner of said 85.5 acre tract and in the West or Northwest right of way line of Highway No. 1008, 110 feet wide right of way at this point.

THENCE South 32 deg. 12 min. 09 sec. West with the East line of this tract and the West or Northwest right of way line of Highway No. 1008 a distance of 34.00 feet to a concrete right of way monument found for an angle corner of this tract and an angle corner of said Highway No. 1008 right of way.

EXHIBIT "A"

THENCE South 24 deg. 02 min. 55 sec. West with the East line of this tract and the West or Northwest right of way line of Highway No. 1008 a distance of 5.68 feet to a 1/2 inch iron rod found for the most Southern Southeast corner of this tract, the East or Northeast corner of Harmony Hills Subdivision recorded in Volume 8 at Page 91 of the Map Records of Liberty County and the East or Northeast corner of Lot 6 of Block 4 of said Harmony Hills Subdivision.

THENCE North 46 deg. 11 min. 52 sec. West with the South bank of Bouillet Creek, the South line of this tract and the North or Northeast line of Lot 6 of said Harmony Hills Subdivision a distance of 92.81 feet to a 5/8 inch iron rod found for a corner of this tract, the North or Northwest corner of said Lot 6 and the East or Northeast corner of Lot 7 of Block 4 of said Harmony Hills Subdivision.

THENCE in a West or Northwesterly direction with the approximate South bank of a small creek, the South line of this tract and the North or Northeast line of said Harmony Hills Subdivision the following meanders:

North 49 deg. 46 min. 50 sec. West, 92.19 feet;
 North 44 deg. 50 min. 06 sec. West, 120.53 feet to a 5/8 inch iron rod found for a corner of this tract, the North or Northwest corner of said Lot 7 and the Northeast corner of Lot 8 of Block 4 of said Harmony Hills Subdivision;
 North 69 deg. 35 min. 07 sec. West, 43.10 feet;
 South 56 deg. 47 min. 23 sec. West, 93.42 feet;
 North 77 deg. 37 min. 06 sec. West, 48.12 feet;
 South 82 deg. 57 min. 08 sec. West, 52.41 feet to a 5/8 inch iron rod found for a corner of this tract, the North corner of Lot 7 of Block 3 of said Harmony Hills Subdivision and the East or Northeast corner of Lot 6 of Block 3 of said Harmony Hills Subdivision;
 South 82 deg. 48 min. 51 sec. West, 75.06 feet;
 North 43 deg. 00 min. 10 sec. West, 58.24 feet;
 North 70 deg. 35 min. 55 sec. West, 41.68 feet to a 5/8 inch iron rod found for a corner of this tract, the North or Northwest corner of said Lot 6 of Block 3 and the East or Northeast corner of Lot 5 of said Block 3;
 North 62 deg. 43 min. 56 sec. West, 122.79 feet;
 South 42 deg. 29 min. 48 sec. West, 103.14 feet to a 1/2 inch iron rod set for the Southeast corner of this tract, an angle corner in the North line of Lot 5 of said Block 3, in the West line of said Maduzia to Slover 12 acre tract and in the East line of said Block 53 of the said Dayton Town Lots. From this corner a 3/4 inch iron pipe found for the Southwest corner of said 12 acre tract bears South 00 deg. 17 min. 40 sec. East a distance of 391.19 feet.

THENCE North 00 deg. 17 min. 40 sec. West with the West line of this tract, the West line of said 12 acre tract and the East line of Block 53 of said Dayton Town Lots, at 329.68 feet a 3/4 inch iron pipe found in line for the Northwest corner of said 12 acre tract, in all a total distance of 1034.67 feet to the PLACE OF BEGINNING, containing within said boundaries 23.338 acres of land.

EXHIBIT "A"

TRACT 4

FIELD NOTES of a 3.339 acre tract of land situated in the Liberty Town North League, Abstract Number 356, Liberty County, Texas, being out of and a part of a reserve tract in Block 4 of Harmony Hills Subdivision recorded in Volume 8 at Page 91 of the Map Records of Liberty County, Texas. This 3.339 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE MOST EASTERLY SOUTH LINE OF A CALLED 337.2 ACRE TRACT OF LAND CONVEYED TO J. R. SLOVER BY JOE N. PETERS BY DEED DATED APRIL 1, 1955 AND RECORDED IN VOLUME 420 AT PAGE 98 OF THE DEED RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a 5/8 inch iron rod found for the North or Northwest corner of this tract, the North or Northwest corner of said reserve tract, the West or Southwest corner of Lot 3 of said Block 4 and in the East or Southeast right of way line of Pecan Lane, 60 feet wide right of way.

