

Control Number: 42852



Item Number: 30

Addendum StartPage: 0

LAW OFFICES OF MARK H. ZEPPA, P.C.

4833 Spicewood Springs Road, Suite 202
Austin, Texas 78759-8436
(512) 346-4011 Fax (512) 346-6847
markzeppa@austin.rr.com

RECEIVED
2014 OCT -7 AM 9:02

PUBLIC UTILITY COMMISSION
FILING CLERK

October 6, 2014

Director, Water Utility Regulation
Public Utility Commission of Texas
1701 N. Congress, 7th Floor
Austin, Texas 78701

Judge William Newchurch
Natural Resources Section
State Office of Administrative Hearings
PO Box 13025
Austin, Texas 78711-3025

Re: Application to Amend CCN 11727 for the City of Splendora
PUC Docket No. 42852; SOAH Docket No. 473-15-0422
Election to Opt Out

I am representing landowners, Mr. Mark Martin and Mrs. Stacey Martin. They purchased 91.637 acres in July 2014 and recently discovered it is located in the proposed CCN No. 11727 expansion by the City of Splendora. The prior property owners did not exercise their right to opt-out of the CCN expansion in 2013; however, since this Application is still open and the Martins own in excess of 25 acres they now wish to exercise their right to opt-out of the proposed CCN expansion. In the alternative if their window of opportunity to opt-out has passed, the Martin protest Splendora's application and request a contested hearing on it. They request to be on the service list of any hearing notices and orders in this docket.

I have attached a map highlighting the subject area within the CCN Expansion, as well as the boundary survey, legal description, warranty deed of the Martin's property.

Please feel free to call should you have any comments or questions.

Very truly yours,


Mark H. Zeppa

PUC Director, Water Utility Regulation and SOAH Judge William Newchurch
October 6, 2014
Page 2 of 2

Attachments (4)

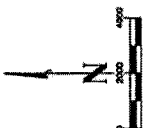
Cc: Mayor Dorothy Welch, City of Splendora
Craig Kankel, P.E, O'Malley Engineers
Mark and Stacey Martin

City of Splendora
 3000 W. Loop W
 Splendora, Texas 77372
 (281) 498-3397
 Fax: (281) 498-3349

RE
 O'Malley Engineers
 7700 N. F-336
 Suite 100
 Houston, Texas 77060
 (281) 448-7007
 Fax: (281) 448-7096

**CITY OF SPLENDORA
 CCN AMENDMENT MAP**

Project Name	CCN MAP
Project No.	1
Sheet Number	1 of 1
Scale	AS SHOWN
Date	11/11/11
Author	...
Checker	...
Appr. by	...
City Engineer	...
City Manager	...
City Council	...

