

97500683-BF-41

980457 ROADWAY AND UTILITY EASEMENTS

THE STATE OF TEXAS §
 §
COUNTY OF WALLER §

KNOW ALL MEN BY THESE PRESENTS:

That, TGL, Inc., an Oklahoma Corporation, ("Owner") is the sole owner in fee simple absolute of the real estate situated in Waller County, Texas, more particularly described as TRACTS W-1, W-2, W-3, W-5, W-6, W-7, W-8, W-9, W-10, W-11, W-12, E-9, E-10, E-11, E-12, E-13, E-14, E-15 and E-16, in EXHIBITS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R and S respectively, made a part hereof by reference.

NOW, THEREFORE, TGL, Inc., for the purpose of providing an alternate system of ingress and egress by use and maintenance of the private roadways contained on said real property, and in order to provide adequate easements for the mutual benefit of all successors in title, does hereby impose certain road easements, road maintenance, and road use covenants, which shall be binding on Owner, its successors and assigns.

TGL, Inc. ("Owner") hereby grants and conveys roadway easements to each of the subsequent owners of the Tracts set forth in the attached Exhibits and being all the land owned by Owner in the property referenced in this document and all exhibits attached herein. These roadway easements include the right to construct, alter and maintain the roads over and across the property described in the Easements described in Exhibit 1, 2, 3, 4, and 5, attached hereto, with the free right of ingress and egress over and across such property described herein as such rights of ingress and egress are necessary to the property's use of said roads.

These covenants are to run with the land and shall be binding on all grantees of title from TGL, Inc. and all persons claiming by, through, OR under them unless all owners agree otherwise. TGL, Inc., reserves the right with the right of ingress and egress to build either a public or private road to county standards along portions of the Easement identified in Exhibit 2.

If TGL, Inc. or any of its grantees, successors or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning or having a legal interest in any tract or tracts herein described to prosecute any proceeding at law or in equity against the parties or person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing, or to recover damages or other relief for such violations. Invalidation of any one of the covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

The roadway easements granted to owners of the tracts referred to herein are as follows:

1. EASEMENT NO. 1:

A perpetual easement, 60 feet in width for an alternative route of ingress and egress, and for installation and servicing of utilities, shall be created along an existing roadway. The legal descriptions for the referenced Ingress and Egress Easements are set forth on Easement 1. This easement is granted to the owners of tracts W-2, W-3, W-6, W-11, W-12 and E-10.

RETURN TO: BETH FORREST
STEWART TITLE HOUSTON
P. O. BOX 1504
HOUSTON, TEXAS 77251-1504

2. EASEMENT NO. 2:

A perpetual easement, 60 feet in width for an alternative route of ingress and egress, and for installation and servicing of utilities, shall be created along an existing roadway. The legal descriptions for the referenced Ingress and Egress Easements are set forth on Easement 2. This easement is granted to the owners of tracts E-9, E-10, E-11, E-12, E-13, E-14, E-15 and E-16 and W-11. This easement shall thereupon terminate as to the portion dividing Tracts E-6 and E-7, the portion dividing E-7 and E-12, and the portion dividing Tracts E-6 and E-13 upon Waller County's acceptance of a public road which is to be located along the entire south side of Tract E-7 and the northwest side of Tracts E-6 and E-7.

3. EASEMENT NO. 3:

A perpetual easement, 60 feet in width for an alternative route of ingress, egress and for installation and servicing of utilities, shall be created along an existing roadway. The legal descriptions for the referenced Ingress and Egress Easements are set forth on Easement 3. The rights of Tract owners abutting said easement shall be limited to that portion of the easement which abuts said tract. This easement is granted to the owners of tracts W-1, W-2, W-5, W-6, W-7, W-8, W-9, W-10 and W-11.

4. EASEMENT NO. 4:

A perpetual easement, 60 feet in width for an alternative route of ingress, egress and for installation and servicing of utilities, shall be created along an existing roadway. The legal descriptions for the referenced Ingress and Egress Easements are set forth on Easement 4. This easement is granted to the owners of tracts E-10 and W-11.

5. EASEMENT NO. 5

A perpetual easement, 60 feet in width for an alternative route of ingress, egress and for installation and servicing of utilities, shall be created along an existing roadway. The legal descriptions for the referenced Ingress and Egress Easements are set forth on Easement 5. This easement is granted to the owners of tracts E-14, E-15 and E-16.

It is the intention of the owners to maintain a perpetual roadway easement that includes all of the roads on the common boundary of the tracts abutting the Easements.

DIVISION OF MAINTENANCE COSTS FOR EASEMENT ROADWAYS:

The easements herein described contain public or private roadways, and for purposes of effecting the maintenance costs attributable to the upkeep of these roadways, the following allocation of responsibility and cost shall apply to the private roadways:

1. EASEMENT NO. 1: Easement No. 1 is common to Tracts W-2, W-3, W-6, W-11, W-12 and E-10, each of which tract owners shall be responsible for maintaining the roadway or improvement costs attributable to this roadway and may be assessed one-sixth (16.67%) for the portion of the easement which is directly adjacent to western side of Tract W-3 upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of W-2, W-3, W-11, W-12 and E-10 shall be responsible for maintaining the roadway on Easement No. 1, adjoining the north side of Tract W-3 and may be assessed one-fifth (20.00%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of W-11, W-12 and E-10 shall be

responsible for maintaining the roadway on Easement No. 1 adjoining Tract W-11 and may be assessed one-third (33.34%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts.

2. EASEMENT NO. 2: Easement No. 2 is common to Tracts E-9, E-10, E-11, E-12, E-13, E-14, E-15, E-16, and W-11, each of which tract owners shall be responsible for maintaining the roadway on Easement No. 2 and may be assessed one-ninth (11.12%) each of any road maintenance or improvement costs to this roadway attributable the portion of the easement which is between Tracts E-6 and E-7 upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of E-12, E-11, E-9, E-10 and W-11 shall be responsible for maintaining the roadway on Easement No. 2 adjoining Tract E-12 and may be assessed one-fifth (20.00%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of E-11, E-9, E-10 and W-11 shall be responsible for maintaining the roadway on Easement No. 2 adjoining Tract E-11 and may be assessed one-fourth (25.00%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of E-9, E-10 and W-11 shall be responsible for maintaining the roadway on Easement No. 2 adjoining Tract W-11 and may be assessed one-third (33.34%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of E-13, E-14, E-15 and E-16 shall be responsible for maintaining the roadway on Easement No. 2 adjoining Tract E-13 and may be assessed one-fourth (25.00%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts. The Tracts owners of E-14, E-15 and E-16 shall be responsible for maintaining the roadway on Easement No. 2 adjoining Tract E-14 and may be assessed one-third (33.34%) each of any road maintenance or improvement costs to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts.
3. EASEMENT NO. 3: Easement No. 3 common to Tracts W-1, W-2, W-5, W-6 and W-10, each of which tract owners shall be responsible for maintaining that portion of the roadway which abuts each said tract in Easement No. 3 and may be assessed one-half (50%) of any road maintenance or improvement costs attributable to the portion of the roadway abutting the owned tract upon a vote of not less than two-thirds (2/3rds) of said Tracts.
4. EASEMENT NO. 4: Easement No. 4 is common to tract W-11 and E-10, which tract owner shall be responsible for maintaining the roadway on Easement No. 4 and may be assessed one-half (50%) each of any road maintenance or improvement costs attributable to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts.
5. EASEMENT NO. 5: Easement No. 5 is common to Tract E-14, E-15, and E-16, which tract owner shall be responsible for maintaining the roadway on Easement No. 5 and may be assessed one-third (33 1/3%) each of any road maintenance or improvement costs attributable to this roadway upon a vote of not less than two-thirds (2/3rds) of said Tracts.

GENERAL TERMS

Each Tract shall be afforded one vote on matters herein described that require a vote of Tract owners, but any required maintenance and expense must be by the vote of Tract owners that have the duty to pay the costs related thereto described in Paragraph 5 above.

Each Easement shall run in favor of all Tract owners herein.

There may not be a gate placed at any point along any portion of the roadways without the agreement of all owners utilizing the segment of the roadway beyond the point to be gated.

Each Tract owner may fence along said easement parallel to its crossing of their respective Tract as long as said fencing does not interfere with the terms of this instrument or otherwise with the use of the easements described herein.

Within six (6) months after the recording of this instrument, all Tract owners shall meet for the purpose of adopting and implementing rules and procedures for the periodic maintenance and improvements of the private roadways described herein.

The easements and covenants described herein shall inure to the benefit of and be binding upon Owner and its successors and assigns of the Tracts herein described.

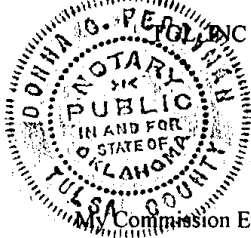
Executed the 23 day of January 1998.

TGL, Inc.

BY Jay Lawson
Vice President

STATE OF OKLAHOMA §
 §
COUNTY OF TULSA §

TGL, Inc. acknowledged this instrument before me on this 23rd day of January 1998.



