



TRACT 5, 204.895

TRACT 5A, 12.00 ACS



Boundary 1	Boundary 1	Boundary	100 Year Floodplain	500 Year Floodplain	Floodway	Special	Unmapped/ Not Included	Crude Oil	Natural Gas
Other	NOT AVAILABLE	Voltage 0 - 99 KV	Voltage 100 - 161 KV	Voltage 220 - 287 KV	Voltage 345 KV	Voltage 500 KV			

## ADDENDUM A

### SPECIAL PROVISIONS ADDENDUM TO FARM AND RANCH CONTRACT

In the event of a conflict in the terms of this Addendum and the printed language in the Farm and Ranch Contract to which this Addendum is attached, the terms and provisions of this Addendum shall control. The term "Contract" as used herein means the Contract as amended by this Addendum.

1. **Form of Deed.** Notwithstanding anything else contained herein to the contrary, at closing, the Seller shall execute and deliver a **special warranty deed** conveying title to the Property to Buyer.
2. **As-Is.** Buyer agrees that it accepts the Property in its present "AS-IS" condition, and agrees that the following language will be included in the special warranty deed by which Seller shall convey the Property to Buyer:

**[THE FOLLOWING LANGUAGE SHALL APPEAR AFTER GRANTOR'S  
SIGNATURE ON THE SPECIAL WARRANTY DEED]**

Grantee hereby accepts this deed subject to all of the exceptions contained herein and the provisions concerning taking the Property "AS-IS" and "WITH ALL FAULTS."

3. **Mineral Reservation.** Seller reserves from this transaction one hundred percent (100%) of the mineral estate owned by Seller, however, Seller waives all rights of ingress and egress associated with such mineral estate. To that end, the following reservation shall be added to the Special Warranty Deed:

*Provided however, that Grantor reserves one hundred percent (100%) of Grantor's right title and interest in all oil, gas, and other minerals in, on, under, and that may be produced from the Land. Grantor hereby irrevocably waives and conveys to Grantee (the "Waiver") any and all rights it may have to use the surface of the Land or the first five hundred feet (500') below the surface of the Land, and (ii) use water, other substances or materials from any source in, on or under the Land in connection with the exploration, development, operation, production or use of any oil, gas and/or other minerals whether Grantor's rights arise under this Special Warranty Deed or other instrument or agreement, by operation of law, or otherwise. Grantor shall only be able to exploit their interest oil, gas and/or other minerals by pooling, unitization, directional or horizontal drilling and other methods which do not enter, use or occupy the surface of the Land or the first five hundred feet (500') below the surface of the Land, conducted exclusively from surface locations off the Land.*

*The Waiver is a covenant running with the land and is binding on and will inure to the benefit of Grantor, Grantee, all subsequent owners of any interest in the Land, and their respective heirs,*

Initialed for Identification by Buyer: \_\_\_\_\_ and Seller: \_\_\_\_\_

successors, legal representatives and assigns. All instruments and agreements affecting the Land that are executed by Grantor after the Waiver will contain a provision that makes the instrument or agreement expressly subject to the Waiver.

The Waiver will be governed by Texas law, without giving effect to laws that might require application of the law of another jurisdiction.

The Waiver is the entire understanding between Grantor and Grantee concerning the subject matter of the Waiver. The Waiver supersedes all negotiations, discussions, prior agreements and understandings, whether oral or written, concerning the subject matter of the Waiver, including all letters or expressions of intent.

4. **Restrictive Covenants.** After the Closing, no portion of the Property shall be used for any use other than residential use and/or farm and ranch use. A restrictive covenant shall be included in the Special Warranty Deed to that effect, which restrictive covenant shall additionally prohibit the following uses at the Property:

- a. Any strip club, adult bookstore, theatre, pornography shop or other facility specializing in or exhibiting pornographic materials or conducting any activity which would be defined as obscene according to the applicable federal, state, and local ordinances, laws and regulations (unless such materials are sold incidentally to the operations of a first-class national or regional chain bookstores, such as Barnes & Noble or the like);
- b. Any use creating or involving fly ash, or unlawful creation of dust or dirt;
- c. Any crematorium;
- d. Any use illegal under any governmental rule or regulation, or anything that may constitute a public or private nuisance;
- e. Any dumping, incineration or disposing of trash (the foregoing is not intended to prohibit the placement of trash in dumpsters from which such trash is regularly removed);
- f. Any jail, penal, detention or correctional institution; and
- g. Any mobile home park, trailer court, labor camp, junkyard, or stockyard (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction or maintenance).



# Information About Brokerage Services

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

11/2/2015

## TYPES OF REAL ESTATE LICENSE HOLDERS:

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

## A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

## A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

**AS AGENT FOR OWNER (SELLER/LANDLORD):** The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

**AS AGENT FOR BUYER/TENANT:** The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

**AS AGENT FOR BOTH - INTERMEDIARY:** To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
  - that the owner will accept a price less than the written asking price;
  - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

**AS SUBAGENT:** A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

## TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

**LICENSE HOLDER CONTACT INFORMATION:** This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Market Realty Inc Roger Chambers Licensed Broker /Broker Firm Name or Primary Assumed Business Name	355843 License No.	appraisals@marketrealty.com Email	(979)830-7708 Phone
Susan Kiel Designated Broker of Firm	462379 License No.	Email	(979)251-4078 Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Sales Agent/Associate's Name	License No.	Email	Phone
	<i>Paul M. Mann</i> Buyer/Tenant/Seller/Landlord Initials	Date	

