



Control Number: 44387



Item Number: 17

Addendum StartPage: 0

**B & D ENVIRONMENTAL, INC.**

913 HYDE PARK DR.  
ROUND ROCK, TEXAS 78665  
PHONE NO: (512) 264-9124  
FAX NO: (512) 692-1967

EMAIL: [bretfenner@yahoo.com](mailto:bretfenner@yahoo.com)

December 9, 2015

Public Utility Commission  
Central Records  
1701 N. Congress P.O. Box 13326  
Austin, Texas 78711-3326

NOT RECD  
2015 DEC 15 AM 9:03  
PUBLIC UTILITY COMMISSION  
FILING CLERK

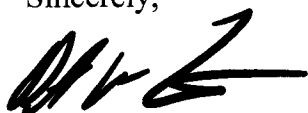
Re: Docket No. 44387: Application from Nerro Supply Investors, LLC (Nerro) for Sale, Transfer or Merger of Facilities and Certificate of Convenience and Necessity (CCN) No. 10336 of Northwest Water Systems, Inc. (Northwest) in Harris and Montgomery Counties

Dear Administrative Law Judge:

In regards to Order No. 5, enclosed please find documents showing that the sale from Northwest to Nerro has been completed.

Should you have any further questions concerning this application, please do not hesitate to contact us at (512) 264-9124.

Sincerely,



Bret W. Fenner, P.E.  
B & D Environmental, Inc.

Enclosures

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**Alamo Title Company**  
 1800 Bering Dr., Suite 150, Houston, TX 77057  
 Phone: (713)966-4040 | FAX: (713)966-4061

## BORROWER'S STATEMENT

**Settlement Date:** November 13, 2015  
**Disbursement Date:** November 13, 2015

**Escrow Number:** ATCH-01COM-ATCH14044232  
**Escrow Officer:** David Pitschmann

**Borrower:** Nerro Supply, LLC, a Texas limited liability company (100.00000%)  
 c/o BlackSwan Water Resources, LLC, 718 Westcott Street  
 Houston, TX 77007

**Seller:** Northwest Water Systems, Inc., a Texas corporation (100.00000%)  
 21561 E. Pummelos  
 Queen Creek, AZ 85142

**Property:** Hazy Hollow Estate  
 TX

**Property:** White Oak Valley Estates  
 TX

**Property:** Shady Brooke Acres  
 TX

**Property:** Spring Creek Valley  
 TX

**Lender:** Post Oak Bank  
 2000 West Loop South, Ste. 125  
 Houston, TX 77027

		\$ DEBIT	\$ CREDIT
<b>FINANCIAL CONSIDERATION</b>			
Contract sales price		700,000.00	
Deposit or earnest money	Nerro Supply, LLC, a Texas limited liability company		7,000.00
Principal amount of new loan(s)	Post Oak Bank		500,000.00
<b>PRORATIONS/ADJUSTMENTS</b>			
All Taxes	01/01/15 to 11/14/15 (\$5,294.99 / 365 X 317 days)		4,598.66
<b>NEW LOAN CHARGES - Post Oak Bank</b>			
<b>Total Loan Charges: \$2,771.00</b>			
Loan origination fee	0.5000% Post Oak Bank	2,500.00	
Appraisal fee	Whitney & Associates		
RE: POC B\$4,000.00			
Flood Search Fee	Post Oak Bank	165.00	
FBO Lereta, LLC			
Tax Service Fee	Post Oak Bank	106.00	
FBO Lereta, LLC			
<b>TITLE &amp; ESCROW CHARGES</b>			
Loan policy premium	Alamo Title Company	100.00	
Not Yet Due and Payable Tax Amendment	Alamo Title Company	5.00	
T-30 Amendment of Tax Exception (T-30, T-3 or deletion)	Alamo Title Company	20.00	
T-33 Variable Rate Mortgage Endorsement	Alamo Title Company	20.00	
T-19 Restrictions, Encroachments, Minerals Endorsement (Commercial Mtg) - 2014	Alamo Title Company	309.10	
T-23 Access Endorsement	Alamo Title Company	100.00	
T-14 First Loss Endorsement - 2014	Alamo Title Company	25.00	
Escrow Fee	Alamo Title Company	350.00	

**BORROWER'S STATEMENT - Continued**

		\$ DEBIT	\$ CREDIT
Policies to be issued:			
Loan Policy			
Coverage: \$500,000.00	Premium: \$100.00	Version: Loan Policy of Title Insurance (T-2) - 2014	
<b>RECORDING CHARGES</b>			
Recording fees	Alamo Title Company	75.00	
RE: Deed-Montgomery County			
eFile Fees	Alamo Title Company	18.00	
Recording Fees	Alamo Title Company	80.00	
RE: Deed-Harris County			
Recording Fees	Alamo Title Company	159.00	
RE: Deed of Trust-Montgomery			
Recording Fees	Alamo Title Company	164.00	
RE: Deed of Trust-Harris			
Recording Fees	Alamo Title Company	75.00	
RE: Assign of Leases-Montgomery			
Recording Fees	Alamo Title Company	80.00	
RE: Assign of Leases-Harris			
Recording Fees	Alamo Title Company	30.00	
RE: State UCC			
<b>MISCELLANEOUS CHARGES</b>			
Survey	Tetra Surveys	18,781.38	
Lender's Attorney Fees	Chernosky, Smith, Resslering & Smith, PLLC	3,411.14	
Consulting Fee	John T. King	7,000.00	
Consulting Fee	Charlie Gasper	17,500.00	
<b>Subtotals</b>		<b>751,073.62</b>	<b>511,598.66</b>
<b>Balance Due FROM Borrower</b>			<b>239,474.96</b>
<b>TOTALS</b>		<b>751,073.62</b>	<b>751,073.62</b>

**SIGNATURE PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:**

Buyer/Borrower Statement


**APPROVED AND ACCEPTED**

The Borrower's signatures hereon acknowledge their approval and signify their understanding that tax and insurance prorations and reserves are based on figures for the preceding year or supplied by others or estimated for the current year, and in the event of any change for the current year, all necessary adjustments will be made between Borrower and Seller directly. Any deficit in delinquent taxes or mortgage payoffs will be promptly reimbursed to the Settlement Agent by the Seller. In the event a Real Estate Agent negotiated the transaction such Agent may be furnished a copy of this statement.

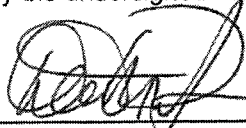
I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the Settlement Statement.

**BORROWER(S):**

Nerro Supply, LLC, a Texas limited liability company

By:   
Name: Eric Pappas  
Title: MANAGER

To the best of my knowledge, the Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

  
Alamo Title Company  
Settlement Agent

WD

N

20150520762  
11/17/2015 ER \$80.00

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.

### SPECIAL WARRANTY DEED

NORTHWEST WATER SYSTEMS, INC., a Texas corporation ("Grantor"), in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by NERRO SUPPLY, LLC, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, hereby GRANTS, BARGAINS, SELLS and CONVEYS unto Grantee the real property located in Harris and Montgomery Counties, Texas, which is more particularly described on Exhibit "A" attached hereto and made a part hereof, together with all and singular, all of Grantor's right, title and interest in and to any and all rights, benefits, privileges, easements, tenements, and appurtenances thereon, and together with all of Grantor's right, title and interest in and to the structures, fixtures and improvements, located thereunder and thereon (collectively called the "Property"), subject, however, to taxes for 2015 (which have been prorated and Grantee assumes and agrees to pay), and to those matters set forth in Exhibit "B" attached hereto and made a part hereof to the extent valid, in existence and affecting the Property (said exceptions being called the "Permitted Exceptions").

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TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors, legal representatives and assigns forever. Grantor does hereby bind itself, and its legal representatives and successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors, legal representatives and assigns, against every person whomever lawfully claiming or to claim the same or any part thereof, by or under Grantor, but not otherwise, and subject to the Permitted Exceptions.

IN WITNESS WHEREOF, Grantor has executed this deed to be effective as of the 13 day of November, 2015.

GRANTOR:

NORTHWEST WATER SYSTEMS, INC., a  
Texas corporation

FILED BY  
ALAMO TITLE COMPANY  
ATCH 14044232

By: Betty Blaschke

Betty Blaschke, President

ER 076-28-0514

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TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors, legal representatives and assigns forever. Grantor does hereby bind itself, and its legal representatives and successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors, legal representatives and assigns, against every person whomever lawfully claiming or to claim the same or any part thereof, by or under Grantor, but not otherwise, and subject to the Permitted Exceptions.

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GRANTOR:

NORTHWEST WATER SYSTEMS, INC., a  
Texas corporation

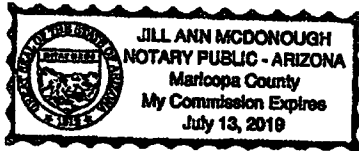
FILED BY  
ALAMO TITLE COMPANY  
ATCH 14044232

By: Betty Blaschke  
Betty Blaschke, President

THE STATE OF ARIZONA §

COUNTY OF Maricopa §

This instrument was acknowledged before me on November 12, 2015, by Betty Blaschke, the President of NORTHWEST WATER SYSTEMS, INC., a Texas corporation, on behalf of said corporation.