Donna Ferguson
Notary Public, State of Oklahoma

My Commission Expires:
1-16-2001

EXHIBIT I

EASEMENT 1

VOL 0579 PAGE 037

FIELD NOTES FOR A 60 FOOT ROAD AND PUBLIC UTILITY EASEMENT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this easement but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 108.92 feet to a 1 inch iron pipe set for the lower Southwest corner Tract W-2 being 94.215 acres and the lower Southeast corner of Tract W-6 being 170.611 acres and being THE ACTUAL PLACE OF BEGINNING;

THENCE: North 01° 38' 18" West a distance of 1722.75 feet;

THENCE: North 88° 21' 42" East a distance of 60.00 feet

THENCE: South 01° 38' 18" East a distance of 279.72 feet

THENCE: South 86° 47' 46" East a distance of 3719.69 feet parallel with the North line of Tract W-12 being 163.368 acres;

THENCE: South 67° 26' 36" East a distance of 984.64 feet parallel with the Northeast line of Tract W-12;

THENCE: South 88° 58' 13" East a distance of 48.59 feet;

THENCE: South 01° 01' 47" West a distance of 60.00 feet to a point in the North line of Tract E-10, being 130.974 acres;

THENCE: North 88° 58' 13" West a distance of 60.00 feet to a 1 inch iron pipe set for the Northwest corner of said Tract E-10 and the Northeast corner of Tract W-12 being 163.368 acres ;

THENCE: North 67° 26' 36" West a distance of 985.81 feet to a 1 inch iron pipe set at an angle in the fence in the North line of Tract W-12;

THENCE: North 86° 47' 46" West a distance of 3704.38 feet to a 1 inch iron pipe set for the upper Northwest corner of Tract W-3 being 49.454 acres;

THENCE: South 01° 38' 18" East a distance of 1408.40 feet to a 1 inch iron pipe set at an angle point;

THENCE: South 45° 00' 00" West a distance of 14.64 feet to a 1/2 inch iron rod found in the East line of said Kelley Road;

THENCE: North with the East line of Kelley Road the following calls:

- North 16° 49' 46" West, 24.04 feet to a 1/2 inch iron rod found;
- North 46° 40' 10" West, 11.33 feet to a 1/2 inch iron rod found;
- North 84° 25' 20" West, 35.32 feet to the ACTUAL PLACE OF BEGINNING;

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.

For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/kl

EASEMENT 1

EASEMENT 2

FIELD NOTES FOR A 60 FOOT ROAD AND PUBLIC UTILITY EASEMENT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3188 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE S.H. HARDIN SURVEY, ABSTRACT 36, J. MANFORD SURVEY, ABSTRACT 222 B.B.B.&C. SURVEY, NO. 7, ABSTRACT 82 PETER HARPER SURVEY, ABSTRACT 137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" Iron rod set at the Intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 115.561 acres (surveyed at the same time as this easement and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a

length of 371.77 feet and a chord bearing of South 10° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 316.86 feet to a corner being in the East line of Tract E-14 being 93.773 acres and being THE ACTUAL PLACE OF BEGINNING;

THENCE: South 13° 53' 51" West at 15.00 feet pass the lower Southeast corner of Tract E-14 being 93.773 acres, at 45.50 feet pass the lower Southeast corner of Tract E-13 being 42.974 acres and continuing for a total distance of 61.00 feet along the West line of said Laneview Road to a point in the East line of Tract E-12;

THENCE: North 65° 44' 37" West a distance of 2151.12 feet to a point in Tract E-12;

THENCE: South 24° 57' 27" West a distance of 928.84 feet to a 1 inch iron pipe set at a fence corner for the Southwest corner of Tract E-7, being 44.690 acres;

THENCE: South 25° 00' 57" West a distance of 1726.98 feet to a point in the North line of Tract E-9, being 158.300 acres;

THENCE: North 80° 31' 08" West a distance of 1527.22 feet to a 1 inch iron pipe set for the Northwest corner of said Tract E-9;

THENCE: South 23° 35' 46" West a distance of 1000.26 feet to a 1 inch iron pipe set for an interior corner of said Tract E-9 and the lower Southeast corner of Tract W-11, being 283.486 acres;

THENCE: North 88° 58' 13" West a distance of 100.00 feet to a point in the North line of Tract E-10;

THENCE: North 01° 01' 47" East a distance of 60.00 feet to a point in Tract W-11;

THENCE: South 88° 58' 13" East a distance of 59.96 feet parallel with the South line of Tract W-11;

THENCE: North 23° 35' 46" East a distance of 1007.00 feet parallel with the Southeast line of tract W-11;

THENCE: South 80° 31' 08" East a distance of 1528.41 feet parallel with the North line of Tract E-9;

THENCE: North 25° 00' 57" East a distance of 1681.35 feet parallel with the East line of Tract E-11;

THENCE: North 24° 57' 27" East a distance of 3840.07 feet parallel with the East line of Tract E-14;

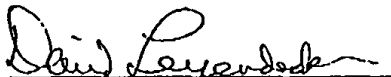
THENCE: South 65° 02' 33" East a distance of 60.00 feet to a 1 inch iron pipe set for the Southwest corner of Tract E-16 being 82.949 acres;

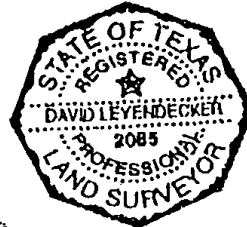
THENCE: South 24° 57' 27" West a distance of 2851.26 feet;

THENCE: South 65° 44' 37" East a distance of 2139.42 feet to the ACTUAL PLACE OF BEGINNING;

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jd

EASEMEN2

FIELD NOTES FOR A 60 FOOT ROAD EASEMENT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3169 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this easement but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 108.92 feet to a 1 inch iron pipe set for the lower Southwest corner Tract W-2 being 94.215 acres and the lower Southeast corner of Tract W-6 being 170.611 acres said corner being in the West line of a 60 foot road and public utility easement;

THENCE: North 01° 38' 18" West a distance of 1722.75 feet following the West line of said easement to the ACTUAL PLACE OF BEGINNING;

THENCE: North 01° 38' 18" West a distance of 631.20 feet to a one inch iron pipe set in the East line of Tract W-6, being 170.611 acres;

THENCE: North 07° 45' 14" East a distance of 1458.47 feet to a one inch iron pipe set for the Northeast corner of Tract W-6;

THENCE: North 87° 27' 16" West a distance of 3404.25 feet;

THENCE: South 00° 16' 03" East a distance of 2201.35 feet parallel with the West line

VOL 0579 PAGE 043

of Tract W-6;

THENCE: South 89° 32' 14" East a distance of 3212.00 feet parallel with the South line of Tract W-6;

THENCE: South 01° 38' 18" East a distance of 60.04 feet;

THENCE: North 89° 32' 14" West a distance of 3273.43 feet to a one inch iron pipe set for the Southwest corner of Tract W-6;

THENCE: North 00° 16' 03" West a distance of 2283.54 feet to a one inch iron pipe set for the Southwest corner of Tract W-6;

THENCE: North 87° 27' 16" West a distance of 2231.36 feet to a point in the North line of Tract W-5, being 322.502 acres;

THENCE: North 02° 32' 44" East a distance of 60.00 feet to a point in Tract W-1;

THENCE: South 87° 27' 16" East a distance of 5701.15 feet parallel with the South line of Tract W-1;

THENCE: North 07° 45' 14" East a distance of 984.86 feet to a one inch iron pipe set at an angle in the fence;

THENCE: North 26° 07' 52" East a distance of 668.33 feet to a one inch iron pipe set at an angle in the fence;

THENCE: North 00° 20' 35" East a distance of 1900.00 feet to a point in the common line of Tract W-1 and Tract W-10;

THENCE: South 89° 39' 25" East a distance of 60.00 feet to a point in tract W-10'

THENCE: South 00° 20' 35" West a distance of 1913.73 feet parallel with the West line of Tract W-10;

THENCE: South 26° 07' 52" West a distance of 872.36 feet parallel with the West line of Tract W-10;

THENCE: South 07° 45' 14" West a distance of 949.64 feet parallel with the West line of Tract W-10;

THENCE: South 87° 29' 13" East a distance of 3879.60 feet parallel with the South line of Tract W-10;

THENCE: South 02° 30' 47" West a distance of 60.00 feet to a one inch iron pipe set in the South line of Tract W-10;

THENCE: North 87° 29' 13" West a distance of 3885.10 feet to a point in the North line of Tract W-2, being 94.215 acres;

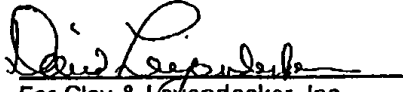
THENCE: South 07° 45' 14" West a distance of 1459.04 feet parallel with the West line of Tract W-2;

THENCE: South 01° 38' 18" East a distance of 626.27 feet parallel with the West line of Tract W-2;

THENCE: South 88° 21' 42" West a distance of 60.00 feet to the ACTUAL PLACE OF BEGINNING.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jd

EASEMEN3

EASEMENT 4

FIELD NOTES FOR A 60 FOOT ROAD EASEMENT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this easement but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
 South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
 North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
 North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
 North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
 North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
 North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
 South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
 South 84° 25' 20" East, 144.23 feet to a ½ inch iron rod found;
 South 46° 40' 10" East, 11.33 feet to a ½ inch iron rod found;
 South 16° 49' 46" East, 21.04 feet to a ½ inch iron rod found for the lower Northwest corner of Tract W-3 being 49.452 acres and the lower Southeast corner of Tract W-12 being 163.368 acres, said corner being in the East line of a 60 foot road and public utility easement;
 North 45° 00' 00" East a distance of 14.64 feet to a 1 inch iron pipe set for an interior corner of Tract W-2;
 North 1° 38' 18" West a distance of 1408.41 feet to a 1 inch iron pipe set for the Northwest corner of Tract W-2 and an interior corner of said Tract W-12;

THENCE: Following said 60 foot road and public utility easement the following calls:

South 86° 47' 46" East a distance of 3704.38 feet to a 1 inch iron pipe set at an angle in the fence in the North line of Tract W-12;
 South 67° 26' 36" East a distance of 965.81 feet to a one inch iron pipe set for the Northeast corner of Tract W-12 and the Northwest corner of Tract E-10, being 130.974 acres;

THENCE: South 88° 58' 13" East a distance of 60.00 feet to a point in the North line of Tract E-10 and the South line of Tract W-11 and being the ACTUAL PLACE OF BEGINNING.

