



Control Number: 44849



Item Number: 1

Addendum StartPage: 0

BRANSCOMB | PC

44849

Rhonda G. Jolley
E-mail: rjolley@branscombpc.com
Direct Line: (210) 598-5406

June 4, 2015

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

2015 JUN 16 PM 2:48
Jolley, Rhonda G.

Re: Childress Creek Water Supply Corporation: Application to Decertify a portion of Water Certificate of Convenience and Necessity No. 11000; Application for Exempt Utility Registration for VM Neighbors Water Group

To Whom It May Concern:

Enclosed, please find (1) a completed Application to Decertify a portion of Childress Creek Water Supply Corporation's CCN and exhibits ("Decertification Application") and (2) an Application for Exempt Utility Registration (Exempt Utility Application") for VM Neighbors Water Group ("VMNWG"). While these two Applications are independent requests, we are sending them at the same time, as they apply to the same property and work "hand in hand."

Please consider the Decertification Application first. The area to be decertified is highlighted in green on Exhibit "F" (Tract 1 and Tracts 3-10) ("Decertified Tracts"). The Decertified Tracts are not currently receiving, nor have they ever received, water or wastewater services from Childress Creek Water Supply Corporation ("Childress Creek").

My associate, Abby Johanson, has worked closely with Lisa Fuentes of the Water Utilities Division Staff to complete the Decertification Application. As the Public Utility Commission does not currently maintain a form specifically for the purpose of decertification of a portion of a CCN, Ms. Johanson was instructed by Ms. Fuentes to alter the Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity ("Application to Obtain CCN") for this purpose for use as a Decertification Application. As such, many sections of the form do not apply and numerous alterations to the form and notices were necessary to fit the purpose of decertification. In an effort to aid your review of the Application, commentary and changes have been highlighted in green on the original Application to Obtain CCN.

Ms. Fuentes advised Ms. Johanson that the most recent audit of the applicant, Childress Creek, is acceptable in lieu of the financial information sheets attached to the Application to Obtain CCN. Pursuant to Ms. Fuentes' instructions, a copy of the most recent audit of Childress Creek is attached to the end of the Decertification Application.

SAN ANTONIO



AUSTIN



CORPUS CHRISTI



HOUSTON

711 Navarro, Suite 500 | San Antonio, Texas 78205 | 210-598-5400 Fax 210-598-5405 | www.branscombpc.com



Branscomb | PC is a member of the International Society of Professional Engineers

Additionally, although not a requirement, Ms. Fuentes conveyed to Ms. Johanson the PUC's preference for digital mapping data. Unfortunately, digital mapping data is unavailable for the proposed area to be decertified as the original surveys of the tracts comprising the area to be decertified were completed nearly a decade ago and the surveyor has since retired. Ms. Fuentes did indicate that metes and bounds descriptions of the area to be decertified are acceptable in the event that digital mapping data is unavailable, in particular in this case. The metes and bounds descriptions of the Tracts 1 and Tract 3 -10, the tracts comprising the area to be decertified, are attached to the Decertification Application as Exhibit "G".

Childress Creek requests that the Public Utility Commission decertify the Decertified Tracts, effectively releasing the Decertified Tracts from the certified area of Childress Creek. Upon affirmation of PUC's receipt and review of this letter and enclosed application, Childress Creek will publish notices pursuant to the application's notice requirements.

I have been working with Patricia Coy, the local attorney for Childress Creek, in the preparation of the Decertification Application. Childress Creek is as anxious as VM Neighbors Water Group to complete decertification.

Immediately upon approval of the decertification requested in the Decertification Application please consider the enclosed Application for Exempt Utility Registration with exhibits attached (Exempt Utility Application") for VM Neighbors Water Group ("VMNWG"). If, in fact, any work can begin on the Exempt Utility Application prior to decertification, that would be greatly appreciated.

VMNWG has developed the ten tracts of land depicted on the plat attached to the Exempt Utility Application and currently provides water service to Tracts 3-10 ("Serviced Tracts"), as the Serviced Tracts have never received water or wastewater services from the current CCN holder, Childress Creek. In November of 2012, VMNWG entered into a Water Purchase Agreement with Command Decisions, Inc. to operate a water delivery system ("System") to serve the Serviced Tracts. VMNWG uses the water as a public water supply for residential family use to supply water to the eight single-family homes located on the Serviced Tracts. The eight single-family homes use the water for domestic use only, and the water is delivered to the Serviced Tracts by the water connections constructed on each Tract. VMNWG does not have any plans to add additional water connections to the Tracts.

VMNWG is eligible for Exempt Utility status as (1) it only has 8 connections; (2) it is not owned by or affiliated with another provider of retail potable water service; (3) it will **no longer be** within the CCN of another retail water service provider; (4) it is not within the corporate boundaries of a district or municipality; (5) it will change rates less than twice per year and with each rate change it will provide each customer with a notice of the rate change which informs the customer of the effective date of the rate change, the old rates, the new rate and notice that written protests can be sent to the Commission's address which will be included on the notice;

Public Utility Commission of Texas
June 4, 2015
Page 3

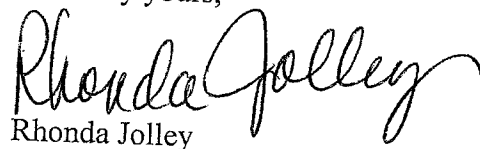
and (6) it provides customers with a copy of the tariff at the time they request service; the tariff includes Customer Notice and service rules as written on the Commission's model tariff.