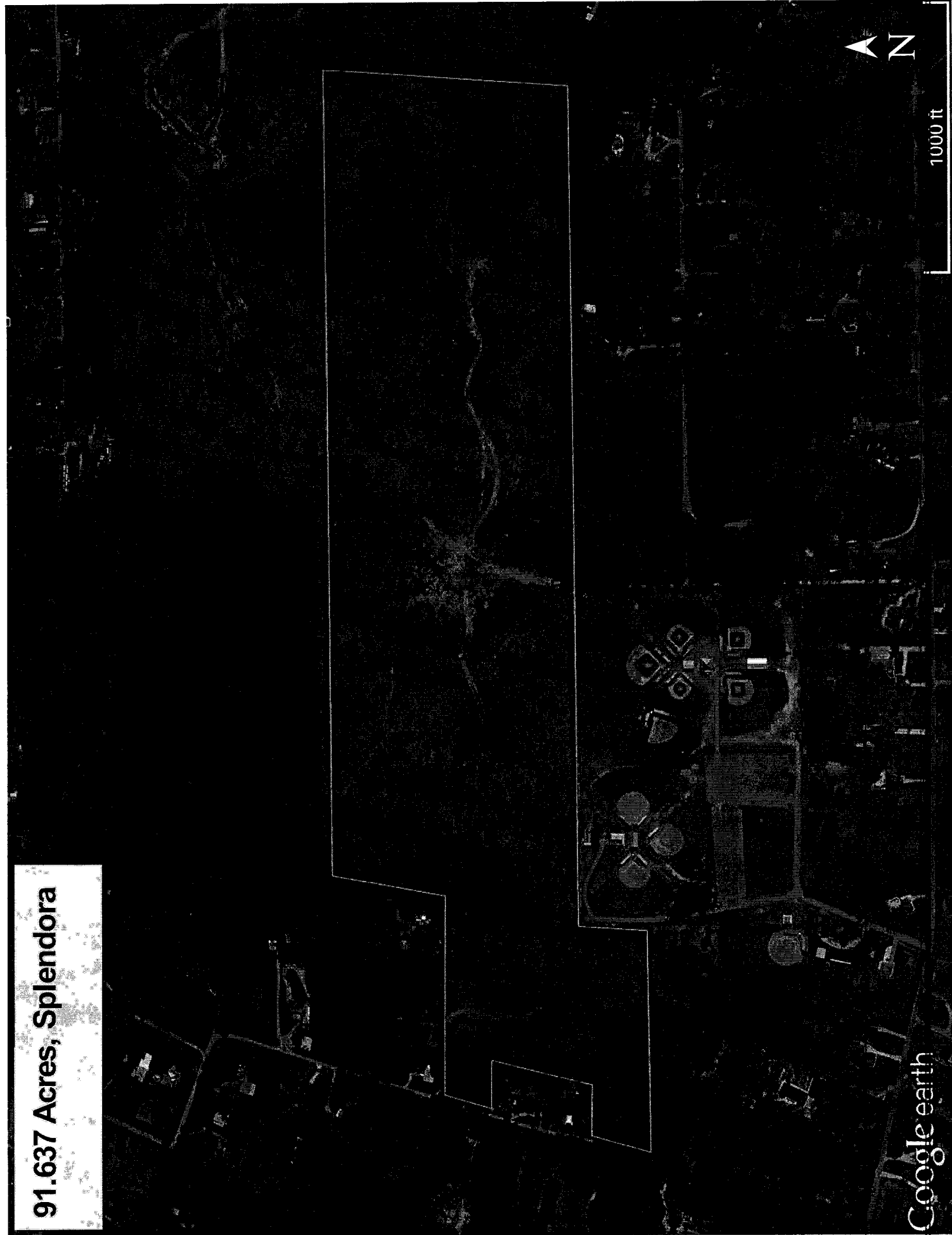


LEGEND
 - - - - - CURRENT CCN LIMITS
 1,470 ACRES
 - - - - - PROPOSED CCN LIMITS,
 LESS & EXCEPT CCN
 NO. 10347 AND 11373
 12,600 ACRES



ATTACHMENT B

91.637 Acres, Splendor



Google earth

1000 ft

Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

Date: July 10, 2014

Grantor: JOHN C. POLK, not joined herein by his wife as the Property constitutes no part of the property owned, claimed or occupied by them as their homestead; JANE POLK KEESE, not joined herein by her husband as the Property constitutes no part of the property owned, claimed or occupied by them as their homestead; LINDA LEE and husband, CLAYTON F. LEE, JR.; GRADY R. LEE and wife, SUSAN N. LEE; RACHEL COMBS GOTTLIEB (formerly Rachael Combs), not joined herein by her husband as the Property constitutes no part of the property owned, claimed or occupied by them as their homestead; and CAROL ANDREWS, a single woman

Grantor's Mailing Address:

5526 Bryanhurst Lane
Spring, Texas 77379

Grantee: MARK WESLEY MARTIN and STACEY MICHELLE MARTIN

Grantee's Mailing Address:

4804 Willow St.
Bellaire, Texas 77401

Consideration: Cash and a note executed by Grantee and payable to the order of Capital Farm Credit, FLCA in the principal amount of Two Hundred Fifty Thousand and No/100 DOLLARS (\$250,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of Capital Farm Credit, FLCA and by a first-lien deed of trust from Grantee to Ben R. Novosad, Trustee.

Property (including any improvements):

BEING 91.637 acres, more or less, located in the William Wills Survey, A-594 in Montgomery County, Texas, being all of the called 87.38 acre tract described in a Deed from George J. Polk, Jr., Trustee of the George J. Polk and Pauline Holt Polk Family Trust to John C. Polk and Jane Polk Keese, dated August 16, 1999 and recorded in Document No. 2000-070329 of the Official Public Records of Montgomery County, Texas (OPRMCT), said 87.38 acre tract also being described in a Deed from Clayton Floyd Lee to Linda Lee recorded in Document No. 2000-

009974, a Deed from Clayton Floyd Lee to Grady R. Lee recorded in Document No. 2000-009975, a Deed from Clayton Floyd Lee to Rachel Combs recorded in Document No. 2000-009976, a Deed from Clayton Floyd Lee to Susan N. Lee recorded in Document No. 2000-09977, a Deed from Clayton Floyd Lee to Carol Andrews recorded in Document No. 2000-009978, and a Deed from Clayton Floyd Lee to Clayton F. Lee, Jr. recorded in Document No. 2000-009979. Said 91.637 acres being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and made a part hereof.

Reservations from Conveyance: For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it. Provided however, Grantor waives the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, and mineral interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2014, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until said note described is fully paid according to its terms, at which time this deed will become absolute.