Jill Ann McDonough  
NOTARY PUBLIC, STATE OF ARIZONA



**EXHIBIT "A"**  
**Legal Description**

**TRACT I:**

LOT SEVEN (7), IN BLOCK EIGHT(8), OF HAZY HOLLOW EAST ESTATES, SECTION ONE (1), A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 243 OF THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

**TRACT II:**

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.8206 ACRES, MORE OR LESS, BEING PART OF AND OUT OF THAT CERTAIN 142.3 ACRES IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN AS LOT ONE (1), BLOCK THIRTY NINE (39), HAZY HOLLOW EAST ESTATES, SECTION VI, ON THAT PLAT DATED AUGUST, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AS DESCRIBED IN THAT DEED FILED IN VOLUME 118, PAGE 485, DEED RECORDS OF SAID COUNTY, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON AXLE SET FOR SOUTHERLY CORNER OF SAID 142.3 ACRES IN THE NORTHERLY RIGHT-OF-WAY LINE OF THE I & G N RR FOR PLACE OF BEGINNING;

THENCE ALONG THE SOUTHERLY BOUNDARY OF THE SAID 142.3 ACRES N 46° 26' 10" E A DISTANCE OF 165.35 FOOT TO A 1/2-INCH IRON ROD SET FOR EASTERLY CORNER;

THENCE N 43° 31' 28" W A DISTANCE OF 193.65 FEET TO A 1/2-INCH IRON ROD SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF HAZY MEADOW DRIVE, 60 FEET WIDE, FOR NORTHERLY CORNER;

THENCE ALONG SAID RIGHT-OF-WAY LINE S 46° 29' 32" W A DISTANCE OF 210.00 FEET TO A 1/2-INCH IRON ROD SET IN THE COMMON SOUTHWESTERLY BOUNDARY OF THE SAID 142.3 ACRES AND THE SAID I & G N RR RIGHT-OF-WAY LINE FOR WESTERLY CORNER;

THENCE S 56° 30' 00" E ALONG THE SAID COMMON LINE A DISTANCE OF 198.85 FEET TO THE PLACE OF BEGINNING.

**TRACT III:**

THE SURFACE ONLY OF LOT ONE (1), BLOCK SEVENTY (70), HAZY HOLLOW EAST ESTATES, SECTION IX, BEING PART OF AND OUT OF THAT 253.5-ACRE TRACT, MORE OR LESS, IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN THAT DEED FROM FLORENCE D. SIMONS, GUARDIAN OF THE ESTATE OF SALLIE E. DEAN, AN INCOMPETENT PERSON, TO D. R. CALLENDER, TRUSTEE, FILED IN VOLUME 695, PAGE 13, DEED RECORDS OF SAID COUNTY; SAID LOT SHOWN ON THAT PLAT DATED MARCH, 1970, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT ONE (1) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON PIPE MARKING THE MOST WESTERLY CORNER OF SAID 253.5-ACRE TRACT;

THENCE N 45° 19' 54" E ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID 253.5-ACRE TRACT A DISTANCE OF 524.65 FEET TO A 1/2-INCH IRON ROD SET FOR WESTERLY CORNER OF SAID LOT ONE (1) AND PLACE OF BEGINNING.

THENCE CONTINUING ALONG SAID BOUNDARY LINE N 45° 19' 54" E A DISTANCE OF 104.00 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER SET IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF PINE BARK LANE, 60 FEET WIDE;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE S 44° 40' 57" E A DISTANCE OF 183.29 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE, FOR EASTERLY CORNER;

THENCE S 45° 24' 07" W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 104.00 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N 44° 40' 57" W A DISTANCE OF 183.18 FEET TO PLACE OF BEGINNING.

#### TRACT IV:

THE SURFACE ONLY OF LOT ONE (1), BLOCK FORTY FOUR (44), HAZY HOLLOW EAST ESTATES, SECTION VII, T. P. DAVY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED FEBRUARY, 1968, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/4-INCH IRON PIPE SET FOR SOUTHERLY CORNER OF THE SAID LOT AND FOR SOUTHERLY CORNER OF THAT CERTAIN 111.2507 ACRES IN THE T. P. DAVY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED AS PARCEL NUMBER ONE IN THAT CERTAIN DEED IN CAUSE NO. 22,994, DISTRICT COURT OF SAID COUNTY, FOR PLACE OF BEGINNING;

THENCE N 45° 46' 28" E, ALONG THE SOUTHEASTERLY BOUNDARY OF THE SAID 111.2507 ACRES A DISTANCE OF 123.50 FEET TO A 1/2-INCH IRON ROD FOR EASTERLY CORNER;

THENCE N 43° 46' 38" W, A DISTANCE OF 190.37 FEET TO A 1/2-INCH IRON ROD FOR NORTHERLY CORNER SET IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HAZY MEADOW DRIVE, 60 FEET WIDE, FOR NORTHERLY CORNER;

THENCE ALONG SAID RIGHT-OF-WAY LINE, S 46° 28' 32" W, A DISTANCE OF 123.50 FEET TO A 1/2-INCH IRON ROD FOR WESTERLY CORNER SET IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SAID 111.2507 ACRES;

THENCE S 43° 46' 38" E ALONG THE SAID BOUNDARY LINE A DISTANCE OF 191.71 FEET TO THE PLACE OF BEGINNING.

#### TRACT V:

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.7768 ACRE, MORE OR LESS, BEING PART OF AND OUT OF THAT 71.3 ACRES IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, CONVEYED BY D. Y. OUALLINE, ET AL TO D. R. CALLENDER, TRUSTEE, BY VARIOUS DEEDS RECORDED IN VOLUME 648, PAGES 91-107,

DEED RECORDS OF SAID COUNTY; SAID 0.7768 ACRE SHOWN AS LOT FOUR (4), BLOCK TWENTY- THREE (23), HAZY HOLLOW EAST ESTATES, SECTION V, ON THAT PLAT DATED MAY, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT FOUR (4), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF THE SAID 71.3 ACRES FOR THE SOUTHERLY CORNER OF THE SAID LOT FOUR (4);

THENCE N. 56° 30' W. ALONG THE SOUTHWESTERLY BOUNDARY OF THE SAID 71.3 ACRES AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE H.&G.N.R.R RIGHT-OF-WAY (R.O.W.), 100 FEET WIDE, A DISTANCE OF 203.39 FEET TO A 1/2-INCH IRON ROD MARKING THE WESTERLY CORNER OF THE SAID LOT SET IN THE SOUTHEASTERLY R.O.W. LINE OF HIGH MEADOW DRIVE, 60 FEET WIDE: .

THENCE ALONG THE SAID RIGHT-OF-WAY LINE N. 45°21' 49 E. A DISTANCE OF 182.29 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 56° 30' E. A DISTANCE OF 203.39 FEET TO A 1/2-INCH IRON ROD SET FOR EASTERLY CORNER IN THE SOUTHEASTERLY BOUNDARY LINE OF THE SAID 71.3-ACRE TRACT;

THENCE S. 45° 21' 49" W, ALONG THE SAID BOUNDARY LINE A DISTANCE OF 182.29 FOOT TO THE PLACE OF BEGINNING.

**TRACT VI:**

THE SURFACE ONLY OF LOT ONE (1), BLOCK SEVENTY-SEVEN (77), HAZY HOLLOW EAST ESTATES, SECTION XI, BEING PART OF AND OUT OF THAT CERTAIN 253.5-ACRE TRACT, MORE OR LESS, IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN THAT DEED FROM FLORENCE D. SIMONS, GUARDIAN OF THE ESTATE OF SALLIE E. DEAN, AN INCOMPETENT PERSON, TO D. R. CALLENDER, TRUSTEE, FILED IN VOLUME 695, PAGE 13, DEED RECORDS OF SAID COUNTY; SAID LOT SHOWN ON THAT PLAT DATED JUNE, 1971, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT ONE (1) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON PIPE MARKING THE MOST WESTERLY CORNER OF SAID 253.5-ACRE TRACT; THENCE N. 45° 19' 54" E. ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID 253.5-ACRE TRACT A DISTANCE OF 1,768.65 FEET TO A 1/2-INCH IRON ROD SET FOR WESTERLY CORNER OF SAID LOT ONE (1) AND PLACE OF BEGINNING.

THENCE CONTINUING ALONG SAID BOUNDARY LINE N. 45° 19' 54" E. A DISTANCE OF 120.00 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER SET IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LITTLE THORN LANE, 60 FEET WIDE;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE S. 44° 40' 57" E. A DISTANCE OF 184.25 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE;

THENCE S. 45° 24' 07" W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 44° 40' 57" W. A DISTANCE OF 184.16 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THE FOLLOWING TRACT OR PARCEL OF LAND:

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 919.7 SQUARE FEET, MORE OR LESS, BEING PART OF AND OUT OF THAT CERTAIN LOT ONE (1), BLOCK SEVENTY-SEVEN (77), HAZY HOLLOW EAST ESTATES, SECTION XI, A SUBDIVISION IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED MORE FULLY IN THAT DEED DATED 3 JANUARY, 1976, FROM C. R. HOCOTT, TRUSTEE, TO NORTHWEST WATER SYSTEMS, INC., AND FILED FOR RECORD IN THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS VOLUME 958, PAGE 6, AND SAID 919.7 SQUARE FEET DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE COMMON WESTERLY CORNER OF SAID LOT ONE (1) AND NORTHERLY CORNER OF LOT TWO (2), BLOCK SEVENTY-SEVEN (77), SECTION XI, OF SAID HAZY HOLLOW EAST ESTATES MARKED BY A 1/2-INCH IRON ROD;

THENCE S. 44° 40' 57" E. ALONG THE COMMON BOUNDARY LINE OF THE SAID LOT ONE (1) AND SAID LOT TWO (2) A DISTANCE OF 183.94 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE, MARKING THE COMMON SOUTHERLY CORNER OF SAID LOT ONE (1) AND THE EASTERLY CORNER OF SAID LOT TWO (2);

THENCE N. 45° 24' 07" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 5.00 FEET TO A POINT FOR EASTERLY CORNER;

THENCE N. 44° 40' 57" W. A DISTANCE OF 183.94 FEET TO A POINT IN THE NORTHWESTERLY BOUNDARY OF SAID LOT ONE (1) FOR NORTHERLY CORNER;

THENCE ALONG SAID NORTHWESTERLY BOUNDARY S. 45° 19' 54" W. A DISTANCE OF 5.00 FEET TO THE PLACE OF BEGINNING, BEING 919.7 SQUARE FEET IN ALL

**TRACT VII:**

THE SURFACE ONLY OF A TRACT CONTAINING 0.6400 ACRES, MORE OR LESS, BEING PART OF THAT 142.3 ACRES, IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SAID 0.6400 ACRES SHOWN AS LOT TWO (2), BLOCK TWELVE (12), HAZY HOLLOW EAST ESTATES, SECTION II, ON THAT PLAT DATED AUGUST, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, DESCRIBED IN THAT DEED RECORDED IN VOLUME 118, PAGE 475, DEED RECORDS OF SAID COUNTY; SAID LOT TWO (2) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON ROD SET IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF AZALEA TRAIL, 60 FEET WIDE, FOR SOUTHERLY CORNER OF LOT NINE (9), BLOCK SEVEN (7), HAZY HOLLOW EAST ESTATES, SECTION I, AS SHOWN ON THAT PLAT RECORDED IN VOLUME 7, PAGE 243, MAP RECORDS OF SAID COUNTY;

THENCE S. 45° 58' 10" W. A DISTANCE OF 30.725 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER OF SAID LOT TWO (2) AND PLACE OF BEGINNING;

THENCE S. 36° 18' 29" E. A DISTANCE OF 222.91 FEET TO A POINT FOR EASTERLY CORNER;

THENCE S. 70° 27' 46" W. A DISTANCE OF 60.00 FEET TO A POINT OF INTERSECTION;

THENCE N. 74° 18' 05" W. A DISTANCE OF 123.15 FEET TO A POINT OF INTERSECTION;

THENCE S. 88° 54' 11" W. A DISTANCE OF 131.62 FEET TO A 1/2-INCH IRON ROD SET FOR WESTERLY CORNER;

THENCE N. 45° 58' 10" E. A DISTANCE OF 243.00 FEET TO PLACE OF BEGINNING.

