

After recording return to:

Robert D. Burton, Esq.
Winstead PC
401 Congress Avenue, Suite 2100
Austin, Texas 78701
rburton@winstead.com



THE WOODLANDS HILLS
COMMUNITY ENHANCEMENT COVENANT
[RESIDENTIAL]

Montgomery County, Texas

NOTE: NO PORTION OF THE PROPERTY DESCRIBED ON EXHIBIT "A" IS SUBJECT TO THE TERMS OF THIS COMMUNITY ENHANCEMENT COVENANT UNLESS A NOTICE OF APPLICABILITY DESCRIBING SUCH PORTION OF THE PROPERTY IS RECORDED IN THE OFFICIAL PUBLIC RECORDS OF MONTGOMERY COUNTY, TEXAS, IN ACCORDANCE WITH SECTION 9.5 OF THE MASTER COVENANT AS FURTHER DESCRIBED BELOW.

DECLARANT: HF HOLDING COMPANY, LLC, a Delaware limited liability company

Cross reference to The Woodlands Hills Master Covenant [Residential], recorded under Document No. 2017102229 in the Official Public Records of Montgomery County, Texas.

THE WOODLANDS HILLS
COMMUNITY ENHANCEMENT COVENANT [RESIDENTIAL]

4851-9393-1591v.4 60463-1 11/10/2017

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE 1 DEFINITIONS	2
1.1 Definitions	2
ARTICLE 2 COMMUNITY ENHANCEMENT FEE	3
2.1 Community Enhancement Fee	3
2.2 Community Activities, Services, Programs and Enhancement Projects..	3
2.3 Contributions to Governmental Entities and Tax Exempt Organizations	5
2.4 Community Enhancement Fee Obligations.....	5
ARTICLE 3 MISCELLANEOUS	9
3.1 Breach Shall Not Permit Termination.....	9
3.2 Amendment	10
3.3 Enforcement	10
3.4 Inurement	10
3.5 Severability; Governing Law.....	10
3.6 Notices.....	10

THE WOODLANDS HILLS
COMMUNITY ENHANCEMENT COVENANT
[RESIDENTIAL]

This Community Enhancement Covenant [*Residential*] (the “**Community Covenant**”), is made by **HF HOLDING COMPANY, LLC**, a Delaware limited liability company (“**Declarant**”), and is as follows:

RECITALS

A. Declarant owns certain real property located in Montgomery County, Texas, as more particularly described on Exhibit “A”, attached hereto (the “**Property**”).

B. Declarant has caused to be Recorded that certain The Woodlands Hills Master Covenant [*Residential*], recorded as Document No. 2017102229 in the Official Public Records of Montgomery County, Texas (the “**Master Covenant**”).

C. Portions of the Property may be made subject to the Master Covenant upon the Recordation of one or more Notices of Applicability pursuant to *Section 9.5* of the Master Covenant. Upon the Recordation of a Notice of Applicability in the Official Public Records of Montgomery County, Texas: (i) the portions of the Property described therein shall be governed by and fully subject to this Community Covenant; and (ii) the portions of the Property described therein and any additional property made subject to this Community Covenant in the future shall constitute the “Community” for the purposes set forth herein.

No portion of the Property is subject to the terms and provisions of this Community Covenant until a Notice of Applicability (as defined in *Section 9.5* of the Master Covenant) is Recorded in the Official Public Records of Montgomery County, Texas. A Notice of Applicability may only be Recorded by Declarant. If Declarant is not the owner of any portion of the Property then being made subject to the terms and provisions of the Master Covenant, the owner of the Property must execute the Notice of Applicability evidencing its consent to its recordation.

Property versus Community	
“Property” -	Land described in <i>Exhibit “A”</i> . This is the land that <u>may be made</u> subject to this Community Covenant, from time to time, by the Recording of one or more Notices of Applicability.
“Community” -	This is the portion of the land described in <i>Exhibit “A”</i> that <u>has been made</u> subject to this Community Covenant through the Recordation of a Notice of Applicability.

D. Upon Recordation by Declarant, and as further set forth below, this Community Covenant creates a funding structure to support interest affecting the Community through the levy and collection of a Community Enhancement Fee (as defined below).

NOW, THEREFORE, it is hereby declared that upon the Recordation of a Notice of Applicability pursuant to *Section 9.5* of the Master Covenant: (i) such portions of the Property described in the Notice of Applicability will be held, sold, conveyed, and occupied subject to the following covenants, conditions, and restrictions which shall run with such Property and shall be binding upon all parties having right, title, or interest in or to such Property or any part thereof, their heirs, successors, and assigns and shall inure to the benefit and burden of each owner thereof; and (ii) that each contract or deed which may hereafter be executed with regard to such Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the following covenants, conditions, and restrictions, regardless of whether or not the same are set out in full or by reference in said contract or deed.

ARTICLE 1 DEFINITIONS

1.1 **Definitions.** Any capitalized terms used but not defined herein shall have the meanings ascribed such terms in the Master Covenant. Additionally, unless the context otherwise specifies or requires, the following words and phrases when used in this Community Covenant will have the following meanings:

(i) "Board" means the Board of Directors of the Association. All acts of the Board hereunder shall be deemed an act of the Association when taken by a Majority vote of the Board.

(ii) "Community Enhancement Fee" has the meaning given such term in *Section 2.4* below.

(iii) "Community Investment Fund" means the account designated pursuant to this Community Covenant to receive the Community Enhancement Fee.

(iv) "Transfer" means, for the purposes of the Community Enhancement Fee, any conveyance, assignment, lease, or other grant or conveyance of beneficial ownership of a Lot or Condominium Unit, whether occurring in one transaction or a series of related transactions, including but not limited to: (i) the conveyance of fee simple title to any Lot or Condominium Unit; (ii) the transfer of more than fifty percent (50%) of the outstanding shares of the voting stock of a corporation which, directly, or indirectly, owns one or more Lots or Condominium Units; and (iii) the transfer of more than fifty percent (50%) of the interests in net profits or net losses of any partnership, limited

liability company, joint venture or other entity which, directly or indirectly, owns one or more Lots or Condominium Units; but "Transfer" shall not mean or include grants or conveyances expressly excluded under this Community Covenant.

(v) "Transfer Price" means the greater of: (i) the price paid by the Transferee for the Lot or Condominium Unit; or (ii) the value of the Lot or Condominium Unit, including any Improvements or betterments constructed thereon, as determined by the Montgomery County Appraisal District in their most recent valuation of such Lot or Condominium Unit for ad valorem tax purposes. For purposes of clause (ii) of the immediately preceding sentence, "valuation" means the appraised value without giving effect to any applicable tax exemptions.

(vi) "Transferee" means all parties to whom any interest passes by a Transfer, and each party included in the term "Transferee" shall have joint and several liability for all obligations of the Transferee under this Community Covenant.

(vii) "Transferor" means all parties who pass or convey any interest by a Transfer, and each party included in the term "Transferor" shall have joint and several liability for all obligations of that Transfer, as provided for in this Community Covenant.

ARTICLE 2 COMMUNITY ENHANCEMENT FEE

2.1 Community Enhancement Fee. The Board, acting on behalf of the Association shall have the authority to levy and collect the Community Enhancement Fee, as further set forth below.

2.2 Community Activities, Services, Programs and Enhancement Projects. Through the collection and administration of the Community Enhancement Fee, the Board may organize, fund, and administer such community-building activities, services, programs and enhancement projects and other infrastructure as the Board deems necessary, desirable, and appropriate to serve as a means to: (i) enhance and promote the advancement of the Community and the Property; (ii) encourage, support and fund Community or Community-related programs, activities, services, interests or construction of Improvements or other infrastructure benefiting the Property or the Community; (iii) fund the provision of electronic access to Community documents and documents pertaining to the Property; and (iv) fund educational, charitable, social, cultural, recreational, political, physical activities, enhancement projects or other infrastructure, services or programs benefiting, affecting or of interest to the

Community and the Property. Such activities, enhancement projects or other infrastructure, services, and programs may include, but are not limited to, the following:

- (i) primary and adult formal or informal education programs;
- (ii) training and orientation programs;
- (iii) learning centers, computer centers, activity centers and/or business centers;
- (iv) coordinated activities and recreational and social programs (*e.g.*, book clubs, hikes, cooking classes, scavenger hunts, etc.);
- (v) environmental programs (*e.g.*, community-wide recycling, community gardens, etc.);
- (vi) activities designed to promote compliance with community regulations through education, communication, and grass roots support;
- (vii) promotional and public relations activities on behalf of the Community;
- (viii) cultural, artistic, environmental, and wellness programs;
- (ix) community services for the benefit of the Community's residents (*e.g.*, caretaker services, childcare, personal shopping services, etc.);
- (x) developing, hosting or maintaining Community internet or intranet sites;
- (xi) community-wide audio, video and technology;
- (xii) charter clubs and other volunteer organizations and activities;
- (xiii) enhancement projects consisting of charitable, educational, cultural, social, recreational, environmental, political, physical fitness and/or wellness facilities or other infrastructure.; and
- (xiv) other services, activities, and programs which enhance the sense of community within the Development.

Nothing in this Section shall be construed as a representation by Declarant, the Board or the Association to what, if any, activities, services, or programs shall be provided.

2.3 Contributions to Governmental Entities and Tax Exempt Organizations. On behalf of the Association, the Board may contribute money, real or personal property, or services to any Governmental Entity or any non-profit, tax-exempt organization, the operation of which confers some benefit upon the Community, the Association, its members, or residents. The Board may also approve additional funds to be contributed to any reserves established by the Association for the benefit of the Community, the Association, its members or residents. Any funds contributed to such Governmental Entity, tax exempt organization or the Associations reserves may be paid from the Community Investment Fund. For the purposes of this Section, a “tax-exempt organization” shall mean an entity which is exempt from federal income taxes under the Internal Revenue Code (the “Code”), such as, but not limited to, entities which are exempt from federal income taxes under Sections 501(c)(3) or 501(c)(4), as the Code may be amended from time to time.

2.4 Community Enhancement Fee Obligations. The covenants, conditions and restrictions set forth below are hereby impressed upon the Property:

2.4.1 Obligation to Pay Community Enhancement Fee.

(i) Transfers to Homebuilders or Development Owners. Upon the Transfer of any Lot or Condominium Unit within the Community to a Homebuilder or a Development Owner, including transfers between Homebuilders or Development Owners, the Transferee thereof shall be obligated to pay a “**Community Enhancement Fee**” to the Association in an amount equal to Five Hundred Dollars and No/100 (\$500.00). For purposes of this subparagraph, “**Homebuilder**” means any Owner who is in the business of constructing residences for resale to third parties and intends to construct a residence on a Lot or Condominium Unit for resale to a third party, and “**Development Owner**” means any Owner, other than Declarant, who acquires a Lot for the purpose of resale to a Homebuilder.