THENCE: North 01° 01' 47" East a distance of 60.00 feet to a point in Tract W-11;

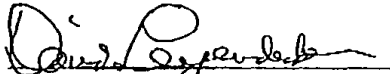
THENCE: South 88° 58' 13" East a distance of 2293.16 feet parallel with the South line of Tract W-11 to a point;

THENCE: South 01° 01' 47" West a distance of 60.00 feet to a point in the South line of Tract W-11;

THENCE: North 88° 58' 13" West a distance of 2293.16 feet along the South line of Tract W-11 to the ACTUAL PLACE OF BEGINNING.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
 David Leyendecker, R.P.L.S.
 Texas Registration No. 2085
 December 8, 1997



DT/jad

EASEMEN4

EASEMENT 5

FIELD NOTES FOR A 60 FOOT ROAD EASEMENT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE S.H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this easement and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch Iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21

feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 316.66 feet to a corner being in the East line of Tract E-14 being 93.773 acres, said corner being in the North line of a 60 foot road and public utility easement;

THENCE: Following said 60 foot road and public utility easement the following calls:

North 65° 44' 37" West a distance of 2139.42 feet to a point;

North 24° 57' 27" East a distance of 2851.26 feet to a one inch iron pipe set for the Northwest corner of Tract E-5, being 96.241 acres and being the ACTUAL PLACE OF BEGINNING;

THENCE: North 65° 02' 33" West a distance of 60.00 feet along the North end of said 60 foot road and public utility easement to a point in Tract E-14;


THENCE: North 25° 05' 34" East a distance of 816.23 feet parallel with the East line of Tract E-14 to a point in the South line of Tract E-15 being 101.469 acres;

THENCE: South 71° 07' 11" East a distance of 60.35 feet to a one inch iron pipe set for the Southeast corner of Tract E-15 and the Northeast corner of Tract E-14;

THENCE: South 25° 05' 34" West a distance of 822.62 feet along the East line of Tract E-14 to the ACTUAL PLACE OF BEGINNING.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


 For Clay & Leyendecker, Inc.
 David Leyendecker, R.P.L.S.
 Texas Registration No. 2085
 December 8, 1997



DT/jd
 EASEMEN5

EXHIBIT A

VOL 0579 PAGE 049

**TRACT W-1
(583.444 ACRES)**

FIELD NOTES FOR A 583.444 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the East right-of-way line of State Highway 6 the following calls;

North 10° 00' 30" East, 859.46 feet to a found concrete highway monument;
North 10° 06' 20" East, 200.48 feet to a found concrete highway monument;
North 10° 01' 21" East, 199.53 feet to a found concrete highway monument;
North 9° 59' 25" East, 198.59 feet to a found concrete highway monument;
North 9° 58' 37" East, 2590.46 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Northwest corner of tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: Continuing with the East line of said State Highway 6 the following calls;

North 9° 58' 37" East, 710.64 feet to a found concrete highway monument;
North 10° 09' 01" East, 99.85 feet to a found concrete highway monument;
North 9° 51' 35" East, 199.20 feet to a found concrete highway monument;
North 9° 57' 08" East, 200.12 feet to a found concrete highway monument;
North 9° 59' 30" East, 1174.33 feet to a 1 inch iron pipe set for the lower Northwest corner of this tract and the Southwest corner of Tract W-4 being 162.863 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: South 89° 54' 59" East a distance of 3579.45 feet to a 1 inch iron pipe set

for an interior corner of this tract and the Southeast corner of said tract W-4;

THENCE: North 00° 14' 02" East a distance of 2077.77 feet to a 1¼ inch iron pipe found at an angle in the fence for the Northeast corner of said tract W-4 and the Southeast corner of a called 5 Acre Tract (Volume 202, Page 368, Deed Records);

THENCE: North 00° 35' 34" East a distance of 816.49 feet to a 1½ inch iron pipe found in the South right-of-way line of F.M. Highway 1736 for the upper Northwest corner of this tract and the Northeast corner of said 5 acre tract;

THENCE: With the South right-of-way of said F.M. Highway 1736 the following calls;

Along a curve to the right with a central angle of 1° 06' 23", a radius of 11,410.00 feet, a length of 220.30 feet, and a chord bearing of South 88° 32' 23" East a distance of 220.30 feet to a found concrete highway monument;

South 88° 17' 51" East, 456.23 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 2° 49' 00", a radius of 11,509.30 feet, a length of 565.80 feet, and a chord bearing of South 89° 42' 21" East a distance of 565.74 feet to a 1 inch iron pipe set;

North 88° 53' 09" East, 1554.77 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 9° 33' 35", a radius of 1482.41 feet, a length of 247.34 feet, and a chord bearing of North 84° 02' 12" East a distance of 247.06 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract W-10 being 774.737 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: South 00° 20' 35" West a distance of 3948.40 feet to a 1 inch iron pipe set at an angle in the fence;

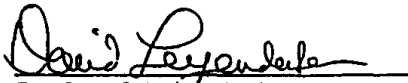
THENCE: South 26° 07' 52" West a distance of 668.33 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: South 7° 45' 14" West a distance of 1025.10 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the Northeast corner of said Tract W-6;

THENCE: North 87° 27' 16" West at 3464.32 feet pass a 1 inch iron pipe set for the Northwest corner of said Tract W-6 and the Northeast corner of said Tract W-5, continuing for a total distance of 6601.94 feet to the ACTUAL PLACE OF BEGINNING and containing 583.444 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jar

NINEBAR.W1

EXHIBIT B

VOL 0579 PAGE 052

**TRACT W-2
(94.215 Acres)**

FIELD NOTES FOR A 94.215 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 108.92 feet to a 1 inch iron pipe set for the lower Southwest corner of this tract and the Southeast corner of Tract W-6 being 170.611 acres (surveyed at the same time as this tract but not yet recorded); and being THE ACTUAL PLACE OF BEGINNING;

THENCE: North 01° 38' 18" West a distance of 2354.00 feet to a 1 inch iron pipe for set at an angle in the fence;

THENCE: North 7° 45' 14" East a distance of 1458.47 feet to a 1 inch iron pipe set for the Northwest corner of this tract and the Southwest corner of Tract W-10, being 774.737 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 87° 29' 13" East a distance of 1512.50 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract W-11, being 281.939 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 2° 23' 20" East a distance of 2416.26 feet to a 1 inch iron pipe set for the upper Southeast corner of this tract and the upper Southwest corner of said Tract W-11;

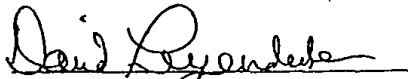
THENCE: North 86° 47' 46" West a distance of 1754.45 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: South 1° 38' 18" East a distance of 1419.26 feet to a 1 inch iron pipe set in the North line of said Kelley Road;

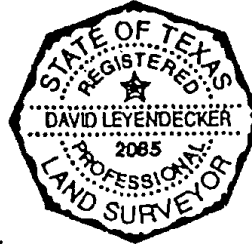
THENCE: North 84° 25' 20" West a distance of 30.24 feet along said Kelley Road to THE ACTUAL PLACE OF BEGINNING and containing 94.215 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W2

EXHIBIT C

VOL 0579 PAGE 054

TRACT W-3
(49.454 Acres)

FIELD NOTES FOR A 49.454 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 144.23 feet to a ½ inch iron rod found;
South 46° 40' 10" East, 11.33 feet to a ½ inch iron rod found;
South 16° 49' 46" East, 24.04 feet to a ½ inch iron rod found for the lower Northwest corner of this tract and the lower Southeast corner of Tract W-12 being 163.368 acres (surveyed at the same time as this tract but not yet recorded); and being THE ACTUAL PLACE OF BEGINNING;

THENCE: North 45° 00' 00" East a distance of 14.64 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: North 1° 38' 18" West a distance of 1408.41 feet to a 1 inch iron pipe set for the Northwest corner of this tract and an interior corner of said Tract W-12;

THENCE: South 86° 47' 46" East a distance of 1724.74 feet to a 1 inch iron pipe set for the Northeast corner of this tract and an interior corner of said Tract W-12;

THENCE: South 1° 19' 48" West a distance of 1229.64 feet to a 1 inch iron pipe set for the upper Southeast corner of this tract and the Northeast corner of Tract W-13, being 16.445 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 89° 42' 40" West a distance of 1625.83 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northwest corner of said Tract W-13;


THENCE: South 1° 38' 18" East a distance of 102.43 feet to a 1 inch iron pipe set at an angle point;

THENCE: South 45° 00' 00" West a distance of 49.81 feet to a 1 inch iron pipe set in the East line of said Kelley Road;

THENCE: North 8° 27' 24" West a distance of 37.34 feet along the East line of Kelley Road to THE ACTUAL PLACE OF BEGINNING and containing 49.454 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W3

**TRACT W-5
(322.502 ACRES)**

FIELD NOTES FOR A 322.502 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

BEGINNING: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road;

THENCE: With the East right-of-way line of said State Highway 6, the following calls:

North 10° 00' 30" East, 859.46 feet to a found concrete highway monument,
North 10° 06' 20" East, 200.48 feet to a found concrete highway monument,
North 10° 01' 21" East, 199.53 feet to a found concrete highway monument,
North 9° 59' 25" East, 198.59 feet to a found concrete highway monument,
North 9° 58' 37" East, 2590.46 feet to a 1 inch iron pipe set for the Northwest corner of this tract and the Southwest corner of Tract W1 being 583.444 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 87° 27' 16" East a distance of 3137.62 feet to a 1 inch iron rod set for the Northeast corner of this tract and the Northwest corner of Tract W-6 being 170.611 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 00° 16' 03" East a distance of 2263.54 feet to a 1 inch iron pipe set for an interior corner of this tract and the Southwest corner of said Tract W-6;

THENCE: South 89° 32' 14" East a distance of 49.54 feet to a 1 inch iron pipe set in the South line of said Tract W-6 for the Northwest corner of Tract W-7 being 57.520 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 00° 13' 59" East a distance of 1655.82 feet to a 1 inch iron pipe set in the North line of said Kelley Road for the Southeast corner of this tract and the Southwest corner of said Tract W-7;

THENCE: With the North right-of-way line of said Kelley Road the following calls:

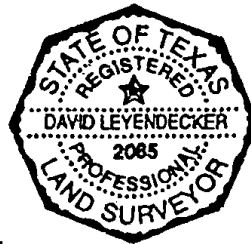
North 89° 36' 20" West, 2334.86 feet to a ½ inch iron rod found;
South 89° 29' 34" West, 96.07 feet to a ½ inch iron rod found;
South 87° 43' 33" West, 95.56 feet to a ½ inch iron rod found;
South 85° 23' 30" West, 262.40 feet to a ½ inch iron rod found;
South 87° 46' 55" West, 91.80 feet to a ½ inch iron rod found;
South 88° 56' 03" West, 93.47 feet to a ½ inch iron rod found;
North 87° 48' 45" West, 879.53 feet to a found concrete highway monument;
North 44° 12' 50" West 74.43 feet to the ACTUAL PLACE OF BEGINNING and
containing 322.502 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W5

**TRACT W-6
(170.611 Acres)**

FIELD NOTES FOR A 170.611 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:
South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 48.43 feet to a 1 inch iron pipe set for the lower Southwest corner of this tract and the Southeast corner of Tract W-9 being 31.887 acres (surveyed at the same time as this tract but not yet recorded); and being THE ACTUAL PLACE OF BEGINNING;

THENCE: North 01° 38' 18" West a distance of 1657.37 feet to a 1 inch iron pipe for an interior corner of this tract and the Northeast corner of said Tract W-9;

THENCE: North 89° 32' 14" West at 818.92 feet pass a 1 inch iron pipe set for the Northwest corner of said Tract W-9; at 1640.54 feet pass a 1 inch iron pipe set for the Northwest corner of Tract W-8; at 3163.85 feet pass a 1 inch iron pipe set for the Northwest corner of Tract W-7; continuing for a total distance of 3213.39 feet to a 1 inch iron rod set for the upper Southwest corner of this tract;

THENCE: North 00° 16' 03" West a distance of 2263.54 feet to a 1 inch iron pipe set in the South line of Tract W-1 being 583.444 acres (surveyed at the same time as this tract but not yet recorded), for the Northwest corner of this tract and the Northeast corner of Tract W-5;

THENCE: South 87° 27' 16" East a distance of 3464.32 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Southeast corner of said Tract W-1;

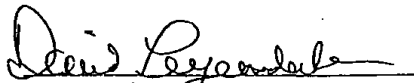
THENCE: South 7° 45' 14" West a distance of 1458.47 feet to a 1 inch iron pipe set at an angle in the fence line;

THENCE: South 1° 38' 18" East a distance of 2354.00 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the Southwest corner of said Tract W-2;

THENCE: North 84° 25' 20" West a distance of 60.48 feet to ACTUAL PLACE OF BEGINNING and containing 170.611 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W6

**TRACT W-7
(57.520 ACRES)**

FIELD NOTES FOR A 57.520 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East 2334.86 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of said Tract W-5 and being the ACTUAL PLACE OF BEGINNING;

THENCE: North 00° 13' 59" West a distance of 1655.82 feet to a 1 inch iron pipe set in the South line of Tract W-6 being 170.611 acres surveyed at the same time as this tract and not yet recorded for the Northwest corner of this tract;

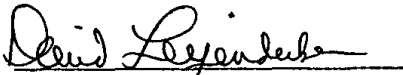
THENCE: South 89° 32' 14" East a distance of 1523.32 feet to a 1 inch iron pipe set in the South line of said Tract W-6 for the Northeast corner of this tract and the Northwest corner of Tract W-8 being 31.497 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: South 00° 24' 15" West a distance of 1653.90 feet to a 1 inch iron pipe set in the North line of said Kelley Road for the Southeast corner of this tract and the Southwest corner of said Tract W-8;

THENCE: North 89° 36' 20" West a distance of 1504.90 feet along the North line of said Kelley Road to the ACTUAL PLACE OF BEGINNING and containing 57.520 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085



DT/jad

NINEBAR.W7

TRACT W-8
(31.497 Acres)

FIELD NOTES FOR A 31.497 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:
South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East 3839.76 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of said Tract W-7 being 57.520 acres (surveyed at the same time as this tract but not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: North 00° 24' 15" East a distance of 1653.90 feet to a 1 inch iron pipe set in the South line of Tract W-6 being 170.611 acres (surveyed at the same time as this tract but not yet recorded), for the Northwest corner of this tract and the Northeast corner of said Tract W-7;

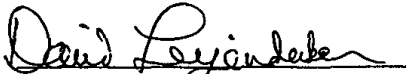
THENCE: South 89° 32' 14" East a distance of 821.61 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract W-9 being 31.887 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: South 00° 09' 49" East a distance of 1653.00 feet to a 1 inch iron pipe set in the North right-of-way line of said Kelley Road, for the Southeast corner of this tract and the Southwest corner of said Tract W-9;

THENCE: North 89° 36' 20" West a distance of 837.99 feet along the North line of said Kelley Road to the ACTUAL PLACE OF BEGINNING and containing 31.497 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W8

TRACT W-9
(31.887 Acres)

FIELD NOTES FOR A 31.887 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 4677.75 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of said Tract W-8 being 37.497 acres (surveyed at the same time as this tract but not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: North 00° 09' 49" West a distance of 1653.00 feet to a 1 inch iron pipe set in the South line of Tract W-6, being 170.611 acres (surveyed at the same time as this tract and not yet recorded) for the Northwest corner of this tract and the Northeast corner of said Tract W-8;

THENCE: South 89° 32' 14" East a distance of 818.92 feet to a 1 inch iron pipe set for the Northeast corner of this tract and an interior corner of said Tract W-6;

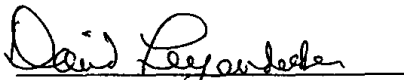
THENCE: South 01° 38' 18" East a distance of 1657.37 feet to a 1 inch iron pipe set in the North line of Kelley Road for the Southeast corner of this tract;

THENCE: West with the North line of Kelley Road the following calls:

North 84° 25' 20" West, 48.43 feet to a ½ inch iron rod found;
North 89° 36' 20" West, 813.38 feet to the ACTUAL PLACE OF BEGINNING and containing 31.887 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jar

NINEBAR.W9

TRACT W-10
(774.737 Acres)

FIELD NOTES FOR A 774.737 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137; THE S.H. HARDIN SURVEY, ABSTRACT 36; AND THE MCLIN BRACEY SURVEY, ABSTRACT 15, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
 South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
 North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
 North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
 North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
 North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
 North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
 South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
 South 84° 25' 20" East, 108.91 feet to a 1 inch iron pipe set;

THENCE: North 01° 35' 18" West a distance of 2354.03 feet to a 1 inch iron pipe for set at an angle in the fence;

THENCE: North 7° 45' 14" East a distance of 1458.47 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Northwest corner of Tract W-2, being 94.215 acres (surveyed at the same time as this tract and not yet recorded); and being THE ACTUAL PLACE OF BEGINNING;

THENCE: North 7° 45' 14" East a distance of 1025.10 feet to a 1 inch iron pipe set at

an angle in the fence;

THENCE: North 26° 07' 52" East a distance of 668.33 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: North 00° 20' 35" East a distance of 3948.40 feet to a 1 inch iron pipe set in the South right-of-way line of F.M. Highway 1736 for the Northwest corner of this tract and the Northeast corner of Tract W-1 being 583.444 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the South line of said F.M. 1736 the following calls:

Along a curve to the left with a central angle of 18° 45' 11" a radius of 1482.41 feet, a length of 485.20 feet and a chord bearing of North 69° 52' 49" East a distance of 483.04 feet to concrete highway monument found;

North 60° 37' 10" East, 1023.39 feet to a concrete highway monument found;

Along a curve to the Right with a central angle of 12° 14' 01", a radius of 2814.83 feet, a length of 601.01 feet and a chord bearing of North 66° 38' 41" East a distance of 599.87 feet to a ½ inch iron rod found for the North corner of this tract and the Northwest corner of a 23.699 acre tract (Volume 202, Page 64, Deed Records);

THENCE: South 00° 04' 55" East a distance of 900.43 feet to a ½ inch iron rod found for an interior corner of this tract and the Southwest corner of said 23.699 acres;