**TRACT VIII:**

THE SURFACE ONLY OF THE SOUTHEAST ONE-HALF (S.E. 1/2) OF LOT FOUR (4), BLOCK TEN (10), HAZY HOLLOW EAST ESTATES, SECTION II, T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JANUARY 27, 1967, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER IN THE SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & GN R.R., 100 FEET WIDE, S. 56° 30' E. A DISTANCE OF 749.99 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF RESERVE "B," HAZY HOLLOW EAST ESTATES, SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT MAP OR PLAT RECORDED IN THE MAP RECORDS OF SAID COUNTY, COUNTY CLERK FILE NO. 178226; .

THENCE N. 56° 30' W. ALONG SAID BOUNDARY LINE A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR WESTERLY CORNER OF SAID TRACT;

THENCE N. 45° 58' 10" E. A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60 FEET WIDE;

THENCE S. 56° 30' E. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR EASTERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT IX:**

THE SURFACE ONLY OF THE SOUTHEAST ONE-HALF (S.E. 1/2) OF LOT THREE (3), BLOCK TEN (10), HAZY HOLLOW EAST ESTATES; SECTION II, T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED JANUARY 27, 1967, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR WESTERLY CORNER IN THE SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & G N RR. 100 FEET WIDE S. 56° 30' E. A DISTANCE OF 548.88 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF RESERVE "B", HAZY HOLLOW EAST ESTATES, SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY

COUNTY, TEXAS, SHOWN ON THAT MAP OR PLAT THEREOF FILED IN THE MAP RECORDS OF SAID COUNTY, COUNTY CLERK FILE 178226;

THENCE S. 56° 30' E. ALONG SAID BOUNDARY A DISTANCE OF 66.11 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 45° 58' 10" E. A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD FOR EASTERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60 FEET WIDE;

THENCE N. 56° 30' W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 66.11 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT X:**

THE SURFACE ONLY OF THE NORTHWEST ONE-HALF (NW1/2) OF LOT FOUR (4), BLOCK TEN (10), HAZY HOLLOW EAST ESTATES, SECTION II, T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED JANUARY 27, 1967, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR WESTERLY CORNER IN THE SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & G N RR, 100 FEET WIDE, S. 56° 10' E, A DISTANCE OF 614.98 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF RESERVE "B", HAZY HOLLOW EAST ESTATES, SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT MAP OR PLAT FILED IN THE MAP RECORDS OF SAID COUNTY, COUNTY CLERK FILE NO. 178226;

THENCE S. 56° 30' E. ALONG SAID BOUNDARY A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 45° 58' 10" E, A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD SET FOR EASTERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60 FEET WIDE;

THENCE N. 56° 30' W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT XI:**

THE SURFACE ONLY OF LOT SIXTEEN (16), BLOCK TWENTY (20 ), WHITE OAK VALLEY ESTATES, SECTION IV, CLARK BEACH SURVEY, A-79, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED MARCH 26, 1970, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, OF THAT CERTAIN 120,9119 ACRES PARTITIONED AS SAID SECTION IV; SAID LOT SIXTEEN (16) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE INTERSECTION POINT OF THE NORTHERLY RIGHT-OF-WAY LINE OF F. M. ROAD 3083,100 FEET WIDE, AND THE WESTERLY BOUNDARY OF THAT CERTAIN 160 ACRES DESCRIBED IN VOLUME 297, PAGE 319 OF THE DEED RECORDS OF THE SAID COUNTY FOR PLACE OF BEGINNING;

THENCE FOLLOWING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,948.00 FEET AND A CENTRAL ANGLE OF 07° 01'26" A DISTANCE OF 238.81 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 00° 27' 02" W. A DISTANCE OF 180.27 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 89° 32' 58" W. A DISTANCE OF 217.34 FEET TO A 5/8- INCH IRON ROD SET IN THE SAID WESTERLY BOUNDARY FOR NORTHWESTERLY CORNER;

THENCE S. 00° 27' 02" E. ALONG THE SAID BOUNDARY A DISTANCE OF 81.64 FEET TO THE PLACE OF BEGINNING.

#### TRACT XII:

THE SURFACE ONLY OF BLOCK FIFTEEN (15), WHITE OAK VALLEY ESTATES, SECTION III, CLARK BEACH SURVEY, A-79, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, AND PREPARED BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND SAID BLOCK FIFTEEN (15) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR SOUTHWESTERLY CORNER S. 00° 27' 30" E. A DISTANCE OF 659.87 FEET FROM A 1/2-INCH IRON ROD SET FOR THE MOST NORTHERLY WESTERLY CORNER OF THAT CERTAIN 160 ACRES DESCRIBED IN THAT DEED RECORDED IN THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, VOLUME 297, PAGE 319;

THENCE N. 89° 30' 30" E. A DISTANCE OF 199.47 FEET TO A 1/2- INCH IRON ROD SET FOR SOUTHEASTERLY CORNER IN THE WESTERLY RIGHT-OF-WAY LINE OF LEAFY LANE, 60 FEET WIDE;

THENCE N. 00° 27' 02" W. ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 224.91 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE INTERSECTION POINT OF THE SAID WESTERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST-WEST DRIVE, 60 FEET WIDE;

THENCE S. 89° 33' 12" W. A DISTANCE OF 199.50 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE TO A 1/2-INCH IRON ROD SET FOR NORTHWESTERLY CORNER;

THENCE S. 00° 27' 30" E. A DISTANCE OF 225.08 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OR SAID TRACT CONVEYED TO IMELDA GONZALEZ AND PAULO GONZALEZ IN DEED RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE NO. 2014124387

**TRACT XIII:**

THE SURFACE ONLY OF A TRACT FOR A WATER WELL SITE DESCRIBED AS THAT 0.0106-ACRE TRACT, BEING PART OF AND OUT OF THE NORTHEASTERLY CORNER OF LOT ONE (1), BLOCK THREE (3), SHADY BROOK ACRES, SECTION ONE (1), AND BEING MORE PARTICULARLY DESCRIBED BY MATES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE WESTERLY RIGHT-OF-WAY LINE OF THE NICHOLS-SAWMILL ROAD, 100.0 FEET WIDE, MARKING THE NORTHEASTERLY CORNER OF THE SAID WELL SITE AND OF THE SAID LOT ONE (1);

THENCE IN A SOUTHERLY DIRECTION ALONG THE SAID RIGHT-OF-WAY LINE FOLLOWING THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,008.64 FEET AND A CENTRAL ANGLE OF  $0^{\circ} 36' 58''$  A DISTANCE OF 21.39 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHEASTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $89^{\circ} 34' 10''$  W. A DISTANCE OF 22.0 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHWESTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $4^{\circ} 02' 23''$  E. A DISTANCE OF 21.39 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHWESTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $89^{\circ} 47' 00''$  E. A DISTANCE OF 21.30 FEET TO THE PLACE OF BEGINNING.

**TRACT XIV:**

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.1048 ACRES, BEING PART OF AND OUT OF THAT CERTAIN TRACT KNOWN AS RESERVE A, BLOCK THREE (3), SHADY BROOK ACRES, SECTION I, A SUBDIVISION IN THE C. T. WARD SURVEY, A-612, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT THEREOF FILED FOR RECORD IN THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS, VOLUME 7, PAGE 109, AND SAID 0.1048 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE WESTERLY RIGHT-OF-WAY LINE OF NICHOLS SAWMILL ROAD, 100 FEET WIDE, FOR SOUTHEASTERLY CORNER OF THE SAID TRACT AND THE SAID RESERVE A;

THENCE IN A NORTHERLY DIRECTION ALONG THE SAID RIGHT-OF-WAY LINE FOLLOWING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2,008.64 FEET AND A CENTRAL ANGLE OF  $01^{\circ} 17' 02''$  A DISTANCE OF 45.01 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S.  $89^{\circ} 29' 02''$  W. A DISTANCE OF 104.46 FEET TO A 5/8-INCH IRON ROD SET IN THE EASTERLY LINE OF THE SAID RESERVE A FOR NORTHWESTERLY CORNER;

THENCE S.  $04^{\circ} 19' 40''$  E. ALONG THE SAID BOUNDARY A DISTANCE OF 45.07 FEET TO A 5/8-INCH IRON ROD SET FOR, COMMON SOUTHWESTERLY CORNER OF THE SAID TRACT AND THE SAID RESERVE A;



THENCE N. 89° 47' 00" S. ALONG THE COMMON BOUNDARY OF SAID RESERVE A AND LOT ONE (1), BLOCK THREE (3), SHADY BROOK ACRES, SECTION 2, A DISTANCE OF 98.83 FEET TO THE PLACE OF BEGINNING.

