



Control Number: 48350



Item Number: 125

Addendum StartPage: 0

David and Merritt,

May 11, 2020

Enclosed please find my Opt-Out Request Supplement/Confirmation Form for the City of Dayton CCN-PUC Docket No. 48350.

I send this to you both along with certified surveys and legal descriptions of each survey of the request of Theo Melancon, City Manager of Dayton, TX.

Please confirm that you have received these documents and let me know if any additional information is needed.

Yours Truly, ~~Matt Stoesse~~

mstoesser@yahoo.com  
281-728-0780

MAY 14 AM 9:17

**PUC Docket No. 48350  
Opt-Out Request Supplement/Confirmation Form**

(1) Name of the legal landowner: Mark Stoesser

(2) Total number of acres of land to be excluded from the proposed CCN areas: 343.1021

(3) Attach a legible metes and bounds description for the acreage in your answer (2), above.  
(please make sure that your metes and bounds description/survey is sealed or embossed by a licensed state land surveyor or registered professional land surveyor).

included are (5) Surveys

**Please send/file this completed page and the metes and bounds description/survey to both of the following entities within 30 days of receipt:**

Public Utility Commission of Texas  
Attn.: Merritt Lander  
1701 North Congress Avenue  
P. O. Box 13326  
Austin, TX 78711-3326  
Phone: (512) 936-7290  
Fax: (512) 239-7268

[Merritt.Lander@puc.texas.gov](mailto:Merritt.Lander@puc.texas.gov)

City of Dayton  
Attn.: David J. Klein  
Lloyd Gosselink Rochelle &  
Townsend, P.C.  
816 Congress Ave., Suite 1900  
Phone: (512) 322-5800  
Fax: (512) 472-0532

[dklein@lglawfirm.com](mailto:dklein@lglawfirm.com)

Please contact Ms. Lander if you have any questions or concerns.

H. & T. C. R.R. SURVEY NO. 119  
ABSTRACT 264

N 89°18'20" E  
588.90'

SURVEY  
LINE



NOT TO SCALE

STOESSER FARMS  
VOL. 488, PG. 367  
D.R.L.C., TX.

N 00°24'53" W 2368.15'

32.063 ACRES

L.C.C.F. NO.(S) 2003018986  
(TRACT 6)  
O.P.R.L.C., TX.

SARA W. BURLESON, ET AL  
UNDIVIDED INTEREST  
VOL. 1182, PG. 152  
O.P.R.L.C., TX.

S 00°29'28" E 1374.40'

FOUND  
1" PIPE

S 00°18'33" E  
993.47'

REBECCA PRUETT NO. 118  
ABSTRACT 494

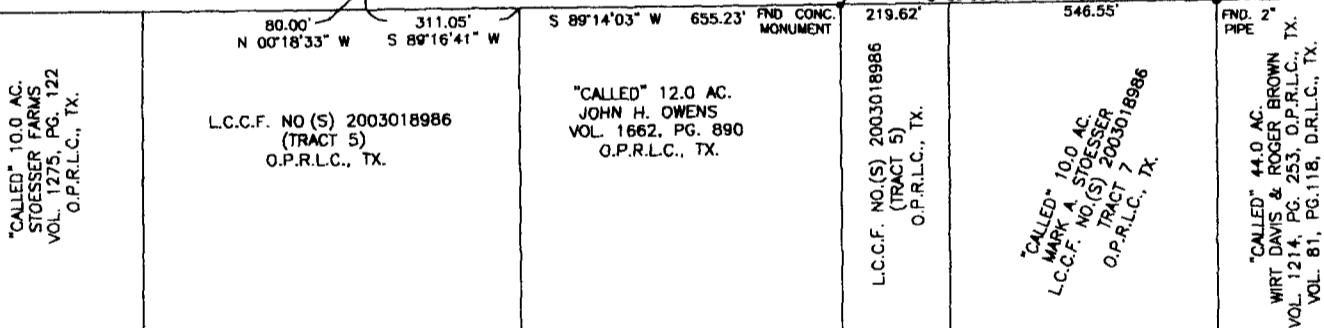
HUNNICUTT SUBDIVISION  
VOL. 49, PG. 83  
D.R.L.C., TX.