The vendor's lien and superior title retained in this deed are transferred to Capital Farm Credit, FLCA, the Payee in the note, without recourse on Grantor.

When the context requires, singular nouns and pronouns include the plural.

[Handwritten Signature]

JOHN C. POLK

[Handwritten Signature: Jane Polk Keese]
JANE POLK KEESE

[Handwritten Signature: Linda Lee]
LINDA LEE

[Handwritten Signature: Clayton F. Lee, Jr.]
CLAYTON F. LEE, JR.

GRADY R. LEE

SUSAN N. LEE

[Handwritten Signature]
RACHEL COMBS GOTTLIEB
(formerly Rachael Combs)

[Handwritten Signature: Carol Andrews]
CAROL ANDREWS

ACKNOWLEDGMENTS

THE STATE OF TEXAS §
 §
COUNTY OF Montgomery §

This instrument was acknowledged before me on the 10 day of July, 2014, by JOHN C. POLK.



[Handwritten Signature: Michelle Taylor]
Notary Public, State of Texas

[Handwritten Signature]

JOHN C. POLK

[Handwritten Signature: Jane Polk Keese]
JANE POLK KEESE

[Handwritten Signature: Linda Lee]
LINDA LEE

[Handwritten Signature: Clayton F. Lee, Jr.]
CLAYTON F. LEE, JR.

[Handwritten Signature: Grady R. Lee]
GRADY R. LEE

[Handwritten Signature: Susan N. Lee]
SUSAN N. LEE

RACHEL COMBS GOTTLIEB
(formerly Rachael Combs)

CAROL ANDREWS

ACKNOWLEDGMENTS

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by JOHN C. POLK.



[Handwritten Signature: Michelle Taylor]
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by JANE POLK KEESE.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by LINDA LEE.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by CLAYTON F. LEE, JR.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of July, 2014, by GRADY R. LEE.

Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by JANE POLK KEESE.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 10 day of July, 2014, by LINDA LEE.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

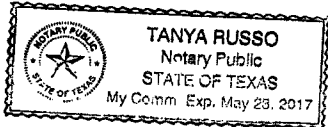
This instrument was acknowledged before me on the 10 day of July, 2014, by CLAYTON F. LEE, JR.



Michelle Taylor
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF Galveston §

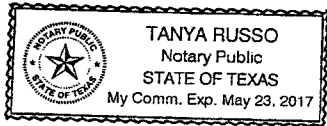
This instrument was acknowledged before me on the 11th day of July, 2014, by GRADY R. LEE.



Tanya Russo
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF Galveston §

This instrument was acknowledged before me on the 11 day of July, 2014, by SUSANN LEE.



Tanya Russo
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of July, 2014, by RACHEL COMBS GOTTLIEB (formerly Rachael Combs).

Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of July, 2014, by CAROL ANDREWS.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Mr. and Mrs. Mark Wesley Martin
23449 Highway 59
Porter, Texas 77365

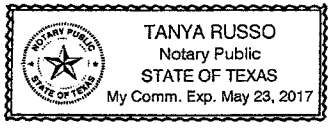
THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of July, 2014, by SUSANN LEE.

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF Galveston §

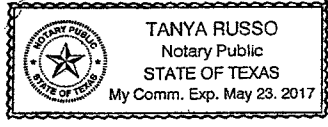
This instrument was acknowledged before me on the 11th day of July, 2014, by RACHEL COMBS GOTTLIEB (formerly Rachael Combs).



Tanya Russo
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF Galveston §

This instrument was acknowledged before me on the 11th day of July, 2014, by CAROL ANDREWS.



Tanya Russo
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Mr. and Mrs. Mark Wesley Martin
23449 Highway 59
Porter, Texas 77365

EXHIBIT "A" LEGAL DESCRIPTION

File No.: 1412438

BEING 91.637 acres, more or less, located in the William Wills Survey, A-594 in Montgomery County, Texas, being all of the called 87.38 acre tract described in a Deed from George J. Polk, Jr., Trustee of the George J. Polk and Pauline Holt Polk Family Trust to John C. Polk and Jane Polk Keese, dated August 16, 1999 and recorded in Document No. 2000-070329 of the Official Public Records of Montgomery County, Texas (OPRMCT), said 87.38 acre tract also being described in a Deed from Clayton Floyd Lee to Linda Lee recorded in Document No. 2000-009974, a Deed from Clayton Floyd Lee to Grady R. Lee recorded in Document No. 2000-009975, a Deed from Clayton Floyd Lee to Rachel Combs recorded in Document No. 2000-009976, a Deed from Clayton Floyd Lee to Susan N. Lee recorded in Document No. 2000-009977, a Deed from Clayton Floyd Lee to Carol Andrews recorded in Document No. 2000-009978, and a Deed from Clayton Floyd Lee to Clayton F. Lee, Jr. recorded in Document No. 2000-009979. Said 91.637 acres being more particularly described as follows:

BEGINNING at an axle found for the northwesterly corner of Hill & Dale Terrace, a subdivision recorded in Volume 11, Page 1 of the Map Records of Montgomery County, Texas (MRMCT) and the northeasterly corner of a called 12.000 acre tract described in a Donation Deed from Donald Enloe and J. E. McNorton to Montgomery County recorded in Document No. 9906645 OPRMCT;

THENCE South 89° 04' 23" West (basis of bearings) along the common line of the said 12.000 acre tract and the said 87.38 acre tract, at 602.43 feet pass a 1/2-inch iron rod found for the northerly common corner of the said 12.000 acre tract and a called 20.000 acre tract described in a Donation Deed from Donald Enloe and J. E. McNorton to Montgomery County recorded in Document No. 9906646 OPRMCT, continuing along a common line of the said 20.000 acre tract and the said 87.38 acre tract for a total distance of 1330.01 feet to an axle found for the northwesterly corner of the said 20.000 acre tract;

THENCE South 01° 17' 14" West 276.71 feet along a common line of the said 20.000 acre tract and the said 87.38 acre tract to a 1/2-inch iron pipe found for an ell corner of the said 20.000 acre tract;

THENCE North 88° 49' 48" West 252.15 feet along a common line of the said 20.000 acre tract and the said 87.38 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 20.000 acre tract and a called 5.546 acre tract described in a Deed from Charles R. Phenix, First Successor Trustee to the Charles N. Phenix and Frances E. Phenix Revocable Trust to Ramiro R. Soria and Sylvia C. Soria recorded in Document No. 2013025033 OPRMCT;

THENCE South 88° 52' 06" West 281.95 feet along the common line of the said 87.38 acre tract and the said 5.546 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 5.546 acre tract and a called 5.858 acre tract described in a Deed from Huel Reed Oxley to Jimmy T. Cole recorded in Volume 984, Page 343 of the Deed Records of Montgomery County, Texas (DRMCT);

THENCE South 88° 50' 03" West 343.57 feet along the common line of the said 87.38 acre tract and the said 5.858 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 5.858 acre tract and a called 5.0 acre tract described in a Deed from Billy Louis Ipes and wife, Ellen Jean Ipes to Donald G. Ipes recorded in Volume 668, Page 889 DRMCT;

THENCE North 13° 36' 12" East 244.08 feet along a westerly line of the said 87.38 acre tract to a 1-inch iron pipe found in the easterly margin of Memorial Drive (a county maintained road, dedication not found of record) for the southwesterly corner of a called 1 acre tract described in a Deed from Lillian Duncan and Edith Duncan Radke and husband, C. V. Radke to S. A. Lucas recorded in Volume 295, Page 542 DRMCT;

THENCE South 89° 43' 35" East 209.89 feet along the southerly line of the S. A. Lucas tract to a 1-inch iron pipe found for the southeasterly corner of the S. A. Luca tract and an ell corner of the said 87.38 acre tract;

THENCE North 10° 36' 03" East 420.13 feet along the easterly line of the S. A. Lucas tract to a 1-inch iron pipe found for the northeasterly corner of the S. A. Lucas tract and an ell corner of the said 87.38 acre tract;

THENCE South 89° 21' 46" West 200.26 feet along the northerly line of the S. A. Lucas tract to a bolt found in the easterly margin of Memorial Drive for the northwesterly corner of the S. A. Lucas tract and a southwesterly corner of the said 87.38 acre tract;

THENCE North 15° 59' 18" East 167.64 feet along the easterly margin of Memorial Drive and a westerly line of the said 87.38 acre tract to a 112-inch iron rod found for the southwesterly corner of a called 1.8342 acre tract described in a Deed from Dorothy Wright to John F. Miller and wife, Linda S. Miller recorded in Document No. 9345681 OPRMCT;

THENCE South 89° 30' 49" East 401.62 feet along the common line of the said 87.38 acre tract and the said 1.8342 acre tract to a 5/8-inch iron rod found for the southerly common corner of the said 1.8342 acre tract and a called 6.1885 acre tract described in the said Deed recorded in Document No. 9345681 OPRMCT;

THENCE South 89° 14' 04" East 351.96 feet along a northerly line of the said 87.38 acre tract, in part with the southerly line of the said 6.1885 acre tract and in part with the southerly line of a called 1 acre tract described in a Deed from Harvey Hood and wife, Minnie Hood to Henry Elmer Hood and wife, Sharon A. Hood recoded in Document No. 8006819 OPRMCT to a 24-inch Sweet Gum found for the southeasterly corner of the said 1 acre tract;