Regulated by the Texas Real Estate Commission  
TXR-2501

Market Realty, Inc. 2201 Becker Dr. Brenham, TX 77833  
Roger Chambers

Produced with Lone Wolf Transactions (zfpForm Edition) 717 N Harwood St. Suite 2200, Dallas, TX 75201

Phone (979)836-9608

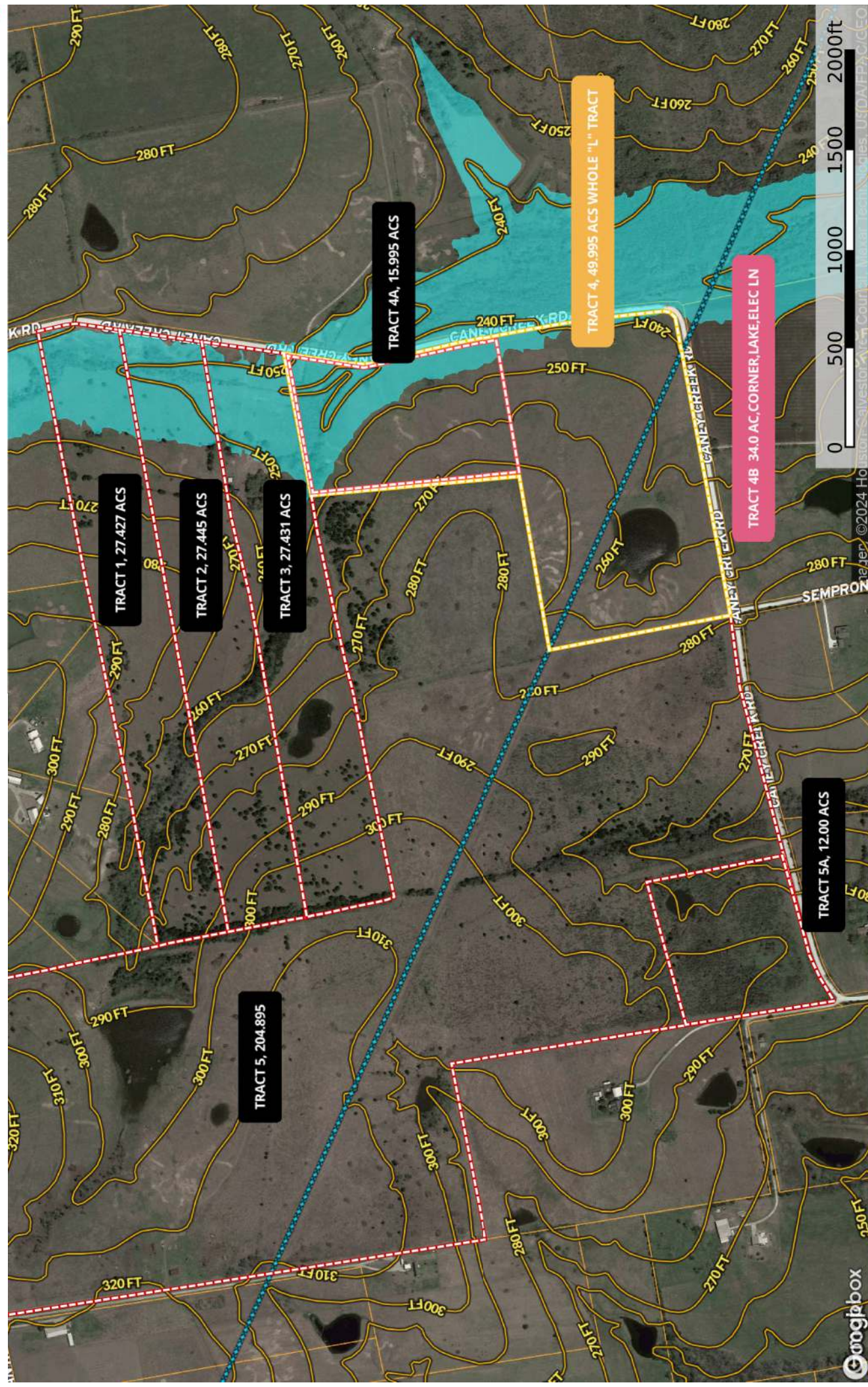
Fax

www.lwolf.com

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)

IABS 1-0 Date

mann division



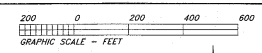
	Boundary 1		Boundary		100 Year Floodplain		500 Year Floodplain		Floodway		Special		Unmapped/Not Included		Crude Oil		Natural Gas		Other		NOT AVAILABLE		Voltage 0 - 99 KV		Voltage 100 - 161 KV
	Boundary 1		Boundary 1		100 Year Floodplain		500 Year Floodplain		Floodway		Special		Unmapped/Not Included		Crude Oil		Natural Gas		Other		NOT AVAILABLE		Voltage 0 - 99 KV		Voltage 100 - 161 KV

**id.**

The information contained herein was obtained from sources deemed to be reliable. id. Services, Inc. makes no warranties or guarantees as to the completeness or accuracy thereof.

