



Control Number: 48350



Item Number: 16

Addendum StartPage: 0

①

Public Utility Commission of Texas
Central Records Attn: Filing Clerk
1701 N. Congress
P.O. Box 13326
Austin, TX 78711-3326

RECEIVED

2018 JUL 16 AM 9:12

PUBLIC UTILITY COMMISSION
FILING CLERK

With copy to:
City of Dayton
117 Cook Street
Dayton, Texas 77535

Regarding: NOTICE OF "OPT OUT" of the City of Dayton's Certificate of Convenience and Necessity (Docket No. 48350)

To whom it may concern,

The enclosed documents will serve as written notice that the Landowners of the following described tracts have elected to be **excluded**, ("opt out"), from the City of Dayton's proposed area for the Certificates of Convenience and Necessity to provide water and sewer utility service in Liberty and Harris Counties, reference Docket Number 48350.

Approximately 343.18 acres owned by Mark Stoesser
Approximately 545.75 acres owned by Jack Stoesser
Approximately 252.209 acres owned by Stoesser Drier Inc
Approximately 497.659 acres owned by Stoesser Investments LLC

This exclusion is requested for the tracts in their entirety.

Included for your reference are the tracts' large-scale maps, surveys, and metes and bounds descriptions.

Thank you,
Mark

Mark Stoesser
PO Box 637
Dayton, TX 77535

Public Utility Commission of Texas
Central Records Attn: Filing Clerk
1701 N. Congress
P.O. Box 13326
Austin, TX 78711-3326

With copy to:
City of Dayton
117 Cook Street
Dayton, Texas 77535

Regarding: NOTICE OF "OPT OUT" of the City of Dayton's Certificate of Convenience and Necessity
(Docket No. 48350)

To whom it may concern,

This letter serves as written notice that the Landowner of the following described tract:

Approximately 343.18 acres owned by Mark Stoesser

has elected to be **excluded**, ("opt out"), from the City of Dayton's proposed area for the Certificates of Convenience and Necessity to provide water and sewer utility service in Liberty and Harris Counties, reference Docket Number 48350.

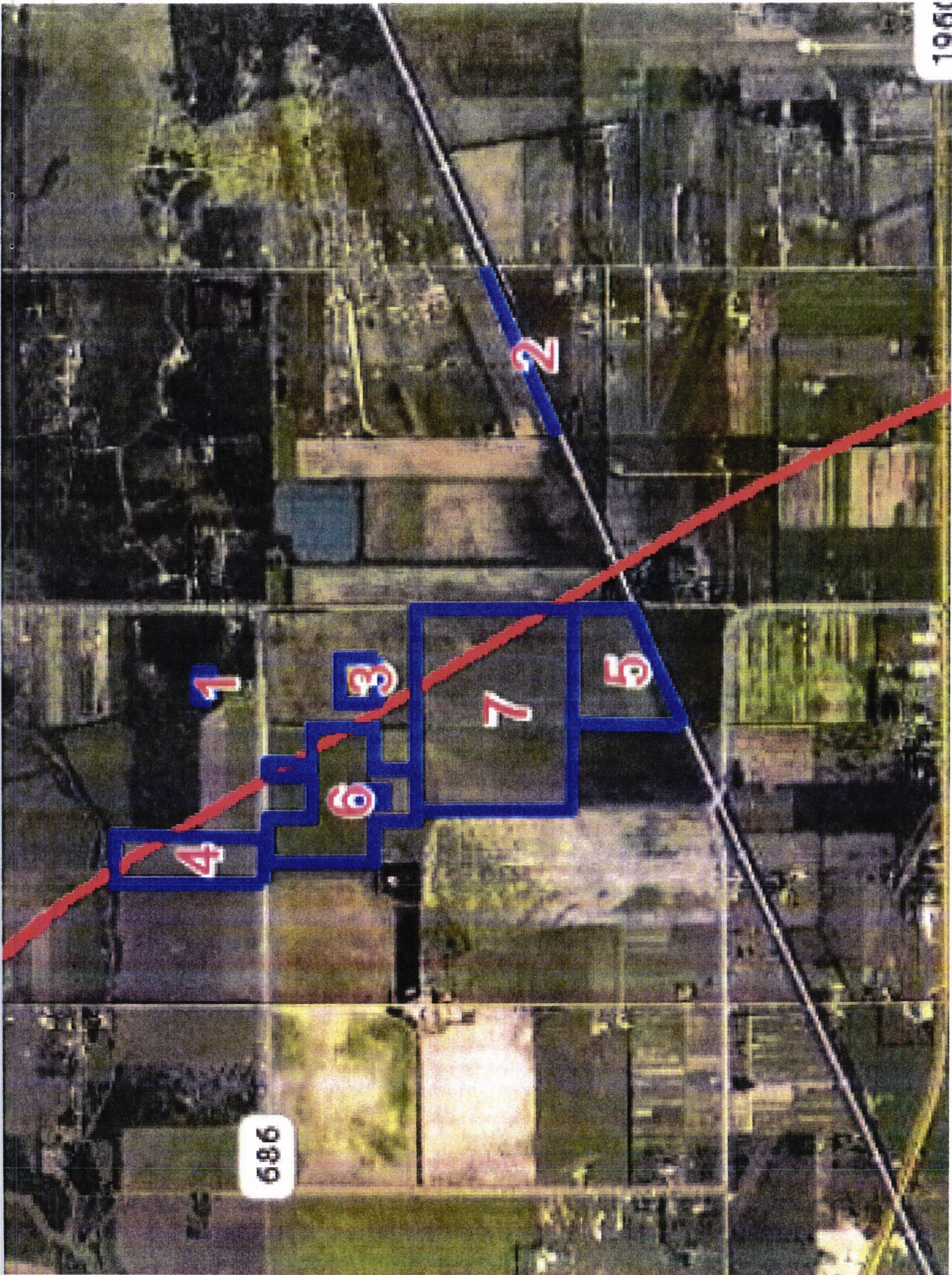
This exclusion is requested for the entire 343.18 acres.