"POINT OF  
BEGINNING"

F. M. HIGHWAY 686

"POINT OF  
COMMENCING"

S 89°16'41" W  
588.92'



"CALLED" 10.0 AC.  
STOESSER FARMS  
VOL. 1275, PG. 122  
O.P.R.L.C., TX.

L.C.C.F. NO(S) 2003018986  
(TRACT 5)  
O.P.R.L.C., TX.

"CALLED" 12.0 AC.  
JOHN H. OWENS  
VOL. 1662, PG. 890  
O.P.R.L.C., TX.

L.C.C.F. NO.(S) 2003018986  
(TRACT 5)  
O.P.R.L.C., TX.

"CALLED" 10.0 AC.  
MARK A. STOESSER  
TRACT 7  
O.P.R.L.C., TX.

"CALLED" 44.0 AC.  
WIRT DAVIS & ROGER BROWN  
VOL. 1214, PG. 253, O.P.R.L.C., TX.  
VOL. 81, PG.118, D.R.L.C., TX.

NOTES:

1. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
2. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAN AND IS ZONE "X" ACCORDING TO THE FIRM PANEL NO. 480438 0200B, DATED 09-30-1988.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR AND/OR WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY BE SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, ENCUMBRANCES AND AGREEMENTS OF RECORD.
4. ALL CORNERS PROPERLY MARKED WITH 3/4" CAPPED IRON PIPES MARKED GHSHPMAN #1777 UNLESS OTHERWISE SHOWN.
5. THE SOUTH RIGHT-OF-WAY OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.



I, GEORGE H. SHIPMAN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1777 DECLARE THAT THIS PLAT DELINEATES THE RESULT OF AN ON THE GROUNDS SURVEY OF A 32.063 ACRES SITUATED IN THE REBECCA PRUETT SURVEY NO. 118, ABSTRACT 494, LIBERTY COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND CONVEYED TO MARK A. STOESSER RECORDED BY DEED IN LIBERTY COUNTY CLERK'S FILE NO.(S) 2003018986 (TRACT 6) OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 32.063 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

*George H. Shipman*  
GEORGE H. SHIPMAN, R.P.L.S. NO. 1777, STATE OF TEXAS

**“EXHIBIT A”**

FIELD NOTES OF A 32.063 ACRE TRACT OF LAND SITUATED IN THE REBECCA PRUETT SURVEY NO. 118, ABSTRACT 494, LIBERTY COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO MARK A. STOESSER DESCRIBED AS “TRACT 6” IN LIBERTY COUNTY CLERK’S FILE NO.(S) 2003018986 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 32.063 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: THE SOUTH RIGHT-OF-WAY LINE OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

**COMMENCING** at a 2” pipe, found, in the south right-of-way line of Farm-To-Market Highway 686, being the northwest corner of a “called” 44.0 acre tract of land conveyed to Wirt Davis recorded by deed in Volume 81, Page 118 of the Deed Records and conveyed to Roger Brown recorded by deed in Volume 1214, Page 253 of the Official Public Records, both of Liberty County, Texas and the northeast corner of a “called” 10.0 acre tract of land conveyed to Mark A. Stoesser recorded by deed in Liberty County Clerk’s File No.(s) 2003018986 (Tract 7) of the Official Public Records of said County; **Thence**, South 89°09’08” West, along the south right-of-way line of said highway, the north line of said 10.00 acre (Tract 7) and the north line of a “called” 69.5 acre tract of land conveyed to Mark A. Stoesser recorded by deed in Liberty County Clerk’s File No.(s) 2003018986 (Tract 5), a distance of 766.17 feet to a concrete monument, found, for a north corner of said 69.5 acres and the northeast corner of a “called” 12.00 acre tract of land conveyed to John H. Owens recorded by deed in Volume 1662, Page 890 of the Official Public Records of said County; **Thence**, South 89°14’03” West, along the south right-of-way line of said highway and the north line of said 12.00 acres, a distance of 655.23 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, being the northwest corner of said 12.00 acres and a north corner of said 69.5 acres; **Thence**, South 89°16’41” West, along the south right-of-way line of said highway and a north line of said 69.5 acres, a distance of 311.05 feet to a point; **Thence**, North 00°18’33” West, over and across said highway, a distance of 80.00 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, in the north right-of-way line of said highway, being the southwest corner of Hunnicutt Subdivision, a subdivision in Liberty County according to the map or plat thereof recorded in Volume 49, Page 83 of the Deed Records of said County, for the **southeast corner and “Point of Beginning”** of the herein described tract;