(ii) Transfers to Homeowners. Upon the Transfer of any Lot or Condominium Unit within the Community from an Owner who is not Declarant, a Homebuilder or Development Owner and that is not in the business of constructing single-family residences for resale to third parties (a “**Homeowner**”) to another Homeowner, the Transferor thereof shall be obligated to pay a “**Community Enhancement Fee**” to the Association equal to the Transfer Price multiplied by one half of one percent (0.50%), unless the Transfer in question is excluded under this Community Covenant. Unless waived in writing by Declarant, any Transfer from or by Declarant or its successor, assignee or affiliate to a Homeowner shall be exempt under this subparagraph. Additionally, and for the avoidance of doubt, this subparagraph is intended to apply to all transfers from a Homeowner to another Homeowner, and shall not apply to the initial

transfer of a Lot or Condominium Unit with a completed residence thereon from a Homebuilder or Development Owner to a Homeowner.

(iii) The Community Enhancement Fee is neither imposed as a penalty nor a tax, but rather is imposed as a means to provide additional funding to fulfill the goals set forth in the Master Covenant and this Community Covenant for the betterment of the Community. As such, the Community Enhancement Fee shall be deemed an Assessment imposed by and subject to all rights, obligations and provisions set forth in *Article 5* of the Master Covenant.

2.4.2 Liability for the Community Enhancement Fee. If the Transferor or Transferee obligated to pay the Community Enhancement Fee under *Section 2.4.1(i)* or *2.4.1(ii)*, as applicable, does not pay the Community Enhancement Fee as required by this Section, the Community Enhancement Fee payment shall become the personal obligation of the other party (i.e. the Transferor under *Section 2.4.1(i)* or the Transferee under *Section 2.4.1(ii)*) under the Transfer in question and there shall be a lien against the applicable Lot or Condominium Unit for the amount of the Community Enhancement Fee and any fees or sums associated with collection of same, and, if unpaid, shall be handled in accordance with *Article 5* of the Master Covenant.

2.4.3 Deposit of Community Enhancement Fee Into Community Investment Fund. On behalf of the Association, the Board will establish a Community Investment Fund with a reputable financial institution for purposes of depositing, receiving and distributing the proceeds of the Community Enhancement Fee. No other funds will be deposited or held in the Community Investment Fund other than the proceeds of the Community Enhancement Fee and any interest earned thereon. Within sixty (60) days after the end of each calendar year, the Board shall cause to be prepared a Community Enhancement Fee receipts and disbursements schedule which may be in form which may be reviewed, on an annual basis, by a Certified Public Accountant.

2.4.4 Due on Closing and Method for Payment. Payment of the Community Enhancement Fee shall be made upon the closing of the Transfer in cash or cash equivalent funds to the Association, at the address and account number specified by the Board from time to time. With such payment, the Transferor or Transferee shall provide a written report in a form approved by the Board (the "**Community Enhancement Fee Report**") which: (i) describes the Transfer and the Lot or Condominium Unit; (ii) sets forth the Transfer Price for the Transfer and the names and addresses of Transferor and Transferee; and (iii) provides such other information as the Board may reasonably require. The Board, at its own expense, shall have the right at any time during regular business hours to inspect and copy all records and to audit all accounts of any owner, Transferor, or Transferee which are reasonably related to the payment of the Community Enhancement Fee.

2.4.5 Disbursements. Upon Majority vote, the Board may, from time to time, make disbursements from the Community Investment Fund to achieve the objectives set forth in this Community Covenant or to pay costs to administer this Community Covenant and the Community Investment Fund.

2.4.6 Community Enhancement Fee Lien and Foreclosure. Each Owner, by accepting an interest in or title to a Lot or Condominium Unit, whether or not it is so expressed in the instrument of conveyance, covenants and agrees to pay the Community Enhancement Fee to the Association. Each Community Enhancement Fee is a charge on the Lot or Condominium Unit and is secured by a continuing lien on the Lot or Condominium Unit in the same manner as an Assessment lien arising under *Article 5* of the Master Covenant. Each Owner, and each prospective Owner, is placed on notice that the Owner's title may be subject to the continuing lien for the Community Enhancement Fee attributable to a period prior to the date that the Owner purchased a Lot or Condominium Unit. An express lien on each Lot or Condominium Unit is hereby granted and conveyed by Declarant to the Association to secure the payment of the Community Enhancement Fee which shall be enforced as an Assessment lien in accordance with the terms and provisions set forth in *Article 5* of the Master Covenant. The Community Enhancement Fee lien is superior to all other liens and encumbrances on a Lot or Condominium Unit, except only for: (i) tax and governmental assessment liens; (ii) all sums secured by a first mortgage Recorded lien or Recorded first deed of trust lien, to the extent such lien secures sums borrowed for the acquisition or improvement of the Lot or Condominium Unit in questions; and (iii) home equity loans or home equity lines of credit which are secured by a Recorded second mortgage lien or Recorded second deed of trust lien; provided that, in the case of subparagraphs (ii) and (iii) above, such Mortgage was Recorded, before the Community Enhancement Fee lien. The Community Enhancement Fee lien is superior to a lien arising from the construction of improvements to the Lot or Condominium Unit regardless of when recorded or perfected. It is also superior to any recorded assignment of the right to insurance proceeds on the Lot unless the assignment is part of a superior deed of trust lien. Foreclosure of a superior lien extinguishes the Association's claim against the Lot or Condominium Unit for an unpaid Community Enhancement Fee that became due before the sale, but does not extinguish the Association's claim against the former Owner personally for the payment of such Community Enhancement Fee. The Association's lien for the Community Enhancement Fee is created by recordation of this Community Covenant, which constitutes record notice and perfection of the lien. No other recordation of a lien or notice of lien is required. However, the Association may record a notice of the lien in the Official Public Records for Montgomery County, Texas. If the debt is cured after a notice has been recorded, the Association shall record a release of the notice of lien at the expense of the curing Owner and may require reimbursement of its costs of preparing and recording the notice of lien before granting the release. By accepting an interest in or title to a Lot or Condominium Unit, each Owner grants to the Association a power of sale in connection with the Community Enhancement Fee lien, which may be exercised in the same manner as all other Assessment liens as further set forth in *Article 5* of the Master Covenant.

2.4.7 Reporting on Exclusions from Community Enhancement Fee. In the event that a Transferee or Transferor is involved in a Transfer that it believes to be excluded from the requirement to pay the Community Enhancement Fee under this Section, the Transferee or Transferor shall provide written notice (the “**Notice**”) to the Board within five (5) days prior to the Transfer in question, explaining the Transfer and the reason such Transfer should be excluded. If, after review of the Notice, the Board does not concur that the Transfer in question should be excluded from the Community Enhancement Fee, the Board shall notify the party providing the Notice of its obligation to pay the Community Enhancement Fee to the Association. Prior to its decision on any Notice, the Board may request additional information or clarification from the party submitting such Notice, and such party shall promptly provide the Board with such additional information.

2.4.8 Exclusions from the Community Enhancement Fee. The Community Enhancement Fee shall not apply to any of the following, except to the extent any of the following are used for the purpose of avoiding the Community Enhancement Fee:

(i) Transfers to Certain Governmental Agencies. Any Transfer to the United States, or any agency or instrumentality thereof, the State of Texas, or any county, city and county, municipality, district or other political subdivision of such states;

(ii) Transfer to the Association. Any Transfer to the Association created pursuant to the Master Covenant, or its respective successors or assignees;

(iii) Transfer to Declarant. Any Transfer to Declarant, any affiliate of Declarant or their successors or assignees;

(iv) Exempt Family or Related Transfers. Any Transfer, whether outright or in trust that is for the benefit of the Transferor or his or her relatives, but only if there is no more than nominal consideration for the Transfer. For the purposes of this exclusion, the relatives of a Transferor shall include all lineal descendants of any grandparent of the Transferor, and the spouses of the descendants. Any person’s stepchildren and adopted children shall be recognized as descendants of that person for all purposes of this exclusion.

(v) Exemption for Transfers on Death. Any Transfer or change of interest by reason of death, whether provided for in a will, trust or decree of distribution;

(vi) Exempt Technical Transfers. Any Transfer made solely for the purpose of confirming, correcting, modifying or supplementing a Transfer

previously recorded, making minor boundary adjustments, removing clouds on titles, or granting easements, rights-of-way or licenses;

(vii) Exempt Court Ordered Transfers. Any Transfer pursuant to any decree or order of a court of record determining or vesting title, including a final order awarding title pursuant to a divorce or condemnation proceeding;

(viii) Exempt Transfers On Conveyance To Satisfy Certain Debts. Any Transfer to secure a debt or other obligation or to release property which is security for a debt or other obligation, including Transfers in connection with foreclosure of a deed of trust or mortgage or Transfers in connection with a deed given in lieu of foreclosure;

(ix) Holding Company Exemption. Any Transfer made by a corporation or other entity, for consideration (1) to any other corporation or entity which owns one-hundred percent (100%) of its equity securities (a “**Holding Company**”), or (2) to a corporation or entity whose stock or other equity securities are owned, directly or indirectly, one-hundred percent (100%) by such Holding Company;

(x) Subsidiary Conveyance Exemption. Any Transfer from a partially owned direct or indirect subsidiary corporation to its direct or indirect parent corporation where consideration is paid for, or in connection with, such Transfer; and

(xi) Exemption for Certain Conveyances of Convenience. The consecutive Transfer of a Lot or Condominium Unit wherein the interim owner acquires such Lot or Condominium Unit for the sole purpose of immediately re-conveying such Lot or Condominium Unit to the ultimate owner and such interim owner receives no right to use or enjoyment of such Lot or Condominium Unit, provided the Board specifically approves such exemption in each particular case.

ARTICLE 3 MISCELLANEOUS

3.1 Breach Shall Not Permit Termination. Notwithstanding anything to the contrary contained herein, no breach of this Community Covenant shall entitle Declarant or the owner of any portion of the Property to cancel, rescind or otherwise terminate this Community Covenant.

3.2 **Amendment.** This Community Covenant may be amended: (i) unilaterally by the Declarant during the Development Period; or (ii) the Majority vote by the Board and the Declarant during the Development Period.