Included for your reference are the tract's large-scale map, survey, and metes and bounds description.

Thank you,
Mark



Mark Stoesser
PO Box 637
Dayton, TX 77535



686

1961

1

3

4

6

7

9

2

Public Utility Commission of Texas
Central Records Attn: Filing Clerk
1701 N. Congress
P.O. Box 13326
Austin, TX 78711-3326

With copy to:
City of Dayton
117 Cook Street
Dayton, Texas 77535

Regarding: NOTICE OF "OPT OUT" of the City of Dayton's Certificate of Convenience and Necessity
(Docket No. 48350)

To whom it may concern,

This letter serves as written notice that the Landowner of the following described tract:

Approximately 545.75 acres owned by Jack Stoesser.

has elected to be **excluded**, ("opt out"), from the City of Dayton's proposed area for the Certificates of Convenience and Necessity to provide water and sewer utility service in Liberty and Harris Counties, reference Docket Number 48350.

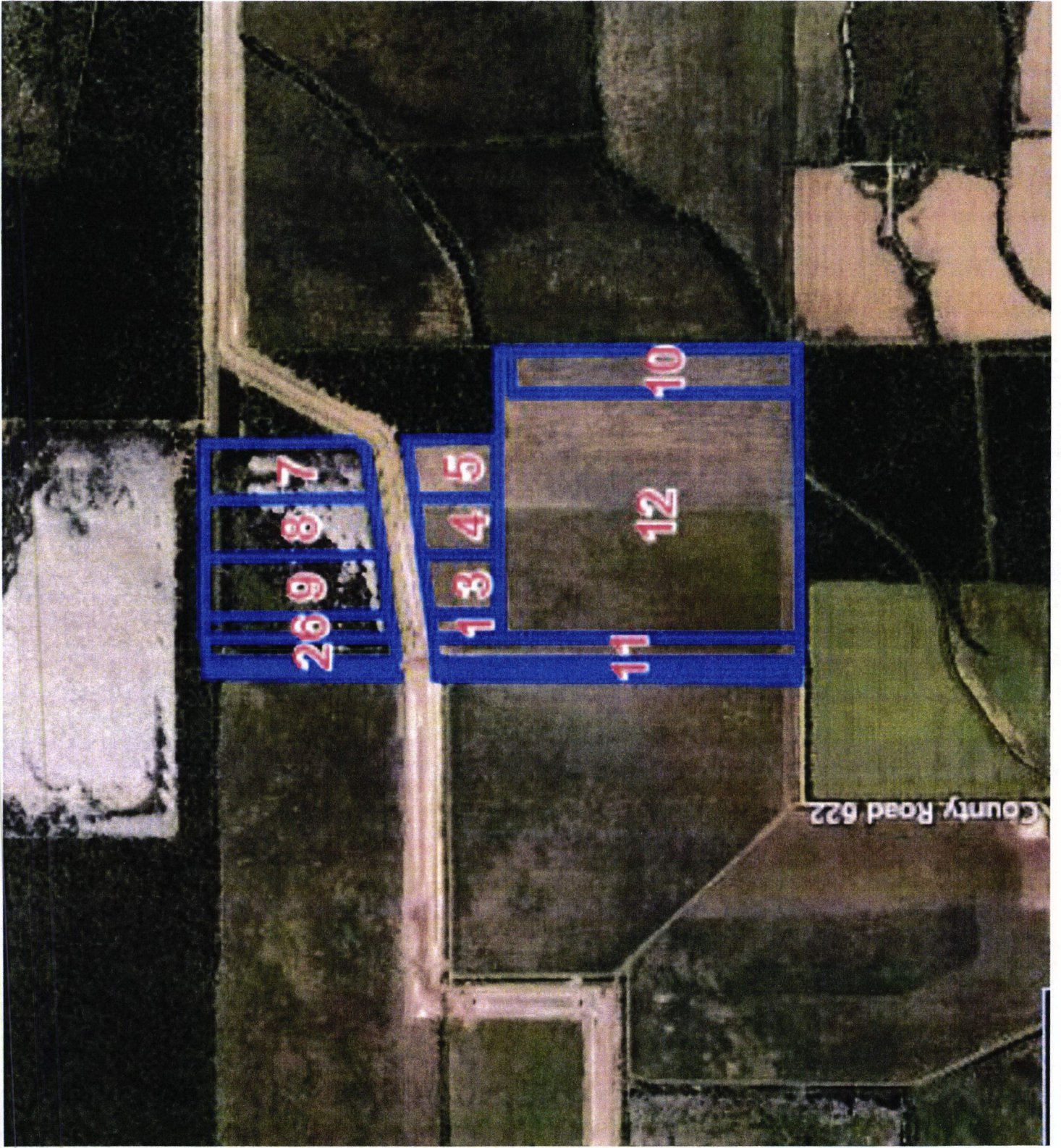
This exclusion is requested for the entire 545.75 acres.