Because of a number of different issues, the attempt to decertify and obtain Exempt Utility status has been ongoing since March of 2014. We were hopeful we could complete the project before the responsibility for these applications was moved to the PUC simply to avoid any additional complexities. We are very fortunate that Ms. Fuentes has been working on this project with us before the transition to PUC. She has been very helpful; I believe she can attest to our efforts to complete the project.

We feel it is very important to finalize both application approvals. Neither Childress Creek nor VMNWG want to be in non-compliance with PUC. If there is anything we can do to accelerate the process, please let us know, including meeting with staff in Austin.

Thank you for your attention to this matter. Should you have any questions or require any additional information, please do not hesitate to contact me so we may discuss this issue further.

Sincerely yours,


Rhonda Jolley

Cc: Lisa Fuentes
Jay Dickens
Patricia Coy



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER
SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

Public Utility Commission of Texas Application for Exempt Utility Registration

Docket Number: **44849**

(this number to be assigned by the Public Utility Commission after your application is filed)

7 copies of the application, including the original shall be filed with

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

If submitting digital map data, two copies of the portable electronic storage medium (such as CD or DVD) are required.

Table of Contents

GENERAL INFORMATION AND INSTRUCTIONS.....	1
EXEMPT UTILITY INFORMATION FORM.....	1
MINIMUM REQUIREMENTS FOR EXEMPTION	2
TARIFF	2
RATE PAGE	3
SERVICE RULES.....	3
SERVICE AGREEMENTS.....	3
EXEMPT UTILITY INFORMATION FORM	4
WATER SERVICE APPLICATION/AGREEMENT.....	9

General Information and Instructions

Exempt Utility Information Form

If your water system meets certain requirements, summarized below, you may be exempt from the requirements to possess a certificate of convenience and necessity (CCN). A CCN is a specific service area in which you are obligated to serve. If you are exempt, you may operate with very little regulatory oversight provided your customers are generally satisfied with your rates and level of service. You will be limited in the number of potential connections you serve. You will also not be protected from competition from other water service providers. However, you will not be required to serve everyone who asks you for service. There is no filing fee but we will need some basic information from you so that we may keep you informed of any changes to the requirements relating to your exemption. Because this exemption is granted by commission rule rather than State Law, it is subject to change. It is therefore very important that we have your current mailing address and phone number on file so we may inform you as changes develop. We

ask that you inform us of any address or phone number changes as they occur.

Please complete the information form and provide a map. Your exemption will remain in effect as long as you continue to meet all of the requirements listed below unless the current law or commission rules are changed.

Minimum Requirements For Exemption

1. The water system has less than 15 potential service connections.
2. The water system is not owned by or affiliated with another provider of retail potable water service.
3. The water system is not within the certificated area of another retail water service provider.
4. The water system is not within the corporate boundaries of a district or municipality.
5. The water system cannot change rates more than twice per year and with each rate change you must provide each customer with a notice of the rate change. The notice must inform the customers of the effective date of the rate change, the old rates, the new rates and must include a statement that written protests can be sent to the commission's address at: Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 133236, Austin, Texas 78711-3326.
6. You provide customers with a copy of your tariff upon request. This includes CUSTOMER NOTICE and service rules as written on the attached model tariff and provide service in compliance with these customer service rules.

Provide a detailed map of the area to be served. Maps should include information to accurately delineate the service area. For existing CCN's attach the CCN map identifying the exact service area with each copy of the application.

PLEASE COMPLETE, SIGN AND RETURN AN ORIGINAL AND SEVEN COPIES OF THE APPLICATION FORM, REQUESTED MAPS AND TARIFF.

The completed information should be sent to:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Tariff

A tariff is simply a listing of the rates and service rules under which water service is provided. All service policies that you are required to follow to maintain your exempt status are included. You should also add any other policies necessary to clarify the conditions under which service is provided. A thorough set of service policies can prevent misunderstandings between you and your customers later.

Every tariff page should include the name of your system, the effective date of that page and the page number. Blanks can be filled in and additional rules hand written.

Rate Page

This page should list of all of the rates and fees for services rendered. Rates can only be changed by providing notice to your customers in accordance with your tariff. Rates should be non-discriminatory between similarly situated customers. Customer deposits are typically no higher than two average monthly billings. The fee for reconnecting service to a customer who has been disconnected for nonpayment, in addition to the amount owed for service, should not exceed \$25.00 unless the cost of disconnection and reconnection actually exceeds \$25.00. The utility may elect to charge a one-time charge for payments received after the due date of either \$5.00 or 10% of the bill.