3.3 **Enforcement.** The Association or Declarant will have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, and covenants imposed by the provisions of this Community Covenant.

3.4 **Inurement.** This Community Covenant and the restrictions created hereby are binding upon the Owners of all or any portion of the Property.

3.5 **Severability; Governing Law.** The provisions of this Community Covenant shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion hereof shall not affect the validity or enforceability of any other provision. This Community Covenant and all rights and obligations created hereby shall be governed by the laws of the State of Texas. This Community Covenant is performable in Montgomery County, Texas.

3.6 **Notices.** Any notice to any owner of the Property shall be in writing and given by delivering the same to such party in person, by expedited, private carrier services (such as FedEx) or by sending the same by registered or certified mail, return receipt requested, with postage prepaid, to the intended recipient's last known mailing address. All notices under this Community Covenant shall be deemed given, received, made or communicated on the date personal delivery is effected or, if mailed, on the delivery date or attempted delivery date shown on the return receipt.

[SIGNATURE PAGE FOLLOWS]

EXHIBIT A

DESCRIPTION OF PROPERTY

(Description of the Land)

HF Holding Company, LLC
58.992 Acres

F.K. Henderson Survey
Abstract Number 248

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 58.992 acre tract of land situated in the F.K. Henderson Survey, Abstract Number 248, Montgomery County, Texas; being out of the remainder of a called 116 acre tract conveyed to W.T. Moran by Deed recorded under Volume 225, Page 324 of the Montgomery County Deed Records; said 58.992 acres being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83:

BEGINNING at a found 4" X 4" concrete monument in the west right-of-way of Interstate Highway 45 (width varies) for a southeast corner of a called 842.17 acre tract conveyed to HF Holding Company, LLC by Special Warranty Deed recorded under Clerk's file No. 2014048028 of the Montgomery County Official Public Records of Real Property, being the northeast corner of the herein described tract;

THENCE, along the west right-of-way of said Interstate Highway 45 and the east line of the herein described tract the following four (4) courses and distances:

1. South 11°49'44" East, 76.77 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying");
2. South 08°40'48" East, 1062.10 feet to a found 4" X 4" concrete monument;
3. South 04°48'19" East, 562.06 feet to a found 4" X 4" concrete monument;
4. South 03°40'56" East, 445.76 feet to a found 1/2-inch iron rod (with cap stamped "Jeff Moon") for the northwest corner of called 25.645 acre tract conveyed to Richard J. Lindley, Jr. by Warranty Deed recorded under Clerk's File No. 8524974 of the Montgomery County Official Public Records of Real Property, being the southeast corner of the herein described tract;

THENCE, South 72°38'11" West, 993.01 feet along the north line of said 25.645 acres and the south line the herein described tract to a found 2-inch iron pipe for the southeast corner of a called 40.128 acre tract conveyed to The Moran Corporation by Warranty Deed recorded under Volume 726, Page 204 of the Montgomery County Deed Records, from which a found axle bears South 72°11'02" West, 274.72 feet;


THENCE, North 17°26'13" West, along the east line of said 40.128 acre tract and the west line of the herein described tract, passing a found 2-inch iron pipe at 2096.88 feet and continuing for a total distance of a 2116.99 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") in a south line of said 842.17 acres, being the northeast corner of said 40.128 acres and the northwest corner of the herein described tract;

HF Holding Company, LLC
58.992 Acres

F.K. Henderson Survey
Abstract Number 248

THENCE, North 73°00'14" East, 1391.15 feet along the south line said 842.17 acres and the north line of the herein described tract to the **POINT OF BEGINNING, CONTAINING 58.992 acres of land in Montgomery County, Texas.**

Cotton Surveying Company
8701 New Trails Drive, Suite 200
The Woodlands, TX 77381-4241
(281) 363-4039


Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
RHauck@jonescarter.com
*Texas Board of Professional Land Surveying
Registration No. 10046106*



p:\projects\12962 - hf mgmt\12962-0002-00 willis land title survey\survey\legal desc\m&b - 58.992 ac.docx

19.260 Acres

Elijah Collard Survey
Abstract No. 7

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 19.260 acre tract located in the Elijah Collard Survey, Abstract No. 7, Montgomery County, Texas; being a portion of a called 90.033 acre tract (Tract 3) conveyed to Foster Timber, LTD by Deed recorded under Clerk's File No. 9509572 of the Montgomery County Official Public Records of Real Property; said 19.260 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83;

BEGINNING at a found 1/2" iron pipe for an interior south corner of Piney Shores Resort, Section Three filed for record in Cabinet H, Sheet 106 of the Montgomery County Map Records, the northwest corner of said 90.033 acre tract and the herein described tract;

THENCE, South 76°52'41" East, along the north line of said 90.033 acre tract and the herein described tract, passing a found 1/2-inch iron pipe at 49.48 feet, 0.35 feet right, passing a found 1/2-inch pipe at 199.20 feet, 0.46 feet left, passing a found 2-inch iron pipe at 857.71 feet, 1.11 feet left, and continuing for a total distance of 2019.70 feet to a set 5/8-inch iron rod (with cap stamped "Cotton Surveying") in the west right-of-way of Longmire Road (called 60-feet wide) for the northeast corner of the herein described tract;

THENCE, South 08°03'08" West, 290.39 feet along the west right-of-way of said Longmire Road to a found 5/8-inch iron rod (with cap stamped "City of Conroe") for the most northerly northwest cut-back corner of said Longmire Road and League Line Road;

THENCE, South 57°01'09" West, 160.43 feet along said cut-back line to a found 5/8-inch iron rod (with cap stamped "City of Conroe") in the north right-of-way of said League Line Road (called 120-feet wide at this point) for the southeast corner of the herein described tract;

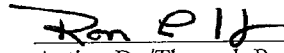
THENCE, North 77°35'00" West, 1924.84 feet along the north right-of-way of said League Line Road to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the southeast corner of a called 9.919 acre tract conveyed to Charles A. Hudson by Warranty Deed with Mineral Reservation recorded under Clerk's File No. 2007-069307 of the Montgomery County Official Public Records of Real Property, same being the southwest corner of the herein described tract;

19.260 Acres

Elijah Collard Survey
Abstract No. 7

THENCE, North 11°51'42" East, along the east line of said 9.919 acre tract and the west line of the herein described tract, passing a found 3/4-inch bolt with square nut at 395.72 feet, 0.85 feet left and continuing for a total distance of 428.66 feet to the **POINT OF BEGINNING, CONTAINING 19.260 acres of land** in Montgomery County, Texas as shown on drawing number 3274.

Cotton Surveying Company
8701 New Trails Drive, Suite 200
The Woodlands, TX 77381-4241
(281) 363-4039



Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
RHauck@jonescarter.com
Texas Board of Professional Land Surveying
Registration No. 10046106



7/16/14

p:\projects\w5398 - wdl's dev col\w5398-0164-00 700 acres\survey\legal desc\m&b - 20.964 acres.docx

20.964 Acres

Elijah Collard Survey
Abstract No. 7

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 20.964 acre tract located in the Elijah Collard Survey, Abstract No. 7, Montgomery County, Texas; being a portion of a called 90.033 acre tract (Tract 3) conveyed to Foster Timber, LTD by Deed recorded under Clerk's File No. 9509572 of the Montgomery County Official Public Records of Real Property; said 20.964 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83;

BEGINNING at a found 5/8" iron rod in the east right-of-way of Longmire Road (found 60-feet wide) for the southwest corner of a called 9 acre tract conveyed to Bobbie Mae Bailey by Special Warranty Deed filed for record under Clerk's File No. 2009-006350 of the Montgomery County Official Public Records of Real Property, same being the northwest corner of the herein described tract;

THENCE, South 77°17'34" East, along the south line of said 9 acre tract, passing a found 1/2-inch iron rod for the southeast corner of said 9 acre tract and the most southerly southwest corner of Silver City Subdivision recorded under Volume 5, Page 7 of the Montgomery County Map Records at 1160.58 feet, 0.45' right, passing a found 1/2-inch iron rod for the southwest corner of Lot 8 of said Silver City Subdivision conveyed to Darryl Pitcock by Warranty Deed with Vendor's Lien as recorded under Clerk's File No. 9023075 of the Montgomery County Official Public Records of Real Property at 1210.42 feet and continuing for a total distance of 2176.13 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") in the west line of a called 11.180 acre tract conveyed to the City of Conroe by Warranty Deed recorded under Clerk's File No. 2011022466 of the Montgomery County Official Public Records of Real Property, same being the northeast corner of the herein described tract;

THENCE, South 12°22'42" West, 419.70 feet along the west line of said 11.180 acre tract and the east line of the herein described tract to a found 5/8-inch iron rod (with cap stamped "City of Conroe") in the north right-of-way of League Line Road (called 80-feet wide), same being the southwest corner of said 11.180 acre tract and the southeast corner of the herein described tract;

THENCE, North 77°38'20" West, 2020.62 feet along the north right-of-way of said League Line Road and the south line of the herein described tract to a found 5/8-inch iron rod (with cap stamped "City of Conroe") for the most easterly northeast cut-back corner of said League Line Road and said Longmire Road;

THENCE, North 35°22'20" West, 178.03 feet along said cut-back to a found 5/8-inch iron rod (with cap stamped "City of Conroe") in the east right-of-way of said Longmire Road;

20.964 Acres

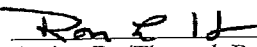
Elijah Collard Survey
Abstract No. 7

THENCE, North 08°03'08" East, 313.99 feet along the east right-of-way of said Longmire Road and the west line of the herein described to the **POINT OF BEGINNING**, CONTAINING 20.964 acres of land in Montgomery County, Texas as shown on drawing number 3274.