S. WOODWARD SURVEY, A-112

D. LAWRENCE SURVEY, A-75



SCALE: 1" = 200'

NOTES:

- 1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO TRUE NORTH AS OBTAINED BY GPS OBSERVATIONS OBSERVED AT LATITUDE: 30°07'26.29" N - LONGITUDE: 96°18'24.05" W (NAD83-84)
- 2. A SMALL PORTION OF THE SURVEY PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 48470C0203G, EFFECTIVE DATE AUGUST 16, 2014, WASHINGTON COUNTY, TEXAS, AND SHOWN HEREON AS APPROXIMATE FLOOD HAZARD BOUNDARY.
- 3. THERE WAS A SEPARATE METES AND SOUND DESCRIPTION PREPARED IN CONJUNCTION WITH THIS SURVEY MAP.
- 4. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH BUTS TITLE COMPANY (WESTON LAND TITLE INSURANCE COMPANY) TITLE COMMITMENT OF NO. 04-14-216, EFFECTIVE DATE JULY 14, 2014, 8:00 AM.
- 5. (DWCNT) DENOTES DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (DWCNT) DENOTES OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.

JAMES STEVENS SURVEY, A-101

S. CLARK SURVEY, A-28  
WASHINGTON COUNTY, TEXAS

204.895 ACRES

SURVEY MAP

SHOWING A SURVEY OF 204.895 ACRES OF LAND, LYING AND BEING SITUATED IN WASHINGTON COUNTY, TEXAS, PART OF THE S. CLARK SURVEY, A-28 AND THE JAMES STEVENS SURVEY, A-101, BEING A RESURVEY OF THE SAME LAND DESCRIBED AS 80.000 ACRES IN THE DEED FROM WILLIAM A. MCKENNA, JR. TO CITY OF BRENNAN, TEXAS, DATED JANUARY 11, 1905, AS RECORDED IN VOLUME 814, PAGE 98, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND BEING A RESURVEY OF PART OF THE SAME LAND DESCRIBED AS 184.895 ACRES IN THE DEED FROM W. E. BRIDGEMAN TO CITY OF BRENNAN & MUNICIPAL CORPORATION DATED JANUARY 27, 1905, AS RECORDED IN VOLUME 498, PAGE 650, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, INCLUDING A 0.004 ACRE AREA, BEING A GAP BETWEEN EAST DEED LINES OF SAID 80.000 ACRES TRACT AND WEST DEED LINES OF THE VALERIE RENEE KRULOVICH TRACT CALLED 7.760 ACRES AS DESCRIBED IN VOLUME 1114, PAGE 858, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND SHOWN HEREON AS GAP AREA "A", AND INCLUDING A 0.007 ACRE AREA, BEING A GAP BETWEEN EAST DEED LINES OF SAID 80.000 ACRES TRACT AND A WEST DEED LINE OF THE SHELLEY ANN KRULOVICH OAKS TRACT CALLED 7.750 ACRES AS DESCRIBED IN VOLUME 1114, PAGE 858, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND SHOWN HEREON AS GAP AREA "B".

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 Land Surveying, Inc.  
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 W.G. NO. 8773 (2009-10-20-10-20) REF: 0282476-SURVEY


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 Professional Land Surveying  
 613 E. Blue Bell Road - Brenham, Texas 77833  
 979-836-5681 - 979-836-5683 (Fax)  
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CERTIFICATION

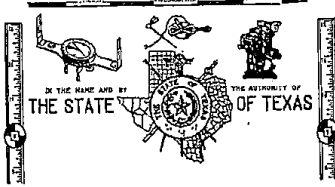
THE STATE OF TEXAS  
 COUNTY OF WASHINGTON

I, JON E. HODDE, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5197 OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS MAP SHOWING A SURVEY OF 204.895 ACRES OF LAND IS TRUE AND CORRECT IN ACCORDANCE WITH AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY PERSONAL DIRECTION AND SUPERVISION.

DATED THIS 31ST DAY OF JULY, 2014, A.D.



JON E. HODDE  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 5197  
 JON E. HODDE  
 HODDE & HODDE LAND SURVEYING, INC.  
 613 EAST BLUE BELL ROAD  
 BRENNAM, TEXAS 77833  
 (979)-836-5681  
 TEXAS FIRM REGISTRATION NO. 1001800



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TEXAS FIRM REGISTRATION NO. 10018800

W. O. No. 6717

THE STATE OF TEXAS

CITY OF BRENHAM, TEXAS

COUNTY OF WASHINGTON

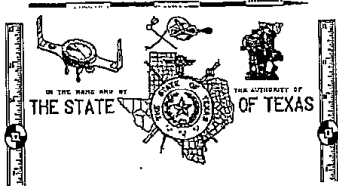
**SURVEYOR'S LEGAL DESCRIPTION**

**204.895 ACRES**

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the S. Clark Survey, A-28 and the James Stevens Survey, A-101, being a resurvey of the same land described as 60.000 acres in the deed from William A. McMeans, Jr. to City of Brenham, Texas, dated January 11, 1990, as recorded in Volume 619, Page 48, in the Official Records of Washington County, Texas, and being a resurvey of part of the same land described as 194.925 acres in the deed from W. E. Whiddon to City of Brenham, a Municipal Corporation, dated January 21, 1985, as recorded in Volume 496, page 800, in the Official Records of Washington County, Texas, including a 0.004 acre area, being a gap between East deed lines of said 60.000 acres tract and West deed lines of the Valerie Renee Krolczyk tract called 7.667 acres, as described in Volume 1114, Page 855, in the Official Records of Washington County, Texas, and shown on a survey plat prepared in conjunction with this metes and bounds description as Gap Area "A", and including a 0.007 acre area, being a gap between East deed lines of said 60.000 acres tract and a West deed line of the Shelly Ann Krolczyk Orsak tract called 7.750 acres, as described in Volume 1114, Page 859, in the Official Records of Washington County, Texas, and shown on said survey plat prepared in conjunction with this metes and bounds description as Gap Area "E", and being more fully described by metes and bounds, as follows, To-Wit:

BEGINNING at a 3/8 inch iron rod found on the South margin of Chadwick-Hogan Road for the Northwest corner hereof and of said original tract called 60.000 acres, Volume 619, Page 48, Official Records of Washington County, Texas, being the Northeast corner of the Jerome J. Jozwiak tract called 6.827 acres, as described in Volume 1322, Page 590, in said Official Records of Washington County, Texas, also being the North corner of a 0.062 acre area lying between West deed lines of said original tracts called 60.000 acres and 194.925 acres and the East deed line of said Jozwiak tract called 6.827 acres, and shown on said survey plat prepared in conjunction with this metes and bounds description as Gap Area "D" (not included);

THENCE along the South margins of said Chadwick-Hogan Road for North lines hereof, being along North lines of said original tract called 60.000 acres, N 78°55'51" E 988.72 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) and N 79°27'17" E 674.68 feet to a 3/8 inch iron rod found near a railroad tie fence corner post on the South margin of said Chadwick-Hogan Road for a Northeast corner hereof, being the Northeast corner of said original tract called 60.000 acres, being the Northwest corner of said Valerie Renee Krolczyk tract called 7.667 acres, as



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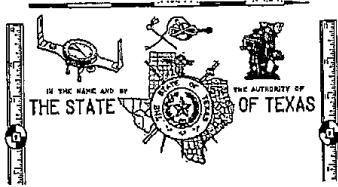
described in Volume 1114, Page 855, in said Official Records of Washington County, Texas, and being the North corner of said 0.004 acre Gap Area "A" (included);

THENCE along East lines hereof, common with West lines of said Krolczyk tract called 7.667 acres, being along the East line of said 0.004 acre Gap Area "A" and along West lines of a 0.008 acre Conflict Area lying between East deed lines of said original tract called 60.000 acres and West deed lines of said Krolczyk tract called 7.667 acres and a West deed line of the Shelly Ann Krolczyk Orsak tract called 7.750 acres, as described in Volume 1114, Page 859, in said Official Records of Washington County, Texas, and shown on said survey plat prepared in conjunction with this metes and bounds description as Conflict Area "B" (not included), being along or near an existing fence, S 11°16'21" E at 399.40 feet pass the South corner of said Gap Area "A", being the North corner of said Conflict Area "B", and at a total distance of 529.15 feet to a 1/2 inch iron rod found with ID. cap (RPLS 2183) and S 12°12'29" E 180.10 feet to a 1/2 inch iron rod found near fence line for the Southwest corner of said Krolczyk tract called 7.667 acres, being the Northwest corner of said Orsak tract called 7.750 acres;

THENCE continuing along an East line hereof, common with a West line of said Orsak tract called 7.750 acres, being along a West line of said Conflict Area "B", and being along an East line of said Gap Area "E", being along or near an existing fence, S 12°26'19" E at 36.99 feet pass the South corner of said Conflict Area "B", being the North corner of said Gap Area "E" (included), and at a total distance of 413.02 feet to a 3/8 inch iron rod found at a 18 inch Bois D' Arc tree fence corner for the Southwest corner of said Orsak tract, being the West corner of the Christi Yvonne Krolczyk Rocka tract called 8.153 acres, as described in Volume 1114, Page 867, in said Official Records of Washington County, Texas, and being the Northwest corner of the Leonard M. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas also being the South corner of said Gap Area "E";

THENCE continuing along East lines hereof, common with West lines of said Leonard M. Nowak tract called 27.440 acres and West lines of the Fabian R. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas, being along or near an existing fence, S 15°28'48" E 51.35 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) for an interior angle point of said Leonard M. Nowak tract called 27.440 acres, being an exterior angle point hereof, and being the North corner of a 0.056 acre Conflict Area lying between East deed lines of said original tract called 60.000 acres and West deed lines of said Leonard M. Nowak tract called 27.440 acres and said Fabian R. Nowak tract called 27.440 acres and shown on said survey plat prepared in conjunction with this metes and bounds description as Conflict Area "C" (not included), and continuing, being along West lines of said Conflict Area "C", S 10°57'48" E 308.24 feet to a 1/2 inch rod found near a T-post for the Southwest corner of said Leonard M. Nowak tract called 27.440 acres, common with the Northwest corner of said Fabian R. Nowak tract called 27.440 acres, S 10°59'23" E 306.01 feet to a 1/2 inch iron rod found near a railroad tie fence corner post for the Southeast corner of said original tract called 60.000 acres, being the South corner of said Conflict Area "C",





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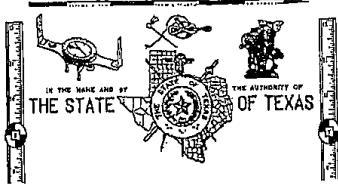
S 10°10'38" E 35.75 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) for interior angle point of said Fabian R. Nowak tract called 27.440 acres, being an exterior angle point hereof, S 8°31'46" E 53.24 feet to corner in a 12 inch Bois D' Arc tree, and S 13°13'45" E 3.60 feet to a 1/2 inch iron rod found at a T-post for the Southwest corner of said Fabian R. Nowak tract called 27.440 acres, being the Northwest corner of the Alvin D. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas;