**TRACT XV:**

THE SURFACE ONLY OF LOT FIVE (5), BLOCK ELEVEN (11), SPRING CREEK VALLEY ESTATES, SECTION II, JOSEPH HOUSE SURVEY, A-34, HARRIS COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT FIVE (5) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE SOUTHERLY RIGHT-OF-WAY LINE OF QUAKING ASPEN LANE, 60 FEET WIDE, S. 89° 55' 34" E. A DISTANCE OF 903.86 FEET FROM A 1/2-INCH IRON ROD SET IN THE EASTERLY BOUNDARY LINE OF HARRIS COUNTY SPRING CREEK PARK FOR POINT OF INTERSECTION, SAID POINT BEING N. 00° 22' 11" W. ALONG SAID BOUNDARY LINE A DISTANCE OF 2,573.70 FEET FROM A 1/2-INCH IRON PIPE MARKING THE MOST EASTERLY SOUTHERLY CORNER OF SAID PARK IN THE NORTHERLY RIGHT-OF-WAY LINE OF BROWN ROAD, 60 FEET WIDE, SAME 1/2-INCH PIPE MARKING THE SOUTHWESTERLY CORNER OF THAT 112.71 ACRES CONVEYED IN THAT DEED DATED OCTOBER 17, 1967, FROM JESSE C. POWELL AND WIFE, SANDRA LEE POWELL, RECORDED IN VOLUME 6960, PAGE 454, DEED RECORDS OF SAID COUNTY;

THENCE N. 89° 55' 34" W. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD SET FOR NORTHWESTERLY CORNER;

THENCE S. 00° 04' 26" W. A DISTANCE OF 185.00 FEET TO A 5/8- INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER;

THENCE S. 89° 55' 34" E. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER;

THENCE N. 00° 04' 26" E. A DISTANCE OF 185.00 FEET TO PLACE OF BEGINNING.

**TRACT XVI:**

THE SURFACE ONLY OF LOT SIX (6), BLOCK ELEVEN (11), SPRING CREEK VALLEY ESTATES, SECTION II, JOSEPH HOUSE SURVEY, A-34, HARRIS COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, AND PREPARED BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND SAID LOT SIX (6), BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE SOUTHERLY RIGHT-OF-WAY LINE OF QUAKING ASPEN LANE, 60 FEET WIDE, S. 89° 55' 34" E. A DISTANCE OF 783.86 FEET FROM A 1/2-INCH IRON ROD SET IN THE EASTERLY BOUNDARY LINE OF HARRIS COUNTY SPRING CREEK PARK FOR POINT OF INTERSECTION, AND SAID POINT OF INTERSECTION BEING N. 00° 22' 11" W. ALONG THE SAID BOUNDARY A DISTANCE OF 2,573.70 FEET FROM A 1/2-INCH IRON PIPE MARKING THE MOST EASTERLY SOUTHERLY CORNER OF THE SAID PARK IN THE NORTHERLY RIGHT-OF-WAY LINE OF BROWN ROAD, 60 FEET WIDE, AND THE SAME 1/2-INCH PIPE MARKING THE SOUTHWESTERLY CORNER OF THAT 112.71-ACRE TRACT OF LAND

CONVEYED IN THAT DEED DATED OCTOBER 17, 1967, FROM JESSE C. POWELL AND WIFE, SANDRA LEE POWELL; FILED FOR RECORD IN THE DEED RECORDS OF HARRIS COUNTY, TEXAS, VOLUME 6960, PAGE 454;

THENCE N. 89° 55' 34" W. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD SIT FOR NORTHWESTERLY CORNER;

THENCE S. 00° 24' 26" W. A DISTANCE OF 185.00 FEET TO A 5/8-INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER;

THENCE S. 89° 55' 34" E. A DISTANCE OF 120.00 FEET TO A 5/8-INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER;

THENCE N. 00° 04' 26" E. A DISTANCE OF 185.60 FEET TO THE PLACE OF BEGINNING.

## **EXHIBIT "B"**

### **EXCEPTIONS FROM COVERAGE**

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

Those set out on plat recorded in Volume 7, Page 243 of the Map Records of Montgomery County, Texas. (TRACT I)

Those set out in instrument recorded in Volume 596, Page 153 of the Deed Records of Montgomery County, Texas (TRACTS I, II, III, IV, V, VI, VII, VIII, IX, X)

Those set out in instrument recorded in Volume 699, Page 661 of the Deed Records of Montgomery County, Texas. (TRACTS VII, VIII, IX, X)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2005-141062. (TRACT I)

Those set out in instrument recorded under Montgomery County Clerk's File No. 8339646. (TRACT II)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2001-007663. (TRACT III)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2005-141061. (TRACT VII)

Those set out in instruments recorded in Volume 585, Page 560 and Volume 595, Page 93, both of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)

Those set out in instruments recorded under Montgomery County Clerk's File No(s). 8752864, 8752865 and 8752867. (TRACT XI)

Those set out in instrument recorded under Montgomery County Clerk's File No. 8356004. (TRACT XII)

Those set out on plat recorded in Volume 7, Page 109 of the Map Records of Montgomery County, Texas, and in instruments recorded in Volume 572, Page 156 and Volume 595, Page 95, both of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

Those set out in instruments recorded in Volume 7116, Page 115 (C671961)i Volume 7232, Page 23 (C726857) and Volume 7948, Page 249 (D080488) of the Deed Records of Harris County, Texas. (TRACT XV and XVI)

2. Drainage easement fifteen (15) feet on each side of the center line of all natural drainage courses, as set out on plat recorded in Volume 7, Page 243 of the Map Records of Montgomery County, Texas. (TRACT I)
3. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2005-141062. (TRACT I)
4. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 8339646. (TRACT II)
5. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 8 of the Deed Records of Montgomery County, Texas. (TRACT III, VI)
6. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2001-007663. (TRACT III)
7. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 1 of the Deed Records of Montgomery County, Texas. (TRACT IV)
8. Easement granted to Houston Lighting and Power Company, as set forth and defined in instrument recorded in Volume 694, Page 693 of the Deed Records of Montgomery County, Texas. (TRACT V)
9. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 938 of the Deed Records of Montgomery County, Texas. (TRACT V)
10. Water line easement ten (10) feet in width along roadways created by the instrument recorded in Volume 957, Page 946 of the Deed Records of Montgomery County, Texas. (TRACTS I, VII, VIII, IX, X)
11. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2005-141061. (TRACT VII)
12. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 15 of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)
13. Terms, conditions and stipulations of those certain Sanitary Control Easements recorded under Montgomery County Clerk's File No(s). 8752864, 8752865 and 8752867. (TRACT XI)
14. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 8356004. (XII)

15. Drainage easement fifteen (15) feet on each side of the center line of all natural drainage courses as set out on plat recorded in Volume 7, page 109 of the Map Records of Montgomery County, Texas. (TRACT XIII, XIV)

16. Building line thirty-five (35) feet wide along and adjacent to all roadways as reserved in instrument recorded in Volume 572, Page 156 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

17. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 10 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

18. Building Set Back Line twenty-five (25) feet in width along the front property line as reflected in instrument recorded in Volume 7116, Page 115 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

19. Building Set Back Line five (5) feet in width along the rear and side property line as reflected in instrument recorded in Volume 7116, Page 115 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

20. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded in Volume 7232, Page 23 (C726857) of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

21. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded under Harris County Clerk's File No. E917149. (TRACTS XV and, XVI)

22. An easement five (5) feet wide along the rear property line, together with an aerial easement five (5) feet wide, located adjacent to and adjoining the aforementioned five (5) foot easement, from a plane twenty (20) feet above the ground upward, granted to Houston Lighting & Power Company, as set forth and defined in instrument recorded in Volume 7067, Page 374 (C647720) of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

23. Unlocated pipeline right-of-way easement in favor of Stanolind Pipe Line Company, as set forth in instrument recorded in Volume 937, Page 461 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

24. Unlocated pipeline right-of-way easement in favor of Humble Oil & Refining Co. as set forth in instrument recorded in Volume 931, Page 738 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

25. Unlocated water pipeline right-of-way easement, as set forth in instrument recorded under Clerk's File No. E917149 of the Real Property Records of Harris County, Texas. (TRACTS XV and XVI)

26. A right of Way as granted to Texas Southwestern Gas Company recorded in Volume 7686, Page 500 and amended in Volume 7686, Page 504 and Volume 7686, Page 506 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)

27. 1/2 of all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 466, Page 532, of the Deed Records of Montgomery County, Texas. (TRACT I, VII, VIII, IX, X)

28. 1/4th of all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 574, Page 504, of the Deed Records of Montgomery County, Texas. (TRACTS I, VII, VIII, IX, X)

29. Terms, conditions and stipulations of those certain Oil, Gas and Mineral Lease(s), together with all rights incident thereto, recorded under Montgomery County Clerk's File No(s). 8425050,8425051, 8427317, 8703872,8703874,8703875,8703876,8703877, 8703879, 8703880, 8703942,8704341, 9440328, 9440329,9440330,9440331,9443718,9443719, 9443720,9443721 and 9443722. (TRACT I)

30. Designation of the McCord-Hagen No. 2 Gas Unit as set forth by instruments recorded under Montgomery County Clerk's File No(s). 9021389 and 8900448. (TRACT I)

31. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 695, Page 13, of the Deed Records of Montgomery County, Texas. (TRACT III, IV, V, VI, IX, X)

32. Terms, conditions and stipulations of that certain Oil, Gas and Mineral Lease recorded in Volume 271, Page 169 of the Deed Records of Montgomery County, Texas. (TRACT III, IV, V, VI) Amended by instruments recorded under Montgomery County Clerk's File No(s). 8746868, 8746869, 8746870,8746871 and 8903929.