Cotton Surveying Company
8701 New Trails Drive, Suite 200
The Woodlands, TX 77381-4241
(281) 363-4039



7/14/16


Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
RHauck@jonescarter.com
Texas Board of Professional Land Surveying
Registration No. 10046106

p:\projects\w5398 - wdlis dev col\w5398-0164-00 700 acres\survey\legal desc\m&b - 20.964 acres.docx

23.698 Acres

Elijah Collard Survey
Abstract No. 7

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 23.698 acre tract located in the Elijah Collard Survey, Abstract No. 7, Montgomery County, Texas; being a portion of a called 90.033 acre tract (Tract 3) conveyed to Foster Timber, LTD by Deed recorded under Clerk's File No. 9509572 of the Montgomery County Official Public Records of Real Property; said 23.698 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83;

COMMENCING at a found 5/8" iron rod (with cap stamped "City of Conroe") in the west right-of-way of Longmire Road (width varies) for the southeast corner of a called 22.520 acre tract conveyed to Houston Intercontinental Trade Center, L.P. by "Correction" Special Warranty Deed dated June 1, 2012 filed for record under Clerk's File No. 2012080034 of the Montgomery County Official Public Record of Real Property;

THENCE, South 77°18'22" East, passing a found 1-inch flat iron bar at 75.70 feet, 0.24 feet right, continuing for a total distance of 104.63 feet to a found 5/8-inch iron rod (with cap stamped "City of Conroe") in the east right-of-way of said Longmire Road for the **POINT OF BEGINNING** and southwest corner of the herein described tract;

THENCE, North 07°23'31" East, 395.82 feet along the east right-of-way of said Longmire Road to a found 5/8-inch iron rod (with cap stamped "City of Conroe") for the most southerly southeast cut-back corner of said Longmire Road and League Line Road;

THENCE, North 54°40'40" East, 144.85 feet along said cut-back line to a found 5/8-inch iron rod (with cap stamped "City of Conroe") in the south right-of-way of said League Line Road (called 80-feet wide at this point) for the most northerly northwest corner of the herein described tract;

THENCE, South 77°38'20" East, 1987.00 feet along the south right-of-way of said League Line Road to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the northeast corner of the herein described tract;

THENCE, South 12°19'49" West, 500.39 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the southeast corner of the herein described tract;

THENCE, North 77°40'05" West, 2050.50 feet along the south line of the herein described tract, to the **POINT OF BEGINNING, CONTAINING** 23.698 acres of land in Montgomery County, Texas as shown on drawing number 3274-A.

Cotton Surveying Company
8701 New Trails Drive, Suite 200
The Woodlands, TX 77381-4241
(281) 363-4039



Ronald L. Hauck
Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
RHauck@jonescarter.com
Texas Board of Professional Land Surveying
Registration No. 10046106

7/16/14

p:\projects\w5398 - wdis dev co\w5398-0164-00 700 acres\survey\legal desc\m&b - 23.695 acres.docx

589.33 Acres

M.P. Clark Survey
Abstract No. 148
James Buchanan Survey
Abstract No. 100
Elijah Collard Survey
Abstract No. 7

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 589.33 acre tract located in the M.P. Clark Survey, Abstract No. 148, the James Buchanan Survey, Abstract No. 100 and the Elijah Collard Survey, Abstract No. 7, Montgomery County, Texas; being a portion of a called 694.357 acre tract (Tract 4) conveyed to Foster Timber, LTD by Deed recorded under Clerk's File No. 9509572 of the Montgomery County Official Public Records of Real Property, a portion of a called 5.673 acre tract conveyed to Foster Timber, LTD by General Warranty Deed recorded under Clerk's File No. 2004-117093 of the Montgomery County Official Public Records of Real Property, all of a called 1.3004 acre tract conveyed to Foster Timber, LTD by Special Warranty Exchange Deed recorded under Clerk's File No. 2010076447 of the Montgomery County Official Public Records of Real Property and all of a called 22.520 acre tract conveyed to Foster Timber, LTD by Special Warranty Exchange Deed recorded under Clerk's File No. 2009-109731 of the Montgomery County Official Public Records of Real Property ; said 589.33 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83;

BEGINNING at a found 5/8" iron rod (with cap stamped "Moyer") for the southeast corner of a called 123.48 acre tract (Tract Two) conveyed to HF Holding Company, LLC by Special Warranty Deed filed for record under Clerk's File No. 2014048028 of the Montgomery County Official Public Records of Real Property and the southwest corner of said 1.3004 acre tract;

THENCE, North 15°14'59" East, 624.63 feet along the east line of said 123.48 acres and the west line of said 1.3004 acres to a point in the south right-of-way of FM 830 (called 120-foot wide), from which a found 5/8-inch iron rod (with cap stamped "Moyer") bears North 15°14'59" East, 0.34 feet;

THENCE, in a southeast direction, along the south right-of-way of said FM 830, with the arc of a curve to the left, having a radius of 3874.03 feet, a central angle of 20°46'53", an arc length of 1405.13 feet, and a chord bearing South 83°47'11" East, 1397.44 feet to a point, from which a found concrete monument bears North 10°16'10" East, 0.61 feet and a found 5/8-inch iron rod found along the north right-of-way FM 830 bears North 03°59'54" West, 119.93 feet;

THENCE, North 85°50'18" East, 150.53 feet continuing along the south right-of-way of said FM 830 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the northwest corner of Lot 157 of Hiwon, Section Three as shown on plat filed for record in Cabinet A, Sheet 8-B of the Montgomery County Map Records, same being the northeast corner of the herein described tract;

THENCE, South 11°57'27" West, 3074.75 feet along the east line of said 694.357 acre tract, same being the east line of the herein described tract to a found 1/2-inch iron rod for the northeast corner of a called 122.279 acre tract conveyed to LGI Homes - Texas, LLC by Special Warranty Deed recorded under Clerk's File No. 2013123915 of the Montgomery County Official Public Records of Real Property, same being the southeast corner of the herein described tract;

589.33 Acres

M.P. Clark Survey
Abstract No. 148
James Buchanan Survey
Abstract No. 100
Elijah Collard Survey
Abstract No. 7

THENCE, North 77°11'26" West, 3536.46 feet along the north line of said 122.279 acre tract and a south line of the herein described tract to a found 1/2-inch iron rod (with cap stamped "Jeff Moon") for the northwest corner of said 122.279 acre tract;

THENCE, South 06°06'39" West, 309.97 feet to a found 1/2-inch iron rod for the most westerly southwest corner of said 122.279 acre tract and the northwest corner of Teas Lake, Section 4, as shown on a plat filed for record in Cabinet Y, Sheet 180 of the Montgomery County Map Records;

THENCE, South 06°08'47" West, along the west line of said Teas Lake, Section 4, passing found 1/2-inch rod at a distance of 1219.07 feet, 0.34 feet right for the southwest corner of said Teas Lake, Section 4 and the northwest corner of Teas Lake, Section 3 as shown on a plat filed for record in Cabinet W, Sheet 188 of the Montgomery County Map Records, continuing along the west line of said Teas Lake, Section 3, passing a found 1/2-inch iron rod (with cap stamped "Jeff Moon") at a distance of 1694.42 feet, 0.60 feet right, passing a found 1/2-inch iron rod (with cap stamped "Jeff Moon") at a distance of 1803.29 feet, 0.17 feet right and continuing in all a total distance of 2095.47 feet to a found 1/2-inch iron rod in the north line of a called 61.1232 acre tract conveyed to Michael M. Stewart and wife, Denise R. Stewart by Deed filed for record under Clerk's File No. 9561329 of the Montgomery County Official Public Records of Real Property, same being the southwest corner of said Teas Lake, Section 3 and a southeast corner of the herein described tract;

THENCE, North 76°49'40" West, along the north line of said 61.1232 acre tract and a south line of the herein described tract, passing at a distance of 168.81 feet a found 1/2-inch iron rod (with cap stamped "City of Conroe") and continuing for a total distance of 1079.62 feet to a found 1/2-inch iron rod for the northwest corner of said 61.1232 acre tract and the northeast corner of a called 6.471 acre tract conveyed to Henry P. Blott and wife Betty S. Blott by Warranty Deed with Vendor's Lien filed for record under Clerk's File No. 8534950 of the Montgomery County Official Public Records of Real Property;

THENCE, North 76°57'51" West, 702.84 feet along the north line of said 6.471 acre tract to a found 1/2-inch iron rod for the northwest corner of said 6.471 acre tract and an interior corner of the herein described tract;

THENCE, South 08°00'03" West, 551.07 feet along the west line of said 6.471 acre tract to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the southwest corner of said 6.471 acre tract and the northwest corner of a called 10.518 acre tract conveyed to Mark Rollins Blott and wife Janet Marie Blott by Warranty Deed with Vendor's Lien filed for record under Clerk's File No. 9325620 of the Montgomery County Official Public Records of Real Property;

THENCE, South 08°03'11" West, along the west line of said 10.518 acre tract, passing at a distance of 585.52 feet a found 1/2-inch iron rod and continuing for a total distance of 1313.26 feet to a found 1/2-inch iron rod for the northwest corner of a called 0.593 acre tract conveyed to Gulf States Utility Company by Judgement filed for record under Volume 899, Page 744 of the Montgomery County Deed Records and the northeast corner of a called 0.073 acre tract conveyed to Gulf States Utility Company by Deed filed for record under Volume 681, Page 717 of the Montgomery County Deed Records;

589.33 Acres

M.P. Clark Survey
Abstract No. 148
James Buchanan Survey
Abstract No. 100
Elijah Collard Survey
Abstract No. 7

THENCE, North 87°07'31" West, 25.00 feet along the north line of said 0.073 acre tract to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying") for the northwest corner of said 0.073 acre tract;

THENCE, South 02°53'30" West, 180.39 feet along the west line of said 0.073 acre tract to a found 3/4-inch iron rod in the north right-of-way of League Line Road (called 80-foot wide) for the southwest corner of said 0.073 acre tract and a southeast corner of the herein described tract;

THENCE, North 77°49'08" West, 1629.92 feet along the north right-of-way of said League Line Road to a found 3/4-inch iron rod (with cap stamped "City of Conroe") for the southeast corner of a called 11.180 acre tract conveyed to the City of Conroe by Warranty Deed filed for record under Clerk's File No. 2011022466 of the Montgomery County Official Public Records of Real Property, same being the southwest corner of the herein described tract;

THENCE, North 13°00'00" East, 1999.88 feet along the east line of said 11.180 acre tract and the west line of the herein described tract to a found 3/4-inch iron rod (with cap stamped "Montgomery & Associates") for the southwest corner of a called 15.000 acre tract conveyed to Willis Independent School District by Special Warranty Deed filed for record under Clerk's File No. 2011027871 of the Montgomery County Official Public Records of Real Property;

THENCE, along the south, east and north line of said 15.000 acre tract the following four (4) courses and distances:

1. South 77°00'05" East, 750.14 feet to found 3/4-inch iron rod (with cap stamped "Montgomery & Associates");
2. North 05°43'29" East, 170.68 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying"), beginning a curve to the right;
3. In a northeast direction, with the arc of said curve to the right, having a radius of 1560.00 feet, a central angle of 26°58'28", an arc length of 734.43 feet, and a chord bearing North 18°20'35" East, 727.67 feet to a found 3/4-inch iron rod (with cap stamped "Montgomery & Associates");
4. North 77°53'12" West, 803.47 feet to a found 3/4-inch iron rod (with cap stamped "Montgomery & Associates") in the east line of said 11.180 acre tract;