Included for your reference are the tract's large-scale map, metes and bounds and survey.

Thank you,
Mark



Mark Stoesser
Manager
Jack Stoesser.
PO Box 637
Dayton, TX 77535





13

15

686 14

16



11-11-2017

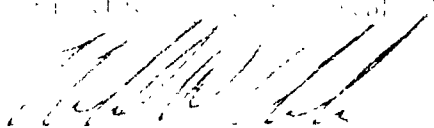
For the purpose of this report, the following information is provided for the purpose of the report. The information is provided for the purpose of the report.

The information is provided for the purpose of the report.

SECTION 100(1)(b)

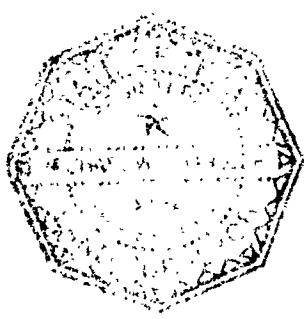
The information is provided for the purpose of the report. The information is provided for the purpose of the report.

The information is provided for the purpose of the report.



The information is provided for the purpose of the report.

11-11-2017



OVERSIZED MAP(s) or DOCUMENT(s)

TO VIEW

OVERSIZED MAP(s) or DOCUMENT(s)

**PLEASE CONTACT
CENTRAL RECORDS**

512.936.7180

Thank you

Public Utility Commission of Texas
Central Records Attn: Filing Clerk
1701 N. Congress
P.O. Box 13326
Austin, TX 78711-3326

With copy to:
City of Dayton
117 Cook Street
Dayton, Texas 77535

Regarding: NOTICE OF "OPT OUT" of the City of Dayton's Certificate of Convenience and Necessity (Docket No. 48350)

To whom it may concern,

This letter serves as written notice that the Landowner of the following described tract:

Approximately 252.209 acres owned by Stoesser Drier Inc.

has elected to be excluded, ("opt out"), from the City of Dayton's proposed area for the Certificates of Convenience and Necessity to provide water and sewer utility service in Liberty and Harris Counties, reference Docket Number 48350.

This exclusion is requested for the entire 252.209 acres.

Included for your reference are the tract's large-scale map and survey.

Thank you,
Mark



Mark Stoesser
Agent
Stoesser Drier Inc.
PO Box 637
Dayton, TX 77535



“EXHIBIT A”

FIELD NOTES OF A 77.83 ACRE TRACT OF LAND SITUATED IN THE REBECCA PRUETT SURVEY NO. 118, ABSTRACT 494, LIBERTY COUNTY, TEXAS AND BEING THAT SAME “CALLED” 69.5 ACRE TRACT OF LAND DESCRIBED AS “TRACT 5” IN LIBERTY COUNTY CLERK’S FILE NO.(S) 2003018986 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 77.83 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 00°24’53” East, along the west line of said 44.0 acres and the east line of said 10.0 acres, a distance of 797.00 feet to a ¾” capped pipe marked GHSHIPMAN #1777, set, being the southeast corner of said 10.0 acres and for the **most easterly northeast corner** and “**Point of Beginning**” of the herein described tract;

Thence, South 00°24’53” East, along the west line of said 44.0 acres and the west line of Lot 5, 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, a distance of 932.65 feet to a ¾” capped pipe marked GHSHIPMAN #1777, set, being the northeast corner 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 for the **most easterly southeast corner** of the herein described tract;