You must always keep a copy of at least the rate schedule which was effective prior to the most current rate schedule in case questions arise later. Extra blank copies are provided in your registration packet for you to use with future rate changes.

Service Rules

The minimum service rules which the commission requires exempt utilities to follow to maintain an exemption from the requirements of possessing a CCN have already been included in the attached model tariff and may not be changed. You may include any additional rules you think are applicable as long as they are not in conflict with these minimum rules. It is your responsibility to ensure that your operations are at all times consistent with these minimum rules in order to maintain your exempt status.

Service Agreements

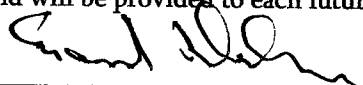
We highly recommend that you use a service agreement with your customers. A service agreement will ensure that there are no misunderstandings between you and your customers.

EXEMPT UTILITY INFORMATION FORM

1. Water System Name or Subdivision VM Neighbors Water Group
2. Water System Address (City/ST/ZIP/Code) P.O. Box 368, Hubbard, Texas 76648
3. Water System Phone Number and Fax (254) 576-1941 (254) 576-1314
4. Is the applicant the original owner of this system? ☐ Yes ☒ No
If the answer is no, when was the system acquired? 11/1/2012
Who was the immediate preceding owner? Bert Dickens, Inc
5. If applicant does not own the system, please provide the following information:
Who owns the utility's assets? Command Decisions, Inc.
Address and Telephone Number 500 Log Cabin Road, Mertzon, Texas 76941
What type of agreement do you have to operate them?

A Water Purchase Agreement
6. Water Service Connections
Are your connections ☒ Metered ☐ Unmetered
Number of Active Connections 9
Number of Potential Connections 9
7. Source of water for your system:
Well(s) 1
Purchased Yes
Surface Water _____
(Purchased From Whom) Command Decisions, Inc.
8. Provide a detailed map of the area to be served with each copy of the application submitted. Maps should include sufficient information to accurately delineate the service area. Attach a map identifying the exact service area with each copy of the application.
9. Number of population served: _____

CERTIFICATION: The information provided on this form is true to the best of my knowledge and belief. A copy of the required **CUSTOMER NOTICE** and **SERVICE RULES** will be provided to each current customer and will be provided to each future customer at the time they connect to the system.



Carl Dickens, President

5-31-2015

Date

EXEMPT UTILITY INFORMATION FORM

Effective Date _____			
VM Neighbors Water Group			
(Water System Name)		(Phone Number)	
P.O. Box 368	Hubbard	Texas	76648
(Utility Address)	(City)	(State)	(Zip Code)

RATE SCHEDULE	Monthly Minimum Charge	Gallonage Charge
Residential	\$ 50.00 (INCLUDING 0	GALLONS) \$ 3.00
		per 1000 gallons
Commercial	\$ 150.00 (INCLUDING 0	GALLONS) \$ 4.00
		per 1000 gallons

TAP FEE \$ 500.00

OTHER EXTENSION FEES

REGULATORY ASSESSMENT 1.0%
A REGULATORY ASSESSMENT, EQUAL TO ONE PERCENT OF THE CHARGE FOR RETAIL WATER SERVICE ONLY, MUST BE COLLECTED FROM EACH RETAIL CUSTOMER

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- | | |
|--|----------|
| a Non payment of bill (not to exceed \$25 without justification) | \$ 25.00 |
| b Customer's request | \$ 50.00 |
| c Other Reasons (specify): | \$ |

LATE CHARGE	\$ 5.00
For bill not received by due date. (Select either \$5.00 <u>or</u> 10%)	
RETURNED CHECK CHARGE	\$ 25.00
CUSTOMER DEPOSIT	\$ 50.00
METER TEST FEE (Not to exceed \$25)	\$ 25.00

The attached Service Rules are part of this tariff.

VM Neighbors Water Group

(Utility Name)

CUSTOMER NOTICE: THIS UTILITY SERVICE PROVIDER IS EXEMPT FROM MANY OF THE REQUIREMENTS FOR UTILITIES, BUT IT STILL MUST COMPLY WITH THESE SERVICE RULES. THE COMMISSION WILL NOT REVIEW RATE CHANGES UNLESS PROTESTED BY AT LEAST 50% OF THE CUSTOMERS WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE RATE CHANGE.

REQUIRED SERVICE RULES AND REGULATIONS FOR EXEMPT UTILITIES

Rate Changes

Rates can be changed no more than once per year without the approval of the commission. Customers will be given a notice of rate change which states the effective date of the rate change, the old rates, the new rates, the commission's address and a statement that written protests can be submitted to the commission.

Application for and Provision of Water Service

All new applicants will be given a copy of this Exempt Utility Tariff.

Where service has been disconnected for nonpayment of a bill, service will be reconnected within one working day after the customer has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service line from the utility's point of connection on the customer's property to the place of consumption. Customers may be required to install a customer owned cut-off valve on the customer's side of the meter or connection.

Refusal of Service

This exempt utility is **not required** to have a designated service area and is **not obligated** to serve every applicant for service but is required to provide service in a nondiscriminatory manner.