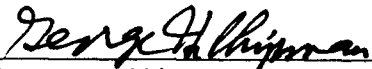
**Thence**, South 89°16’41” West, along the north right-of-way line of said highway, a distance of 588.92 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, being the southeast corner of a tract of land conveyed to Stoesser Farms recorded by deed in Volume 468, Page 367 of the Deed Records of said County and for the **southwest corner** of the herein described tract;

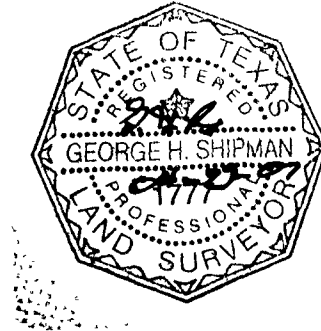
**Thence**, North 00°24’53” West, along the east line of said Stoesser Farms tract, a distance of 2368.15 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, in the north line of said Abstract 494 and the south line of the H. & T. C. R.R. Survey No. 119, Abstract 264, Liberty County, Texas, for the **northwest corner** of the herein described tract;

**Thence**, North 89°18’20” East, along the north line of said Abstract 494 and the south line of said Abstract 264, a distance of 588.90 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, being the northwest corner of a tract of land conveyed to Sara W. Burluson, et al, recorded by deed in Volume 1182, Page 152 of the Official Public Records of said County and for the **northeast corner** of the herein described tract;

**Thence**, South 00°29'28" East, along the west line of said Burleson tract, a distance of 1374.40 feet to a 1" pipe, found, being the southwest corner of said Burleson tract, the northwest corner of said Hunnicutt Subdivision and for an **angle point** in the east line of the herein described tract;

**Thence**, South 00°18'33" East, along the west line of said Hunnicutt Subdivision, a distance of 993.47 feet to the "**Point of Beginning**" and containing 32.063 acres of land.

  
George H. Shipman  
R.P.L.S. No. 1777



Job No. 07-29  
04/27/07 sk



SCALE 1 INCH = 200

REBECCA PRUITT  
SURVEY NO. 126  
A - 496

SURVEY NO. 117

H. & T. C. R. CO.  
A - 265

**TRACT 2**  
55.1041 Acres Gross  
1.4504 Acres in CR 621  
53.6537 Acres Net

**TRACT 1**  
40.2903 Acres Gross  
1.3939 Acres in CR 621  
1.4796 Acres in FM 686  
37.4768 Acres Net

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE SOUTH AND NORTH LINES OF THAT CERTAIN 65.288 ACRE TRACT OF LAND CONVEYED BY PATRICIA OSTOS CHESHIRE, ET AL., TO GERTRUDE M. COX, ET AL., BY DEEDS DATED MARCH 9, 1995 AND RECORDED IN VOLUME 1558 AT PAGES 791 AND 796, (IN DUPLICATE ORIGINALS) OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS.

REFERENCE IS MADE TO THE METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANYING THIS PLAT

~LEGEND~

- ⊗ = POWER POLE
- ⊠ = MIC CABLE SIGN
- = IRON ROD
- RR SPK = RAILROAD SPIKE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- TR = TRACT
- ← = CLAY WIRE
- B.S.L. & W. = BEAUMONT, SOUR LAKE & WESTERN
- C/I = CENTERLINE
- R/W = RIGHT-OF-WAY

NUMBER	DIRECTION	DISTANCE
L1	N 01°44'21" E	33.62'
L2	N 88°56'05" W	42.29'
L3	N 01°44'21" E	34.22'
L4	S 01°44'21" W	109.72'
L5	S 88°57'13" E	79.28'
L6	S 67°26'42" W	62.00'
L7	N 01°44'21" E	109.72'
L8	N 67°26'42" E	54.58'