Thence, South 89°35’07” West, along the north line of said 10.0 acres, a distance of 659.72 feet to a ¾” capped pipe marked GHSHIPMAN #1777, set, being the northwest corner of said 10.0 acres and for an **interior corner** of the herein described tract;

Thence, South 00°24’53” East, along the west line of said 10.0 acres, a distance of 659.72 feet to a ¾” capped pipe marked GHSHIPMAN #1777, set, in the north line of a “called” 170.00 acre 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 said County, being the southwest corner of said 10.0 acres and for the **most southerly southeast corner** of the herein described tract;

Thence, South 89°35’07” West, along the north line of said 170.0 acres, the north line of a “called” 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, the south line of said Abstract 494 and the north line of the H. & T. C. R.R. Survey No. 117, Abstract 265, Liberty County, Texas, a distance of 868.75 feet to a ¾” capped pipe marked GHSHIPMAN #1777, set, being the southeast corner of a “called” 8.00 acre tract of land conveyed to E. J. Stoesser recorded by deed in Volume 519, Page 416 of the Deed Records of said County and for the **most southerly southwest corner** of the herein described tract;

Thence, North 00°24’53” West, along the east line of said 8.00 acres and the east line of a

“called” 2.00 acre tract of land conveyed to Stoesser Farms, Inc. recorded by deed in Volume 738, Page 772 of the Deed Records of said County, a distance of 659.72 feet to a 3/4” capped pipe marked GHSHIMAN #1777, set, being the northeast corner of said 2.00 acres and for an **interior corner** of the herein described tract;

Thence, South 89°35’07” West, along the north line of said 2.00 acres, a distance of 659.72 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, in the east line of a “called” 10.0 acre tract of land conveyed to Stoesser Farms, Inc. recorded by deed in Volume 1275, Page 122 of the Official Public Records of said County, for the **most westerly southwest corner** of the herein described tract;

Thence, North 00°24’53” West, along the east line of said 10.0 acres, a distance of 1715.73 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, in the south right-of-way line of said Highway 686, being the northeast corner of said 10.0 acres and for the **northwest corner** of the herein described tract;

Thence, North 89°16’41” East, along the south right-of-way line of said Highway 686, a distance of 766.85 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, being the northwest corner of a “called” 12.0 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 and for a **north corner** of the herein described tract;

Thence, South 00°24’53” East, along the west line of said 12.0 acres, a distance of 786.64 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, being the southwest corner of said 12.0 acres and for an **interior corner** of the herein described tract;

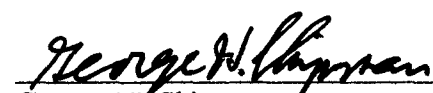
Thence, North 89°35’07” East, along the south line of said 12.0 acres, a distance of 655.22 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, being the southeast corner of said 12.0 acres and for an **interior corner** of the herein described tract;

Thence, North 00°24’53” West, along the east line of said 12.0 acres, a distance of 790.65 feet to a concrete monument, found, in the south right-of-way line of said Highway 686, being the northeast corner of said 12.0 acres and for a **north corner** of the herein described tract;

Thence, North 89°09’08” East, along the south right-of-way line of said Highway 686, a distance of 219.62 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, being the northwest corner of said 10.0 acres (Tract 7) and for the **most northerly northeast corner** of the herein described tract;

Thence, South 00°24’53” East, along the west line of said 10.0 acres (Tract 7), a distance of 792.87 feet to a 3/4” capped pipe marked GHSHIPMAN #1777, set, being the southwest corner of said 10.0 acres (Tract 7) and for an **interior corner** of the herein described tract;

Thence, North 89°35’07” East, along the south line of said 10.0 acres (Tract 7), a distance of 546.53 feet to the **“Point of Beginning”** and containing 77.83 acres of land SAVE & EXCEPT that certain 1.99 acre tract of land “called” 2.00 acres conveyed to Stoesser Farms, Inc. recorded by deed in Volume 738, Page 772 (Tract 2) of the Deed Records of Liberty County, Texas and containing a net acreage of 75.84 acres.


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



Job No. 07-31
03/29/07 sk

F. M. HIGHWAY 686



NOT TO SCALE

CUM GROVE ROAD

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.
1194.68'
S 00°24'53" E
FND. 2" PIPE
(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.