THENCE North 07° 34' 35" East 208.36 feet along the easterly line of the said 1 acre tract to a 3/4-inch iron pipe found for the easterly common corner of the said 1 acre tract and the said 6.1885 acre tract;

THENCE North 08° 54' 13" East 301.44 feet along a common line of the said 6.1885 acre tract and the said 87.38 acre tract to a 5/8-inch iron rod found for a southwesterly corner of a called 37.464 acre tract described in a Deed from Edward Alexander Broussard, Jr. and wife, Joyce Elaine Broussard to Lester W. Smith and wife, Elsie G. Smith recorded in Volume 1021, Page 269 DRMCT;

THENCE North 89° 11' 09" East 1465.02 feet along the common line of the said 87.38 acre tract and the said 37.464 acre tract to a 20-inch Pine tree fence corner found for the southerly common corner of the said 37.464 acre tract and a called 81.083 acre tract described in Notice of Change of Corporate Name and Entity recorded in Document No. 2011091526 OPRMCT;

THENCE North 88° 59' 00" East along a common line of the said 87.38 acre tract and the said 81.083 acre tract, at 1821.97 feet pass a 1/2-inch iron rod set for reference, continuing for a total distance of

1881.97 feet to a point for corner in a large pile of logs.

THENCE South 07° 13' 21" West along a common line of the said 87.38 acre tract and the said 81.083 acre tract, at 50.00 feet pass a 1/2-inch iron rod set for reference, continuing for a total distance of 1049.70 feet to 1/2-inch iron rod found in the northerly line of Hill & Dale Terrace for the most southerly southwest corner of the said 81.083 acre tract and a southeasterly corner of the said 87.38 acre tract, from which a 5/8-inch iron rod found for the northeasterly corner of Hill & Dale Terrace bears North 89° 45' 14" East 35.29 feet;

THENCE South 89° 40' 11" West 2019.26 feet along the common line of the said 87.38 acre tract and Hill & Dale Terrace to PLACE OF BEGINNING, and containing 91.637 acres, more or less.

E-FILED FOR RECORD
07/15/2014 4:07PM

Mark Tumbull

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was e-FILED in
file number sequence on the date and at the time
stamped herein by me and was duly e-RECORDED in
the Official Public Records of Montgomery County, Texas.

07/15/2014



Mark Tumbull

County Clerk
Montgomery County, Texas

I, Gary G. Brown, Registered Professional Land Surveyor, do hereby certify that the above plat is true and correct. That this survey was made on the ground of the property legally described hereon and that there are no visible or apparent discrepancies, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way except as shown hereon.

GARY G. BROWN
 R.P.L.S. 4654
 JEFFERSON, TEXAS
 June 16, 2014
 See Attached Field Notes

GOODWIN-LASTER-STRONG
 R.P.L.S. 4654
 JEFFERSON, TEXAS
 June 16, 2014
 See Attached Field Notes