THENCE South 63 deg. 16 min. 22 sec. East with the North or Northeast line of this tract, the North or Northeast line of said reserve tract and the South or Southwest line of said Lot 3 a distance of 230.60 feet to a point for the East or Northeast corner of this tract, the East or Northeast corner of said reserve tract, the South or Southeast corner of said Lot 3 and in the West or Northwest right of way line of F. M. Highway Number 1008, 80 feet wide right of way. From this corner a 5/8 inch iron rod found bears South 63 deg. 16 min. 22 sec. East a distance of 1.72 feet.

THENCE South 32 deg. 31 min. 46 sec. West with the East or Southeast line of this tract, the East or Southeast line of said reserve tract and the West or Northwest right of way line of Highway No. 1008 a distance of 137.94 feet to a 1/2 inch iron rod set for a point of curve in the East or Southeast line of this tract and a point of curve in the West or Northwest right of way line of Highway No. 1008.

THENCE in a Southwesterly direction with the East or Southeast line of this tract and the West or Northwest right of way line of Highway No. 1008, a curve to the left (concave Southeast) having a central angle of 11 deg. 17 min. 40 sec., a radius of 2331.83 feet, an arc length of 459.67 feet and a chord of South 26 deg. 52 min. 56 sec. West a distance of 458.92 feet to a 1/2 inch iron rod set for the most Northern Southeast corner of this tract and in the North line of a called 0.5 acre tract of land conveyed to Teddy G. Boyer, et ux, by J. R. Slover, et ux, by deed dated June 20, 1984 and recorded in Volume 1022 at Page 544 of the Official Public Records of Liberty County.

THENCE North 59 deg. 09 min. 00 sec. West with the most Northern South line of this tract and the North or Northeast line of said 0.5 acre tract a distance of 179.74 feet to a 1/2 inch iron rod set for an interior corner of this tract and the North or Northwest corner of said 0.5 acre tract.

THENCE South 24 deg. 41 min. 00 sec. West with the most Westerly East line of this tract and the West or Northwest line of said 0.5 acre tract a distance of 123.31 feet to a 1/2 inch iron rod set for the most Southern Southeast corner of this tract, in the South or Southwest line of said reserve tract and in a curve in the North or Northeast right of way line of Slover Drive, 70 feet wide right of way.

EXHIBIT "A"

THENCE in a Northwesterly direction with the South or Southwest line of this tract and the North or Northeast right of way line of Slover Drive, a curve to the right (concave Northeast) having a central angle of 24 deg. 15 min. 02 sec., a radius of 368.44 feet, an arc length of 155.94 feet and a chord of North 41 deg. 49 min. 43 sec. West a distance of 154.78 feet to a point for the West or Southwest corner of this tract, the West or Southwest corner of said reserve tract and the intersection of the North or Northeast right of way line of Slover Drive and the East or Southeast right of way line of Pecan Lane. From this corner a 1 and 1/4 inch galvanized iron pipe found in said curve bears South 29 deg. 43 min. 55 sec. East a distance of 0.37 feet.

THENCE North 60 deg. 25 min. 52 sec. East with the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane a distance of 112.62 feet to a 1/2 inch iron rod set for a point of curve in the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane.

THENCE in a Northeasterly direction with the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane, a non-tangent curve to the left (concave Northwest) (radius point bears North 36 deg. 02 min. 47 sec. East) having a central angle of 33 deg. 05 min. 59 sec., a radius of 168.71 feet, an arc length of 97.46 feet and a chord of North 43 deg. 52 min. 52 sec. East a distance of 96.11 feet to a 1/2 inch iron rod set for the point of tangency in the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane.

THENCE North 27 deg. 19 min. 52 sec. East with the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane a distance of 384.77 feet to a 1/2 inch iron rod set for the point of curve in the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane.

THENCE in a Northeasterly direction with the West or Northwest line of this tract, the West or Northwest line of said reserve tract and the East or Southeast right of way line of Pecan Lane, a non-tangent curve to the right (concave Southeast) (radius point bears South 62 deg. 40 min. 08 sec. East) having a central angle of 11 deg. 10 min. 00 sec., a radius 411.46 feet, an arc length of 80.19 feet and a chord of North 32 deg. 54 min. 52 sec. East a distance of 80.06 feet to the PLACE OF BEGINNING, containing within said boundaries 3.339 acres of land.

I, Della Sellers hereby certify that this instrument as FILED in the number designated on the face of the time stamped hereon by me, and was duly RECORDED in the volume and page of the OFFICIAL PUBLIC RECORDS of Liberty County, Texas, as stamped hereon by me on

FILED FOR RECORD

97 AUG - 6 PM 2:05

AUG - 8 1997

COUNTY CLERK
LIBERTY COUNTY, TEXAS



Della Sellers
COUNTY CLERK
LIBERTY COUNTY TEXAS