Customer Deposits

Refund of deposit - If service is not connected, or after permanent disconnection of service to a customer, the utility will promptly refund, within 30 days, the customer's deposit or the balance, if any, in excess of the unpaid bills for service furnished.

VM Neighbors Water Group

(Utility Name)

Meter Requirements, Readings, and Testing

One meter or connection may be required for each customer. The exempt utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make a test of the accuracy of the customer's meter. The test may be made using a container of known volume.

A meter test will cost \$ 25.00 Following the completion of any requested test, the utility will promptly advise the customer in writing of the results. If the meter is in error by more than 3% the meter should be replaced at the utility's expense. Meters will be read at (preferably monthly) intervals.

Billing

Bills from the utility will be mailed at intervals specified in the service agreement. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees, is not received at the designated payment location by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next work day after the due date.

Late Fee

A late penalty may be charged (if listed on the tariff) on bills received after the due date. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide the following information (at a minimum): The total amount due for water service, the due date of the bill and a telephone number (or numbers) for customers to call if they have questions.

Metered Service

If service is metered the bill must also state the date and reading of the meter at the beginning and end of the period for which the bill is rendered, and the numbers of gallons consumed.

Service Disconnection and Disputed Bills

If a customer or applicant for service files a complaint about all or a portion of the bill, the utility will promptly investigate the matter and advise the complainant of the results. Service may not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he/she has recourse through the Public Utility Commission of Texas complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

VM Neighbors Water Group

(Utility Name)

The exempt utility is encouraged, **but not required**, to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of disconnection has been given.

Notice of disconnection must be a separate mailing or hand delivery.

Utility service may also be disconnected without notice if an imminent hazard to the utility system exists.

The utility is required to reconnect service after a customer who has been disconnected for nonpayment pays a delinquent bill and any other applicable fees in accordance with this tariff and any applicable service agreement. The utility may permanently disconnect service to an existing customer only if authorized to in writing by commission and after notice has been issued.

Reconnection of Service

Service will be reconnected within 24 hours, unless otherwise stated on the service agreement, after the past due bill, reconnection fee and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected.

Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time.

Quality of Service

The utility will provide properly treated and disinfected water and facilities with sufficient pressure and capacity for reasonable consumer uses unless otherwise stated on the service agreement.

Standard Extension Requirements

All practices and policies related to the extension of service to new applicants or restoration of service must be reasonable and nondiscriminatory.

Specific Utility Rules

(May not conflict with commission required rules. Attach additional pages if needed.)

WATER SERVICE APPLICATION/AGREEMENT

Date _____

Exempt Utility Name VM Neighbors Water Group
Business Address Street P.O. Box 368
City, State, Zip Hubbard, TX, 76648
(AC)Telephone (254) 576-1941

APPLICATION FOR WATER SERVICE

Name of Applicant/Customer: _____

Service Location: _____

Billing Address: _____

City, State, Zip: _____

Check Applicable Items:

☐ Residential ☐ Owner ☐ Commercial ☐ Tenant

The Exempt Utility agrees to sell and deliver water to the Applicant and the Applicant agrees to purchase and receive water from the Utility in accordance with the rules and regulations required by the Public Utility Commission of Texas which are included in its Exempt Utility Tariff and any other rules or requirements contained in this agreement.

Water will ☐ Will not ☐ be disinfected. Water will ☐ will not ☐ be measured by meters which are furnished, installed, owned and maintained by the Utility. The meter and/or connection is for the sole use of the Applicant/Customer to serve water to one dwelling, business or property. The Applicant/Customer shall not share, resell, or submeter water to any other dwelling, business, property, etc., without the specific written authorization of the Utility and in compliance with applicable laws and regulations.

The Utility has the right to locate a water service meter/connection and the pipe necessary to connect the meter to the utility's water main on the property of the Applicant at a point mutually agreeable to both the Utility and the Applicant. The Applicant/Customer will allow the Utility access at all reasonable times to its property and equipment located upon Applicant/Customer's premises for the limited purposes of reading the water meter, repairing or replacing existing facilities and the inspection of the Applicant/Customer's facilities to check for illegal connections or unsafe plumbing practices or cross-connections, in compliance with the requirements of the Texas Commission on Environmental Quality's "Rules and Regulations for Public Water Systems."

The Applicant will install, at his own expense, a service line from the water meter/connection to the Applicant's point of use which includes ☐ /does not include ☐ a cutoff valve on the Applicant's side of the water meter/connection. The Applicant/Customer will be responsible for maintenance and repair of the Applicant/Customer's service line. The Applicant/Customer shall hold the Utility harmless from any and all claims or demands for damage to real or personal property occurring from the point the Applicant/Customer ties on the water meter/connection to the final destination of the line installed by Applicant/Customer.

The Applicant agrees to grant to the utility an easement/right-of-way for the purpose of installing, maintaining and operating such pipe lines, meters, valves, and any other equipment which may be deemed necessary for the provision of Utility service to that Applicant/Customer. The utility will attempt to restore the Applicant/Customer's property to its original condition after installation or repairs. This easement may be in such form as is required by the utility. The Applicant/Customer agrees not to interfere with the utility's employees in the discharge of their duties. The Applicant/Customer will not permit anyone except the utility's employees to tamper with or interfere with any of the utility's equipment installed on the Applicant/Customer's premises.