THENCE, along the east line of said 11.180 acre tract, the east line of a called 2.810 acre tract conveyed to the City of Conroe by Warranty Deed filed for record under Clerk's File No. 2011022466 of the Montgomery County Official Public Records of Real Property and the west line of the herein described tract the following nine (9) courses and distances:

1. North 12°06'53" East, 857.82 feet to a found 3/4-inch iron rod (with cap stamped "City of Conroe");

589.33 Acres

M.P. Clark Survey
Abstract No. 148
James Buchanan Survey
Abstract No. 100
Elijah Collard Survey
Abstract No. 7

2. North $03^{\circ}53'02''$ East, 412.59 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying");
3. North $10^{\circ}56'06''$ East, 525.04 feet to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying");
4. North $13^{\circ}08'04''$ East, 1028.93 feet to a found 5/8-inch iron rod, beginning a curve to the left;
5. In a northeast direction, with the arc of said curve to the left, having a radius of 1651.54 feet, a central angle of $06^{\circ}37'13''$, an arc length of 190.83 feet, and a chord bearing North $09^{\circ}39'33''$ East, 190.72 feet to a point, from which a found 5/8-inch iron rod bears South $50^{\circ}50'41''$ East, 0.15 feet;
6. North $06^{\circ}11'05''$ East, 201.39 feet to a found 3/4-inch iron rod (with cap stamped "City of Conroe");
7. North $07^{\circ}52'54''$ East, 24.23 feet to a found 5/8-inch iron rod in the east line of said 2.810 acre tract;
8. North $07^{\circ}58'42''$ East, 176.76 feet along the east line of said 2.810 acre tract to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying"), beginning a curve to the left;
9. In a northeast direction, continuing along the east line of said 2.810 acre tract, with the arc of said curve to the left, having a radius of 5070.00 feet, a central angle of $03^{\circ}31'14''$, an arc length of 311.53 feet, and a chord bearing North $06^{\circ}09'59''$ East, 311.48 feet to a found 3/4-inch iron rod (with cap stamped "City of Conroe") for the southeast corner of a called 1.170 acre tract conveyed to the City of Conroe filed for record under Clerk's File No. 2010104839 of the Montgomery County Official Public Records of Real Property, same being the northwest corner of the herein described tract;

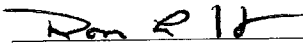
THENCE, South $78^{\circ}44'25''$ East, 2097.04 feet along the south line of the remainder of a called 2.6373 acre tract filed for record under Clerk's File No. 2010074849 of the Montgomery County Official Public Records of Real Property, the south line of aforementioned 123.48 acre tract and the north line of the herein described tract to a point;

589.33 Acres

M.P. Clark Survey
Abstract No. 148
James Buchanan Survey
Abstract No. 100
Elijah Collard Survey
Abstract No. 7

THENCE, South 77°41'29" East, 2977.23 feet along the south line of said 123.48 acre tract and the north line of the herein described tract to the **POINT OF BEGINNING, CONTAINING** 589.33 acres of land in Montgomery County, Texas as shown on drawing number 3224.

Cotton Surveying Company
8701 New Trails Drive, Suite 200
The Woodlands, TX 77381-4241
(281) 363-4039


Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
RHauck@jonescarter.com
Texas Board of Professional Land Surveying
Registration No. 10046106



p:\projects\w5398 - wds dev co\w5398-0164-00 700 acres\survey\legal desc\m&b - 589.33 acres.docx

DESCRIPTION
123.48 ACRES
J. BUCHANAN SURVEY, A-100
ELIJAH COLLARD SURVEY, A-7
MONTGOMERY COUNTY, TEXAS

123.48 acres of land situated in the J. Buchanan Survey, A-100 and the Elijah Collard Survey, A-7, Montgomery County, Texas, being a portion of that certain called 80.883, 71.6505 and residue of 2.6373 acre tracts of land as described in deed and recorded in the Official Public Records of Real Property (O.P.R.O.R.P.) of Montgomery County, Texas under County Clerk's File Numbers (C.C.F. No.) 8258092, 8208404 and 2010074849, respectively, said 123.48 acres of land being more particularly described by metes and bounds as follows; bearing orientation is based on the Texas Coordinate System of 1983, South Central Zone as determined by GPS measurements:

BEGINNING at a 5/8 inch iron rod with cap stamped "E.H.R.&A. - 713-784-4500" set at the westerly end of a cutback line between the easterly right-of-way line of Little Egypt Road (width varies) and the southerly right-of-way line of F.M. 830 (width varies), being the northeasterly corner of that certain called 0.817 acre tract as described in deed and recorded in the O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 2010104835;

Thence, S 82°34'33" E, with said cutback line, a distance of 18.79 feet to a point for corner, from which a found concrete monument bears S 43°26' E, 0.2 feet, being in a non-tangent curve to the right;

Thence in a southeasterly direction with the southerly right-of-way line of F.M. 830 along said non-tangent curve to the right, having a central angle of 04°07'58", a radius of 5669.65 feet, an arc length of 408.95 feet and having a chord bearing of S 48°48'00" E, a distance of 408.86 feet to the point of tangency, from which a found 5/8 inch iron rod with cap stamped "Halff Esmt" bears S 71°25' E, 0.40 feet;

Thence, S 46°44'00" E, with the southwesterly right-of-way line of F.M. 830, a distance of 478.62 feet to a point of curvature to the left, from which a found concrete monument bears S 14°56' E, 0.88 feet;

Thence in a southeasterly direction along the southwesterly right-of-way line of F.M. 830 with said curve to the left, having a central angle of 23°09'59", a radius of 3879.77 feet, an arc length of 1568.71 feet and having a chord bearing of S 58°18'59" E, a distance of 1558.05 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. - 713-784-4500" set for the point of tangency;

Thence, S 69°54'00" E, continuing with the southwesterly right-of-way line of F.M. 830, a distance of 2359.71 feet to a point of curvature to the left, from which a found concrete monument bears S 52°30' W, 0.55 feet;

Thence in a southeasterly direction along the southwesterly right-of-way line of F.M. 830 with said curve to the left, having a central angle of 03°28'26", a radius of 3879.77 feet, an arc length of 235.23 feet and having a chord bearing of S 71°38'12" E, a distance of 235.19 feet to the northwesterly corner of that certain called 1.3004 acre tract of land as described in deed and recorded in the O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 2010076447, from which a found 5/8 inch iron rod with cap stamped "Moyer Survey 5656" bears S 16°55' E, 0.34 feet;

Thence, S 15°14'11" W, with the westerly line of said called 1.3004 acre tract, a distance of 625.34 feet to a 5/8 inch iron rod with cap stamped "Moyer Survey 5656" found in the north line of that certain called

694.357 acre tract of land as described in deed and recorded in O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 9509572;

Thence, N 77°40'58" W, with the north line of said called 694.357 acre tract, a distance of 2977.18 feet to a 3/4 inch iron pipe found at the common south corner of said called 80.883 and 71.6505 acre tracts, from which a found Truck Leaf Spring bears N 12°37' E, 0.22 feet;

Thence, N 78°44'27" W, with the north line of said called 694.357 acre tract, at a distance of 2050.01 feet pass the southeasterly corner of said residue of called 2.6373 acre tract, from which a found concrete monument bears S 57°26' W, 0.60 feet, continuing a total distance of 2097.17 feet to a 5/8 inch iron rod found in the easterly right-of-way line of Little Egypt Road, being the southeasterly corner of that certain called 1.170 acre tract as described in deed and recorded in the O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 2010104839

Thence, N 04°31'39" E, with a easterly right-of-way line of Little Egypt Road, a distance of 281.46 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set for an angle point;

Thence, N 08°01'33" E, continuing with an easterly right-of-way line of Little Egypt Road, a distance of 190.58 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set for corner, being in a non-tangent curve to the right;

Thence in a northeasterly direction along an easterly right-of-way line of Little Egypt Road with said non-tangent curve to the right, having a central angle of 11°29'36", a radius of 1230.00 feet, an arc length of 246.73 feet and having a chord bearing of N 13°47'35" E, a distance of 246.32 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set for the point of tangency;

Thence, N 19°32'23" E, with an easterly right-of-way line of Little Egypt Road, a distance of 7.42 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set at the northeasterly corner of said called 1.170 acre tract, being in the north line of said residue of called 2.6373 acre tract;

Thence, N 75°19'46" W, with the north line of said called 1.170 and residue of called 2.6373 acre tracts, a distance of 0.97 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set in the easterly line of Little Egypt Road, being the southeasterly corner of that certain called 0.516 acre tract as described in deed and recorded in the O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 2010104837

Thence, N 21°45'16" E, with an easterly right-of-way line of Little Egypt Road, a distance of 295.93 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set for an angle point;

Thence, N 21°09'07" E, with an easterly right-of-way line of Little Egypt Road, a distance of 191.03 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. – 713-784-4500" set in a southwesterly line of that certain called 4.8800 acre tract of land as described in deed and recorded in the O.P.R.O.R.P. of Montgomery County, Texas under C.C.F. No. 2009-001630;

Thence, S 65°50'59" E, with a southwesterly line of said called 4.8800 acre tract, a distance of 193.73 feet to a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found for corner;

Thence, S 02°51'04" W, with a westerly line of said called 4.8800 acre tract, at a distance of 460.99 feet pass a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found at the northwesterly corner of that certain called 0.5152 acre tract as described in deed and recorded in the O.P.R.O.R.P. of

Montgomery County, Texas under C.C.F. No. 2013022019, continuing a total distance of 610.99 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. - 713-784-4500" set for corner;

Thence, S 87°08'56" E, with the south line of said called 0.5152 acre tract, a distance of 149.60 feet to a 5/8 inch iron rod with cap stamped "E.H.R.&A. - 713-784-4500" set for corner;

Thence, N 02°51'50" E, with the easterly line of said called 0.5152 acre tract, a distance of 150.00 feet to a 5/8 inch iron rod with cap stamped "Halff Esmt" found in the south line of said called 4.8800 acre tract;

Thence, S 87°08'56" E, with the south line of said called 4.8800 acre tract, a distance of 125.37 feet to a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found for corner;

Thence, N 02°51'04" E, with the east line of said called 4.8800 acre tract, a distance of 568.44 feet to a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found for corner;


Thence, N 65°50'59" W, with the north line of said called 4.8800 acre tract, a distance of 401.75 feet to a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found in a easterly right-of-way line of Little Egypt Road, being the southeasterly corner of said called 0.817 acre tract;

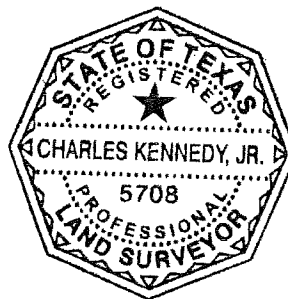
Thence, N 26°40'58" E, with an easterly right-of-way line of Little Egypt Road, a distance of 254.61 feet to a 5/8 inch iron rod with cap stamped "City of Conroe Capital Project" found for an angle point;

Thence, N 34°34'29" E, with an easterly right-of-way line of Little Egypt Road, a distance of 348.48 feet to the POINT OF BEGINNING and containing 123.48 acres of land.