H. & T. C. RAILROAD CO. SURVEY NO. 127  
A - 260

REBECCA PRUITT SURVEY NO. 116  
A - 493

I, JULIENE PAMSEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4379, DO HEREBY CERTIFY THAT THIS PLAT DELINEATES THE RESULTS OF A SURVEY MADE ON THE GROUND, UNDER MY SUPERVISION, IN NOVEMBER OF 2004 AND THAT ALL LINES, BOUNDARIES AND LANDMARKS ARE ACCURATELY DESCRIBED HEREON SAID TRACTS HAVE ACCESS TO AND FROM PUBLIC ROADWAYS AS SHOWN HEREON

WITNESS MY HAND AND SEAL AT BAYTOWN, TEXAS, THIS 11TH DAY OF NOVEMBER, A. D. 2004

Juliene Pamsey  
JULIENE PAMSEY  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4379



**BUSCH, HUTCHISON & ASSOCIATES, INC.**  
1208 DEPKER DRIVE, BAYTOWN, TEXAS 77520  
713-422-8213

DESIGN: SURVEY FOR MARK STODSESSER  
TWO TRACTS O/D OF "CALLED" 100 ACRES  
SITUATED IN THE  
H & T. C. R.R. CO. SUR. 117, A-265  
LIBERTY COUNTY, TEXAS

DATE: 11-04  
DRAWING NAME: 04-3114.DWG  
JOB NO: 04-3114L  
SHEET: 1 OF 1

NO.	REVISION	BY	CHKD	APP'D	DATE

STATE OF TEXAS)  
COUNTY OF LIBERTY)  
TRACT 2)

FIELD NOTES of a 55.1041 acre tract of land situated in the H. & T. C. Railroad Company Survey No. 117, Abstract 265, Liberty County, Texas and being out of and a part of that certain "called" 95.46 acres conveyed by Chevron USA, Inc. to Mark Stoesser by Deed dated December 5, 2003 and recorded in County Clerk's File No. 2003018986 of the Official Public Records of Liberty County, Texas. Said "called" 95.46 acres being out of and a part of that certain "called" 100 acre tract of land (Second Tract) conveyed by W. B. Sharp to Producers Oil Company by Deed dated February 27, 1906 and recorded in Volume 51 at Page 80 of the Deed Records of Liberty County, Texas. This 55.1041 acre tract of land is more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE SOUTH AND NORTH LINES OF THAT CERTAIN 65.288 ACRE TRACT OF LAND CONVEYED BY PATRICIA OSTOS CHESHIRE, ET AL, TO GERTRUDE M. COX, ET AL, BY DEEDS DATED MARCH 9, 1995 AND RECORDED IN VOLUME 1558 AT PAGES 791 AND 796, (IN DUPLICATE ORIGINALS) OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a railroad spike found in the pavement of F. M. Highway 686 (80 feet wide right-of-way) in the East line of the Rebecca Pruitt Survey No. 116, Abstract 493 and the West line of the H. & T. C. Railroad Company Survey No. 127, Abstract 260, Liberty County, Texas; from which a ¾ inch iron rod found in the West right-of-way line of said F. M. Highway 686 at the Southeast corner of that certain "called" 94.099 acre tract conveyed by Wilbert W. Foerster, et ux, to Leroy Marcell Janacek, Jr., et ux, by Deed dated July 29, 1985 and recorded in Volume 1090 at Page 732 of the Official Public Records of Liberty County, Texas bears North 89°26'59" West 46.60 feet.

THENCE: North 01°44'21" East along the East line of said Survey No. 116 and the West line of said Survey No. 127 and at 1772.63 feet pass a 60 penny nail in said line in the pavement of said F. M. Highway 686; in all, a total distance of 2369.67 feet to a ½ inch iron rod, with cap, set for the Southeast corner of said "called" 100 acres, the Northeast corner of said Survey No. 116, the Southeast corner of said Survey No. 117, the Southeast corner of said "called" 100 acres and the Southeast corner of that certain 40.2903 acre tract surveyed this date.



PAGE 2 – 55.1041 ACRES, TRACT 2.