Non-standard Service

Will the Applicant's use of water place unique, non-standard service demands upon the system or require any special facilities? ☐ No ☐ Yes. If yes, please describe:

OTHER AGREEMENTS OR REQUIREMENTS FOR SERVICE

The service applicant has been provided a copy of the utility's exempt utility tariff and agrees to pay the rates in the tariff and abide by the requirements in this service agreement. This utility is exempted from most of the requirements for water utilities as long as service is provided in accordance with the exempt utility tariff. The commission will not review rate changes by the utility unless it receives written protests from at least 50% of the customers within 90 days after the effective date of a rate change.

Signature of Applicant or Customer

Date

\$ _____ Tap Fee Collected

\$ _____ Deposit Collected

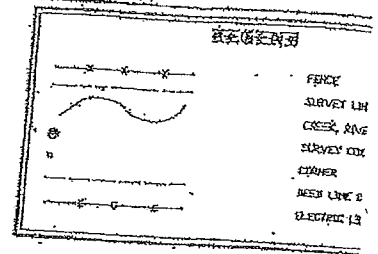
Service will be connected at the service location on or about _____ 20 _____

Utility Representative

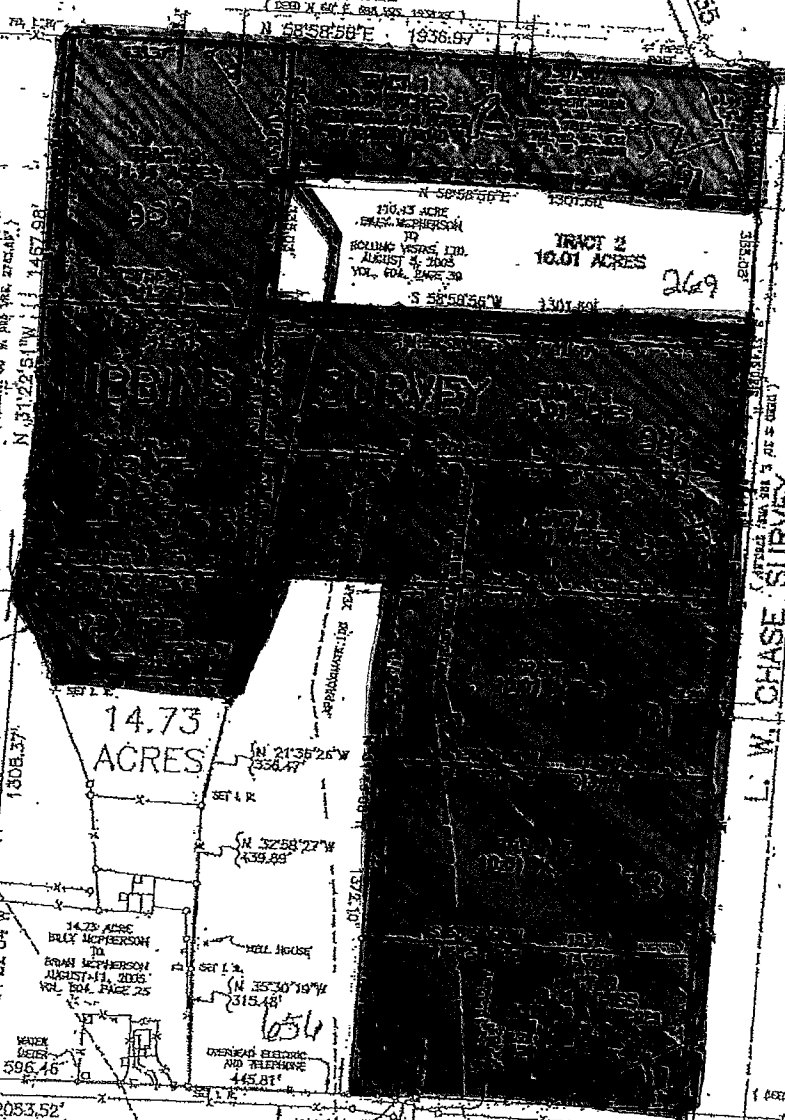
Date

L. BURNS SURVEY A - 84

.58.17 ACRE
MARTIN L. SPEER ET UX
TO
LLOYD W. HAMPE
MAY 31, 1983
VOL. 278, PG. 329



83.95 ACRE
MARTIN L. SPEER AND EIMA SPEER
TO
RAY CUMMINGS ET UX
AUGUST 29, 1995
VOL. 379, PG. 960



D. A. Mc WILLIAMS SURVEY A - 964

139.4 ACRE
DELMAR H. NEE ET UX
TO
JOE BOB FICKLIN ET UX
NOVEMBER 12, 1968
VOL. 208, PG. 117

116.92 ACRE
JAMES R. MILSON ET UX
TO
SAM L. SLAGLE ET UX
OCTOBER 26, 1990
VOL. 335, PG. 668

334.64 ACRE
LETTIE M. EAKIN
TO
EAKIN FAMILY LIVING REVOCABLE TRUST
DECEMBER 12, 1999
VOL. 449, PG. 270

R. W. HOWARD SURVEY A - 905

Page 121	121
Page 122	122

DAVID LANE SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:

COUNTY OF BOSQUE:

TRACT 1

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;

THENCE N 58° 58' 56" E, ALONG THE NORTH LINE OF SAID 110.43 ACRE TRACT, 365.37' TO AN IRON ROD SET, FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT

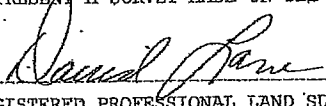
THENCE N 58° 58' 56" E, CONTINUING ALONG THE NORTH LINE OF SAID 110.43 ACRE TRACT, AT 1372.34' PASS A 4" PIPE POST IN THE WEST LINE OF COUNTY ROAD NO. 3355, CONTINUING IN ALL 1936.97' TO THE NE CORNER OF SAID 110.43 ACRE TRACT, FOR THE NE CORNER OF THIS TRACT;

THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT, AT 84.44' PASS A 4" PIPE POST IN THE WEST LINE OF SAID COUNTY ROAD NO. 3355, CONTINUING IN ALL, 335.03' TO AN IRON ROD SET, FOR THE SE CORNER OF THIS TRACT;

THENCE S 58° 58' 56" W, ACROSS SAID 110.43 ACRE TRACT, 1301.60' TO AN IRON ROD SET, FOR THE SW CORNER OF THIS TRACT;


THENCE N 31° 22' 51" W, ACROSS A PASTURE, 335.03' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND INCLUDING 0.16 ACRES IN COUNTY ROAD.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.


REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006

Filed For Record
Feb 15, 2008 at 11:38A

Betty Outlaw
County Clerk, Bosque CO. TX

By 
Deputy Clerk

DAVID LANE SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE:
TRACT 3

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L.-W.-CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;
THENCE S 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1400.02' TO AN IRON ROD SET, N 58° 58' 56" E, 644.85' TO AN IRON ROD SET, AND N 31° 46' 08" W, 335.03' TO AN IRON ROD SET FOR THE SW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
THENCE N 31° 46' 08" W, ACROSS A PASTURE, 335.03' TO AN IRON ROD SET, FOR THE NW CORNER OF THIS TRACT;
THENCE N 58° 58' 56" E, ACROSS SAID 110.43 ACRE TRACT, 1301.60' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 335.03' TO AN IRON ROD SET, FOR THE SE CORNER OF THIS TRACT;
THENCE S 58° 58' 56" W, ACROSS SAID 110.43 ACRE TRACT, 1301.60' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006

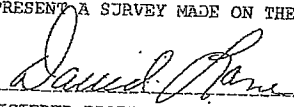


DAVID LANE SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE:
TRACT 4

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;
THENCE S 31° 22' 51'' W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1400.02' TO AN IRON ROD SET, N 58° 58' 56'' E, 644.85' TO AN IRON ROD SET, FOR THE SW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
THENCE N 31° 46' 08'' W, ACROSS A PASTURE, 335.03' TO AN IRON ROD SET, FOR THE NW CORNER OF THIS TRACT
THENCE N 58° 58' 56'' E, ACROSS SAID 110.43 ACRE TRACT, 1301.60' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08'' E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 335.03' TO AN IRON ROD SET, FOR THE SE CORNER OF THIS TRACT;
THENCE S 58° 58' 56'' W, ACROSS SAID 110.43 ACRE TRACT, 1301.60' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.


REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



2 4

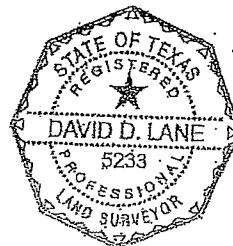
DAVID LANE SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-786-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE;
TRACT 5