This description accompanies a Land Title Survey, prepared by Edminster, Hinshaw, Russ and Associates, Inc. and revised May 14, 2014.

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a EHRA


Charles Kennedy, Jr., R.P.L.S.
Texas Registration No. 5708
10555 Westoffice Drive
Houston, Texas 77042
713-784-4500



Date: 04/09/2013
Revised: 05/20/2014
Job No: 121-087-90
File No: R:\2012\121-087-90\documents\technical\123.48ac.doc

April 2, 2014

Revised May 19, 2014

Surveyor's Field Note Description:

Tract No. I – 208.048 Acres

BEING a 208.048 acre tract of land out of and consisting of all of that certain Randal Arlan Hendricks, Trustee called 211.346 acre tract (Exhibit A-5), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas. Said tract being situated in the James Buchanan Survey, Abstract No. 100, Montgomery County, Texas, and is more particularly described as follows:

BEGINNING at a 2-inch iron pipe found for the common Northwest corner of said Hendricks called 211.346 acre tract and said Buchanan Survey, same being in the East line of that certain John E. Hoffland and wife Lynn A. Hoffland called 24.5363 acre tract, more fully described in File No. 9675698 of the Official Public Records of Montgomery County, Texas, same being the Southwest corner of that certain Park Slope Section One, Block One, recorded in Cabinet X, Sheet 151-152 of the Map Records of Montgomery County, Texas;

THENCE South 74 deg. 51 min. 09 sec. East (Reference Bearing) along and with the North line of said Hendricks called 211.346 acre tract, same being the South line of said Park Slope Section One, a distance of 1586.39 feet to a 8-inch iron post found for an angle point in the North line of said Hendricks called 211.346 acre tract, same being the Southeast corner of said Park Slope Section One, same being the most Southerly Southwest corner of that certain Randal Arlan Hendricks, Trustee called 139.786 acre tract (Exhibit A-6), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas;

THENCE South 77 deg. 49 min. 14 sec. East along and with the North line of said Hendricks called 211.346 acre tract, same being the South line of said Hendricks called 139.786 acre tract, a distance of 541.16 feet to a 2-inch iron rod found for an angle point in the North line of said Hendricks called 211.346 acre tract, same being the Southeast corner of said Hendricks called 139.786 acre tract, same being the Southwest corner of that certain Randal A. Hendricks, Trustee called 55.296 acre tract (Exhibit A), more fully described in File No. 8523408 of the Official Public Records of Montgomery County, Texas;

THENCE South 75 deg. 07 min. 30 sec. East along and with the North line of said Hendricks called 211.346 acre tract, same being the South line of said Hendricks called 55.296 acre tract, passing at a distance of 1303.27 feet a 5/8-inch iron rod found for the Southeast corner of said Hendricks called 55.296 acre tract, same being the Southwest corner of that certain Margaret Ella Watson Subdivision, recorded in Volume 5, Page 10 of the Map Records of Montgomery

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

County, Texas and continuing for a total distance of 1419.15 feet to a point for corner marking the Northeast corner of the herein described 208.048 acre tract of land, same being in the West right of way line of that certain Lower-Willis Montgomery Road a 60' right of way, from which a 4-inch concrete monument found in the Easterly right of way line of said Lower-Willis Montgomery Road bears South 75 deg. 07 min. 30 sec. East a distance of 75.17 feet;

THENCE South 41 deg. 43 min. 11 sec. West along and with the Easterly line of the herein described 208.048 acre tract of land, same being the West right of way line of said Lower-Willis Montgomery Road, a distance of 3924.00 feet to a point for an angle point;

THENCE South 66 deg. 57 min. 40 sec. West along and with the Easterly line of the herein described 208.048 acre tract of land, same being the West right of way line of said Lower-Willis Montgomery Road, a distance of 245.38 feet to 4-inch concrete monument found for an angle point, from which a 5/8-inch iron rod found the most Easterly Southeast corner of said Hendricks called 211.346 acre tract, same being the Southwest corner of said Hendricks called 191.659 acre tract, same being the Northwest corner of that certain Randal Arlan Hendricks, Trustee called 34.3175 acre tract, more fully described in File No. 8208404 of the Official Public Records of Montgomery County, Texas bears North 73 deg. 59 min. 02 sec. West a distance of 252.21 feet;

THENCE South 73 deg. 59 min. 02 sec. West along and with the South line of said Hendricks called 211.346 acre tract, same being a North line of said Hendricks called 34.3175 acre tract, a distance of 179.63 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for the point of intersection of the Westerly right of way line of said Lower-Willis Montgomery Road, same being in the Northerly right of way line of that certain F.M. Highway No. 830 a 120' right of way line and being the beginning of a curve to the left;

THENCE along said curve to the left, same being the North right of way of said F.M. Highway No. 830, having a radius of 5789.65 feet, a central angle of 02 deg. 02 min. 13 sec. and a chord bearing of North 50 deg. 24 min. 54 sec. West, a distance of 205.84 feet to a 5/8-inch iron rod found for the point of intersection of said curve with the most Easterly West line of said Hendricks called 211.346 acre tract, same being the South corner of that certain Richardson Interests, Inc. called 5.388 acre tract, more fully described in File No. 2006-028427 of the Official Public Records of Montgomery County, Texas;

THENCE North 15 deg. 11 min. 53 sec. East along and with the most Easterly West line of said Hendricks called 211.346 acre tract, same being the East line of said Richardson called 5.388 acre tract and the East line of that certain Texas Intrastate Gas Company called 0.49 acre tract, more fully described in Volume 586, Page 234 of the Deed Records of Montgomery County, Texas, a distance of 436.58 feet to a 2-inch iron pipe found for an interior ell corner of said

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

Hendricks called 211.346 acre tract, same being the Northeast corner of said Texas Intrastate Gas Company called 0.49 acre tract;

THENCE North 76 deg. 05 min. 54 sec. West along and with the most Northerly South line of said Hendricks called 211.346 acre tract, same being the North line of said Texas Intrastate Gas Company called 0.49 acre tract and the North line of said Richardson called 5.388 acre tract, a distance of 1268.18 feet to a 1-inch iron pipe found for the common Southwest corner of said Hendricks called 211.346 acre tract and said Buchanan Survey, same being the Northwest corner of said Richardson called 5.388 acre tract, same being in the East line of that certain Greg Hutchins and wife, Cheryl Hutchins called 32.4056 acre tract, more fully described in File No. 9201158 of the Official Public Records of Montgomery County, Texas;

THENCE North 15 deg. 11 min. 02 sec. East along and with the West line of said Hendricks called 211.346 acre tract, same being the East line of said Hutchins called 32.4056 acre tract, a distance of 1966.07 feet to a 1/2-inch iron rod found for an angle point in the West line of said Hendricks called 211.346 acre tract, same being the Northeast corner of said Hutchins called 32.4056 acre tract, same being the Southeast corner of that certain Texas Intrastate Gas Company called 1.27 acre tract, more fully described in Volume 586, Page 234 of the Deed Records of Montgomery County, Texas;

THENCE North 15 deg. 52 min. 19 sec. East along and with the West line of said Hendricks called 211.346 acre tract, same being the East line of said Texas Intrastate Gas Company called 1.27 acre tract, a distance of 266.38 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for an angle point in the West line of said Hendricks called 211.346 acre tract, same being the Northeast corner of said Texas Intrastate Gas Company called 1.27 acre tract, same being the Southeast corner of said Hoffland called 24.5363 acre tract;

THENCE North 15 deg. 30 min. 14 sec. East along and with the West line of said Hendricks called 211.346 acre tract, same being the East line of said Hoffland 24.5363 acre tract, a distance of 992.83 feet to the PLACE OF BEGINNING, containing 208.048 acres of land, more or less.

Tract No. II – 108.199 Acres

BEING a 108.199 acre tract of land out of and consisting of all of that certain Randal Arlan Hendricks, Trustee called 139.786 acre tract (Exhibit A-6), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas. Said tract being situated in the Uriah Springer Survey, Abstract No. 532, Montgomery County, Texas, and is more particularly described as follows:

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

BEGINNING at a 1/2-inch capped iron rod marked "Cotton" found for the Northeast corner of the herein described 108.199 acre tract of land, same being in the South right of way line of that certain F.M. Highway No. 1097 an 80' right of way, same being the Northwest corner of that certain Smith Memorial Park called 18.33 acre tract, more fully described in File No. 2004-040916 of the Official Public Records of Montgomery County, Texas;

THENCE South 14 deg. 32 min. 07 sec. West along and with the most Westerly East line of the herein described 108.199 acre tract of land, same being the West line of said Smith Memorial Park called 18.33 acre tract, a distance of 2064.58 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for an interior ell corner of said 108.199 acre tract of land, same being the Southwest corner of said Smith Memorial Park called 18.33 acre tract;

THENCE South 75 deg. 19 min. 54 sec. East along and with the most Southerly North line of the herein described 108.199 acre tract of land, same being the South line of said Smith Memorial Park called 18.33 acre tract, a distance of 442.02 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for the most Easterly Northeast corner of the herein described 108.199 acre tract of land, same being the Southeast corner of said Smith Memorial Park called 18.33 acre tract, same being in the West line of that certain Hilltop Village, Block No. 3 recorded in Cabinet E, Sheet 110B-111B of the Map Records of Montgomery County, Texas;

THENCE South 15 deg. 01 min. 04 sec. West along and with the East line of said Hendricks called 139.786 acre tract, same being the West line of said Hilltop Village, Block No. 3, a distance of 88.11 feet to a 4-inch concrete monument found for an angle point in the East line of said Hendricks called 139.786 acre tract, same being the Southwest corner of said Hilltop Village, Block No. 3, same being the Northwest corner of that certain Randal A. Hendricks, Trustee called 55.296 acre tract, more fully described in File No. 8523408 of the Official Public Records of Montgomery County, Texas;