THENCE continuing along East lines hereof, common with West lines of said Alvin D. Nowak tract called 27.440 acres, being partly along or near and West of an existing fence, S 16°16'10" E 27.88 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 10°01'18" E 64.84 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 12°56'12" E 154.02 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 11°15'37" E 112.41 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 13°57'18" E 53.25 feet to a 5/8 inch iron rod set with plastic ID. cap (RPLS 5197) and S 21°37'03" E 35.63 feet to a 1/2 inch iron rod found at a T-post for an interior corner hereof and of said original tract called 194.925 acres, being the Southwest corner of said Alvin D. Nowak tract called 27.440 acres;

THENCE along North lines hereof and of said original tract called 194.925 acres, being along South lines of said Alvin D. Nowak tract called 27.440 acres, being partly along or near and North of an existing fence and fence remains, N 78°31'44" E 678.00 feet to a 1/2 inch iron rod found, (a 3/4 inch iron pipe found at a 4 inch by 6 inch post bears S 83°32'16" W 16.82 feet), N 79°09'36" E 407.54 feet to a 1/2 inch iron rod found at a railroad tie fence post, N 74°50'52" E 86.62 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), N 77°20'13" E 140.07 feet to a 1/2 inch iron rod found in fence line, N 78°03'25" E 564.68 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) at the base of a 24 inch Elm tree in fence line, and N 80°44'58" E 192.18 feet to a 1/2 inch iron rod found near a 6 inch treated fence corner post for a Northwest corner of the MCRP Interests, LTD tract called 49.995 acres, as described in Volume 1274, Page 216, in said Official Records of Washington County, Texas, being a Northeast corner hereof, being on a South line of said Alvin D. Nowak tract called 27.440 acres, and being on a North line of said original tract called 194.925 acres;

THENCE along a West line of said MCRP Interests, LTD tract, common with an East line hereof, being along or near an existing fence, S 4°46'45" E 1033.02 feet to a 1/2 inch iron rod found at a 7 inch treated fence corner post for an interior corner of said MCRP Interests, LTD tract, being a Southeast corner hereof, another 1/2 inch iron rod found bears N 78°38'45" W 0.16 feet;

THENCE along a North line of said MCRP Interests, LTD tract, common with a South line hereof, being along or near an existing fence, S 79°19'31" W 877.06 feet to a 1/2 inch iron rod found at a 7 inch treated fence corner post for a Northwest corner of said MCRP Interests, LTD tract, being an interior corner hereof;



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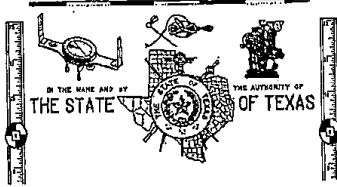
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THENCE along a West line of said MCRP Interests, LTD tract, common with an East line hereof, being along or near an existing fence, S 10°35'30" E 919.31 feet to a 1/2 inch iron rod found at a railroad tie fence corner post in concrete on a North margin of Caney Creek Road for the Southwest corner of said MCRP Interests, LTD tract, being a Southeast corner hereof;

THENCE along North margins of said Caney Creek Road, being along South lines hereof and of said original 194.925 acres tract, S 82°45'48" W 360.72 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 75°30'27" W 701.95 feet to a 1/2 inch iron rod found, S 75°18'33" W 716.32 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 66°30'45" W 69.38 feet to a 1/2 inch iron rod found, S 60°27'24" W 78.71 feet to a 1/2 inch iron rod found, and S 56°19'01" W 101.35 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) at a railroad tie post in concrete on a North margin of said Caney Creek Road at a turn of same for the most Southern Southwest corner hereof and of said original tract called 194.925 acres, being the occupied Southeast corner of the Ernest Jozwiak tract called 30.35 acres, as conveyed in Volume 522, Page 472, in said Official Records of Washington County, Texas, and described in Volume 160, Page 29, in the Deed Records of Washington County, Texas;

THENCE along West lines hereof and of said original tract called 194.925 acres, being along occupied East lines of said Jozwiak tract called 30.35 acres, being partly along or near an existing fence, N 9°19'27" W 556.10 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), N 9°08'38" W, at 174 feet pass the beginning of the fence line, and at a total distance of 325.87 feet to a 1/2 inch iron rod found in fence line at a 3 inch cedar fence post, N 9°13'21" W 770.58 feet to a 1/2 inch iron rod found in fence line near a broken off 4 inch cedar fence post, and N 8°56'04" W 296.53 feet to a 1/2 inch iron rod found 1.8 feet South of a 6 inch Bois D' Arc fence corner post for an interior corner hereof and of said original tract called 194.925 acres, being the occupied Northeast corner of said Jozwiak tract called 30.35 acres;

THENCE along a South line hereof and of said original tract called 194.925 acres, common with the occupied North line of said Jozwiak tract called 30.35 acres, being partly along or near an existing fence, S 79°04'21" W 900.61 to a 1/2 inch iron rod found at a 9 inch Bois D' Arc fence corner post for a Southwest corner hereof and of said original tract called 194.925 acres, being the occupied Northwest corner of said Jozwiak tract called 30.35 acres, and being the Southeast corner of said 0.062 acre area lying between West deed lines of said original tracts called 60,000 acres and 194.925 acres and the East deed line of said Jerome J. Jozwiak tract called 6.827 acres, Volume 1322, Page 590, Official Records of Washington County, Texas, and shown on said, survey plat prepared in conjunction with this metes and bounds description as Gap Area "D" (not included), a 5/8 inch iron rod set with ID. cap (RPLS 5197) on the East line of said Jozwiak tract called 6.827 acres, at its intersection with the projection of the last said South line of said original tract called 194.925 acres, for the Southwest corner of said 0.062 acre Gap Area "D" bears S 79°04'21" W 3.31 feet;