ALL THAT CERTAIN 17.99 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;
THENCE S 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1409.02' TO AN IRON ROD SET, FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
THENCE N 58° 58' 58" E, ACROSS A PASTURE, 1032.69' TO AN IRON ROD SET, FOR THE NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ACROSS A PASTURE, 1372.10' TO AN IRON ROD SET IN THE SOUTH LINE OF SAID 110.43 ACRE TRACT AND THE NORTH LINE OF COUNTY ROAD NO. 3360, FOR THE SE CORNER OF THIS TRACT;
THENCE S 58° 44' 41" W, ALONG THE SOUTH LINE OF SAID 110.43 ACRE TRACT AND THE NORTH LINE OF COUNTY ROAD NO. 3360, 445.81' TO AN IRON ROD SET, BEING THE SE CORNER OF A 14.73 ACRE TRACT DESCRIBED IN A DEED FROM BILLY R. MCPHERSON TO BRIAN MCPHERSON, DATED JULY 24, 2005 AND RECORDED IN VOLUME 604, PAGE 23 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, FOR THE SW CORNER OF THIS TRACT;
THENCE ALONG THE EAST AND NORTH LINES OF SAID 14.73 ACRE TRACT AS FOLLOWS: N 35° 30' 19" W, 315.48' TO AN IRON ROD SET, N 32° 58' 27" W, 439.89' TO AN IRON ROD SET, N 21° 36' 25" W, 336.47' TO AN IRON ROD SET, S 58° 58' 56" W, 511.49' TO AN IRON ROD SET AND N 57° 14' 35" W, 245.01' TO AN IRON ROD SET, BEING THE MOST NORTHERLY CORNER OF SAID 14.73 ACRE TRACT, BEING A CORNER OF SAID 110.43 ACRE TRACT, BEING THE NE CORNER OF A 24.77 ACRE TRACT DESCRIBED IN A DEED FROM BRIAN R. MCPHERSON TO BILLY R. MCPHERSON, DATED AUGUST 11, 2005 AND RECORDED IN VOLUME 604, PAGE 18 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, FOR A CORNER OF THIS TRACT;
THENCE N 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 67.95' TO THE POINT OF BEGINNING AND CONTAINING 17.99 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



DAVID LANE SURVEYING

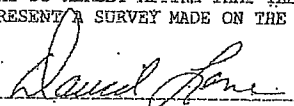
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE:
TRACT 6

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;

THENCE S 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1400.02' TO AN IRON ROD SET, AND N 58° 58' 56" E, ACROSS A PASTURE, 1032.69' TO AN IRON ROD SET FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
THENCE N 58° 58' 56" E, ACROSS A PASTURE, 913.76' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 477.23' TO AN IRON RODS SET, FOR THE SE CORNER OF THIS TRACT;
THENCE S 58° 58' 56" W, ACROSS A PASTURE, 913.76' TO AN IRON ROD SET, FOR THE SW CORNER OF THIS TRACT;
THENCE N 31° 46' 08" W, ACROSS A PASTURE, 477.23' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.


REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



DAVID LANE SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-AD84 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE:
TRACT 7

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCBHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;

THENCE S 31° 22' 51" W. GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1400.02' TO AN IRON ROD SET, AND N 58° 58' 56" E, ACROSS A PASTURE, 1032.69' TO AN IRON ROD SET, AND S 31° 46' 08" W, 477.23' TO AN IRON ROD SET FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;

THENCE N 58° 58' 56" E, ACROSS A PASTURE, 913.76' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;

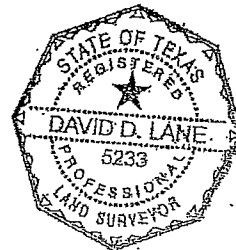
THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 477.23' TO AN IRON ROD SET, FOR THE SE CORNER OF THIS TRACT;

THENCE S 58° 58' 56" W, ACROSS A PASTURE, 913.76' TO AN IRON ROD SET, FOR THE SW CORNER OF THIS TRACT;

THENCE N 31° 46' 08" W, ACROSS A PASTURE, 477.23' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



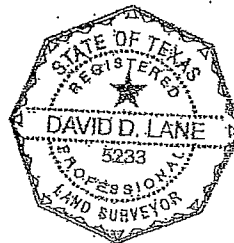
DAVID LANE SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS:
COUNTY OF BOSQUE:
TRACT 8

ALL THAT CERTAIN 10.01 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE J. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;
THENCE S 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 1400.02' TO AN IRON ROD SET, AND N 58° 58' 56" E, ACROSS A PASTURE, 1032.69' TO AN IRON ROD SET, AND S 31° 46' 08" W, 954.46' TO AN IRON ROD SET FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
THENCE N 58° 58' 56" E, ACROSS A PASTURE, 913.76' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, AT 439.19' PASS A 4" PIPE POST, CROSSING COUNTY ROAD NO. 3360, IN ALL 489.93' TO AN IRON ROD FOUND, BEING THE SE CORNER OF SAID 110.43 ACRE TRACT, FOR THE SE CORNER OF THIS TRACT;
THENCE S 58° 36' 30" W, GENERALLY ALONG A FENCE ALONG THE SOUTH LINE OF SAID 110.43 ACRE TRACT, BEING ALONG THE SOUTH LINE OF COUNTY ROAD NO. 3360, 730.37' TO AN IRON ROD FOUND, BEING A CORNER OF SAID 110.43 ACRE TRACT, FOR THE MOST SOUTHERLY SW CORNER OF SAID 110.43 ACRE TRACT, BEING THE MOST SOUTHERLY SW CORNER OF THIS TRACT;
THENCE N 31° 19' 32" W, CROSSING SAID COUNTY ROAD NO. 3360, 77.82' TO AN IRON ROD SET, FOR A CORNER OF SAID 110.43 ACRE TRACT, FOR A CORNER OF THIS TRACT;
THENCE S 58° 44' 41" W, ALONG THE SOUTH LINE OF SAID 110.43 ACRE TRACT, 183.94' TO AN IRON ROD SET, FOR THE MOST WESTERLY SW CORNER OF THIS TRACT;
THENCE N 31° 46' 08" W, ACROSS A PASTURE, 477.64' TO THE POINT OF BEGINNING AND CONTAINING 10.01 ACRES OF LAND INCLUDING 0.66 ACRES IN COUNTY ROAD, OF WHICH 8.72 ACRES ARE CALCULATED TO BE IN THE HIBBINS SURVEY AND 1.29 ACRES ARE CALCULATED TO BE IN THE CHASE SURVEY.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