THENCE: Continue North 01°44'21" East along the East line of said Survey No. 117, the West line of said Survey No. 127, the East line of said "called" 100 acres and the East line of said 40.2903 acres and at 33.62 feet pass a ½ inch iron rod, with cap, set for reference in the North right-of-way line of said F. M. Highway 686, from which a ½ inch iron rod, with cap, set for reference in the intersection of the West right-of-way line of said County Road 621 (80 feet wide apparent right-of-way) and the North right-of-way line of said F.M. Highway 686 bears North 88°56'05" West 42.29 feet; in all, a total distance of 1363.09 feet to a ½ inch iron rod, with cap, set in the South right-of-way line of the Missouri Pacific Railroad (100 feet wide right-of-way) for the Northeast corner of said 40.2903 acres surveyed this date and the Southeast corner of that certain 4.5921 acre tract of land conveyed by Producers Oil Company to the B.S.L. & W. Railroad Company by Deed dated May 30, 1906 and recorded in Volume 16 at Page 561 of the Deed Records of Liberty County, Texas; from which a ½ inch iron rod, with cap, set for reference in the West right-of-way line of said County Road 621 bears South 67°26'42" West 54.58 feet.

THENCE: Continue North 01°44'21" East along the East line of said Survey No. 117, the East line of said "called" 100 acres, the West line of said Survey No. 127, the West line of the Rebecca Pruitt Survey No. 126, Abstract 496, Liberty County, Texas and the East line of said 4.5921 acres, over and across said railroad right-of-way, for a distance of 109.72 feet to a ½ inch iron rod, with cap, set in the North right-of-way line of said railroad for the Northeast corner of said 4.5923 acres and the Southeast corner and POINT OF BEGINNING of this tract.

THENCE: South 67°26'42" West along the South line of this tract, the North line of said railroad right-of-way and the North line of said 4.5923 acres and at 62.00 feet pass a ½ inch iron rod, with cap, set for reference in the West right-of-way line of said County Road 621; in all, a total distance of 2000.34 feet to a ½ inch iron rod, with cap, set in the East line of that certain 262.69 acre tract conveyed by Stephanie Volny, et al, to Stoesser Farms, Inc. by Deed dated September 11, 1970 and recorded in Volume 670 at Page 781 of the Deed Records of Liberty County, Texas and the West line of said "called" 100 acres. Said point being the Northwest corner of said 4.5921 acres and the Southwest corner of this tract.

THENCE: North 01°44'21" East along the West line of this tract, the West line of said "called" 100 acres and the East line of said 262.69 acres for a distance of 1717.02 feet to a ½ inch iron rod, with cap, set for the Northwest corner of this tract and the Northwest corner of said "called" 100 acres in the South line of that certain "called" 170 acre tract of land conveyed by Chevron USA, Inc. to Mark Stoesser by Deed dated December 5, 2003 and recorded in County Clerk's File No. 2003018986 of the Official Public Records of Liberty County, Texas.

PAGE 3 – 55.1041 ACRES, TRACT 2.

THENCE: South 88°57'13" East along the North line of this tract, the North line of said "called" 100 acres and the South line of said "called" 170 acres and at 1774.05 feet pass a ½ inch iron rod, with cap, set for reference in the West right-of-way line of said County Road 621; in all, a total distance of 1823.33 feet to a ½ inch iron rod, with cap, set for the Northeast corner of this tract and the Northeast corner of said "called" 100 acres. Said point being in the East line of said Survey No. 117 and the West line of said Survey No. 126.

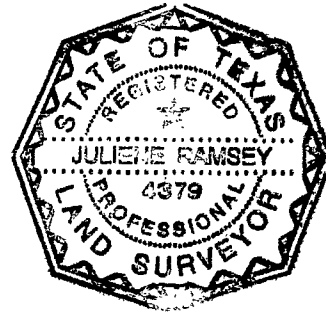
THENCE: South 01°44'21" West along the East line of this tract, the East line of said "called" 100 acres, the East line of said Survey No. 117, the West line of said Survey No. 126 and the West line of said Survey No. 127, within the limits of the right-of-way of said County Road 621, for a distance of 916.09 feet to the PLACE OF BEGINNING and containing within these boundaries 55.1041 acres of land; of which 1.4504 acres lies within the limits of the right-of-way of said County Road 621, leaving a net acreage of 53.6537 acres.

#### SURVEYOR'S CERTIFICATE

I, Juliene Ramsey, Registered Professional Land Surveyor No. 4379, do hereby certify that the foregoing field notes were prepared from an actual survey made on the ground, under my supervision, in November of 2004 and that all lines, boundaries and landmarks are accurately described therein.