NOTES:

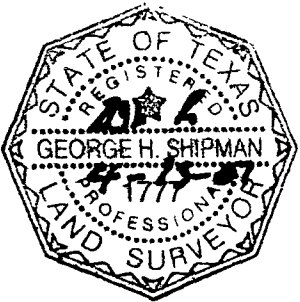
1. FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
2. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAN AND IS ZONE "X" ACCORDING TO THE FIRM PANEL NO. 480438 0200B, DATED 09-30-1988
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH 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 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

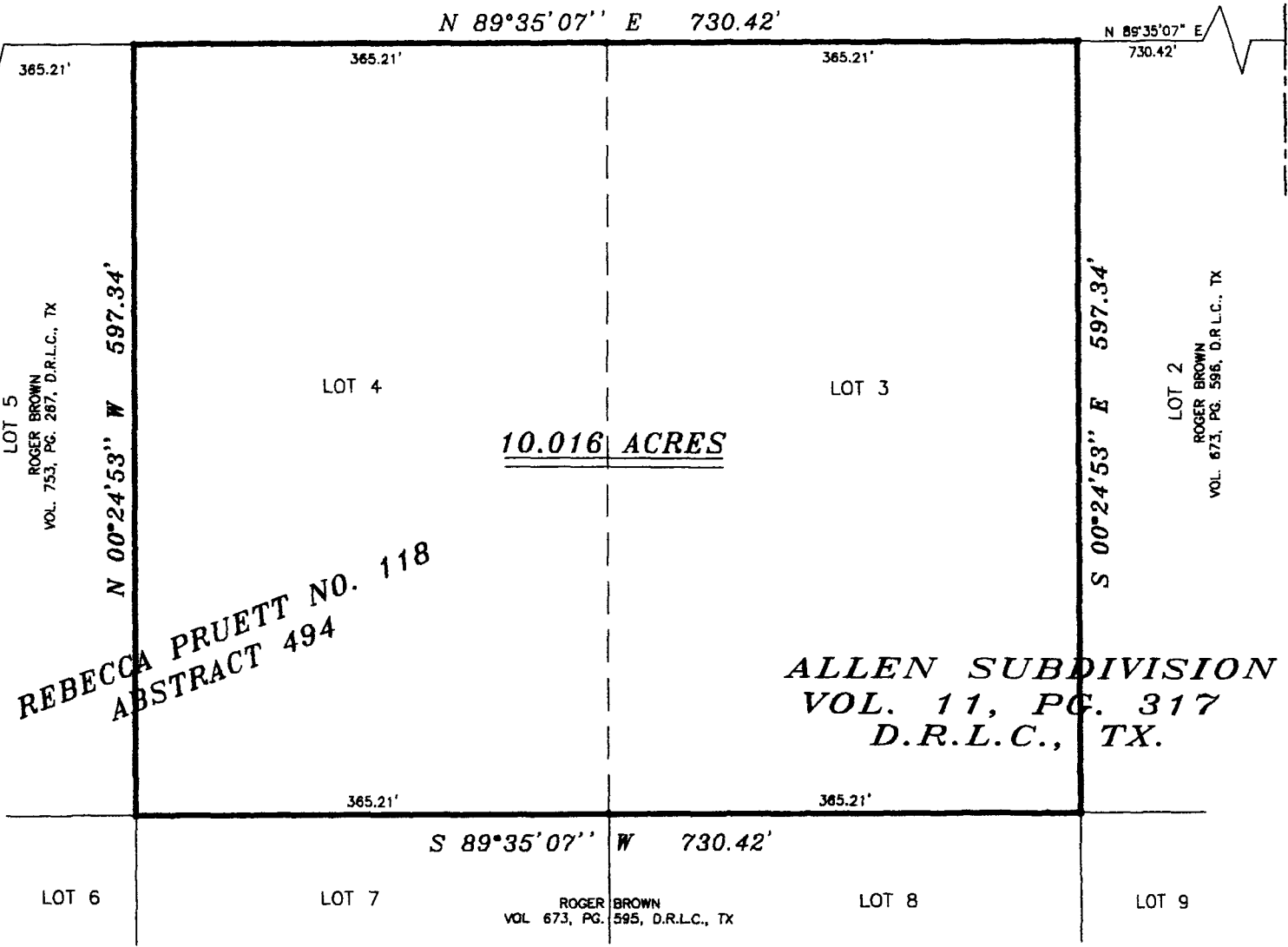
REBECCA PRUETT NO. 118
ABSTRACT 494

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

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



"EXHIBIT A"

FIELD NOTES OF A 55.182 ACRE TRACT OF LAND SITUATED IN THE H. & T. C. RAILROAD SURVEY NO. 117, ABSTRACT 265, LIBERTY COUNTY, TEXAS AND BEING THE RESIDUE OF THAT CERTAIN "CALLED" 100.00 ACRE TRACT OF LAND DESCRIBED AS "TRACT 4" IN LIBERTY COUNTY CLERK'S FILE NO.(S) 2003018986 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 55.182 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.