THENCE: North 89° 29' 42" East a distance of 315.76 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: South 89° 49' 13" East a distance of 348.28 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 89° 28' 56" East a distance of 346.47 feet to a ½ inch iron rod found at an angle in the fence for the Southeast corner of said 23.699 acre tract and the Southwest corner of the Rolling Hills Subdivision, Section 7;

THENCE: South 89° 53' 31" East a distance of 819.58 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 89° 31' 19" East a distance of 1964.93 feet to a 1 inch iron pipe found in the West line of the S.H. Hardin Survey, Abstract 36 for the upper Northeast corner of this tract;

THENCE: South 20° 02' 35" West a distance of 1226.66 feet to a ½ inch iron rod

found at an angle in the fence;

THENCE: South 19° 36' 08" West a distance of 849.21 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: South 19° 10' 10" West a distance of 1005.49 feet to a 1¼ inch iron pipe found for an interior corner of this tract and the upper Southwest corner of the Rolling Hills Subdivision, Section 6;

THENCE: South 71° 02' 32" East a distance of 1691.79 feet to a 1 inch iron pipe found at an angle in the fence;

THENCE: South 71° 06' 55" East a distance of 810.79 feet to a 1 inch iron pipe found for the lower Northeast corner of this tract;

THENCE: South 18° 54' 59" West a distance of 1771.82 feet to a ½ inch iron rod found for the upper Southeast corner of this tract and the lower Southwest corner of the Rolling Hills Subdivision, Section 6;

THENCE: North 70° 00' 42" West a distance of 597.88 feet to a ½ inch iron rod found at an angle in the fence for the Northwest corner of a 3.5 acre tract;

THENCE: North 15° 42' 33" West a distance of 8.35 feet to a 1 inch iron pipe found at an angle in the fence for the Northeast corner of a 5 acre tract;

THENCE: North 69° 20' 02" West a distance of 163.08 feet to an angle in the fence;

THENCE: North 73° 24' 16" West a distance of 81.16 feet to an angle in the fence;

THENCE: North 71° 19' 54" West a distance of 114.02 feet to an angle in the fence;

THENCE: North 69° 52' 39" West a distance of 97.52 feet to an angle in the fence;

THENCE: North 65° 21' 33" West a distance of 204.36 feet to a 1¼ inch iron pipe found for an interior corner of this tract and the Northwest corner of said 5 acre tract;

THENCE: South 00° 01' 20" West a distance of 848.62 feet to a 1 inch iron pipe set for the lower Southeast corner of this tract and the Northeast corner of Tract W-11 being 281.939 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 87° 29' 46" West a distance of 1785.84 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: South a distance of 49.89 feet to a 1 inch iron pipe set at an angle point;

Page3/4 NINEBAR.W10

THENCE: North 87° 29' 13" West a distance of 3945.35 feet to THE ACTUAL PLACE OF BEGINNING and containing 774.737 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.

David Leyendecker

For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/kl

NINEBAR.W10

Page4/4 NINEBAR.W10

EXHIBIT J

VOL 0579 PAGE 069

**TRACT W-11
(281.939 Acres)**

FIELD NOTES FOR A 281.939 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT 137; THE B. B. B. & C. SURVEY, NUMBER 7, ABSTRACT 82; AND THE JESSE CLARY SURVEY, ABSTRACT 109, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.138 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1056.59 feet to a 1 inch iron pipe;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a

length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 544.17 feet to a ½ inch iron rod found for the Northeast corner of this tract and the Northeast corner of Tract E-7, being 44.690 acres (surveyed at the same time as this tract and not yet recorded);

Along a curve to the right with a central angle of 5° 41' 06", a radius of 3361.39 feet, a length of 333.52 feet and a chord bearing of South 16° 55' 02" West a distance of 506.90 feet to a 1 inch iron pipe set;

South 34° 33' 59" West, 618.78 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 5° 25' 14", a radius of 2080.86 feet, a length of 196.87 feet and a chord bearing of South 37° 23' 37" West a distance of 196.79 feet to a 1 inch iron pipe set for the lower Northeast corner of this tract and the Southeast corner of Tract E-11 (surveyed at the same time as this tract and not yet recorded), being 107.430 acres of land and being the ACTUAL PLACE OF BEGINNING;

THENCE: Continuing with Laneview Road following a curve to the right with a central angle of 1° 00' 27", a radius of 2080.86 feet, a length of 36.59 feet and a chord bearing of South 40° 36' 28" West a distance of 36.59 feet to a 1 inch iron pipe for the Eastern most Southeast corner of this tract and the Northeast corner of Tract E-9, being 158.300 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 84° 18' 44" West a distance of 2178.14 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: North 80° 31' 08" West, a distance of 1545.89 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northwest corner of said Tract E-9;

THENCE: South 23° 35' 46" West a distance of 1000.26 feet to a 1 inch iron pipe set for the Southeast corner of this tract and an interior corner of said Tract E-9;

THENCE: North 88° 58' 13" West at 43.58 feet pass a 1 inch iron pipe set for the lower Northwest corner of said Tract E-9 and the Northeast corner of Tract E-10 being 127.205 acres (surveyed at the same time as this tract and not yet recorded), continuing for a total distance of 2453.16 feet to a 1 inch iron pipe set at an angle in the fence for the Northwest corner of said Tract E-10 and the Northeast corner of Tract W-12 being 163.368 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 67° 26' 36" West a distance of 985.82 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: North 86° 47' 46" West a distance of 1949.64 feet to a 1 inch iron pipe set for a corner;

THENCE: North 1° 19' 48" East a distance of 30.02 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: North 86° 47' 46" West a distance of 31.96 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of Tract W-2, being 94.215 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 2° 23' 20" West a distance of 2416.20 feet to a 1 inch iron pipe set in the South line of Tract W-10 being 774.737 acres (surveyed at the same time as this tract and not yet recorded) for the Northwest corner of this tract and the Northeast corner of said Tract W-2;

THENCE: South 87° 29' 13" East a distance of 2432.85 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: North a distance of 49.89 feet to a 1 inch iron pipe set for a corner;

THENCE: South 87° 29' 46" East a distance of 1785.84 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Southeast corner of said Tract W-10;

THENCE: South 00° 01' 20" West a distance of 1780.13 feet to a 1¼ inch iron pipe found for an interior corner of this tract and the Southwest corner of a called 5 acre tract;

THENCE: South 69° 26' 20" East a distance of 294.59 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: South 69° 24' 48" East a distance of 403.52 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: South 65° 12' 56" East a distance of 146.16 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: South 70° 40' 49" East a distance of 355.62 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: North 72° 46' 16" East a distance of 59.32 feet to a ½ inch iron rod found for an interior corner of this tract and the Southeast corner of a called 5.5 acre tract;

THENCE: North 14° 05' 03" West a distance of 171.35 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 16° 22' 20" East a distance of 117.79 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 00° 08' 35" East a distance of 118.34 feet to a ½ inch iron rod found for a corner of this tract and the Southwest corner of Tract E-11, being 107.430 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 80° 37' 00" East a distance of 489.10 feet to a 1 inch iron pipe set at an angle;

THENCE: South 80° 31' 08" East a distance of 1470.08 feet to a 1 inch iron pipe set at an angle;

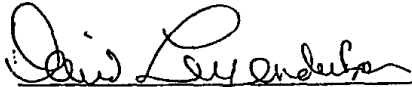
THENCE: South 10° 00' 00" West a distance of 30.00 feet to a 1 inch iron pipe set at an angle;

THENCE: South 80° 31' 08" East a distance of 60.00 feet to a 1 inch iron pipe set at an angle;

THENCE: South 84° 18' 44" East a distance of 2198.09 feet to THE ACTUAL PLACE OF BEGINNING and containing 281.939 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/kl

NINEBAR.W11

EXHIBIT K

VOL 0579 PAGE 073

**TRACT W-12
(163.368 Acres)**

FIELD NOTES FOR A 163.368 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT-137 WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a concrete monument found at the intersection of the East right-of-way line of State Highway 6 (200 foot width) and the North right-of-way line of Kelley Road marking the Southwest corner of Tract W-5 being 322.502 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: With the North right-of-way line of said Kelley Road the following calls:

South 44° 12' 50" East, 74.43 feet to a found concrete highway monument;
South 87° 48' 45" East, 879.53 feet to a found ½ inch iron rod;
North 88° 56' 03" East, 93.47 feet to a found ½ inch iron rod;
North 87° 46' 55" East, 91.80 feet to a found ½ inch iron rod;
North 85° 23' 30" East, 262.40 feet to a found ½ inch iron rod;
North 87° 43' 33" East, 95.56 feet to a found ½ inch iron rod;
North 89° 29' 34" East, 96.07 feet to a found ½ inch iron rod;
South 89° 36' 20" East, 5491.13 feet to a ½ inch iron rod found;
South 84° 25' 20" East, 139.15 feet to a 1 inch iron pipe set for the lower Southwest corner of this tract and the Southeast corner of Tract W-2 being 94.215 acres (surveyed at the same time as this tract but not yet recorded); and being
THE ACTUAL PLACE OF BEGINNING;

THENCE: North 1° 38' 18" West a distance of 1419.31 feet to a 1 inch iron pipe set for the Northwest corner of this tract and an interior corner of said Tract W-2;

THENCE: South 86° 47' 46" East a distance of 1786.41 feet to a 1 inch iron pipe set for a corner;

THENCE: South 1° 19' 48" West a distance of 30.02 feet to a 1 inch iron pipe set for

an interior corner;