GOODWIN-LASTER-STRONG
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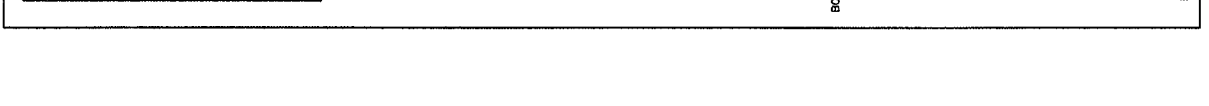
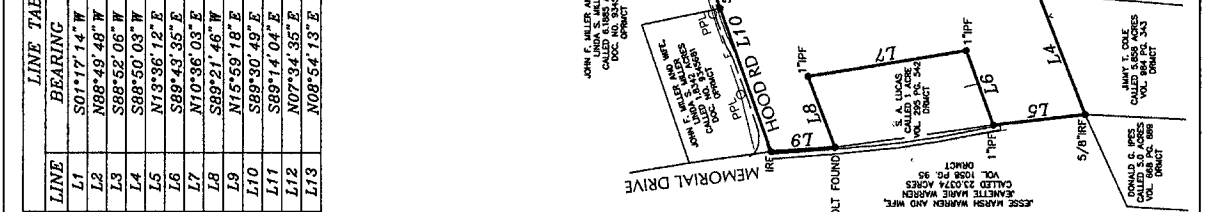
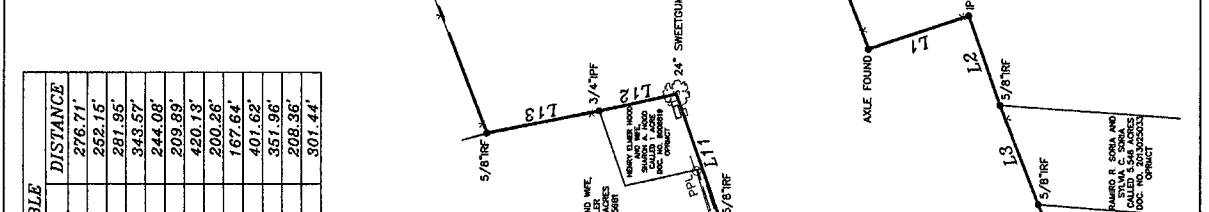
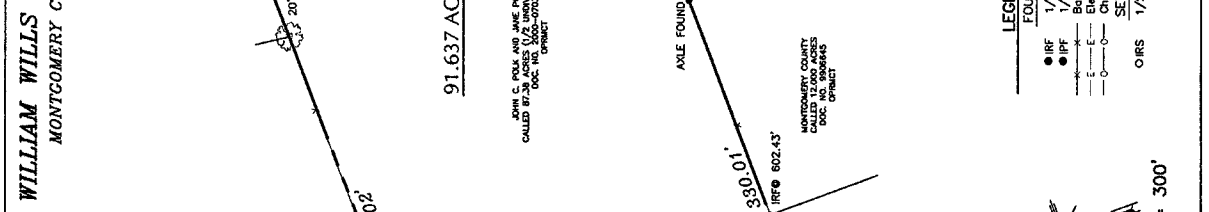
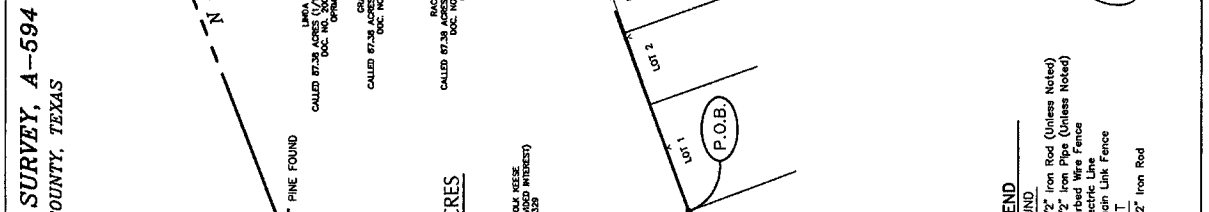
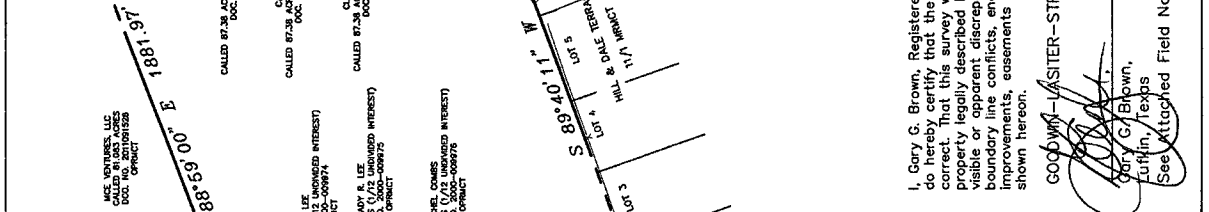
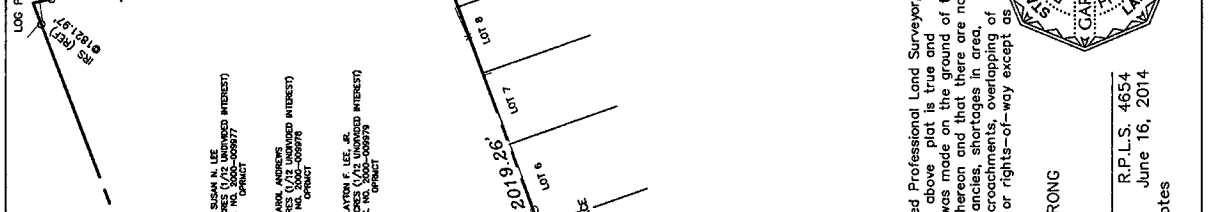
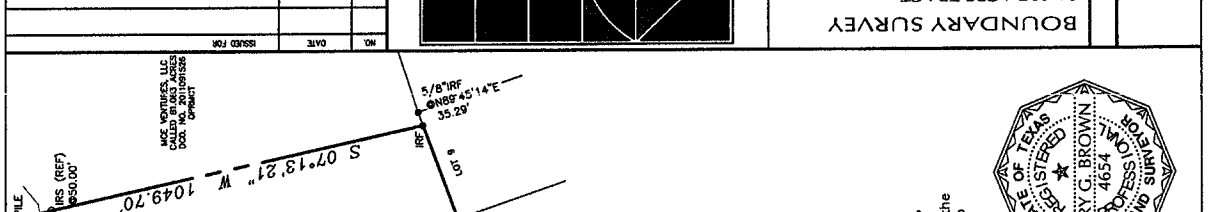
GOODWIN-LASTER-STRONG
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 JEFFERSON, TEXAS
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 See Attached Field Notes