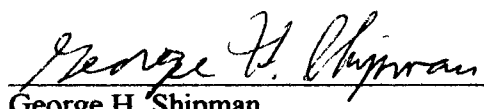
COMMENCING at a 2" pipe, found, in the south right-of-way line of Farm-To-Market Highway 686, being the northwest corner of a "called" 44.0 acre tract of land conveyed to Wirt Davis recorded by deed in Volume 81, Page 118 of the Deed Records and conveyed to Roger Brown recorded by deed in Volume 1214, 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 GSHIPMAN, 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 4779.26 feet to a 1/2" capped iron rod marked GSHIPMAN, set, being the southeast corner of a "called" 170.0 acre 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 said County, the northeast corner of said 100.00 acres, for the **northeast corner** and "**Point of Beginning**" of the herein described tract;

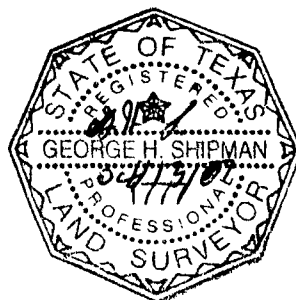
Thence, South 00°23'01" East, along the travel lane of said County Road 621 and the east line of said 100.00 acres, a distance of 923.64 feet to a 1/2" capped iron rod marked GSHIPMAN, set, in the north right-of-way line of Union Pacific Railroad (100' right-of-way), for the **southeast corner** of the herein described tract;

Thence, South 66°17'35" West, over and across said 100.00 acres, along the north right-of-way of said railroad, at a distance of 40.0 feet pass a 3/4" capped iron pipe marked GSHIPMAN, set, for reference, in all a total distance of 1987.53 feet to a 1/2" capped iron rod marked GSHIPMAN, set, in the west line of said 100.00 acres, being the southeast corner 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 and for the **southwest corner** of the herein described tract;

Thence, North 00°24'53" West, along the west line of said 100.00 acres and the east line of said 44.5 acres, a distance of 1709.55 feet to a 1/2" capped iron rod marked GSHIPMAN, set, in the south line of said 170.0 acres, being the northeast corner of said 44.5 acres, the northwest corner of said 100.00 acres and for the **northwest corner** of the herein described tract;

Thence, North 89°35'07" East, along the south line of said 170.0 acres and the north line of said 100.00 acres, at a distance of 1796.05 feet, pass a 3/4" capped iron pipe marked GSHIPMAN, set, for reference, in all a total distance of 1826.05 feet to the "**Point of Beginning**" and containing 55.182 acres of land.


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



Job No. 07-23A
04/11/07 sk

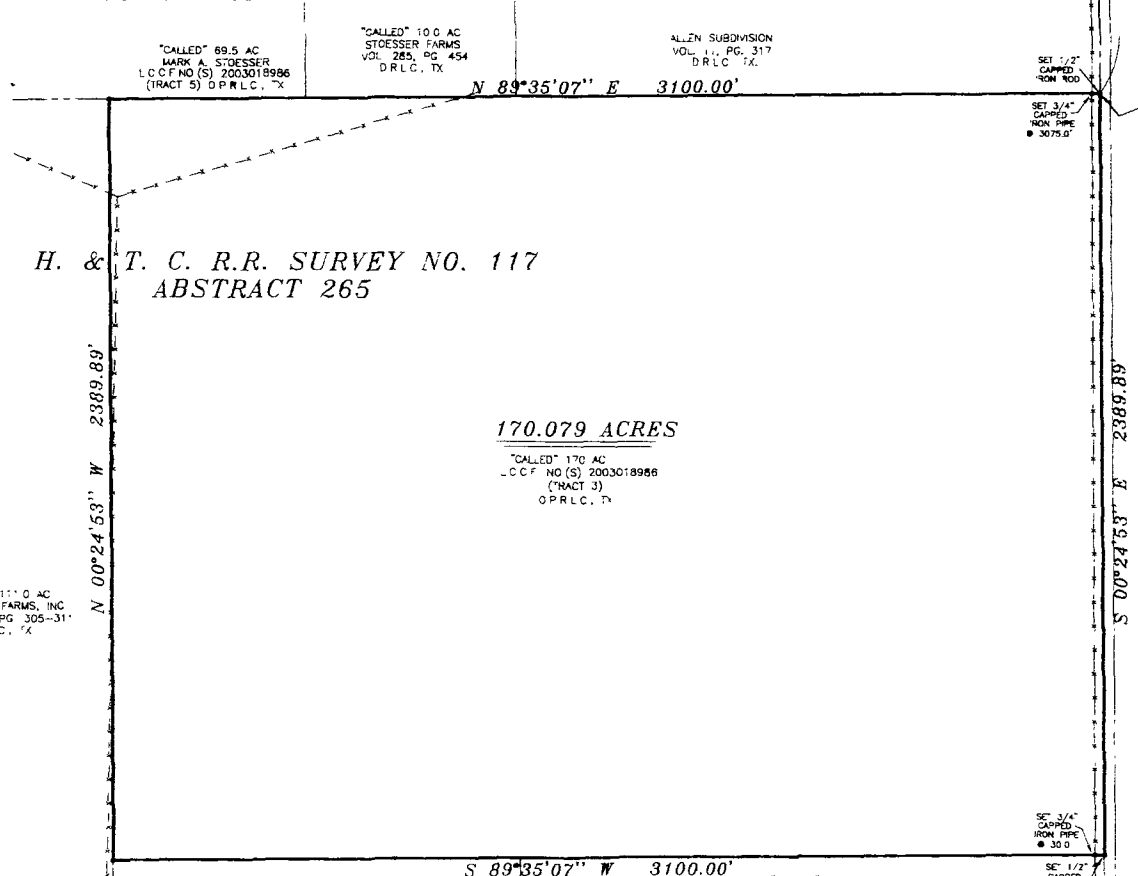
1" = 300'