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THENCE along West lines hereof and of said original tracts called 194.925 acres and 60.000 acres, being along East lines of said 0.062 acre Gap Area "D", being partly along or near and partly West of an existing fence, N 9°12'16" W 1060.54 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) near a steel gate post in concrete for an exterior angle point hereof and of said original tract called 194.925 acres, N 8°53'18" W 104.24 feet to a 1/2 inch iron rod found near a 4 inch cedar fence post for the Northwest corner of said original tract called 194.925 acres, being the Southwest corner of said original tract called 60.000 acres, and N 9°05'47" W 1285.98 feet to the Place of Beginning and containing 204.895 acres of land, including said 0.004 acre Gap Area "A" and said 0.007 acre Gap area "E".

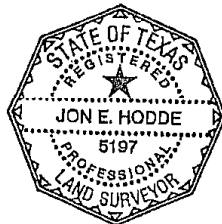
The bearings stated herein are relative to True North as obtained by GPS Observations, observed at Latitude: 30°07'20.29" N - Longitude: 96°18'24.05" W (WGS-84).

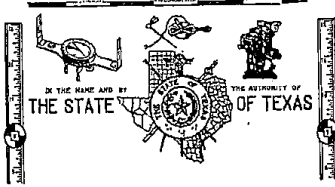
There was a separate survey map prepared in conjunction with this metes and bounds description.

I, Jon E. Hodde, Registered Professional Land Surveyor No. 5197 of the State of Texas, do hereby certify that the foregoing description describing 204.895 acres of land is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision.

Dated this the 31st day of July, 2014, A. D.

Jon E. Hodde  
Registered Professional  
Land Surveyor No. 5197





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W. O. No. 6717

THE STATE OF TEXAS

CITY OF BRENHAM, TEXAS

COUNTY OF WASHINGTON

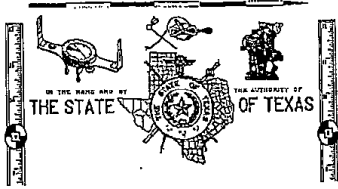
**SURVEYOR'S LEGAL DESCRIPTION**

**204.895 ACRES**

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the S. Clark Survey, A-28 and the James Stevens Survey, A-101, being a resurvey of the same land described as 60.000 acres in the deed from William A. McMeans, Jr. to City of Brenham, Texas, dated January 11, 1990, as recorded in Volume 619, Page 48, in the Official Records of Washington County, Texas, and being a resurvey of part of the same land described as 194.925 acres in the deed from W. E. Whiddon to City of Brenham, a Municipal Corporation, dated January 21, 1985, as recorded in Volume 496, page 800, in the Official Records of Washington County, Texas, including a 0.004 acre area, being a gap between East deed lines of said 60.000 acres tract and West deed lines of the Valerie Renee Krolczyk tract called 7.667 acres, as described in Volume 1114, Page 855, in the Official Records of Washington County, Texas, and shown on a survey plat prepared in conjunction with this metes and bounds description as Gap Area "A", and including a 0.007 acre area, being a gap between East deed lines of said 60.000 acres tract and a West deed line of the Shelly Ann Krolczyk Orsak tract called 7.750 acres, as described in Volume 1114, Page 859, in the Official Records of Washington County, Texas, and shown on said survey plat prepared in conjunction with this metes and bounds description as Gap Area "E", and being more fully described by metes and bounds, as follows, To-Wit:

BEGINNING at a 3/8 inch iron rod found on the South margin of Chadwick-Hogan Road for the Northwest corner hereof and of said original tract called 60.000 acres, Volume 619, Page 48, Official Records of Washington County, Texas, being the Northeast corner of the Jerome J. Jozwiak tract called 6.827 acres, as described in Volume 1322, Page 590, in said Official Records of Washington County, Texas, also being the North corner of a 0.062 acre area lying between West deed lines of said original tracts called 60.000 acres and 194.925 acres and the East deed line of said Jozwiak tract called 6.827 acres, and shown on said survey plat prepared in conjunction with this metes and bounds description as Gap Area "D" (not included);

THENCE along the South margins of said Chadwick-Hogan Road for North lines hereof, being along North lines of said original tract called 60.000 acres, N 78°55'51" E 988.72 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) and N 79°27'17" E 674.68 feet to a 3/8 inch iron rod found near a railroad tie fence corner post on the South margin of said Chadwick-Hogan Road for a Northeast corner hereof, being the Northeast corner of said original tract called 60.000 acres, being the Northwest corner of said Valerie Renee Krolczyk tract called 7.667 acres, as



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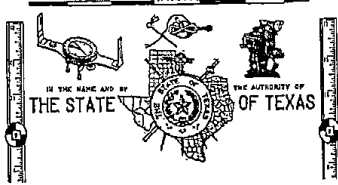
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described in Volume 1114, Page 855, in said Official Records of Washington County, Texas, and being the North corner of said 0.004 acre Gap Area "A" (included);