33. Designation of the McCord-Hagan No.1 Gas Unit, Zilka-Hagan NO.3 Gas Unit and the Zilka-Hagan No.4 Gas Unit as set forth by instruments recorded under Montgomery County Clerk's File No(s). 8862184, 8900447,9024948,9029219,9047965,9054882 and 9054883. (TRACT III, IV, V, VI)

34. All of the oil, gas and other minerals and all other elements not considered a part of the surface estate all having been reserved in instrument recorded in Volume 599, Page 19 of the Deed Records of Montgomery County, Texas. (TRACTS VII, VIII, IX, X)

35. All the oil, gas, and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as the same are reserved by South Texas Development Company by instrument recorded in Volume 268, Page 385 of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)

36. All the oil, gas, and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as the same are reserved by South Texas Development Company by

instrument recorded in Volume 563, page 569 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

37. All the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as same are set forth in instrument recorded in Volume 6609, Page 396 (C426895) of the Deed Records of Harris County, Texas. Surface rights not waived. (TRACTS XV and XVI)

38. Terms, conditions and stipulations of that certain Oil, gas and mineral lease dated June 29, 1929 recorded in Volume 186, Page 14 of the Contract Records of Harris County, Texas in favor of Humble Oil & Refining Co, as ratified and confirmed in instrument dated May 3, 1933, recorded in Volume 251, Page 171 of the Contract Records of Harris County, Texas. (TRACTS XV and XVI)

39. A 30 foot private road over and across Tract I, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

40. That portion of Tracts I and VII lying within the banks of body of water, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374

41. House encroaching over and into the a southeasterly property line of Tract I, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

42. Fence does not follow property lines of Tract III, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

43. Buildings encroaching into 10 foot HL&P easement along the southwesterly property line of Tract V, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP .L.S. No. 6374.

44. Service pole and power lines located along a portion of the southwesterly property line of Tract VI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

45. Buildings located within the sanitary control easement on Tracts XV and XVI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

46. One story wood clad office building over building line along the north property line of Tract XV, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP .L.S. No. 6374.

47. Metal Clad Storage encroaching into 30 foot sanitary sewer control easement along the south line of Tract XVI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

E-FILED FOR RECORD  
11/16/2015 1:53PM

*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.

11/16/2015



*Mark Tumbull*

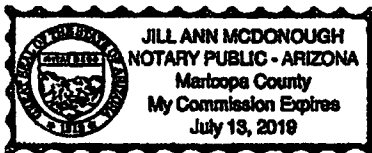
County Clerk  
Montgomery County, Texas



THE STATE OF ARIZONA §

COUNTY OF Maricopa §

This instrument was acknowledged before me on November 12, 2015, by Betty Blaschke, the President of NORTHWEST WATER SYSTEMS, INC., a Texas corporation, on behalf of said corporation.



Jill Ann McDonough  
NOTARY PUBLIC, STATE OF ARIZONA

Grantee's Address:

NERRO SUPPLY, LLC

718 Wescott Street

Houston, Texas 77007

ER 076-28-0515

**EXHIBIT "A"**  
**Legal Description**

**TRACT I:**

LOT SEVEN (7), IN BLOCK EIGHT(8), OF HAZY HOLLOW EAST ESTATES, SECTION ONE (1), A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 243 OF THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

**TRACT II:**

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.8206 ACRES, MORE OR LESS, BEING PART OF AND OUT OF THAT CERTAIN 142.3 ACRES IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN AS LOT ONE (1), BLOCK THIRTY NINE (39), HAZY HOLLOW EAST ESTATES, SECTION VI, ON THAT PLAT DATED AUGUST, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AS DESCRIBED IN THAT DEED FILED IN VOLUME 118, PAGE 485, DEED RECORDS OF SAID COUNTY, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON AXLE SET FOR SOUTHERLY CORNER OF SAID 142.3 ACRES IN THE NORTHERLY RIGHT-OF WAY LINE OF THE I & G N RR FOR PLACE OF BEGINNING;

THENCE ALONG THE SOUTHERLY BOUNDARY OF THE SAID 142.3 ACRES N 46° 26' 10" E A DISTANCE OF 165.35 FOOT TO A 1/2-INCH IRON ROD SET FOR EASTERLY CORNER;

THENCE N 43° 31' 28" W A DISTANCE OF 193.65 FEET TO A 1/2-INCH IRON ROD SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF HAZY MEADOW DRIVE, 60 FEET WIDE, FOR NORTHERLY CORNER;

THENCE ALONG SAID RIGHT-OF-WAY LINE S 46° 29' 32" W A DISTANCE OF 210.00 FEET TO A 1/2-INCH IRON ROD SET IN THE COMMON SOUTHWESTERLY BOUNDARY OF THE SAID 142.3 ACRES AND THE SAID I & G N RR RIGHT-OF-WAY LINE FOR WESTERLY CORNER;

THENCE S 56° 30' 00" E ALONG THE SAID COMMON LINE A DISTANCE OF 198.85 FEET TO THE PLACE OF BEGINNING.

**TRACT III:**

THE SURFACE ONLY OF LOT ONE (1), BLOCK SEVENTY (70), HAZY HOLLOW EAST ESTATES, SECTION IX, BEING PART OF AND OUT OF THAT 253.5-ACRE TRACT, MORE OR LESS, IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN THAT DEED FROM FLORENCE D. SIMONS, GUARDIAN OF THE ESTATE OF SALLIE E. DEAN, AN INCOMPETENT PERSON, TO D. R. CALLENDER, TRUSTEE, FILED IN VOLUME 695, PAGE 13, DEED RECORDS OF SAID COUNTY; SAID LOT SHOWN ON THAT PLAT DATED MARCH, 1970, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT ONE (1) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON PIPE MARKING THE MOST WESTERLY CORNER OF SAID 253.5-ACRE TRACT;

THENCE N 45° 19' 54" E ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID 253.5-ACRE TRACT A DISTANCE OF 524.65 FEET TO A 1/2-INCH IRON ROD SET FOR WESTERLY CORNER OF SAID LOT ONE (1) AND PLACE OF BEGINNING.

THENCE CONTINUING ALONG SAID BOUNDARY LINE N 45° 19' 54" E A DISTANCE OF 104.00 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER SET IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF PINE BARK LANE, 60 FEET WIDE;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE S 44° 40' 57" E A DISTANCE OF 183.29 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE, FOR EASTERLY CORNER;

THENCE S 45° 24' 07" W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 104.00 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N 44° 40' 57" W A DISTANCE OF 183.18 FEET TO PLACE OF BEGINNING.

**TRACT IV:**

THE SURFACE ONLY OF LOT ONE (1), BLOCK FORTY FOUR (44), HAZY HOLLOW EAST ESTATES, SECTION VII, T. P. DAVY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED FEBRUARY, 1968, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/4-INCH IRON PIPE SET FOR SOUTHERLY CORNER OF THE SAID LOT AND FOR SOUTHERLY CORNER OF THAT CERTAIN 111.2507 ACRES IN THE T. P. DAVY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED AS PARCEL NUMBER ONE IN THAT CERTAIN DEED IN CAUSE NO. 22,994, DISTRICT COURT OF SAID COUNTY, FOR PLACE OF BEGINNING;

THENCE N 45° 46' 28" E, ALONG THE SOUTHEASTERLY BOUNDARY OF THE SAID 111.2507 ACRES A DISTANCE OF 123.50 FEET TO A 1/2-INCH IRON ROD FOR EASTERLY CORNER;

THENCE N 43° 46' 38" W, A DISTANCE OF 190.37 FEET TO A 1/2-INCH IRON ROD FOR NORTHERLY CORNER SET IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HAZY MEADOW DRIVE, 60 FEET WIDE, FOR NORTHERLY CORNER;

THENCE ALONG SAID RIGHT-OF-WAY LINE, S 46° 28' 32" W, A DISTANCE OF 123.50 FEET TO A 1/2-INCH IRON ROD FOR WESTERLY CORNER SET IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SAID 111.2507 ACRES;

THENCE S 43° 46' 38" E ALONG THE SAID BOUNDARY LINE A DISTANCE OF 191.71 FEET TO THE PLACE OF BEGINNING.

**TRACT V:**

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.7768 ACRE, MORE OR LESS, BEING PART OF AND OUT OF THAT 71.3 ACRES IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, CONVEYED BY D. Y. OUALLINE, ET AL TO D. R. CALLENDER, TRUSTEE, BY VARIOUS DEEDS RECORDED IN VOLUME 648, PAGES 91-107,

DEED RECORDS OF SAID COUNTY; SAID 0.7768 ACRE SHOWN AS LOT FOUR (4), BLOCK TWENTY- THREE (23), HAZY HOLLOW EAST ESTATES, SECTION V, ON THAT PLAT DATED MAY, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT FOUR (4), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF THE SAID 71.3 ACRES FOR THE SOUTHERLY CORNER OF THE SAID LOT FOUR (4);

THENCE N. 56° 30' W. ALONG THE SOUTHWESTERLY BOUNDARY OF THE SAID 71.3 ACRES AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE H.&G.N.R.R RIGHT-OF-WAY (R.O.W.), 100 FEET WIDE, A DISTANCE OF 203.39 FEET TO A 1/2-INCH IRON ROD MARKING THE WESTERLY CORNER OF THE SAID LOT SET IN THE SOUTHEASTERLY R.O.W. LINE OF HIGH MEADOW DRIVE, 60 FEET WIDE: .

THENCE ALONG THE SAID RIGHT-OF-WAY LINE N. 45°21' 49 E. A DISTANCE OF 182.29 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 56° 30' E. A DISTANCE OF 203.39 FEET TO A 1/2-INCH IRON ROD SET FOR EASTERLY CORNER IN THE SOUTHEASTERLY BOUNDARY LINE OF THE SAID 71.3-ACRE TRACT;

THENCE S. 45° 21' 49" W, ALONG THE SAID BOUNDARY LINE A DISTANCE OF 182.29 FOOT TO THE PLACE OF BEGINNING.