E F M. HIGHWAY 686

"POINT OF COMMENCING"

- LEGEND**
- CP = CONTROL POINT
 - BB DCL = BEARING BASIS DIRECTIONAL CONTROL LINE
 - LCCF NO(S) = LIBERTY COUNTY CLERK'S FILE NUMBER
 - OPRLC = OFFICIAL PUBLIC RECORD OF LIBERTY COUNTY
 - DRLC = DEED RECORDS OF LIBERTY COUNTY
 - MRLC = MAP RECORDS OF LIBERTY COUNTY
 - VL = VOLUME
 - PG = PAGE
 - - - = WIRE FENCE
 - OHP- = OVERHEAD ELECTRIC
 - ROW = RIGHT-OF-WAY
 - PP = POWER POLE
 - WM = WATER METER

REBECCA PRUETT SURVEY NO. 118
ABSTRACT 494



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

170.079 ACRES

"CALLED" 111.0 AC
STOESSER FARMS, INC
VOL. 480, PG. 305-311
DRLC, TX

"CALLED" 69.5 AC
MARK A. STOESSER
LCCF NO(S) 2003018986
(TRACT 5) OPRLC, TX

"CALLED" 10.0 AC
STOESSER FARMS
VOL. 285, PG. 454
DRLC, TX

ALLEN SUBDIVISION
VOL. 11, PG. 317
DRLC, TX

"CALLED" 14.0 AC
WIRT DAVIS & ROGER BROWN
VOL. 1214, PG. 253, OPRLC, TX
VOL. 81, PG. 118, DRLC, TX

"CALLED" 5.0 AC
ROGER C. BROWN AND WIFE
WALTERA
VOL. 873, PG. 594, DRLC, TX

SET 1/2"
CURVED
IRON ROD

SET 3/4"
CURVED
IRON PIPE
3075.0"

SET 3/4"
CURVED
IRON PIPE
310

SET 1/2"
CURVED
IRON ROD

"CALLED" 44.5 AC
E. J. STOESSER
VOL. 304, PG. 500 (1ST TR)
DRLC, TX

"CALLED" 100 AC
MARK A. STOESSER
LCCF NO(S) 2003018986
(TRACT 4)
OPRLC, 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 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" CURVED IRON PIPES MARKED GSHIPMAN # 777 UNLESS OTHERWISE SHOWN.
5. THE SOUTH RIGHT-OF-WAY OF FARM-TO-MARKET HIGHWAY 686 WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

JOB NO. 07-34
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 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

“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 GSHIPMAN, 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 GSHIPMAN, 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;

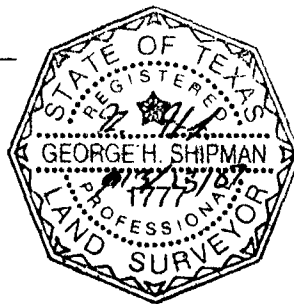
Thence, South 00°24’53” East, along the travel lane of said County Road 621, a distance of 2389.89 feet to a 1/2” capped iron rod marked GSHIPMAN, set, being the northeast corner of that certain “called” 100 acre tract of land conveyed to Mark A. Stoesser recorded by deed in Liberty County Clerk’s File 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 GSHIPMAN, set, for reference, in all a total distance of 3100.00 feet to a 1/2” capped iron rod marked GSHIPMAN, 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 GSHIPMAN, 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;