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 June 16, 2014
 See Attached Field Notes

GOODWIN-LASTER-STRONG
 R.P.L.S. 4654
 JEFFERSON, TEXAS
 June 16, 2014
 See Attached Field Notes

LINE	BEARING	DISTANCE
L1	S01°17'14" W	276.71'
L2	N88°49'48" W	252.15'
L3	S88°52'06" W	281.95'
L4	S88°50'03" W	343.57'
L5	N13°36'12" E	244.08'
L6	S89°43'35" E	209.89'
L7	N10°36'03" E	420.13'
L8	S89°21'46" W	200.26'
L9	N15°59'18" E	167.64'
L10	S89°30'49" E	401.62'
L11	S89°14'04" E	351.96'
L12	N07°34'35" E	208.36'
L13	N08°54'13" E	301.44'



LEGAL DESCRIPTION – 91.637 ACRES
WILLIAM WILLS SURVEY, A-594
MONTGOMERY COUNTY, TEXAS

BEING 91.637 acres, more or less, located in the William Wills Survey, A-594 in Montgomery County, Texas, being all of the called 87.38 acre tract described in a Deed from George J. Polk, Jr., Trustee of the George J. Polk and Pauline Holt Polk Family Trust to John C. Polk and Jane Polk Keese, dated August 16, 1999 and recorded in Document No. 2000-070329 of the Official Public Records of Montgomery County, Texas (OPRMCT), said 87.38 acre tract also being described in a Deed from Clayton Floyd Lee to Linda Lee recorded in Document No. 2000-009974, a Deed from Clayton Floyd Lee to Grady R. Lee recorded in Document No. 2000-009975, a Deed from Clayton Floyd Lee to Rachel Combs recorded in Document No. 2000-009976, a Deed from Clayton Floyd Lee to Susan N. Lee recorded in Document No. 2000-009977, a Deed from Clayton Floyd Lee to Carol Andrews recorded in Document No. 2000-009978, and a Deed from Clayton Floyd Lee to Clayton F. Lee, Jr. recorded in Document No. 2000-009979. Said 91.637 acres being more particularly described as follows:

BEGINNING at an axle found for the northwesterly corner of Hill & Dale Terrace, a subdivision recorded in Volume 11, Page 1 of the Map Records of Montgomery County, Texas (MRMCT) and the northeasterly corner of a called 12.000 acre tract described in a Donation Deed from Donald Enloe and J. E. McNorton to Montgomery County recorded in Document No. 9906645 OPRMCT;

THENCE South 89° 04' 23" West (basis of bearings) along the common line of the said 12.000 acre tract and the said 87.38 acre tract, at 602.43 feet pass a 1/2-inch iron rod found for the northerly common corner of the said 12.000 acre tract and a called 20.000 acre tract described in a Donation Deed from Donald Enloe and J. E. McNorton to Montgomery County recorded in Document No. 9906646 OPRMCT, continuing along a common line of the said 20.000 acre tract and the said 87.38 acre tract for a total distance of 1330.01 feet to an axle found for the northwesterly corner of the said 20.000 acre tract;

THENCE South 01° 17' 14" West 276.71 feet along a common line of the said 20.000 acre tract and the said 87.38 acre tract to a 1/2-inch iron pipe found for an ell corner of the said 20.000 acre tract;

THENCE North 88° 49' 48" West 252.15 feet along a common line of the said 20.000 acre tract and the said 87.38 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 20.000 acre tract and a called 5.546 acre tract described in a Deed from Charles R. Phenix, First Successor Trustee to the Charles N. Phenix and Frances E. Phenix Revocable Trust to Ramiro R. Soria and Sylvia C. Soria recorded in Document No. 2013025033 OPRMCT;

THENCE South 88° 52' 06" West 281.95 feet along the common line of the said 87.38 acre tract and the said 5.546 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 5.546 acre tract and a called 5.858 acre tract described in a Deed from Huel Reed Oxley to Jimmy T. Cole recorded in Volume 984, Page 343 of the Deed Records of Montgomery County, Texas (DRMCT);

THENCE South 88° 50' 03" West 343.57 feet along the common line of the said 87.38 acre tract and the said 5.858 acre tract to a 5/8-inch iron rod found for the northerly common corner of the said 5.858 acre tract and a called 5.0 acre tract described in a Deed from Billy Louis Ipes and wife, Ellen Jean Ipes to Donald G. Ipes recorded in Volume 668, Page 889 DRMCT;