#### TRACT VI:

THE SURFACE ONLY OF LOT ONE (1), BLOCK SEVENTY-SEVEN (77), HAZY HOLLOW EAST ESTATES, SECTION XI, BEING PART OF AND OUT OF THAT CERTAIN 253.5-ACRE TRACT, MORE OR LESS, IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN THAT DEED FROM FLORENCE D. SIMONS, GUARDIAN OF THE ESTATE OF SALLIE E. DEAN, AN INCOMPETENT PERSON, TO D. R. CALLENDER, TRUSTEE, FILED IN VOLUME 695, PAGE 13, DEED RECORDS OF SAID COUNTY; SAID LOT SHOWN ON THAT PLAT DATED JUNE, 1971, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT ONE (1) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON PIPE MARKING THE MOST WESTERLY CORNER OF SAID 253.5-ACRE TRACT; THENCE N. 45° 19' 54" E. ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID 253.5-ACRE TRACT A DISTANCE OF 1,768.65 FEET TO A 1/2-INCH IRON ROD SET FOR WESTERLY CORNER OF SAID LOT ONE (1) AND PLACE OF BEGINNING.

THENCE CONTINUING ALONG SAID BOUNDARY LINE N. 45° 19' 54" E. A DISTANCE OF 120.00 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER SET IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LITTLE THORN LANE, 60 FEET WIDE;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE S. 44° 40' 57" E. A DISTANCE OF 184.25 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE;

THENCE S. 45° 24' 07" W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 44° 40' 57" W. A DISTANCE OF 184.16 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THE FOLLOWING TRACT OR PARCEL OF LAND:

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 919.7 SQUARE FEET, MORE OR LESS, BEING PART OF AND OUT OF THAT CERTAIN LOT ONE (1), BLOCK SEVENTY-SEVEN (77), HAZY HOLLOW EAST ESTATES, SECTION XI, A SUBDIVISION IN THE T. P. DAVEY SURVEY, A-173, MONTGOMERY COUNTY, TEXAS, DESCRIBED MORE FULLY IN THAT DEED DATED 3 JANUARY, 1976, FROM C. R. HOCOTT, TRUSTEE, TO NORTHWEST WATER SYSTEMS, INC., AND FILED FOR RECORD IN THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS VOLUME 958, PAGE 6, AND SAID 919.7 SQUARE FEET DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE COMMON WESTERLY CORNER OF SAID LOT ONE (1) AND NORTHERLY CORNER OF LOT TWO (2), BLOCK SEVENTY-SEVEN (77), SECTION XI, OF SAID HAZY HOLLOW EAST ESTATES MARKED BY A 1/2-INCH IRON ROD;

THENCE S. 44° 40' 57" E. ALONG THE COMMON BOUNDARY LINE OF THE SAID LOT ONE (1) AND SAID LOT TWO (2) A DISTANCE OF 183.94 FEET TO A 1/2-INCH IRON ROD SET IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GOLDENROD LANE, 60 FEET WIDE, MARKING THE COMMON SOUTHERLY CORNER OF SAID LOT ONE (1) AND THE EASTERLY CORNER OF SAID LOT TWO (2);

THENCE N. 45° 24' 07" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 5.00 FEET TO A POINT FOR EASTERLY CORNER;

THENCE N. 44° 40' 57" W. A DISTANCE OF 183.94 FEET TO A POINT IN THE NORTHWESTERLY BOUNDARY OF SAID LOT ONE (1) FOR NORTHERLY CORNER;

THENCE ALONG SAID NORTHWESTERLY BOUNDARY S. 45° 19' 54" W. A DISTANCE OF 5.00 FEET TO THE PLACE OF BEGINNING, BEING 919.7 SQUARE FEET IN ALL

#### TRACT VII:

THE SURFACE ONLY OF A TRACT CONTAINING 0.6400 ACRES, MORE OR LESS, BEING PART OF THAT 142.3 ACRES, IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SAID 0.6400 ACRES SHOWN AS LOT TWO (2), BLOCK TWELVE (12), HAZY HOLLOW EAST ESTATES, SECTION II, ON THAT PLAT DATED AUGUST, 1969, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, DESCRIBED IN THAT DEED RECORDED IN VOLUME 118, PAGE 475, DEED RECORDS OF SAID COUNTY; SAID LOT TWO (2) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A 1/2-INCH IRON ROD SET IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF AZALEA TRAIL, 60 FEET WIDE, FOR SOUTHERLY CORNER OF LOT NINE (9), BLOCK SEVEN (7), HAZY HOLLOW EAST ESTATES, SECTION I, AS SHOWN ON THAT PLAT RECORDED IN VOLUME 7, PAGE 243, MAP RECORDS OF SAID COUNTY;

THENCE S. 45° 58' 10" W. A DISTANCE OF 30.725 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER OF SAID LOT TWO (2) AND PLACE OF BEGINNING;

THENCE S. 36° 18' 29" E. A DISTANCE OF 222.91 FEET TO A POINT FOR EASTERLY CORNER;

THENCE S. 70° 27' 46" W. A DISTANCE OF 60.00 FEET TO A POINT OF INTERSECTION;

THENCE N. 74° 18' 05" W. A DISTANCE OF 123.15 FEET TO A POINT OF INTERSECTION;  
THENCE S. 88° 54' 11" W. A DISTANCE OF 131.62 FEET TO A 1/2-INCH IRON ROD SET FOR  
WESTERLY CORNER;

THENCE N. 45° 58' 10" E. A DISTANCE OF 243.00 FEET TO PLACE OF BEGINNING.

**TRACT VIII:**

THE SURFACE ONLY OF THE SOUTHEAST ONE-HALF (S.E. 1/2) OF LOT FOUR (4), BLOCK  
TEN (10), HAZY HOLLOW EAST ESTATES, SECTION II, T. P. CARTWRIGHT SURVEY, A-  
141, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JANUARY  
27, 1967, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER DESCRIBED BY  
METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER IN THE  
SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE  
NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & GN R.R., 100 FEET WIDE, S. 56° 30' E. A  
DISTANCE OF 749.99 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD  
MARKING THE SOUTHERLY CORNER OF RESERVE "B," HAZY HOLLOW EAST ESTATES,  
SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY  
COUNTY, TEXAS, AS SHOWN ON THAT MAP OR PLAT RECORDED IN THE MAP RECORDS  
OF SAID COUNTY, COUNTY CLERK FILE NO. 178226; .

THENCE N. 56° 30' W. ALONG SAID BOUNDARY LINE A DISTANCE OF 67.5 FEET TO A 5/8-  
INCH IRON ROD SET FOR WESTERLY CORNER OF SAID TRACT;

THENCE N. 45° 58' 10" E. A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD SET FOR  
NORTHERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60  
FEET WIDE;

THENCE S. 56° 30' E. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 67.5 FEET TO A 5/8-  
INCH IRON ROD SET FOR EASTERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT IX:**

THE SURFACE ONLY OF THE SOUTHEAST ONE-HALF (S.E. 1/2) OF LOT THREE (3), BLOCK  
TEN (10), HAZY HOLLOW EAST ESTATES; SECTION II, T. P. CARTWRIGHT SURVEY, A-  
141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED JANUARY 27, 1967,  
BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER  
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR WESTERLY CORNER IN THE  
SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE  
NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & G N RR. 100 FEET WIDE S. 56° 30' E. A  
DISTANCE OF 548.88 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD  
MARKING THE SOUTHERLY CORNER OF RESERVE "B", HAZY HOLLOW EAST ESTATES,  
SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY

COUNTY, TEXAS, SHOWN ON THAT MAP OR PLAT THEREOF FILED IN THE MAP RECORDS OF SAID COUNTY, COUNTY CLERK FILE 178226;

THENCE S. 56° 30' E. ALONG SAID BOUNDARY A DISTANCE OF 66.11 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 45° 58' 10" E. A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD FOR EASTERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60 FEET WIDE;

THENCE N. 56° 30' W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 66.11 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT X:**

THE SURFACE ONLY OF THE NORTHWEST ONE-HALF (NW1/2) OF LOT FOUR (4), BLOCK TEN (10), HAZY HOLLOW EAST ESTATES, SECTION II, T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED JANUARY 27, 1967, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET FOR WESTERLY CORNER IN THE SOUTHWESTERLY BOUNDARY LINE OF SAID SECTION II, WHICH IS THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE I & G N RR, 100 FEET WIDE, S. 56° 10' E, A DISTANCE OF 614.98 FEET ALONG SAID RIGHT-OF-WAY LINE FROM A 5/8-INCH IRON ROD MARKING THE SOUTHERLY CORNER OF RESERVE "B", HAZY HOLLOW EAST ESTATES, SECTION I, A SUBDIVISION IN THE T. P. CARTWRIGHT SURVEY, A-141, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT MAP OR PLAT FILED IN THE MAP RECORDS OF SAID COUNTY, COUNTY CLARK FILE NO. 178226;

THENCE S. 56° 30' E. ALONG SAID BOUNDARY A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N. 45° 58' 10" E, A DISTANCE OF 178.61 FEET TO A 5/8-INCH IRON ROD SET FOR EASTERLY CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FAWN LANE, 60 FEET WIDE;

THENCE N. 56° 30' W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 67.5 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S. 45° 58' 10" W. A DISTANCE OF 178.61 FEET TO PLACE OF BEGINNING.

**TRACT XI:**

THE SURFACE ONLY OF LOT SIXTEEN (16), BLOCK TWENTY (20 ), WHITE OAK VALLEY ESTATES, SECTION IV, CLARK BEACH SURVEY, A-79, MONTGOMERY COUNTY, TEXAS, SHOWN ON THAT PLAT DATED MARCH 26, 1970, BY JACK C. MCKNIGHT, REGISTERED ENGINEER, OF THAT CERTAIN 120,9119 ACRES PARTITIONED AS SAID SECTION IV; SAID LOT SIXTEEN (16) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE INTERSECTION POINT OF THE NORTHERLY RIGHT-OF-WAY LINE OF F. M. ROAD 3083, 100 FEET WIDE, AND THE WESTERLY BOUNDARY OF THAT CERTAIN 160 ACRES DESCRIBED IN VOLUME 297, PAGE 319 OF THE DEED RECORDS OF THE SAID COUNTY FOR PLACE OF BEGINNING;

THENCE FOLLOWING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,948.00 FEET AND A CENTRAL ANGLE OF  $07^{\circ} 01' 26''$  A DISTANCE OF 238.81 FEET TO A 1/2-INCH IRON ROD SET FOR SOUTHERLY CORNER;

THENCE N.  $00^{\circ} 27' 02''$  W. A DISTANCE OF 180.27 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S.  $89^{\circ} 32' 58''$  W. A DISTANCE OF 217.34 FEET TO A 5/8- INCH IRON ROD SET IN THE SAID WESTERLY BOUNDARY FOR NORTHWESTERLY CORNER;

THENCE S.  $00^{\circ} 27' 02''$  E. ALONG THE SAID BOUNDARY A DISTANCE OF 81.64 FEET TO THE PLACE OF BEGINNING.