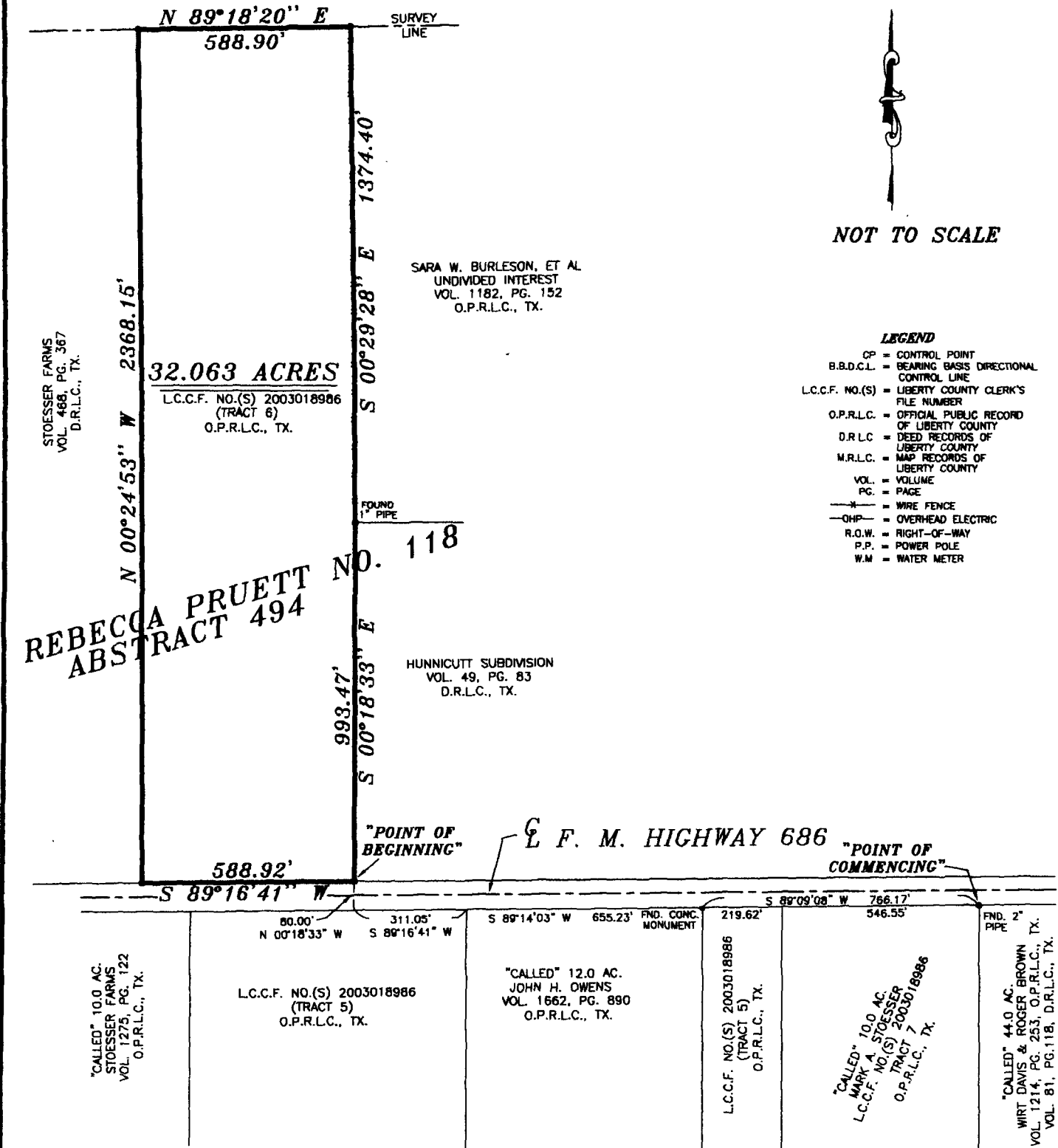
Thence, North 89°35'07" East, along the south line of said Abstract 494, the north line of said Abstract 265, the south line of said 69.5 acres, the south line of a "called" 10.0 acre tract of land conveyed to Stoesser Farms, Inc. recorded by deed in Volume 285, Page 454 of the Deed Records of said County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

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



NOT TO SCALE

- 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
 - *— = WIRE FENCE
 - OHP— = OVERHEAD ELECTRIC
 - R.O.W. = RIGHT-OF-WAY
 - P.P. = POWER POLE
 - W.M. = WATER METER

- 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 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 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. STOESSERT 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;

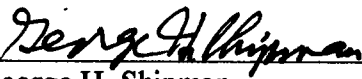
Thence, South 89°16’41” West, along the north right-of-way line of said highway, a distance of 588.92 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, being the southeast corner of a tract of land conveyed to Stoesser Farms recorded by deed in Volume 468, Page 367 of the Deed Records of said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

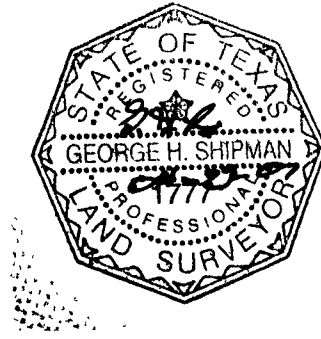
Thence, North 89°18’20” East, along the north line of said Abstract 494 and the south line of said Abstract 264, a distance of 588.90 feet to a 1/2” capped iron rod marked GSHIPMAN #1777, set, being the northwest corner of a tract of land conveyed to Sara W. Burlson, et al, recorded by deed in Volume 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