THENCE along East lines hereof, common with West lines of said Krolczyk tract called 7.667 acres, being along the East line of said 0.004 acre Gap Area "A" and along West lines of a 0.008 acre Conflict Area lying between East deed lines of said original tract called 60.000 acres and West deed lines of said Krolczyk tract called 7.667 acres and a West deed line of the Shelly Ann Krolczyk Orsak tract called 7.750 acres, as described in Volume 1114, Page 859, in said Official Records of Washington County, Texas, and shown on said survey plat prepared in conjunction with this metes and bounds description as Conflict Area "B" (not included), being along or near an existing fence, S 11°16'21" E at 399.40 feet pass the South corner of said Gap Area "A", being the North corner of said Conflict Area "B", and at a total distance of 529.15 feet to a 1/2 inch iron rod found with ID. cap (RPLS 2183) and S 12°12'29" E 180.10 feet to a 1/2 inch iron rod found near fence line for the Southwest corner of said Krolczyk tract called 7.667 acres, being the Northwest corner of said Orsak tract called 7.750 acres;

THENCE continuing along an East line hereof, common with a West line of said Orsak tract called 7.750 acres, being along a West line of said Conflict Area "B", and being along an East line of said Gap Area "E", being along or near an existing fence, S 12°26'19" E at 36.99 feet pass the South corner of said Conflict Area "B", being the North corner of said Gap Area "E" (included), and at a total distance of 413.02 feet to a 3/8 inch iron rod found at a 18 inch Bois D' Arc tree fence corner for the Southwest corner of said Orsak tract, being the West corner of the Christi Yvonne Krolczyk Rocka tract called 8.153 acres, as described in Volume 1114, Page 867, in said Official Records of Washington County, Texas, and being the Northwest corner of the Leonard M. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas also being the South corner of said Gap Area "E";

THENCE continuing along East lines hereof, common with West lines of said Leonard M. Nowak tract called 27.440 acres and West lines of the Fabian R. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas, being along or near an existing fence, S 15°28'48" E 51.35 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) for an interior angle point of said Leonard M. Nowak tract called 27.440 acres, being an exterior angle point hereof, and being the North corner of a 0.056 acre Conflict Area lying between East deed lines of said original tract called 60.000 acres and West deed lines of said Leonard M. Nowak tract called 27.440 acres and said Fabian R. Nowak tract called 27.440 acres and shown on said survey plat prepared in conjunction with this metes and bounds description as Conflict Area "C" (not included), and continuing, being along West lines of said Conflict Area "C", S 10°57'48" E 308.24 feet to a 1/2 inch rod found near a T-post for the Southwest corner of said Leonard M. Nowak tract called 27.440 acres, common with the Northwest corner of said Fabian R. Nowak tract called 27.440 acres, S 10°59'23" E 306.01 feet to a 1/2 inch iron rod found near a railroad tie fence corner post for the Southeast corner of said original tract called 60.000 acres, being the South corner of said Conflict Area "C",



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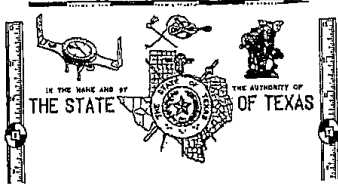
S 10°10'38" E 35.75 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) for interior angle point of said Fabian R. Nowak tract called 27.440 acres, being an exterior angle point hereof, S 8°31'46" E 53.24 feet to corner in a 12 inch Bois D' Arc tree, and S 13°13'45" E 3.60 feet to a 1/2 inch iron rod found at a T-post for the Southwest corner of said Fabian R. Nowak tract called 27.440 acres, being the Northwest corner of the Alvin D. Nowak tract called 27.440 acres, as described in Volume 969, Page 887, in said Official Records of Washington County, Texas;

THENCE continuing along East lines hereof, common with West lines of said Alvin D. Nowak tract called 27.440 acres, being partly along or near and West of an existing fence, S 16°16'10" E 27.88 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 10°01'18" E 64.84 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 12°56'12" E 154.02 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 11°15'37" E 112.41 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 13°57'18" E 53.25 feet to a 5/8 inch iron rod set with plastic ID. cap (RPLS 5197) and S 21°37'03" E 35.63 feet to a 1/2 inch iron rod found at a T-post for an interior corner hereof and of said original tract called 194.925 acres, being the Southwest corner of said Alvin D. Nowak tract called 27.440 acres;

THENCE along North lines hereof and of said original tract called 194.925 acres, being along South lines of said Alvin D. Nowak tract called 27.440 acres, being partly along or near and North of an existing fence and fence remains, N 78°31'44" E 678.00 feet to a 1/2 inch iron rod found, (a 3/4 inch iron pipe found at a 4 inch by 6 inch post bears S 83°32'16" W 16.82 feet), N 79°09'36" E 407.54 feet to a 1/2 inch iron rod found at a railroad tie fence post, N 74°50'52" E 86.62 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), N 77°20'13" E 140.07 feet to a 1/2 inch iron rod found in fence line, N 78°03'25" E 564.68 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) at the base of a 24 inch Elm tree in fence line, and N 80°44'58" E 192.18 feet to a 1/2 inch iron rod found near a 6 inch treated fence corner post for a Northwest corner of the MCRP Interests, LTD tract called 49.995 acres, as described in Volume 1274, Page 216, in said Official Records of Washington County, Texas, being a Northeast corner hereof, being on a South line of said Alvin D. Nowak tract called 27.440 acres, and being on a North line of said original tract called 194.925 acres;