#### TRACT XII:

THE SURFACE ONLY OF BLOCK FIFTEEN (15), WHITE OAK VALLEY ESTATES, SECTION III, CLARK BEACH SURVEY, A-79, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, AND PREPARED BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND SAID BLOCK FIFTEEN (15) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR SOUTHWESTERLY CORNER S.  $00^{\circ} 27' 30''$  E. A DISTANCE OF 659.87 FEET FROM A 1/2-INCH IRON ROD SET FOR THE MOST NORTHERLY WESTERLY CORNER OF THAT CERTAIN 160 ACRES DESCRIBED IN THAT DEED RECORDED IN THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, VOLUME 297, PAGE 319;

THENCE N.  $89^{\circ} 30' 30''$  E. A DISTANCE OF 199.47 FEET TO A 1/2- INCH IRON ROD SET FOR SOUTHEASTERLY CORNER IN THE WESTERLY RIGHT-OF-WAY LINE OF LEAFY LANE, 60 FEET WIDE;

THENCE N.  $00^{\circ} 27' 02''$  W. ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 224.91 FEET TO A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE INTERSECTION POINT OF THE SAID WESTERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST-WEST DRIVE, 60 FEET WIDE;

THENCE S.  $89^{\circ} 33' 12''$  W. A DISTANCE OF 199.50 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE TO A 1/2-INCH IRON ROD SET FOR NORTHWESTERLY CORNER;

THENCE S.  $00^{\circ} 27' 30''$  E. A DISTANCE OF 225.08 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OR SAID TRACT CONVEYED TO IMELDA GONZALEZ AND PAULO GONZALEZ IN DEED RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE NO. 2014124387



**TRACT XIII:**

THE SURFACE ONLY OF A TRACT FOR A WATER WELL SITE DESCRIBED AS THAT 0.0106-ACRE TRACT, BEING PART OF AND OUT OF THE NORTHEASTERLY CORNER OF LOT ONE (1), BLOCK THREE (3), SHADY BROOK ACRES, SECTION ONE (1), AND BEING MORE PARTICULARLY DESCRIBED BY MATES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE WESTERLY RIGHT-OF-WAY LINE OF THE NICHOLS-SAWMILL ROAD, 100.0 FEET WIDE, MARKING THE NORTHEASTERLY CORNER OF THE SAID WELL SITE AND OF THE SAID LOT ONE (1);

THENCE IN A SOUTHERLY DIRECTION ALONG THE SAID RIGHT-OF-WAY LINE FOLLOWING THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,008.64 FEET AND A CENTRAL ANGLE OF  $0^{\circ} 36' 58''$  A DISTANCE OF 21.39 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHEASTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $89^{\circ} 34' 10''$  W. A DISTANCE OF 22.0 FEET TO A 5/8-INCH IRON ROD SET FOR SOUTHWESTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $4^{\circ} 02' 23''$  E. A DISTANCE OF 21.39 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHWESTERLY CORNER OF THE SAID WELL SITE;

THENCE N.  $89^{\circ} 47' 00''$  E. A DISTANCE OF 21.30 FEET TO THE PLACE OF BEGINNING.

**TRACT XIV:**

THE SURFACE ONLY OF A TRACT OF LAND CONTAINING 0.1048 ACRES, BEING PART OF AND OUT OF THAT CERTAIN TRACT KNOWN AS RESERVE A, BLOCK THREE (3), SHADY BROOK ACRES, SECTION 1, A SUBDIVISION IN THE C. T. WARD SURVEY, A-612, MONTGOMERY COUNTY, TEXAS, AS SHOWN ON THAT PLAT THEREOF FILED FOR RECORD IN THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS, VOLUME 7, PAGE 109, AND SAID 0.1048 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD SET IN THE WESTERLY RIGHT-OF-WAY LINE OF NICHOLS SAWMILL ROAD, 100 FEET WIDE, FOR SOUTHEASTERLY CORNER OF THE SAID TRACT AND THE SAID RESERVE A;

THENCE IN A NORTHERLY DIRECTION ALONG THE SAID RIGHT-OF-WAY LINE FOLLOWING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2,008.64 FEET AND A CENTRAL ANGLE OF  $01^{\circ} 17' 02''$  A DISTANCE OF 45.01 FEET TO A 5/8-INCH IRON ROD SET FOR NORTHERLY CORNER;

THENCE S.  $89^{\circ} 29' 02''$  W. A DISTANCE OF 104.46 FEET TO A 5/8-INCH IRON ROD SET IN THE EASTERLY LINE OF THE SAID RESERVE A FOR NORTHWESTERLY CORNER;

THENCE S.  $04^{\circ} 19' 40''$  E. ALONG THE SAID BOUNDARY A DISTANCE OF 45.07 FEET TO A 5/8-INCH IRON ROD SET FOR, COMMON SOUTHWESTERLY CORNER OF THE SAID TRACT AND THE SAID RESERVE A;

THENCE N. 89° 47' 00" S. ALONG THE COMMON BOUNDARY OF SAID RESERVE A AND LOT ONE (1), BLOCK THREE (3), SHADY BROOK ACRES, SECTION 2, A DISTANCE OF 98.83 FEET TO THE PLACE OF BEGINNING.

**TRACT XV:**

THE SURFACE ONLY OF LOT FIVE (5), BLOCK ELEVEN (11), SPRING CREEK VALLEY ESTATES, SECTION II, JOSEPH HOUSE SURVEY, A-34, HARRIS COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, BY JACK C. MCKNIGHT, REGISTERED ENGINEER; SAID LOT FIVE (5) DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE SOUTHERLY RIGHT-OF-WAY LINE OF QUAKING ASPEN LANE, 60 FEET WIDE, S. 89° 55' 34" E. A DISTANCE OF 903.86 FEET FROM A 1/2-INCH IRON ROD SET IN THE EASTERLY BOUNDARY LINE OF HARRIS COUNTY SPRING CREEK PARK FOR POINT OF INTERSECTION, SAID POINT BEING N. 00° 22' 11" W. ALONG SAID BOUNDARY LINE A DISTANCE OF 2,573.70 FEET FROM A 1/2-INCH IRON PIPE MARKING THE MOST EASTERLY SOUTHERLY CORNER OF SAID PARK IN THE NORTHERLY RIGHT-OF-WAY LINE OF BROWN ROAD, 60 FEET WIDE, SAME 1/2-INCH PIPE MARKING THE SOUTHWESTERLY CORNER OF THAT 112.71 ACRES CONVEYED IN THAT DEED DATED OCTOBER 17, 1967, FROM JESSE C. POWELL AND WIFE, SANDRA LEE POWELL, RECORDED IN VOLUME 6960, PAGE 454, DEED RECORDS OF SAID COUNTY;

THENCE N. 89° 55' 34" W. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD SET FOR NORTHWESTERLY CORNER;

THENCE S. 00° 04' 26" W. A DISTANCE OF 185.00 FEET TO A 5/8- INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER;

THENCE S. 89° 55' 34" E. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER;

THENCE N. 00° 04' 26" E. A DISTANCE OF 185.00 FEET TO PLACE OF BEGINNING.

**TRACT XVI:**

THE SURFACE ONLY OF LOT SIX (6), BLOCK ELEVEN (11), SPRING CREEK VALLEY ESTATES, SECTION II, JOSEPH HOUSE SURVEY, A-34, HARRIS COUNTY, TEXAS, AS SHOWN ON THAT PLAT DATED JULY, 1968, AND PREPARED BY JACK C. MCKNIGHT, REGISTERED ENGINEER, AND SAID LOT SIX (6), BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET FOR NORTHEASTERLY CORNER IN THE SOUTHERLY RIGHT-OF-WAY LINE OF QUAKING ASPEN LANE, 60 FEET WIDE, S. 89° 55' 34" E. A DISTANCE OF 783.86 FEET FROM A 1/2-INCH IRON ROD SET IN THE EASTERLY BOUNDARY LINE OF HARRIS COUNTY SPRING CREEK PARK FOR POINT OF INTERSECTION, AND SAID POINT OF INTERSECTION BEING N. 00° 22' 11" W. ALONG THE SAID BOUNDARY A DISTANCE OF 2,573.70 FEET FROM A 1/2-INCH IRON PIPE MARKING THE MOST EASTERLY SOUTHERLY CORNER OF THE SAID PARK IN THE NORTHERLY RIGHT-OF-WAY LINE OF BROWN ROAD, 60 FEET WIDE, AND THE SAME 1/2-INCH PIPE MARKING THE SOUTHWESTERLY CORNER OF THAT 112.71-ACRE TRACT OF LAND

CONVEYED IN THAT DEED DATED OCTOBER 17, 1967, FROM JESSE C. POWELL AND WIFE, SANDRA LEE POWELL; FILED FOR RECORD IN THE DEED RECORDS OF HARRIS COUNTY, TEXAS, VOLUME 6960, PAGE 454;

THENCE N. 89° 55' 34" W. A DISTANCE OF 120.00 FEET TO A 5/8- INCH IRON ROD SIT FOR NORTHWESTERLY CORNER;

THENCE S. 00° 24' 26" W. A. DISTANCE OF 185.00 FEET TO A 5/8-INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER;

THENCE S. 89° 55' 34" E. A DISTANCE OF 120.00 FEET TO A 5/8-INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER;

THENCE N. 00° 04' 26' E. A DISTANCE OF 185.60 FEET TO THE PLACE OF BEGINNING.