WITNESS my hand and seal at Baytown, Texas, this the 11<sup>th</sup> day of November, A. D., 2004.

*Juliene Ramsey*  
Juliene Ramsey  
Registered Professional Land Surveyor No. 4379  
04-3114L.Tract2.fdn.doc



**F. M. HIGHWAY 686**

- LEGEND**
- CP = CONTROL POINT
  - B.B.D.C.L. = BEARING BASIS DIRECTIONAL CONTROL LINE
  - L.C.C.F. NO.(S) = LIBERTY COUNTY CLERK'S FILE NUMBER
  - O.P.R.L.C. = OFFICIAL PUBLIC RECORD OF LIBERTY COUNTY
  - D.R.L.C. = DEED RECORDS OF LIBERTY COUNTY
  - M.R.L.C. = MAP RECORDS OF LIBERTY COUNTY
  - VOL. = VOLUME
  - PG. = PAGE
  - X = WIRE FENCE
  - OHP = OVERHEAD ELECTRIC
  - R.O.W. = RIGHT-OF-WAY
  - P.P. = POWER POLE

"CALLED" 10.00 AC.  
L.C.C.F. NO.(S) 2003018986  
(TRACT 7)  
O.P.R.L.C., TX.

(B.B.D.C.L. - N 89°09'08" E)

"CALLED" 44.0 AC.  
WIRT DAVIS & ROGER BROWN  
VOL. 81, PG. 118, D.R.L.C., TX  
VOL. 1214, PG. 253, O.P.R.L.C., TX.

Scale 1" = 100'



GUM GROVE ROAD

**NOTES:**

1. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
2. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND IS ZONE "X" ACCORDING TO THE FIRM PANEL NO. 480438 0200B, DATED 09-30-1988.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR AND/OR WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY BE SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, ENCUMBRANCES AND AGREEMENTS OF RECORD.
4. ALL CORNERS PROPERLY MARKED WITH 3/4" CAPPED PIPES MARKED GHSHIPMAN #1777 UNLESS OTHERWISE SHOWN.
5. THE SOUTH RIGHT-OF-WAY LINE OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

JOB NO. 07-33  
DATE: 04/11/2007

I, GEORGE H. SHIPMAN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1777 DECLARE THAT THIS PLAT DELINEATES THE RESULT OF AN ON THE GROUND SURVEY OF 10.016 ACRES SITUATED IN THE REBECCA PRUETT NO. 118, ABSTRACT 494 AND BEING ALL OF LOTS 3 AND 4 OF THE ALLEN SUBDIVISION, A SUBDIVISION IN LIBERTY COUNTY AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN VOLUME 11, PAGE 317 OF THE DEED RECORDS OF LIBERTY COUNTY, TEXAS. SAID 10.016 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.



GEORGE H. SHIPMAN, R.P.L.S. NO. 1777, STATE OF TEXAS

PRO. 2" PIPE  
1194.88'  
S 00°24'53" E

N 89°35'07" E 365.21'

N 89°35'07" E 730.42'

N 89°35'07" E 730.42'

LOT 5  
ROGER BROWN  
VOL. 753, PG. 267, D.R.L.C., TX

N 00°24'53" W 597.34'

LOT 4

10.016 ACRES

LOT 3

S 00°24'53" E 597.34'

LOT 2  
ROGER BROWN  
VOL. 673, PG. 596, D.R.L.C., TX

REBECCA PRUETT NO. 118  
ABSTRACT 494

ALLEN SUBDIVISION  
VOL. 11, PG. 317  
D.R.L.C., TX.