DAVID LANE SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
LEGAL DESCRIPTION

STATE OF TEXAS;
COUNTY OF BOSQUE;
TRACT 9

ALL THAT CERTAIN 11.14 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
BEGINNING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT, FOR THE NW CORNER OF THIS TRACT;
THENCE N 58° 58' 56" E, ALONG THE NORTH LINE OF SAID 110.43 ACRE TRACT, 635.37' TO AN IRON ROD SET, FOR THE MOST NORTHERLY NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ACROSS A PASTURE, 335.03' TO AN IRON ROD SET, FOR AN INTERIOR CORNER OF THIS TRACT;
THENCE N 58° 58' 56" E, ACROSS A PASTURE, 1301.60' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE MOST EASTERLY NE CORNER OF THIS TRACT;
THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 30.00' TO AN IRON ROD SET, FOR THE MOST EASTERLY SE CORNER OF THIS TRACT;
THENCE S 58° 58' 56" W, ACROSS SAID 110.43 ACRE TRACT, 1941.71' TO AN IRON ROD SET IN THE WEST LINE OF SAID 110.43 ACRE TRACT, FOR THE SW CORNER OF THIS TRACT;
THENCE N 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 700.01' TO THE POINT OF BEGINNING AND CONTAINING 11.14 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233
DATED THIS THE 20TH DAY OF JUNE, 2006



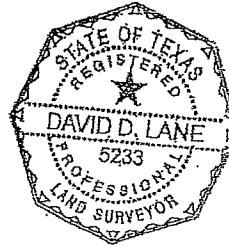
DAVID LANE SURVEYING
 REGISTERED PROFESSIONAL LAND SURVEYOR
 P.O. BOX 101 254-796-4084 HICO, TEXAS 76457
 LEGAL DESCRIPTION

STATE OF TEXAS:
 COUNTY OF BOSQUE:
 TRACT 10

ALL THAT CERTAIN 11.22 ACRE TRACT, BEING PART OF A 110.43 ACRE TRACT DESCRIBED AS BEING PART OF THE JOHN HIBBINS SURVEY ABSTRACT NO. 336 AND PART OF THE L. W. CHASE SURVEY ABSTRACT NO. 1090 IN BOSQUE COUNTY, TEXAS IN A DEED FROM BILLY R. MCPHERSON TO ROLLING VISTAS, LTD., DATED AUGUST 5, 2005 AND RECORDED IN VOLUME 604, PAGE 39 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:
 COMMENCING AT AN IRON ROD FOUND AT THE NW CORNER OF SAID 110.43 ACRE TRACT;
 THENCE S 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 700.01' TO AN IRON ROD SET, FOR THE NW AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;
 THENCE N 58° 58' 56" E, ACROSS SAID 110.43 ACRE TRACT, 1941.71' TO AN IRON ROD SET IN THE EAST LINE OF SAID 110.43 ACRE TRACT, BEING IN THE WEST LINE OF COUNTY ROAD NO. 3355, FOR THE NE CORNER OF THIS TRACT;
 THENCE S 31° 46' 08" E, ALONG THE EAST LINE OF SAID 110.43 ACRE TRACT AND THE WEST LINE OF COUNTY ROAD NO. 3355, 30.00' TO AN IRON ROD SET, FOR THE MOST EASTERLY SE CORNER OF THIS TRACT;
 THENCE S 58° 58' 56" W, ACROSS A PASTURE, 1301.60' TO AN IRON ROD SET, FOR A CORNER OF THIS TRACT;
 THENCE S 31° 45' 08" E, ACROSS A PASTURE, 670.06' TO AN IRON ROD SET, FOR THE MOST SOUTHERLY SE CORNER OF THIS TRACT;
 THENCE S 58° 58' 56" W, ACROSS SAID 110.43 ACRE TRACT, 644.85' TO AN IRON ROD SET IN THE WEST LINE OF SAID 110.43 ACRE TRACT, FOR THE SW CORNER OF THIS TRACT;
 THENCE N 31° 22' 51" W, GENERALLY ALONG A FENCE ALONG THE WEST LINE OF SAID 110.43 ACRE TRACT, 700.01' TO THE POINT OF BEGINNING AND CONTAINING 11.22 ACRES OF LAND.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

David Lane
 REGISTERED PROFESSIONAL LAND SURVEYOR
 REGISTRATION NO. 5233
 DATED THIS THE 20TH DAY OF JUNE, 2006



Filed For Record
 Dec 10/2012 at 03:02P
 Betsy Duffin
 County Clerk, Bosque Co., TX
 By *Debra Turner*
 Deputy Clerk