**EXHIBIT "B"**

**EXCEPTIONS FROM COVERAGE**

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

Those set out on plat recorded in Volume 7, Page 243 of the Map Records of Montgomery County, Texas. (TRACT I)

Those set out in instrument recorded in Volume 596, Page 153 of the Deed Records of Montgomery County, Texas (TRACTS I, II, III, IV, V, VI, VII, VIII, IX, X)

Those set out in instrument recorded in Volume 699, Page 661 of the Deed Records of Montgomery County, Texas. (TRACTS VII, VIII, IX, X)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2005-141062. (TRACT I)

Those set out in instrument recorded under Montgomery County Clerk's File No. 8339646. (TRACT II)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2001-007663. (TRACT III)

Those set out in instrument recorded under Montgomery County Clerk's File No. 2005-141061. (TRACT VII)

Those set out in instruments recorded in Volume 585, Page 560 and Volume 595, Page 93, both of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)

Those set out in instruments recorded under Montgomery County Clerk's File No(s). 8752864, 8752865 and 8752867. (TRACT XI)

Those set out in instrument recorded under Montgomery County Clerk's File No. 8356004. (TRACT XII)

Those set out on plat recorded in Volume 7, Page 109 of the Map Records of Montgomery County, Texas, and in instruments recorded in Volume 572, Page 156 and Volume 595, Page 95, both of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

Those set out in instruments recorded in Volume 7116, Page 115 (C671961); Volume 7232, Page 23 (C726857) and Volume 7948, Page 249 (D080488) of the Deed Records of Harris County, Texas. (TRACT XV and XVI)

2. Drainage easement fifteen (15) feet on each side of the center line of all natural drainage courses, as set out on plat recorded in Volume 7, Page 243 of the Map Records of Montgomery County, Texas. (TRACT I)
3. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2005-141062. (TRACT I)
4. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 8339646. (TRACT II)
5. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 8 of the Deed Records of Montgomery County, Texas. (TRACT III, VI)
6. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2001-007663. (TRACT III)
7. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 1 of the Deed Records of Montgomery County, Texas. (TRACT IV)
8. Easement granted to Houston Lighting and Power Company, as set forth and defined in instrument recorded in Volume 694, Page 693 of the Deed Records of Montgomery County, Texas. (TRACT V)
9. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 938 of the Deed Records of Montgomery County, Texas. (TRACT V)
10. Water line easement ten (10) feet in width along roadways created by the instrument recorded in Volume 957, Page 946 of the Deed Records of Montgomery County, Texas. (TRACTS I, VII, VIII, IX, X)
11. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 2005-141061. (TRACT VII)
12. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 15 of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)
13. Terms, conditions and stipulations of those certain Sanitary Control Easements recorded under Montgomery County Clerk's File No(s). 8752864, 8752865 and 8752867. (TRACT XI)
14. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded under Montgomery County Clerk's File No. 8356004. (XII)

15. Drainage easement fifteen (15) feet on each side of the center line of all natural drainage courses as set out on plat recorded in Volume 7, page 109 of the Map Records of Montgomery County, Texas. (TRACT XIII, XIV)
16. Building line thirty-five (35) feet wide along and adjacent to all roadways as reserved in instrument recorded in Volume 572, Page 156 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)
17. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded in Volume 958, Page 10 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)
18. Building Set Back Line twenty-five (25) feet in width along the front property line as reflected in instrument recorded in Volume 7116, Page 115 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
19. Building Set Back Line five (5) feet in width along the rear and side property line as reflected in instrument recorded in Volume 7116, Page 115 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
20. Terms, conditions and stipulations of that certain Sanitary Control Easement recorded in Volume 7232, Page 23 (C726857) of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
21. Water line easement granted to Northwest Water Systems, as set forth and defined in instrument recorded under Harris County Clerk's File No. E917149. (TRACTS XV and, XVI)
22. An easement five (5) feet wide along the rear property line, together with an aerial easement five (5) feet wide, located adjacent to and adjoining the aforementioned five (5) foot easement, from a plane twenty (20) feet above the ground upward, granted to Houston Lighting & Power Company, as set forth and defined in instrument recorded in Volume 7067, Page 374 (C647720) of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
23. Unlocated pipeline right-of-way easement in favor of Stanolind Pipe Line Company, as set forth in instrument recorded in Volume 937, Page 461 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
24. Unlocated pipeline right-of-way easement in favor of Humble Oil & Refining Co. as set forth in instrument recorded in Volume 931, Page 738 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
25. Unlocated water pipeline right-of-way easement, as set forth in instrument recorded under Clerk's File No. E917149 of the Real Property Records of Harris County, Texas. (TRACTS XV and XVI)

26. A right of Way as granted to Texas Southwestern Gas Company recorded in Volume 7686, Page 500 and amended in Volume 7686, Page 504 and Volume 7686, Page 506 of the Deed Records of Harris County, Texas. (TRACTS XV and XVI)
27. 1/2 of all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 466, Page 532, of the Deed Records of Montgomery County, Texas. (TRACT I, VII, VIII, IX, X)
28. 1/4th of all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 574, Page 504, of the Deed Records of Montgomery County, Texas. (TRACTS I, VII, VIII, IX, X)
29. Terms, conditions and stipulations of those certain Oil, Gas and Mineral Lease(s), together with all rights incident thereto, recorded under Montgomery County Clerk's File No(s). 8425050, 8425051, 8427317, 8703872, 8703874, 8703875, 8703876, 8703877, 8703879, 8703880, 8703942, 8704341, 9440328, 9440329, 9440330, 9440331, 9443718, 9443719, 9443720, 9443721 and 9443722. (TRACT I)
30. Designation of the McCord-Hagen No. 2 Gas Unit as set forth by instruments recorded under Montgomery County Clerk's File No(s). 9021389 and 8900448. (TRACT I)
31. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument recorded in Volume 695, Page 13, of the Deed Records of Montgomery County, Texas. (TRACT III, IV, V, VI, IX, X)
32. Terms, conditions and stipulations of that certain Oil, Gas and Mineral Lease recorded in Volume 271, Page 169 of the Deed Records of Montgomery County, Texas. (TRACT III, IV, V, VI) Amended by instruments recorded under Montgomery County Clerk's File No(s). 8746868, 8746869, 8746870, 8746871 and 8903929.
33. Designation of the McCord-Hagan No.1 Gas Unit, Zilka-Hagan NO.3 Gas Unit and the Zilka-Hagan No.4 Gas Unit as set forth by instruments recorded under Montgomery County Clerk's File No(s). 8862184, 8900447, 9024948, 9029219, 9047965, 9054882 and 9054883. (TRACT III, IV, V, VI)
34. All of the oil, gas and other minerals and all other elements not considered a part of the surface estate all having been reserved in instrument recorded in Volume 599, Page 19 of the Deed Records of Montgomery County, Texas. (TRACTS VII, VIII, IX, X)
35. All the oil, gas, and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as the same are reserved by South Texas Development Company by instrument recorded in Volume 268, Page 385 of the Deed Records of Montgomery County, Texas. (TRACT XI, XII)
36. All the oil, gas, and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as the same are reserved by South Texas Development Company by

instrument recorded in Volume 563, page 569 of the Deed Records of Montgomery County, Texas. (TRACT XIII, XIV)

37. All the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same, as same are set forth in instrument recorded in Volume 6609, Page 396 (C426895) of the Deed Records of Harris County, Texas. Surface rights not waived. (TRACTS XV and XVI)

38. Terms, conditions and stipulations of that certain Oil, gas and mineral lease dated June 29, 1929 recorded in Volume 186, Page 14 of the Contract Records of Harris County, Texas in favor of Humble Oil & Refining Co, as ratified and confirmed in instrument dated May 3, 1933, recorded in Volume 251, Page 171 of the Contract Records of Harris County, Texas. (TRACTS XV and XVI)

39. A 30 foot private road over and across Tract I, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

40. That portion of Tracts I and VII lying within the banks of body of water, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374

41. House encroaching over and into the a southeasterly property line of Tract I, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

42. Fence does not follow property lines of Tract III, shown on survey dated July 13, 2015, prepared under Job No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

43. Buildings encroaching into 10 foot HL&P easement along the southwesterly property line of Tract V, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP .L.S. No. 6374.

44. Service pole and power lines located along a portion of the southwesterly property line of Tract VI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

45. Buildings located within the sanitary control easement on Tracts XV and XVI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.

46. One story wood clad office building over building line along the north property line of Tract XV, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP .L.S. No. 6374.

47. Metal Clad Storage encroaching into 30 foot sanitary sewer control easement along the south line of Tract XVI, shown on survey dated July 13, 2015, prepared under Cause No. 15-0089, by Paul A. Coyne, RP.L.S. No. 6374.



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# Pages 18

11/17/2015 08:15 AM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$80.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS

COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

ER 076-28-0531

**BORROWER'S STATEMENT - Continued**

		\$	DEBIT	\$	CREDIT
Policies to be issued:					
Loan Policy					
Coverage: \$500,000.00	Premium: \$100.00	Version: Loan Policy of Title Insurance (T-2) - 2014			
<b>RECORDING CHARGES</b>					
Recording fees	Alamo Title Company		75.00		
RE: Deed-Montgomery County					
eFile Fees	Alamo Title Company		18.00		
Recording Fees	Alamo Title Company		80.00		
RE: Deed-Harris County					
Recording Fees	Alamo Title Company		159.00		
RE: Deed of Trust-Montgomery					
Recording Fees	Alamo Title Company		164.00		
RE: Deed of Trust-Harris					
Recording Fees	Alamo Title Company		75.00		
RE: Assign of Leases-Montgomery					
Recording Fees	Alamo Title Company		80.00		
RE: Assign of Leases-Harris					
Recording Fees	Alamo Title Company		30.00		
RE: State UCC					
<b>MISCELLANEOUS CHARGES</b>					
Survey	Tetra Surveys		18,781.38		
Lender's Attorney Fees	Chernosky, Smith, Resslering & Smith, PLLC		3,411.14		
Consulting Fee	John T. King		7,000.00		
Consulting Fee	Charlie Gasper		17,500.00		
Subtotals			751,073.62	511,598.66	
Balance Due FROM Borrower				239,474.96	
<b>TOTALS</b>			751,073.62	751,073.62	