THENCE along a West line of said MCRP Interests, LTD tract, common with an East line hereof, being along or near an existing fence, S 4°46'45" E 1033.02 feet to a 1/2 inch iron rod found at a 7 inch treated fence corner post for an interior corner of said MCRP Interests, LTD tract, being a Southeast corner hereof, another 1/2 inch iron rod found bears N 78°38'45" W 0.16 feet;

THENCE along a North line of said MCRP Interests, LTD tract, common with a South line hereof, being along or near an existing fence, S 79°19'31" W 877.06 feet to a 1/2 inch iron rod found at a 7 inch treated fence corner post for a Northwest corner of said MCRP Interests, LTD tract, being an interior corner hereof;



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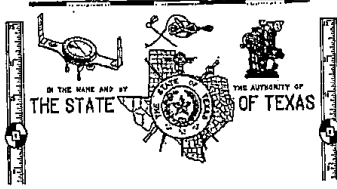
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THENCE along a West line of said MCRP Interests, LTD tract, common with an East line hereof, being along or near an existing fence, S 10°35'30" E 919.31 feet to a 1/2 inch iron rod found at a railroad tie fence corner post in concrete on a North margin of Caney Creek Road for the Southwest corner of said MCRP Interests, LTD tract, being a Southeast corner hereof;

THENCE along North margins of said Caney Creek Road, being along South lines hereof and of said original 194.925 acres tract, S 82°45'48" W 360.72 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 75°30'27" W 701.95 feet to a 1/2 inch iron rod found, S 75°18'33" W 716.32 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), S 66°30'45" W 69.38 feet to a 1/2 inch iron rod found, S 60°27'24" W 78.71 feet to a 1/2 inch iron rod found, and S 56°19'01" W 101.35 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) at a railroad tie post in concrete on a North margin of said Caney Creek Road at a turn of same for the most Southern Southwest corner hereof and of said original tract called 194.925 acres, being the occupied Southeast corner of the Ernest Jozwiak tract called 30.35 acres, as conveyed in Volume 522, Page 472, in said Official Records of Washington County, Texas, and described in Volume 160, Page 29, in the Deed Records of Washington County, Texas;

THENCE along West lines hereof and of said original tract called 194.925 acres, being along occupied East lines of said Jozwiak tract called 30.35 acres, being partly along or near an existing fence, N 9°19'27" W 556.10 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197), N 9°08'38" W, at 174 feet pass the beginning of the fence line, and at a total distance of 325.87 feet to a 1/2 inch iron rod found in fence line at a 3 inch cedar fence post, N 9°13'21" W 770.58 feet to a 1/2 inch iron rod found in fence line near a broken off 4 inch cedar fence post, and N 8°56'04" W 296.53 feet to a 1/2 inch iron rod found 1.8 feet South of a 6 inch Bois D' Arc fence corner post for an interior corner hereof and of said original tract called 194.925 acres, being the occupied Northeast corner of said Jozwiak tract called 30.35 acres;

THENCE along a South line hereof and of said original tract called 194.925 acres, common with the occupied North line of said Jozwiak tract called 30.35 acres, being partly along or near an existing fence, S 79°04'21" W 900.61 to a 1/2 inch iron rod found at a 9 inch Bois D' Arc fence corner post for a Southwest corner hereof and of said original tract called 194.925 acres, being the occupied Northwest corner of said Jozwiak tract called 30.35 acres, and being the Southeast corner of said 0.062 acre area lying between West deed lines of said original tracts called 60,000 acres and 194.925 acres and the East deed line of said Jerome J. Jozwiak tract called 6.827 acres, Volume 1322, Page 590, Official Records of Washington County, Texas, and shown on said, survey plat prepared in conjunction with this metes and bounds description as Gap Area "D" (not included), a 5/8 inch iron rod set with ID. cap (RPLS 5197) on the East line of said Jozwiak tract called 6.827 acres, at its intersection with the projection of the last said South line of said original tract called 194.925 acres, for the Southwest corner of said 0.062 acre Gap Area "D" bears S 79°04'21" W 3.31 feet;



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THENCE along West lines hereof and of said original tracts called 194.925 acres and 60.000 acres, being along East lines of said 0.062 acre Gap Area "D", being partly along or near and partly West of an existing fence, N 9°12'16" W 1060.54 feet to a 5/8 inch iron rod set with ID. cap (RPLS 5197) near a steel gate post in concrete for an exterior angle point hereof and of said original tract called 194.925 acres, N 8°53'18" W 104.24 feet to a 1/2 inch iron rod found near a 4 inch cedar fence post for the Northwest corner of said original tract called 194.925 acres, being the Southwest corner of said original tract called 60.000 acres, and N 9°05'47" W 1285.98 feet to the Place of Beginning and containing 204.895 acres of land, including said 0.004 acre Gap Area "A" and said 0.007 acre Gap area "E".

The bearings stated herein are relative to True North as obtained by GPS Observations, observed at Latitude: 30°07'20.29" N – Longitude: 96°18'24.05" W (WGS-84).

There was a separate survey map prepared in conjunction with this metes and bounds description.

I, Jon E. Hodde, Registered Professional Land Surveyor No. 5197 of the State of Texas, do hereby certify that the foregoing description describing 204.895 acres of land is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision.

Dated this the 31st day of July, 2014, A. D.

Jon E. Hodde  
Registered Professional  
Land Surveyor No. 5197