365.21'

365.21'

S 89°35'07" W 730.42'

LOT 6

LOT 7

ROGER BROWN  
VOL. 673, PG. 595, D.R.L.C., TX

LOT 8

LOT 9

**“EXHIBIT A”**

FIELD NOTES OF A 170.079 ACRE TRACT OF LAND SITUATED IN THE H. & T. C. RAILROAD SURVEY NO. 117, ABSTRACT 265, LIBERTY COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND “CALLED” 170.00 ACRES DESCRIBED AS “TRACT 3” IN LIBERTY COUNTY CLERK’S FILE NO.(S) 2003018986 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 170.079 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: THE SOUTH RIGHT-OF-WAY LINE OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

**COMMENCING** at a 2” pipe, found, in the south right-of-way line of Farm-To-Market Highway 686, being the northwest corner of a “called” 44.0 acre tract of land conveyed to Wirt Davis recorded by deed in Volume 81, Page 118 of the Deed Records and conveyed to Roger Brown recorded by deed in Volume 1214, Page 253 of the Official Public Records, both of Liberty County, Texas and the northeast corner of a “called” 10.00 acre tract of land described as “tract 7” in Liberty County Clerk’s File No.(s) 2003018986 of the Official Public Records of said County; **Thence**, North 89°35’07” East, along the south right-of-way of said Highway 686, a distance of 1826.06 feet to a 1/2” capped iron rod marked GHSHIPMAN, set, in the travel lane of County Road 621, being the northeast corner of a “called” 5.00 acre tract of land conveyed to Roger C. Brown and wife, Waltraut recorded by deed in Volume 673, Page 594 of the Deed Records of said County; **Thence**, South 00°24’53” East, along the travel lane of said County Road 621, a distance of 2389.37 feet to a 1/2” capped iron rod marked GHSHIPMAN, set, being the southeast corner of the Allen Subdivision, a subdivision in Liberty County as shown on the map or plat thereof recorded in Volume 11, Page 317 of the Deed Records of said County, for the **northeast corner** and **“Point of Beginning”** of the herein described tract;

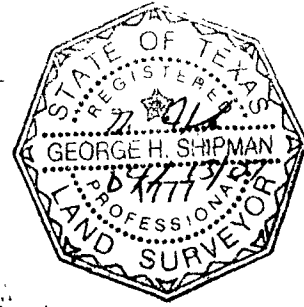
**Thence**, South 00°24’53” East, along the travel lane of said County Road 621, a distance of 2389.89 feet to a 1/2” capped iron rod marked GHSHIPMAN, set, being the northeast corner of that certain “called” 100 acre tract of land conveyed to Mark A. Stoesser recorded by deed in Liberty County Clerk’s File No.(s) 2003018986 (tract 4) of the Official Public Records of said County and for the **southeast corner** of the herein described tract;

**Thence**, South 89°35’07” West, along the north line of said 100 acres and the north line of a “called” 44.5 acre tract of land conveyed to E. J. Stoesser recorded by deed in Volume 304, Page 500 (first tract) of the Deed Records of said County, at a distance of 30.0 feet pass a 3/4” capped iron pipe marked GHSHIPMAN, set, for reference, in all a total distance of 3100.00 feet to a 1/2” capped iron rod marked GHSHIPMAN, set, in the east line of a 111.0 acre tract of land conveyed to Stoesser Farms, Inc. recorded by deed in Volume 480, Page 305-311 of the Deed Records of said County, being the northwest corner of said 44.5 acres and for the **southwest corner** of the herein described tract;

**Thence**, North 00°24’53” West, along the east line of said 111.0 acres, a distance of 2389.89 feet to a 1/2” capped iron rod marked GHSHIPMAN, set, in the south line of a “called” 69.5 acre tract of land conveyed to Mark A. Stoesser recorded by deed in Liberty County Clerk’s File No.(s) 2003018986 (tract 5), the south line of the Rebecca Pruett Survey No. 118, Abstract 494 and the north line of said Abstract 265, for the **northwest corner** of the herein described tract;

**Thence, North 89°35'07" East, along the south line of said Abstract 494, the north line of said Abstract 265, the south line of said 69.5 acres, the south line of a "called" 10.0 acre tract of land conveyed to Stoesser Farms, Inc. recorded by deed in Volume 285, Page 454 of the Deed Records of said County and the south line of said Allen Subdivision, at a distance of 3075.0 feet, pass a 3/4" capped iron pipe marked GHSIPMAN, set, for reference, in all a total distance of 3100.00 feet to the "Point of Beginning" and containing 170.079 acres of land.**

*George H. Shipman*  
George H. Shipman  
R.P.L.S. No. 1777



Job No. 07-34  
04/11/07 sk

1" = 300'

"CALLED" 10.0 AC.  
MARK A. STOESSER  
L.C.C.F. NO.(S) 2003018986  
TRACT 7  
O.P.R.L.C., TX.