THENCE: South 86° 47' 46" East a distance of 1949.64 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: South 67° 26' 36" East a distance of 985.82 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract E-10, being 130.974 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 07° 25' 02" West a distance of 2225.93 feet to a 1 inch iron pipe set in the North line of the Oakridge Estates, Section 1, for the Southeast corner of this tract and the Southwest corner of Tract E-10;

THENCE: North 89° 45' 35" West a distance of 314.27 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 89° 58' 33" West a distance of 1803.16 feet to a ½ inch iron rod found for the lower Southwest corner of this tract and the Northwest corner of said Oakridge Estates;

THENCE: North 15° 10' 09" West a distance of 297.85 feet to a ½ inch iron rod found for an interior corner of this tract and the Northeast corner of a 52 acre tract (Volume 158, Pages 133 & 138, Deed Records);

THENCE: South 86° 41' 51" West a distance of 447.93 feet to a ½ inch iron rod set for the upper Southwest corner of this tract and the Northwest corner of said 52 acre tract;

THENCE: North 00° 19' 08" East a distance of 765.32 feet to a 1 inch iron pipe found for the Northeast corner of a 14.138 acre tract (Volume 550, Page 539, Official Public Records);

THENCE: North 1° 19' 48" East a distance of 1667.49 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northeast corner of Tract W-3 being 49.454 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 86° 47' 46" West a distance of 1724.74 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northwest corner of said Tract W-3;

THENCE: South 1° 38' 18" East a distance of 1408.41 feet to a 1 inch iron pipe set at an angle point;

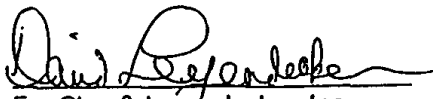
THENCE: South 45° 00' 00" West a distance of 14.64 feet to a 1 inch iron pipe set in the East line of said Kelley Road;

THENCE: With the curve in Kelley Road the following calls:

North 16° 49' 46" West, 24.04 feet to a ½ inch iron rod found;
North 46° 40' 10" West, 11.33 feet to a ½ inch iron rod found;
North 84° 25' 20" West, 5.08 feet to THE ACTUAL PLACE OF BEGINNING and
containing 163.368 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road
running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.W12

TRACT E-9
(158.300 Acres)

FIELD NOTES FOR A 158.300 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1988 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1988 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE B.B.B. & C. SURVEY, ABSTRACT 82, SECTION 7, AND THE JESSE CLARY SURVEY, ABSTRACT 109, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a 1/2" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
 South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
 South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 544.17 feet to a 1/2 inch iron rod found;

Along a curve to the right with a central angle of 5° 41' 06", a radius of 3361.39 feet, a length of 333.52 feet and a chord bearing of South 16° 18' 57" West a distance of 333.38 feet to a ½ inch iron rod found;

South 19° 12' 16" West, 121.82 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 15° 30' 23", a radius of 1878.71 feet, a length of 508.45 feet and a chord bearing of South 26° 55' 02" West a distance of 506.90 feet to a 1 inch iron pipe set;

South 34° 33' 59" West, 618.78 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 25' 41", a radius of 2080.86 feet, a length of 233.46 feet and a chord bearing of South 37° 53' 50" West a distance of 233.33 feet to a 1 inch iron pipe set for the Northeast corner of this tract and being the ACTUAL PLACE OF BEGINNING;

THENCE: With the West right-of-way line of Laneview Road the following calls;

Along a curve to the right with a central angle of 0° 39' 19"; a radius of 2080.86 feet; a length of 23.80 feet and a chord bearing of South 41° 26' 21" West a distance of 23.80 feet to a 1 inch iron pipe set;

South 41° 46' 00" West, 232.58 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 9° 32' 32"; a radius of 996.56 feet; a length of 165.97 feet and a chord bearing of South 37° 27' 06" West a distance of 165.78 feet to a 1 inch iron pipe set;

South 32° 14' 00" West, 856.96 feet to a ½ iron rod found;

Along a curve to the right with a central angle of 8° 45' 06"; a radius of 1980.21 feet; a length of 302.46 feet; and a chord bearing of South 36° 35' 02" West a distance of 302.17 feet to a 1 inch iron pipe set for the East corner of Tract E-3, being 5.000 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 49° 01' 00" West a distance of 544.50 feet to a 1 inch iron pipe set for an interior corner of this tract and the North corner of said Tract E-3;

THENCE: South 40° 59' 00" West a distance of 400.00 feet to a 1 inch iron pipe set for an interior corner of this tract and the West corner of said Tract E-3;

THENCE: South 49° 01' 00" East a distance of 544.50 feet to a 1 inch iron pipe set in the West line of said Laneview Road for the South corner of said Tract E-3;

THENCE: South 40° 59' 00" West, 347.33 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the East corner of Tract E-10, being 130.974 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 89° 02' 05" West a distance of 1272.73 feet to a 1 inch iron pipe set at an angle in this line;

THENCE: North 89° 12' 39" West a distance of 1488.56 feet to a 1 inch iron pipe set for the Southwest corner of this tract and an interior corner of Tract E-10;

THENCE: North 00° 59' 19" East a distance of 1367.53 feet to a 1 inch iron pipe set in the South line of Tract W-11, being 281.939 acres (surveyed at the same time as this tract and not yet recorded) for a Northeast corner of said Tract E-10;

THENCE: South 88° 58' 13" East a distance of 43.58 feet to a 1 inch iron pipe set for an interior corner of this tract;

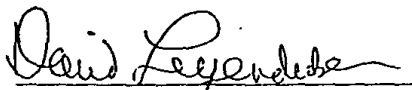
THENCE: North 23° 35' 46" East a distance of 1000.26 feet to a 1 inch iron pipe set for the Northwest corner of this tract and an interior corner of said Tract W-11;

THENCE: South 80° 31' 08" East a distance of 1545.89 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: South 84° 18' 44" East a distance of 2178.14 feet to the ACTUAL PLACE OF BEGINNING and containing 158.300 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 12, 1997



DT/jad
NINEBAR.E9

TRACT E-10
(130.974 Acres)

FIELD NOTES FOR A 130.974 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE PETER HARPER SURVEY, ABSTRACT 137, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 115.561 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 544.17 feet to a ½ inch iron rod found;

Along a curve to the right with a central angle of 5° 41' 06", a radius of 3361.39 feet, a length of 333.52 feet and a chord bearing of South 16° 18' 57" West a distance of 333.38 feet to a ½ inch iron rod found;

South 19° 12' 16" West, 121.82 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 15° 30' 23", a radius of 1878.71 feet, a length of 508.45 feet and a chord bearing of South 26° 55' 02" West a distance of 506.90 feet to a 1 inch iron pipe set;

South 34° 33' 59" West, 618.78 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 7° 05' 00", a radius of 2080.86 feet, a length of 257.25 feet and a chord bearing of South 38° 13' 30" West a distance of 257.09 feet to a 1 inch iron pipe set;

South 41° 46' 00" West, 232.58 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 9° 32' 32"; a radius of 996.56 feet; a length of 165.97 feet and a chord bearing of South 37° 27' 06" West a distance of 165.78 feet to a 1 inch iron pipe set;

South 32° 14' 00" West, 856.96 feet to a ½ iron rod found;

Along a curve to the right with a central angle of 8° 45' 06"; a radius of 1980.21 feet; a length of 302.46 feet; and a chord bearing of South 36° 35' 02" West a distance of 302.17 feet to a 1 inch iron pipe set;

THENCE: South 40° 59' 00" West, 747.33 feet to a 1 inch iron pipe set for the Easternmost Northeast corner of this tract and the Southeast corner of Tract E-9 (being 158.300 acres , surveyed at the same time as this tract and not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: South 40° 59' 00" West a distance of 78.35 feet to a 1 inch iron pipe found for the Easternmost Southeast corner of this tract and the Northeast corner of a called 2 acre tract (Volume 415, Page 11, Deed Records of Waller County);

THENCE: North 89° 02' 05" West a distance of 1222.26 feet to a 1 inch iron pipe found at an angle in the fence for the Northwest corner of a called 13.215 acre tract (Volume 202, Page 502, Deed Records of Waller County) and the Northeast corner of a called 53.25 acre tract;

THENCE: North 89° 12' 39" West a distance of 1488.68 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northwest corner of said 53.25 acre tract;

THENCE: South 00° 59' 19" West a distance of 703.30 feet to a 1 ¼ inch iron pipe found for the lower Southeast corner of this tract and the Northeast corner of the Oakridge Estates Subdivision (unrecorded);

THENCE: South 86° 03' 44" West a distance of 556.74 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 89° 56' 27" West a distance of 1293.10 feet to a ¾ inch iron rod found at an angle in the fence;

THENCE: North 89° 45' 35" West a distance of 811.27 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of Tract W-12, being 163.368 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 7° 25' 02" East a distance of 2225.93 feet to a 1 inch iron pipe set in the South line of Tract W-11, being 281.939 acres (surveyed at the same time as this tract and not yet recorded) for the Northwest corner of this tract and the Northeast corner of said Tract W-12;

THENCE: South 88° 58' 13" East a distance of 2409.58 feet to a 1 inch iron pipe set for the upper Northeast corner of this tract;

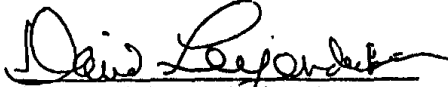
THENCE: South 00° 59' 19" West a distance of 1367.53 feet to a 1 inch iron pipe set for an interior corner of this tract and the Southwest corner of said Tract E-9;

THENCE: South 89° 12' 39" East a distance of 1488.56 feet to a 1 inch iron pipe set for an angle point;

THENCE: South 89° 02' 05" East a distance of 1272.73 feet to the ACTUAL PLACE OF BEGINNING and containing 130.974 acres of land.