THENCE South 15 deg. 04 min. 46 sec. West along and with the East line of said Hendricks called 139.786 acre tract, same being the West line of said Hendricks called 55.296 acre tract, a distance of 1768.73 feet to a 2-inch iron pipe found for the Southeast corner of said Hendricks called 139.786 acre tract, same being the Southwest corner of said Hendricks called 55.296 acre tract, same being in the North line of that certain Randal Arlan Hendricks, Trustee called 211.346 acre tract (Exhibit A-5), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas;

THENCE North 77 deg. 49 min. 14 sec. West along and with the South line of said Hendricks called 139.786 acre tract, same being the North line of said Hendricks called 211.346 acre tract, a distance of 541.16 feet to a 8-inch iron post found for the Southwest corner of said Hendricks called 139.786 acre tract, same being the Southeast corner of that certain Park Slope Section

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

One, Block No. 1 recorded in Cabinet X, Sheet 151-152 of the Map Records of Montgomery County, Texas;

THENCE North 15 deg. 09 min. 53 sec. East along and with the most Easterly West line of said Hendricks called 139.786 acre tract, same being the East line of said Park Slope Section One, Block No. 1, a distance of 1369.23 feet to a 8-inch iron post found for an interior ell corner of said Hendricks called 139.786 acre tract, same being the Northeast corner of said Park Slope Section One, Block No. 1;

THENCE North 74 deg. 50 min. 49 sec. West along and with the most Northerly South line of said Hendricks called 139.786 acre tract, same being the North line of said Park Slope Section One, Block 1, a distance of 800.09 feet to a 1/2-inch capped iron rod marked "Cotton" found for a Southwest corner of the herein described 108.199 acre tract of land, same being the Southeast corner of that certain Montgomery County Hospital District called 6.060 acre tract, more fully described in Doc. No. 2010065560 of the Official Public Records of Montgomery County, Texas;

THENCE North 15 deg. 20 min. 25 sec. East along and with a Westerly line of the herein described 108.199 acre tract of land, same being the East line of said Montgomery County Hospital District called 6.060 acre tract, a distance of 863.32 feet to a 1/2-inch capped iron rod marked "Cotton" found for an interior ell corner of the herein described 108.199 acre tract of land, same being the Northeast corner of said Montgomery County Hospital District called 6.060 acre tract;

THENCE along and with the most Northerly South line of the herein described 108.199 acre tract of land, same being the North line of said Montgomery County Hospital District called 6.060 acre tract the following courses and distances:

North 74 deg. 39 min. 07 sec. West a distance of 70.84 feet to a 1/2-inch capped iron rod marked "Cotton"

South 43 deg. 32 min. 04 sec. West a distance of 258.68 feet to a 1/2-inch capped iron rod marked "Cotton"

South 76 deg. 22 min. 15 sec. West a distance of 272.35 feet to 1/2-inch capped iron rod marked "Cotton"

North 74 deg. 49 min. 09 sec. West a distance of 325.24 feet to a 1/2-inch capped iron rod marked "Cotton" found for the most Northerly Southwest corner of the herein described 108.199 acre tract of land, same being the Northwest corner of said Montgomery County

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

Hospital District called 6.060 acre tract, same being in the Easterly right of way line of that certain Thompson Road a 60' right of way;

THENCE North 15 deg. 19 min. 28 sec. East along and with the West line of said Hendricks called 139.786 acre tract, same being the East right of way line of said Thompson Road, a distance of 2051.55 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for the Northwest corner of said Hendricks called 139.786 acre tract, same being the Southeast intersection of said Thompson Road and F.M. Highway No. 1097, from which a 1-inch iron pipe found for the Southwest intersection of said Thompson Road and F.M. Highway No. 1097 bears North 75 deg. 32 min. 54 sec. West a distance of 59.00 feet;

THENCE South 75 deg. 32 min. 54 sec. East along and with the North line of said Hendricks called 139.786 acre tract, same being the South right of way line of said F.M. Highway No. 1097, a distance of 1622.41 feet to the PLACE OF BEGINNING, containing 108.199 acres of land, more or less.

Tract No. III – 55.265 Acres

BEING a 55.265 acre tract of land out of and consisting of all of that certain Randal A. Hendricks, Trustee called 55.296 acre tract (Exhibit A), more fully described in File No. 8523408 of the Official Public Records of Montgomery County, Texas. Said tract being situated in the Uriah Springer Survey, Abstract No. 532 and the F.K. Henderson Survey, Abstract No. 248, Montgomery County, Texas, and is more particularly described as follows:

BEGINNING at a 4-inch concrete monument found for the Northwest corner of said Hendricks called 55.296 acre tract, same being in the East line of that certain Randal Arlan Hendricks, Trustee, called 139.786 acre tract (Exhibit A-6), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas, same being the Southwest corner of that certain Hilltop Village, Block No. 3 recorded in Cabinet E, Sheet 110B-111B of the Map Records of Montgomery County, Texas;

THENCE South 75 deg. 06 min. 29 sec. East along and with the North line of said Hendricks called 55.296 acre tract, same being the South line of said Hilltop Village, Block No. 3 and Block No. 2, a distance of 1303.44 feet to a 5/8-inch capped iron rod marked "LJA ENG RPLS 5808" set for the Northeast corner of said Hendricks called 55.296 acre tract, same being the Southeast corner of said Hilltop Village, Block No. 2, same being in the West line of that certain Margaret Ella Watson's Subdivision recorded in Volume 5, Page 10 of the Map Records of Montgomery County, Texas;

LJA Engineering, Inc.



905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

THENCE South 15 deg. 05 min. 06 sec. West along and with the East line of said Hendricks called 55.296 acre tract, same being the West line of said Margaret Ella Watson's Subdivision, a distance of 928.08 feet to a 5/8-inch iron rod found for an interior ell corner of said Hendricks called 55.296 acre tract;

THENCE South 48 deg. 23 min. 52 sec. East along and with the common most Southerly North line of said Hendricks called 55.296 acre tract and the North line of Lot No. 2 of said Margaret Ella Watson's Subdivision, a distance of 472.42 feet to a 1-inch iron pipe found for the common Northeast corner of said Hendricks called 55.296 acre tract and said Lot No. 2, same being in the Westerly right of way line of that certain Lower-Willis Montgomery Road a 70' prescriptive right of way;

THENCE South 41 deg. 40 min. 16 sec. West along and with the common East line of said Hendricks called 55.296 acre tract and of said Lot No. 2, same being the Westerly right of way line of said Lower-Willis Montgomery Road, a distance of 249.69 feet to a 1/2-inch capped iron rod marked "Cotton" found for the common Southeast corner of said Hendricks called 55.296 acre tract and of said Lot No. 2;

THENCE North 48 deg. 22 min. 24 sec. West along and with the common South line of said Hendricks called 55.296 acre tract and of said Lot No. 2, a distance of 347.61 feet to a point for an interior ell corner of said Hendricks called 55.296 acre tract, same being in the West line of said Margaret Ella Watson's Subdivision from which a found 1-inch iron pipe bears North 48 deg. 22 min. 24 sec. West a distance of 0.99 feet;

THENCE South 15 deg. 05 min. 06 sec. West along and with the East line of said Hendricks called 55.296 acre tract, same being the West line of said Margaret Ella Watson's Subdivision, a distance of 561.38 feet to a 5/8-inch iron rod found for the common Southeast corner of said Hendricks called 55.296 acre tract and said Springer Survey, same being the Southwest corner of said Margaret Ella Watson's Subdivision, same being in the North line of that certain Randal Arlan Hendricks, Trustee called 211.346 acre tract (Exhibit A-5), more fully described in File No. 8258092 of the Official Public Records of Montgomery County, Texas;

THENCE North 75 deg. 07 min. 30 sec. West along and with the South line of said Hendricks called 55.296 acre tract, same being the North line of said Hendricks called 211.346 acre tract, a distance of 1303.27 feet to a 2-inch iron pipe found for the Southwest corner of said Hendricks called 55.296 acre tract, same being the Southeast corner of said Hendricks called 139.786 acre tract;

THENCE North 15 deg. 04 min. 46 sec East along and with the West line of said Hendricks called 55.296 acre tract, same being the East line of said Hendricks called 139.786 acre tract, a

LJA Engineering, Inc.

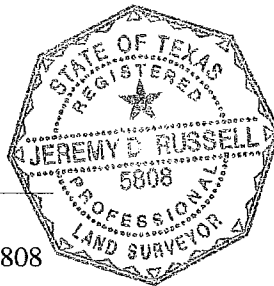


905 Orleans Street
Beaumont, Texas 77701

Phone 409.813.1862
Fax 409.813.1916
www.ljaengineering.com

distance of 1768.73 feet to the PLACE OF BEGINNING, containing 55.265 acre of land, more or less.

Jeremy D. Russell
Registered Professional Land Surveyor No. 5808



This description is based on the Land Title Survey and Plat made by Jeremy D. Russell # 5808 Registered Professional Surveyor on March 24, 2014 revised on May 19, 2014. Survey Plat accompanies metes and bounds description.