"CALLED" 44.0 AC.  
WIRT DAVIS & ROGER BROWN  
VOL. 1214, PG. 253, O.P.R.L.C.,  
VOL. 81, PG. 118, D.R.L.C., TX.

"CALLED" 5.0 AC.  
ROGER C. BROWN AND WIFE  
WALTRAUT  
VOL. 873, PG. 594, D.R.L.C., TX.

FILE NUMBER  
O.P.R.L.C. = OFFICIAL PUBLIC RECORD  
OF LIBERTY COUNTY  
D.R.L.C. = DEED RECORDS OF  
LIBERTY COUNTY  
M.R.L.C. = MAP RECORDS OF  
LIBERTY COUNTY  
VOL = VOLUME  
PG. = PAGE  
X = WIRE FENCE  
-OHP- = OVERHEAD ELECTRIC  
R.O.W = RIGHT-OF-WAY  
P.P. = POWER POLE  
W.M. = WATER METER

### REBECCA PRUETT SURVEY NO. 118 ABSTRACT 494

"CALLED" 69.5 AC.  
MARK A. STOESSER  
L.C.C.F. NO.(S) 2003018986  
(TRACT 5) O.P.R.L.C., TX.

"CALLED" 10.0 AC.  
STOESSER FARMS  
VOL. 285, PG. 454  
D.R.L.C., TX.

ALLEN SUBDIVISION  
VOL. 11, PG. 317  
D.R.L.C., TX.

N 89°35'07" E 3100.00'

SET 1/2"  
CAPPED  
IRON ROD

SET 3/4"  
CAPPED  
IRON PIPE  
● 3078.0'

"POINT OF  
BEGINNING"

### H. & T. C. R.R. SURVEY NO. 117 ABSTRACT 265

170.079 ACRES

"CALLED" 170 AC  
L.C.C.F. NO.(S) 2003018986  
(TRACT 3)  
O.P.R.L.C., TX.

"CALLED" 111.0 AC  
STOESSER FARMS, INC.  
VOL. 480, PG. 305-311  
D.R.L.C., TX.

N 00°24'53" W 2389.89'

S 00°24'53" E 2389.89'

COUNTY ROAD 621

S 89°35'07" W 3100.00'

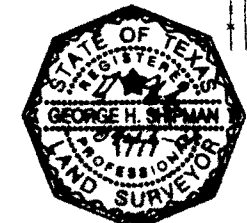
"CALLED" 44.5 AC  
E. J. STOESSER  
VOL. 304, PG. 500 (1ST TR.)  
D.R.L.C., TX.

"CALLED" 100 AC.  
MARK A. STOESSER  
L.C.C.F. NO.(S) 2003018986  
(TRACT 4)  
O.P.R.L.C., TX.

SET 3/4"  
CAPPED  
IRON PIPE  
● 30.0'

SET 1/2"  
CAPPED  
IRON ROD

- NOTES:
1. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
  2. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND IS ZONE "X" ACCORDING TO THE FIRM PANEL NO 480438 02008, DATED 09-30-1988.
  3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR AND/OR WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY BE SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, ENCUMBRANCES AND AGREEMENTS OF RECORD.
  4. ALL CORNERS PROPERLY MARKED WITH 3/4" CAPPED IRON PIPES MARKED GHSHPMAN #1777 UNLESS OTHERWISE SHOWN.
  5. THE SOUTH RIGHT-OF-WAY OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE



I, GEORGE H. SHIPMAN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1777 DECLARE THAT THIS PLAT DELINEATES THE RESULT OF AN ON THE GROUND SURVEY OF A 170.079 ACRES SITUATED IN THE H. & T. C. RAILROAD SURVEY NO 117, ABSTRACT 265, LIBERTY COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO MARK A. STOESSER RECORDED BY DEED IN LIBERTY COUNTY CLERK'S FILE NO (S) 2003018986 (TRACT 3) OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS, SAID 170.079 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

*George H. Shipman*  
GEORGE H. SHIPMAN, P.L.S. NO. 1777, STATE OF TEXAS