The bearings recited herein are based on the North right-of- way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad
NINEBAR.E10

EXHIBIT N

VOL 0579 PAGE 083

**TRACT E-11
(107.416 Acres)**

FIELD NOTES FOR A 107.416 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE B.B.B. & C. SURVEY, ABSTRACT 82, SECTION 7; THE J. MANFORD SURVEY, ABSTRACT 222; THE PETER HARPER SURVEY, ABSTRACT 137; AND THE S.H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 544.17 feet to a ½ inch iron rod found for the Northeast corner of Tract E-7, being 44.690 acres (surveyed at the same time as this tract and not yet recorded);

Along a curve to the right with a central angle of 5° 41' 06", a radius of 3361.39 feet, a length of 333.52 feet and a chord bearing of South 16° 18' 57" West a distance of 333.38 feet to a ½ inch iron rod found;

South 19° 12' 16" West, 121.82 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 15° 30' 23", a radius of 1878.71 feet, a length of 508.45 feet and a chord bearing of South 26° 55' 02" West a distance of 506.90 feet to a 1 inch iron pipe set;

South 34° 33' 59" West, 618.78 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 4° 25' 31", a radius of 2080.86 feet, a length of 160.71 feet and a chord bearing of South 36° 53' 45" West a distance of 160.67 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Southeast corner of Tract E-8, being 66.838 acres (surveyed at the same time as this tract and not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: With the West right-of-way line of Laneview Road along a curve to the right with a central angle of 0° 59' 44"; a radius of 2080.86 feet; a length of 36.15 feet and a chord bearing of South 39° 36' 23" West a distance of 36.15 feet to a 1 inch iron pipe set;

THENCE: North 84° 18' 44" West a distance of 2198.09 feet to a 1 inch iron pipe set at an angle point;

THENCE: North 80° 31' 08" West a distance of 60.00 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: North 10° 00' 00" East a distance of 30.00 feet to a 1 inch iron pipe set for an interior corner of this tract;

THENCE: North 80° 31' 08" West a distance of 1470.08 feet to a one inch iron pipe set at an angle point in the fence;

THENCE: North 80° 37' 00" West a distance of 489.10 feet to a ½ inch iron rod found in the East line of a called 5.5 acre tract (Volume 426, Page 417, Deed Records of Waller County) (being the East line of the Old Kirby Tract) for the Southwest corner of this tract;

THENCE: With the Easterly line of the Old Kirby Tract (said old tract now partitioned into smaller tracts) the following calls:

North 12° 28' 06" West, 337.78 Feet to a ½ inch iron rod found;

North 6° 36' 27" East, 545.42 feet to a ½ inch iron rod found;

North 3° 59' 00" East, 332.96 feet to a ½ inch iron rod found;

North 4° 27' 04" East, 427.84 feet to a ½ inch iron rod found;

North 1° 53' 19" West, 533.68 feet to a ½ inch iron rod found at an existing fence corner lying at the Westerly end of an 18 foot wide easement for ingress and egress in favor of the Kirby Heirs as recorded in Volume 266, Page 458 of the Deed Records of Waller County;

THENCE: Continuing with the apparent line of said easement, the same being the East line of the original Kirby tract (now Rose Wallace called 3.5 acre tract), North 3° 28' 07" West 20.34 ft. to a 1 inch iron pipe set at fence corner lying in the Southwest line of the Rolling Hills Subdivision, Section 6 and marking the apparent Northwest corner of said 18 ft. wide ingress and egress easement and the Northwest corner of the original called 354.165 acre tract;

THENCE: Meandering along the Northeast line of the called 354.165 acre tract and the Southwest line of Section 6 of the Rolling Hills Subdivision,

South 69° 57' 11" East, 509.89 feet to a ½ inch iron rod found;

South 70° 26' 59" East, 380.33 feet to a ½ inch iron rod found;

South 72° 03' 50" East, 48.21 feet to a ½ inch iron rod found;

South 71° 19' 10" East, 197.20 feet to a 1 inch iron pipe set at a fence corner for the Southeast corner of Lot 12, Block 13, Section 6 of the Rolling Hills Subdivision;

South 69° 18' 16" East, 707.68 feet to a 1 inch iron pipe set at an angle in the fence;

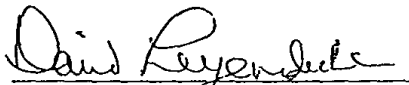
South 68° 02' 47" East 1008.09 feet to a 1 inch iron pipe set for the upper Northeast corner of this tract and the Northwest corner of said Tract E-8;

THENCE: South 25° 00' 57" West a distance of 1664.70 feet to a 1 inch iron pipe set for an interior corner of this tract and the Southwest corner of said Tract E-8;

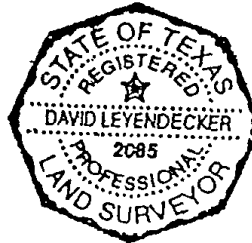
THENCE: South 84° 18' 44" East a distance of 2217.27 feet to the ACTUAL PLACE OF BEGINNING and containing 107.416 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad
NINEBAR.E11

TRACT E-12
(40.444 Acres)

EXHIBIT O

VOL 0579 PAGE 087

FIELD NOTES FOR A 40.444 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE S.H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;

South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;

South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 362.15 feet to a 1 inch iron pipe set for the lower Northeast corner of this tract and the lower Southeast corner of Tract E-13, being 42.974 acres

(surveyed at the same time as this tract and not yet recorded) and being THE ACTUAL PLACE OF BEGINNING;

THENCE: South 13° 53' 51" West a distance of 30.50 feet along the West line of said Laneview Road to a 1 inch iron pipe set for the upper Southeast corner of this tract and the lower Northeast corner of Tract E-7 Being 44.690 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: North 65° 44' 37" West a distance of 2154.00 feet to a 1 inch iron pipe set for an interior corner of this tract and the Northwest corner for said Tract E-7;

THENCE: South 24° 57' 27" West a distance of 914.09 feet to a 1 inch iron pipe set for the lower Southeast corner of this tract and the Southwest corner of said Tract E-12;

THENCE: North 68° 02' 47" West a distance of 1008.09 feet to a 1 inch iron pipe set at an angle in the fence;

THENCE: North 69° 18' 16" West a distance of 707.68 feet to a 1 inch iron pipe set for the Southwest corner of this tract and the Southeast corner of the Rolling Hills Subdivision, Section 6;

THENCE: North 19° 01' 28" East a distance of 967.23 feet to a 1 inch iron pipe set for the Northwest corner of this tract and the Southwest corner of said Tract E-13;

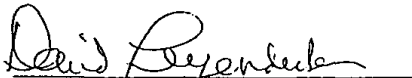
THENCE: South 68° 33' 55" East a distance of 1755.73 feet to a 1 inch iron pipe set for the upper Northeast corner of this tract and an interior corner of said Tract E-13;

THENCE: South 24° 57' 27" West a distance of 21.16 feet a 1 inch iron pipe set for the interior corner of this tract and the lower Southwest corner of said tract E-13;

THENCE: South 65° 44' 37" East a distance of 2208.16 feet to the ACTUAL PLACE OF BEGINNING and containing 40.444 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad
NINEBAR.E12

**TRACT E-13
(42.974 Acres)**

EXHIBIT P
VOL 0579 PAGE 089

FIELD NOTES FOR A 42.974 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE S.H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;
South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;
South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 331.66 feet to a 1 inch iron pipe set for the lower Northeast corner of this tract and the lower Southeast corner of Tract E-14, being 93.773 acres (surveyed at the same time as this tract and not yet recorded) and being THE ACTUAL PLACE OF BEGINNING;

THENCE: South 13° 53' 51" West a distance of 30.50 feet along the West line of said Laneview Road to a 1 inch iron pipe set for the lower Southeast corner of this tract and the lower Northeast corner of Tract E-12 Being 40.444 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: North 65° 44' 37" West a distance of 2208.16 feet to a 1 inch iron pipe set for the lower Southwest corner of this tract and an interior corner for said Tract E-12;

THENCE: North 24° 57' 27" East a distance of 21.16 feet to a 1 inch iron pipe set for an interior corner of this tract and the upper Northeast corner of said Tract E-12;

THENCE: North 68° 33' 55" West a distance of 1755.73 feet to a 1 inch iron pipe set in the East line of the Rolling Hills subdivision, Section 6, for the upper Southwest corner of this tract and the Northwest corner of said Tract E-12;

THENCE: North 19° 01' 28" East a distance of 972.97 feet to a 1¼ inch iron pipe found for the Northwest corner of this tract and the Northeast corner of said Rolling Hills subdivision, Section 6;

THENCE: South 69° 21' 22" East a distance of 489.80 feet to a 1 inch iron pipe set for the Southeast corner of the Rolling Hills Subdivision, Section 5 and the upper Southwest corner of said Tract E-14;

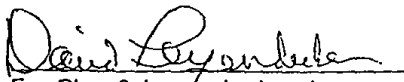
THENCE: South 69° 09' 00" East a distance of 1398.16 feet to a 1 inch iron pipe set for the upper Northeast corner of this tract and an interior corner of said Tract E-14;

THENCE: South 24° 57' 27" West a distance of 987.66 feet to a 1 inch iron pipe set for an interior corner of this tract and the lower Southwest corner of said Tract E-14;

THENCE: South 65° 44' 37" East a distance of 2172.30 feet to THE ACTUAL PLACE OF BEGINNING and containing 42.974 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