THENCE North 13° 36' 12" East 244.08 feet along a westerly line of the said 87.38 acre tract to a 1-inch iron pipe found in the easterly margin of Memorial Drive (a county maintained road, dedication not found of record) for the southwesterly corner of a called 1 acre tract described in a Deed from Lillian Duncan and Edith Duncan Radke and husband, C. V. Radke to S. A. Lucas recorded in Volume 295, Page 542 DRMCT;

THENCE South 89° 43' 35" East 209.89 feet along the southerly line of the S. A. Lucas tract to a 1-inch iron pipe found for the southeasterly corner of the S. A. Luca tract and an ell corner of the said 87.38 acre tract;

THENCE North 10° 36' 03" East 420.13 feet along the easterly line of the S. A. Lucas tract to a 1-inch iron pipe found for the northeasterly corner of the S. A. Lucas tract and an ell corner of the said 87.38 acre tract;

THENCE South 89° 21' 46" West 200.26 feet along the northerly line of the S. A. Lucas tract to a bolt found in the easterly margin of Memorial Drive for the northwesterly corner of the S. A. Lucas tract and a southwesterly corner of the said 87.38 acre tract;

THENCE North 15° 59' 18" East 167.64 feet along the easterly margin of Memorial Drive and a westerly line of the said 87.38 acre tract to a 1/2-inch iron rod found for the southwesterly corner of a called 1.8342 acre tract described in a Deed from Dorothy Wright to John F. Miller and wife, Linda S. Miller recorded in Document No. 9345681 OPRMCT;

THENCE South 89° 30' 49" East 401.62 feet along the common line of the said 87.38 acre tract and the said 1.8342 acre tract to a 5/8-inch iron rod found for the southerly common corner of the said 1.8342 acre tract and a called 6.1885 acre tract described in the said Deed recorded in Document No. 9345681 OPRMCT;

THENCE South 89° 14' 04" East 351.96 feet along a northerly line of the said 87.38 acre tract, in part with the southerly line of the said 6.1885 acre tract and in part with the southerly line of a called 1 acre tract described in a Deed from Harvey Hood and wife, Minnie Hood to Henry Elmer Hood and wife, Sharon A. Hood recoded in Document No. 8006819 OPRMCT to a 24-inch Sweet Gum found for the southeasterly corner of the said 1 acre tract;

THENCE North 07° 34' 35" East 208.36 feet along the easterly line of the said 1 acre tract to a 3/4-inch iron pipe found for the easterly common corner of the said 1 acre tract and the said 6.1885 acre tract;

THENCE North 08° 54' 13" East 301.44 feet along a common line of the said 6.1885 acre tract and the said 87.38 acre tract to a 5/8-inch iron rod found for a southwesterly corner of a called 37.464 acre tract described in a Deed from Edward Alexander Broussard, Jr. and wife, Joyce Elaine Broussard to Lester W. Smith and wife, Elsie G. Smith recorded in Volume 1021, Page 269 DRMCT;

THENCE North 89° 11' 09" East 1465.02 feet along the common line of the said 87.38 acre tract and the said 37.464 acre tract to a 20-inch Pine tree fence corner found for the southerly common corner of the said 37.464 acre tract and a called 81.083 acre tract described in Notice of Change of Corporate Name and Entity recorded in Document No. 2011091526 OPRMCT;

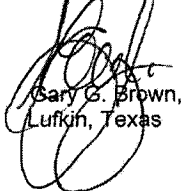
THENCE North 88° 59' 00" East along a common line of the said 87.38 acre tract and the said 81.083 acre tract, at 1821.97 feet pass a 1/2-inch iron rod set for reference, continuing for a total distance of 1881.97 feet to a point for corner in a large pile of logs.

THENCE South 07° 13' 21" West along a common line of the said 87.38 acre tract and the said 81.083 acre tract, at 50.00 feet pass a 1/2-inch iron rod set for reference, continuing for a total distance of 1049.70 feet to 1/2-inch iron rod found in the northerly line of Hill & Dale Terrace for the most southerly southwest corner of the said 81.083 acre tract and a southeasterly corner of the said 87.38 acre tract, from which a 5/8-inch iron rod found for the northeasterly corner of Hill & Dale Terrace bears North 89° 45' 14" East 35.29 feet;

THENCE South 89° 40' 11" West 2019.26 feet along the common line of the said 87.38 acre tract and Hill & Dale Terrace to PLACE OF BEGINNING, and containing 91.637 acres, more or less, as shown on the accompanying survey plat of even date herewith.

This description is based upon field work performed in June 2014.

Goodwin-Lasiter-Strong
TBPLS Firm Registration No. 10110900
1609 S. Chestnut Street, Suite 202
Lufkin, TX 75901



Gary G. Brown,
Lufkin, Texas

R.P.L.S. 4654
June 16, 2014



AREA MAP OF MONTGOMERY COUNTY, TEXAS