FILED: C:\COURT\2014\03\24\1403240001\1403240001.DWG

DESCRIPTION
842.17 ACRES
MONTGOMERY COUNTY, TEXAS

842.17 acres of land situated in the James Buchanan Survey, A-100 and the F.K. Henderson Survey, A-248, Montgomery County, Texas, being a portion of that certain called 349.99 and 246 acre tracts of land as described in deed and recorded in Volume 878, Page 240 of the Montgomery County Deed Records and County Clerk's File Number 8258092 of the Official Public Records of Real Property of Montgomery County, Texas, respectively, and being all of that certain called 34.3175, 191.659 and 94.0 acre tracts of land as described in deed and recorded in County Clerk's File Numbers 8208404 and 8258092 of the Official Public Records of Real Property of Montgomery County, Texas, respectively, said 842.17 acres of land being more particularly described by metes and bounds as follows, bearing orientation is based on the Texas Coordinate System of 1983, Central Zone:

BEGINNING at the southwesterly corner of that certain called 45 acre tract of land as described in deed and recorded in County Clerk's File Number 2001-112403 of the Official Public Records of Real Property of Montgomery County, Texas, being in the northerly right-of-way line of F.M. 830 (based on a width of 120 feet), being in a non-tangent curve to the right, from which a 5/8 inch iron rod with "Powers Eng" cap bears S 11°34' W, 0.40 feet;

Thence in a northwesterly direction along the north right-of-way line of F.M. 830 with said non-tangent curve to the right, having a central angle of 01°33'48", a radius of 3759.77 feet, an arc length of 102.58 feet and having a chord bearing of N 70°40'53" W, a distance of 102.58 feet to the point of tangency, from which a found 4-inch concrete monument bears N 63°13' W, 0.7 feet;

Thence, N 69°54'00" W, with the north right-of-way line of F.M. 830, a distance of 2359.71 feet to a point of curvature to the right, from which a found 4-inch concrete monument bears N 68°56' W, 9.1 feet;

Thence in a northwesterly direction along the north right-of-way line of F.M. 830 with said curve to the right, having a central angle of 23°09'59", a radius of 3759.77 feet, an arc length of 1520.19 feet and having a chord bearing of N 58°18'59" W, a distance of 1509.86 feet to a 4-inch concrete monument (leaning) found for the point of tangency;

Thence, N 46°44'00" W, with the northeasterly right-of-way line of F.M. 830, a distance of 366.54 feet to an angle point, from which a found 4-inch concrete monument bears S 68°10' E, 1.0 feet;

Thence, N 41°01'22" W, continuing with the northeasterly right-of-way line of F.M. 830, a distance of 100.50 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point;

Thence, N 46°44'00" W, with the northeasterly right-of-way line of F.M. 830, a distance of 12.08 feet to a point of curvature to the left, from which a found 4-inch concrete monument bears S 63°13' E, 0.7 feet;

Thence in a northwesterly direction continuing along the northeasterly right-of-way line of F.M. 830 with said curve to the left, having a central angle of 01°52'45", a radius of 5799.65 feet, an arc length of 190.21 feet and having a chord bearing of N 47°40'22" W, a distance of 190.21 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point;

Thence, N 54°45'33" W, with the northeasterly right-of-way line of F.M. 830, a distance of 101.65 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point, being in a non-tangent curve to the left;

Thence in a northwesterly direction continuing along the northeasterly right-of-way line of F.M. 830 with said non-tangent curve to the left, having a central angle of 00°45'00", a radius of 5789.65 feet, an arc length of 75.79 feet and having a chord bearing of N 49°59'17" W, a distance of 75.79 feet to the southerly end of a cutback line between F.M. 830 and Willis Montgomery Road (a 70-foot prescriptive right-of-way), from which a found 4-inch concrete monument bears S 59°46' E, 0.6 feet;

Thence, N 03°47'22" E, with said cutback line, a distance of 57.31 feet to a point in the southeasterly right-of-way line of said Willis Montgomery Road, from which a found 4-inch concrete monument bears S 65°45' E, 0.8 feet;

Thence, N 58°03'22" E, with the southeasterly right-of-way line of Willis Montgomery Road, a distance of 335.54 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point, being in a non-tangent curve to the left;

Thence in a northeasterly direction continuing along the southeasterly right-of-way line of Willis Montgomery Road with said non-tangent curve to the left, having a central angle of 13°56'09", a radius of 1446.43 feet, an arc length of 351.81 feet and having a chord bearing of N 44°59'16" E, a distance of 350.94 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point;

Thence, N 39°10'36" E, with the southeasterly right-of-way line of Willis Montgomery Road; at 3615.70 feet found a 5-inch concrete monument bearing S 77°38'14" E a distance of 3.5 feet, and continuing for a total distance of 7477.86 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set for an angle point;

Thence, N 40°09'12" E, continuing with the southeasterly right-of-way line of Willis Montgomery Road, a distance of 504.87 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set most westerly corner of that certain called 28.534 acre tract of land as described in deed and recorded in County Clerk's File Number 9622769 of the Official Public Records of Real Property of Montgomery County, Texas;

Thence, N 72°39'13" E, with a southerly line of said called 28.534 acre tract, a distance of 270.20 feet to a point for corner, from which a found 3/4-inch iron rod (bent) bears N 20°29' E, 0.31 feet;

Thence, S 17°20'47" E, with a southerly line of the called 28.534 acre tract, a distance of 808.18 feet to a 3/4-inch iron rod (bent) found for corner;

Thence, N 72°39'13" E, with a southerly line of the called 28.534 acre tract, a distance of 845.00 feet to a 3/4-inch iron rod found for corner;

Thence, S 17°20'47" E, with a southerly line of said called 28.534 acre tract, a distance of 209.00 feet to a 3/4-inch iron rod found for corner;

Thence, N 72°39'13" E, continuing with a southerly line of said called 28.534 acre tract, a distance of 500.22 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set in the westerly line of Interstate 45 (based on a variable width), from which a found 5/8 inch iron rod bears S 41°46' W, 0.41 feet;

Thence the following courses with the westerly right-of-way line of Interstate 45:

S 17°18'18" E, 214.29 feet to a 4-inch concrete monument found for an angle point;

S 17°57'35" E, 700.05 feet to an angle point, from which a found 4-inch concrete monument bears S 26°05' E, 0.5 feet;

S 18°06'26" E, 500.05 feet to a 4-inch concrete monument found for an angle point;

S 14°55'08" E, 600.52 feet to an angle point, from which a found 4-inch concrete monument bears N 13°15' E, 0.3 feet;

S 19°21'02" E, 700.45 feet to an angle point, from which a found 4-inch concrete monument bears N 37°05' W, 0.7 feet;

Thence, S 11°56'57" E, continuing with the westerly right-of-way line of Interstate 45, a distance of 726.32 feet to a 5-inch concrete monument found at the southeasterly corner of said called 349.99 acre tract;

Thence, S 72°59'12" W, with the northerly lines of two called 42 ½ acre tracts (first and second tracts) and a called 40.128 acre tract as described in Volume 324, Page 225 and Volume 726, Page 204 of the Montgomery County Deed Records, respectively, a distance of 1621.20 feet to a 5-inch concrete monument found at the northwesterly corner of that said called 40.128 acre tract and the northeasterly corner of that certain called 20.8 acre tract of land as described in deed and recorded in Volume 738, Page 417 of the Montgomery County Deed Records;

Thence, N 77°45'32" W, with the northerly line of said called 20.8 acre tract, 1138.61 feet to a point for corner, from which a 5/8 inch iron rod bears N 72°50' E, 0.88 feet;

Thence, S 18°15'33" E, with the westerly line of said called 20.8 acre tract, a distance of 1282.85 feet to a 1/2-inch iron rod found for corner;

Thence, S 77°47'01" E, with the southerly line of said called 20.8 acre tract, a distance of 496.96 feet to a 5/8 inch iron rod found in the westerly line of said called 40.128 acre tract;

Thence, S 11°34'12" W, with the easterly line of said called 246 acre tract, a distance of 2071.39 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set at the northeasterly corner of that certain called 0.1000 acre tract of land as described in deed and recorded in County Clerk's File Number 2010013548 of the Official Public Records of Real Property of Montgomery County, Texas;

Thence N 78°25'48" W, with the northerly line of said 0.1000 acre tract, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set at the northwesterly corner of said 0.1000 acre tract;

Thence S 11°34'12" W, with the westerly line of those certain called 0.1000 acre tracts of land as described in deeds and recorded in County Clerk's File Number 2010013548, 2010013547, 2010013546, 2010013545, and 2010013544 of the Official Public Records of Real Property of Montgomery County, Texas; a distance of 363.00 feet to a 5/8-inch iron rod with cap stamped "E.H.R.&A. 713-784-4500" set at the southwesterly corner of said 0.1000 acre tract as recorded at County Clerk's File Number 2010013544 and being in the northerly line of said called 45 acre tract,

Thence, N 78°25'59" W, with a northerly line of said called 45 acre tract, a distance of 840.00 feet to a 5/8 inch rod with "Powers Eng" cap found for corner;


Thence, S 11°34'01" W, with a westerly line of said called 45 acre tract, a distance of 657.46 feet to a 5/8 inch rod with "Powers Eng" cap found for corner;

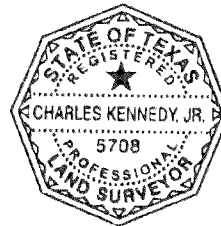
Thence, N 78°25'59" W, with a northerly line of said called 45 acre tract, a distance of 750.00 feet to a point for corner, from which a 5/8 inch rod with "Powers Eng" cap bears S 65°58' W, 0.39 feet;

Thence, S 11°34'01" W, with a westerly line of said called 45 acre tract, a distance of 850.22 feet to the **POINT OF BEGINNING** and containing 842.17 acres of land.

This description accompanies a Land Title Survey, prepared by Edminster, Hinshaw, Russ and Associates, Inc. and revised May 14, 2014.

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a EHRA


Charles Kennedy, Jr., R.P.L.S.
Texas Registration No. 5708
10555 Westoffice Drive
Houston, Texas 77042
713-784-4500



Date: 12/10/2012
Revised: 12/18/2012
Revised: 05/14/2014
Revised: 05/20/2014
Job No: 121-087-90
File No: R:\2012\121-087-00\documents\technical\842.17ac.doc

FIELD NOTES for a tract of land lying and being situated in the G. W. Lonis survey, A-313 of Montgomery County, Texas, with said tract being more properly described by metes and bounds as follows:

BEGINNING at a point on the northerly line of the M. M. Feld Jr. 349.99 acre tract of land in the F. K. Henderson Survey A-248, which point is S. $74^{\circ} 45' 38''$ W. 728.76 feet from the northeasterly corner of said 349.99 acres, same being a 4"x4" concrete monument on the westerly right of way line of Interstate Highway No. 45;

THENCE, with a line bearing N. $30^{\circ} 08' 19''$ W. 470.54 feet to a point on the southeasterly right of way line of River Road, a 70-foot wide county road;

THENCE, with the southeasterly right of way line of River Road running in a northeasterly direction 51.34 feet to a point for corner, passing at 42.00 feet a 4" steel fence cornerpost;

THENCE, with a line bearing S. $30^{\circ} 08' 19''$ E. 495.53 feet to a point for corner on the northerly line of the M. M. Feld Jr. 349.99 acre tract;

THENCE, with the northerly line of the 349.99 acre tract bearing S. $74^{\circ} 45' 38''$ W. 51.74 feet to the place of beginning and containing 0.5544 acres of land.

Alut

E-FILED FOR RECORD

11/13/2017 03:17PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

11/13/2017



County Clerk
Montgomery County, Texas