 For Clay & Leyendecker, Inc.
 David Leyendecker, R.P.L.S.
 Texas Registration No. 2085
 December 8, 1997



DT/jad
 NINEBAR.E13

EXHIBIT Q

VOL 0579 PAGE 091

**TRACT E-14
(93.773 Acres)**

FIELD NOTES FOR A 93.773 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE S.H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a 1/2" iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the West line of said Laneview Road the following calls:

South 8° 48' 09" East, 21.11 feet to a 1 inch iron pipe set;
South 54° 05' 40" West, 1451.83 feet to a 1/2 inch iron rod found;
South 54° 05' 20" West, 763.13 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 26' 00", a radius of 5694.58 feet, a length of 639.39 feet and a chord bearing of South 57° 47' 12" West a distance of 639.06 feet to a 1 inch iron pipe set;
South 60° 02' 08" West, 422.11 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 34° 31' 37", a radius of 1467.39 feet, a length of 884.26 feet and a chord bearing of South 42° 21' 52" West a distance of 870.95 feet to a 1 inch iron pipe set;

South 25° 49' 55" West, 545.44 feet to a 1 inch iron pipe set;
South 24° 25' 06" West, 1462.72 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 10° 51' 53", a radius of 1960.53 feet, a length of 371.77 feet and a chord bearing of South 18° 26' 11" West, a distance of 371.21 feet to a 1 inch iron pipe set;

South 13° 53' 51" West, 301.16 feet to a 1 inch iron pipe set for the lower Northeast corner of this tract and the Southeast corner of Tract E-6, being 49.412 acres (surveyed at the same time as this tract and not yet recorded) and being THE ACTUAL PLACE OF BEGINNING;

THENCE: South 13° 53' 51" West a distance of 30.50 feet along the West line of said Laneview Road to a 1 inch iron pipe set for the lower Southeast corner of this tract and the lower Northeast corner of Tract E-13 Being 42.974 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: North 65° 44' 37" West a distance of 2172.30 feet to a 1 inch iron pipe set for the Southwest corner of this tract and an interior corner for said Tract E-13;

THENCE: North 24° 57' 27" East a distance of 987.66 feet to a 1 inch iron pipe set for an interior corner of this tract and the upper Northeast corner of said Tract E-13;

THENCE: North 69° 09' 00" West a distance of 1398.16 feet to a 1 inch iron pipe set for the upper Southwest corner of this tract and the Southeast corner of the said Rolling Hills Subdivision, Section 5;

THENCE: With the East line of the Rolling Hills Subdivision, Section 5, the following calls;

North 23° 16' 39" East, 440.74 feet to a ½ inch iron rod found;

North 23° 03' 30" East, 540.13 feet to a 1 inch iron pipe set;

North 24° 19' 27" East, 177.87 feet to a ½ inch iron rod found;

North 21° 33' 12" East, 181.92 feet to a ½ inch iron rod found;

North 10° 47' 24" East, 182.91 feet to a ½ inch iron rod found;

South 70° 35' 20" East, 7.95 feet to a ½ inch iron rod found;

North 20° 16' 01" East, 137.84 feet to a ½ inch iron rod found;

North 16° 07' 40" East, 42.18 feet to a ½ inch iron rod found;

North 20° 49' 59" East, 179.65 feet to a ½ inch iron rod found;

North 20° 12' 36" East, 177.42 feet to a ½ inch iron rod found;

North 20° 59' 52" East, 580.33 feet to a 1 inch iron pipe set for the

Northwest corner of this tract and the Southwest corner of Tract E-15, being 101.469 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: South 71° 07' 11" East a distance of 1601.39 feet to a 1 inch iron pipe set for the upper Northeast corner of this tract and the Southeast corner of said Tract E-15;

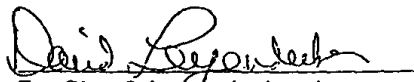
THENCE: South 25° 05' 34" West a distance of 822.63 feet to a 1 inch iron pipe set at an angle in the fence for the Southwest corner of Tract E-16, being 82.949 acres (surveyed at the same time as this tract and not yet recorded) and the Northwest corner of Tract E-5, being 96.241 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: South 24° 57' 27" West a distance of 2836.01 feet to a 1 inch iron pipe set for an interior corner of this tract and the Southwest corner of Tract E-6;

THENCE: South 65° 44' 37" East a distance of 2136.45 feet to the ACTUAL PLACE OF BEGINNING and containing 93.773 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.E14

FIELD NOTES FOR A 101.469 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE JESSE CLARY SURVEY, ABSTRACT 110 AND THE S. H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½ inch iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the South line of said F. M. Highway 1736 the following calls:

Along a curve to the right with a central angle of 15° 41' 59", a radius of 1004.94 feet, a length of 275.37 feet and a chord bearing of North 78° 10' 51" East a distance of 274.50 feet to a concrete highway monument found;

North 70° 45' 12" West, 1812.37 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 40' 49", a radius of 5779.65 feet, a length of 673.86 feet and a chord bearing of North 67° 27' 14" West a distance of 673.47 feet to a 1 inch iron pipe set;

North 64° 03' 18" West, 973.19 feet to a concrete highway monument found;

Along a curve to the right with a central angle of 6° 32' 07", a radius of 1959.88 feet, a length of 223.55 feet and a chord bearing of North 60° 38' 14" West a distance of 223.43 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract E-16, being 82.949 acres (surveyed at the same time as this tract and not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: South 25° 05' 34" West a distance of 2468.54 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the Northeast corner of Tract E-14, being 91.773 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: North 71° 07' 11" West a distance of 1601.39 feet to a 1 inch iron pipe set

in the East line of the Rolling Hills Subdivision, Section 5 for the Southwest corner of this tract and the Northwest corner of said Tract E-14;

THENCE: North 20° 59' 52" East a distance of 1656.93 feet to a ½ inch iron rod found at an angle in the fence;

THENCE: North 21° 26' 20" East a distance of 866.37 feet to a ½ inch iron rod found in the South line of said F. M. Highway 1736 for the Northwest corner of this tract and the Northeast corner of the Rolling Hills Subdivision, Section 3;

THENCE: With the South right-of-way line of said F.M. Highway 1736 the following calls:

South 85° 34' 56" East, 515.55 feet to a concrete highway monument found;

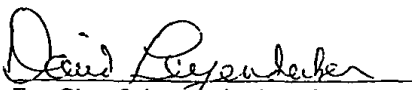
Along a curve to the right with a central angle of 35° 31' 50", a radius of 1382.41 feet, a length of 857.26 feet and a chord bearing of South 67° 42' 26" East a distance of 843.59 feet to a concrete highway monument found;

South 50° 31' 34" East, 193.31 feet to a 1 inch iron pipe set;

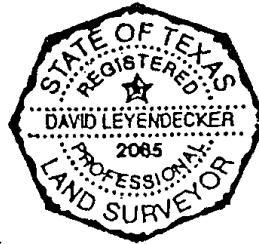
Along a curve to the left with a central angle of 7° 33' 31", a radius of 1959.88 feet, a length of 258.55 feet, and a chord bearing of South 53° 35' 25" East a distance of 258.36 feet to the ACTUAL PLACE OF BEGINNING and containing 101.469 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.E15

TRACT E-16
(82.949 Acres)

FIELD NOTES FOR A 82.949 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE JESSE CLARY SURVEY, ABSTRACT 110 AND THE S. H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½ inch iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the South line of said F. M. Highway 1736 the following calls:

Along a curve to the right with a central angle of 15° 41' 59", a radius of 1004.94 feet, a length of 275.37 feet and a chord bearing of North 78° 10' 51" East a distance of 274.50 feet to a concrete highway monument found;

North 70° 45' 12" West, 1812.37 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 40' 49", a radius of 5779.65 feet, a length of 673.86 feet and a chord bearing of North 67° 27' 14" West a distance of 673.47 feet to a 1 inch iron pipe set;

North 64° 03' 18" East, 121.72 feet to a 1 inch iron pipe for the Northeast corner of this tract and the Northwest corner of said Tract E-4 for the ACTUAL PLACE OF BEGINNING;

THENCE: South 20° 24' 56" West a distance of 2770.80 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the Southwest corner of said Tract E-4;

THENCE: North 85° 57' 14" West a distance of 1393.07 feet to a 1 inch iron pipe set in the East line of Tract E-14, being 93.773 acres (surveyed at the same time as this tract and not yet recorded) for the Southwest corner of this tract and the Northwest

corner of Tract E-5, being 96.241 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: North 25° 05' 34" East a distance of 3291.17 feet to a 1 inch iron pipe set in the South line of said F. M. Highway 1736 for the Northwest corner of this tract and the Northeast corner of Tract E-15, being 101.469 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the South line of said F. M. Highway 1736 the following calls:

Along a curve to the left with a central angle of 6° 32' 07" , a radius of 1959.88 feet, a length of 223.55 feet and a chord bearing of South 60° 38' 14" East a distance of 223.43 feet to a concrete highway monument found;

South 64° 03' 18" East, 851.47 feet to the ACTUAL PLACE OF BEGINNING and containing 82.949 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road bearing True N 87° 36' 20" West.

This survey consists of a separate plat and a legal description.

David Leyendecker
For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
December 8, 1997



DT/jad

NINEBAR.E16

Filed for Record Jan. 29
RECORDED Feb. 12

A.D., 1998 at 2:35 o'clock P. M.

A.D., 1998 at 1:30 o'clock P. M.
CHERYL PETERS, County Clerk, Waller County, Texas

By *Stephanie Tompkins* Deputy